**A Quest for the Explanation of the Recurrence of Civil War**  - Why Does Negotiated Settlements Fail to Secure Peace?

Photo available at:qodob.com/2013/01/17/the-civil-war-of-somalia/

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# Preface and Acknowledgment

My interest in conflict and peace studies derives from my personal experience. In the period 2010 to 2011 I lived in Jerusalem. Living in this tense atmosphere, in a country engaged in a long run civil war and in close proximity to the countries affected by the Arab Spring, gave me a curiosity and interest in intrastate conflicts and how these affect the lives of the populations. In 2012 I became a student at Saint Francis Xavier University situated in Canada. One of my courses was: *Violence, Conflict and Politics* with Professor Yvon Grenier. This course and my professor’s enthusiasm for the topic increased my interest in the field and prompted that the thesis topic would be related to conflict and peace studies. This thesis marks the end of my studies at University of Aalborg as a master student in Development and International Relations. It was written in the period from winter 2013 until spring 2013 under the supervision of Professor Søren Schmidt.

This thesis would not have been possible to write without the support of the kind people around me, who contributed their valuable assistance in the completion and preparation of this study. First and foremost I would like to extend a special thanks to my supervisor Professor Søren Schmidt whose knowledge, advice, patience and inspiration have been invaluable on an academic level. I am indebted to Mads Gregers Pedersen, Natascha Forster Jung, Benjamin & Sarah Rousing and Jane Sand Kristensen for their questions and suggestions in the editing process. Without their third-party spectacles this paper would not have been of the same quality. Last, but by no means least, to all my family and friends for their friendship and encouragement. Without this invaluable contribution on a personal level I could not have completed this paper.

# Abstract

The purpose of this research is to explain why civil war settlements often are followed by a recurrence of conflicts. The problem of the recurrence of civil war is widely accepted as one of the challenges for the international community in the 21st century. One of the studies on the problem states that since 1995 the number of recurring conflicts outnumbered new onsets by significant margins. In addition there appears to be a tendency for civil wars to be resolved at the battlefield rather than through negotiated settlements. This thesis will investigate the problems of civil war recurrence and the deficient negotiated settlements, in an attempt to add to the understanding of the issues and hopefully be of practical assistance to those who are involved with negotiated settlements. Specifically, this study is a deductive approach with a focus on the theories of North, Wallis and Weingast’s New Conceptual Framework, which is one of the up to date approaches to understand why some countries experience cycles of violence. Also the practical suggestions proposed by Barbara F. Walter and her explanation of why civil war settlements break down is in focus. With this theoretical framework I will attempt to test the explanatory strength by exploring three actual cases of negotiated settlements i.e. Somalia, Sierra Leone and Guatemala. The research questions that will guide this research were operationalized through the theory of Barbara F. Walter and they are: Did the country have credible institutions (political or judicial) to guarantee a settlement? Where there third-party involvement? If yes, did they enforce the settlement? Did the Disarmament, Demobilization and Reintegration phase begin too quickly? The way I answer the questions will be through the documentary research method with the aid of secondary data compiled of scholarly reports, books and articles. The findings indicates that in the case of Sierra Leone and Guatemala, institutions (political or judicial) needs to be in place to guarantee a settlement, whereas Somalia implies that this is not the case. The second explanation of the lack of third-party involvement and enforcement receives support from the case of Guatemala and Sierra Leone, whereas Somalia is in opposition to the claim. The third explanation of the timing of Disarmament, Demobilization and Reintegration receives support from the case of Somalia, Sierra Leone and Guatemala. In addition I find that the New Conceptual Framework is a useful explanation when it comes to understand the institutions and organizations in the conflict affected countries. Also the understanding of why some countries experience more frequent eruptions of violence than others is useful and reliable.

**Keywords:** Violence, Institutions, Organizations, Disarmament, Third-party Intervention, Civil War Recurrence, Negotiated Settlements.

# List of Abbreviations

AFRC Armed Forces Revolutionary Council

APC All People’s Congress

ASC Assembly of Civil Sectors

BFW Barbara F. Walter

CAD Central Administrative Department

CACIF Committee of Agricultural, Commercial, Industrial, and Financial Associations

CDF Central Defense Force

CIA Central Intelligence Agency

DCs District Councils

DDR Disarmament, Demobilization and Reintegration

EO Executive Outcome

ECOMOG Economic Community of West African States Monitoring Group

ECOWAS Economic Community of West African States

FAR Fuerzas Armadas Rebelde

GDP Gross Domestic Product

HI Historical Institutionalism

IDPs Internally Displaced Peoples

IFI International Financial Institution

IMF International Monetary Fund

LAO Limited Access Order

MINUGUA United Nations Verification Mission in Guatemala

MOD Marahan, Ogaden, Dhulbahante

NCF New Conceptual Framework

NGO Non- Governmental Organization

NPRC National Provisional Ruling Council

NWW North, Wallis and Weingast

OAO Open Access Order

OPEC Organization of the Petroleum Exporting Countries

ORPA Organización Revolucionario del Pueblo en Armas

PGT Partido Guatemalteco del Trabajo

RCI Rational Choice Institutionalism

RCs Regional Councils

RCT Rational Choice Theory

RUF Revolutionary United Front

SAPs Structural Adjustment Programs

SLA Sierra Leone Army

SLPP Sierra Leone People’s Party

SNA Somali National Army

SNM Somali National Movement

SPM Somali Patriotic Movement

SRC Supreme Revolutionary Party

SSDF Somali Salvation Democratic Front

TNC Transitional National Council

UK United Kingdom

UN United Nations

UNAMSIL United Nations Mission in Sierra Leone

UNITAF United Nations Unified Task Force

UNOMSIL United Nations Observer Mission for Sierra Leone

UNOSOM 1&II United Nations Operation in Somalia I & II

URNG Unidad Revolucionaria Nacional Guatemalteca

USSR Union of Socialistic Soviet Republics

USC United Somali Congress

US United States

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# 1.0 Introduction

As of 31st of January 2013 there have been 67 UN peacekeeping operations since 1948. There are currently fourteen peacekeeping operations of which nine are trying to mediate or solve civil wars: whereas only five are engaged in interstate wars (UN.org 2013a). The fact that UN is trying to assist in this many civil wars, compared to interstate wars, is an issue I find interesting and therefore civil wars are what I will investigate. Why do civil wars dominate the field of international interventions? Between 1940-1990 47 percent of the total of 17 civil wars were resolved at the bargaining table and successfully implemented, whereas 53 percent ended on the battlefield (Walter 1999 & 1997).[[1]](#footnote-1) These cold facts show that it is more likely that a civil war is resolved on the battlefield, than it is for it to be solved through mediation. In the cases that do end at the bargaining table, the possibilities of a recurrence of the conflicts are more likely to take place. According to Hewitt (2012a, p. 29) in the last ten years the number of new conflicts[[2]](#footnote-2) has been quite low; in fact there were five years with no new conflicts between 2000 and 2005. Nevertheless, since 1995 the number of recurring conflicts outnumbered new onsets by significant margins. What this trend shows me; is that despite the attempt of UN to end 67 armed conflicts since 1948, the international community has been unable to create a peaceful situation in large areas of the world. In addition, despite the impressive amount of manpower and finance poured into the missions, the conflicts still have a habit of recurring. It is for this very reason that this paper will try to investigate; how the international community can become better at creating more successful nonviolent settlements.Furthermore, because nine of the current fourteen operations are engaged in civil war, and because the civil wars appear to be more difficult to end through negotiated settlements, my focus will be on intrastate conflicts.

In order to understand the trend and investigate peace-building strategies I found it necessary to turn to the impressive amount of theories in the field of peace and conflict studies. One of the theories I find interesting is that of Barbara F. Walter (BFW). She proposes a specific theory on how to design successful settlements, as well as introducing a hypothesis on why civil wars have a habit of recurring. One of the arguments, in her hypothesis, is that the chance for successful settlements increases when there is a third-party guarantor; this enables the conflicting parties to implement the agreement and provide security for both parties. The second argument is that combatants revert back to violence because the opponents are asked to do what they consider to be unthinkable; at a time when no legal institutions and no legitimate government exist to enforce the contract, the parties are asked to disarm, disengage and demobilize their military forces and prepare for peace (Walter 1997, p.336). As for BFW’s strategy on; how to design credible settlements, I will return to this in Section 4. I will attempt to use the two arguments through the three underlying interest areas: the legal and political institutional capacity of the country, the Disarmament, Demobilization, and Reintegration process (DDR) and finally if there was a credible commitment by a third party guarantor.

Walter’s theory is deficient when it comes to understanding the institutional situation in the conflict affected countries. It is for this reason that I find it prudent to introduce a macro theoretical explanation which attempts to explain why some countries experience more violence and how the institutions and political organizations function? North, Wallis & Weingast (NWW) have introduced an interesting new way to interpret recorded human history; a so called New Conceptual Framework (NCF). To these authors the reason for the frequent occurrence of violence is to be seen in the manner in which Limited Access Orders (LAOs)[[3]](#footnote-3) control violence. The argument is that the way these countries control violence is through privileges to form organizations (and exclude others) and through the allocation of rents[[4]](#footnote-4), all of which is granted on a personal basis. Because many developmental organizations derive from Open Access Orders[[5]](#footnote-5) (OAOs) the containment of violence looks corrupt and the way to fix this is through policies found in the logic in these OAOs. Consequently, the policies fail because the methods attack the important pillars that hold these societies together and in worst case, return to violence (NWW 2009b). NWW is to provide me with a tool that can explain the logic found in LAO institutions, and a way to explain the distribution of violence and power within the political system. In other words: a theory of politics that explain the distribution of violence and power; and a theory of government that explains the behavior of political players and the institutions and organizations in these governments (NWW 2009a).

In this way my investigation is structured through the macro conceptual framework of NWW and their focus on Violence, Institutions and Organizations in LAOs and the short term hypothesis on civil war recurrence and strategic suggestions on how to design successful settlements introduced by BFW.

This project will be an attempt to test the reliability of the explanatory strength of the practical suggestions and assumptions proposed by Walter and NWW. I believe the best way to test the reliability of their explanatory strength is to apply them to a real life case. This will be done by exploring three, on my part, unknown peacekeeping missions:

One case that was successful - I chose Guatemala, as the ex-UN Secretary General Kofi Annan pointed out: *MINUGUA* (UNs Verification Mission in Guatemala*) stands as a successful example of UN peace-building, with valuable lessons for operations in other parts of the world* (UN.org 2004a, p.2)

The next case is regarded as a moderate success - Sierra Leone. As described in a UN report: *UNAMSIL (United Nations Mission in Sierra Leone) has largely succeeded in fulfilling its mandate to oversee the peace process […] yet stability in Sierra Leone remains fragile* (UN.org 2004b, P.1)

Finally; the case of Somalia which is regarded a failure. In the words of the Institute for Security Studies: *the UN peacekeeping missions in Africa did not last long as a result of the Somalia fiasco in the 1990s* (Reliefweb.int 2009, p.1).

## 1.1 Problem Statement

My problem statement will be the following question:

**What is the explanation of why civil war settlements often are followed by a recurrence of conflict?**

# 2.0 Conceptual Framework

This section will operationalize on the problem statement and elaborate on the main concepts.

In order to address my interest areas I have operationalized the problem statement into two questions:

Are BFW’s theories reliable when clarifying how to build successful settlements in the aftermath of a civil war and explaining the breakdowns of civil war settlements, when confronted with three real life cases?

Is the NCF proposed by NWW a useful theory due to understanding the legal and political institutions and organizations in a conflict affected society?

I have raised the following research questions that are meant to guide my research on the three cases:

* Did the country have credible institutions[[6]](#footnote-6) (political or judicial) to guarantee a settlement?
* Were there third-party involvement? If yes did they enforce the settlement?
* Did the Disarmament, Demobilization and Reintegration phase begin too quickly[[7]](#footnote-7)?

The most important concepts in the NCF are the following: violence, organizations, institutions, Limited Access - or Natural State Order and Open Access Order[[8]](#footnote-8). The following sections will make it clear how I understand these concepts throughout the paper.

## 2.1 Violence

One of the most important elements of the new framework is the systematic reflections on the problem of violence in human societies. These authors do not belong to the Hobbesian camp which stresses that humans are predisposed to be violent; but to them the possibility that some humans will be violent is a problem in any society. The underlying assumption is that violence cannot be eliminated; it can only be contained (NWW 2009a). Johan Galtung defined the term violence as: *the cause of the difference between the potential and the actual* (Galtung 1969, p. 23). The actual is the occurrence of a violent act and the potential is the threat of the occurrence of violence. In the new framework violence is also expressed through either a coercive threat of a physical action or in an actual physical action. They also distinguish between actions of an organized group such as armies or gangs and the action of a single individual. However, the main focus in their framework is on organized violence; the threats or use of violence by groups (NWW 2009a).

## 2.2 Organizations

The term organization is understood as individuals coming together in order to pursue a mix of individual and common goals through coordinated behavior. In other words, organizations are tools which can be used by individual actors: to create and seek human relationships, to dominate and coerce others, to increase their productivity and to coordinate the actions of groups and individuals (NWW 2009a). The framework works with two types of organizations: Contractual Organizations and Adherent Organizations. In the contractual organization the individuals make use of third-party enforcement of an agreement and also incentive-compatible agreements among members. In contrast, in the Adherent organization, there are self-enforcing agreements made by its members and therefore no involvement of third-party enforcers (NWW 2009b).

## 2.3 Institutions

Institutions are the ‘rules of the game’, the pattern of interaction that constrain and govern the relationships between individuals (NWW 2009b p.4). The institutions include: written laws, formal rules, informal norms of behavior, shared beliefs about the world, shared means of enforcement and formal social conventions. They propose the view that institutions are tools that place constraints on the behavior of individuals (NWW 2009a).

## 2.4 Limited Access – or Natural State Order

The Natural state order is natural because in the last 10.000 years. This order has been the only type of society that has been capable of containing violence and securing physical order. According to NWW 85% of the world’s population live in these societies. Therefore this order is more natural than the OAO. They postulate that the natural states are ruled by dominant coalitions and those outside of the coalition have only limited access to privileges, organizations and valuable activities and resources (NWW 2009b).

## 2.5 Open Access Order

The OAO is a new type of social order that appeared in recent times i.e. the nineteenth century. This period started with the beginning of the modern political- and economic development. The ability to form organizations is accessible to everyone who meets a set of impersonal and minimal criteria. In contrast to identity in the natural states, the identity in OAO is defined as a set of impersonal characteristics often called citizens. In these societies you do not have to know the identity of other people in order to interact (NWW 2009b).

## 2.6 Focus

The main purpose is to check the reliability of BFWs arguments on why civil wars recur and her theory on how to design successful civil war settlements. Another theory that will be investigated is that of the NCF explanation for the frequent eruptions of violence in LAOs. Also their conceptual understanding on Institutions and organizations is to help me understand BFWs focus on the lack of institutional (judicial or political) capacity. The best way to test a new theory is to apply it to a real life situation. Therefore I have chosen three random cases with three different outcomes. The outcomes have been categorized by the UN and the African Institute for Security Studies in relation to whether interfering was successful, moderate or a failure. The reason why I have chosen the following three cases is because they are all conflicts I have no prior knowledge about; in fact they are the ones I knew the least about. In this way I will neither have any prior bias connected with the cases nor will I be able to choose cases that either falsify or verify the theories chosen.

### 2.6.1 Somalia

My focus in regard to Somalia will be on the Somalia Civil War (1991-ongoing). The purpose of this war was the disbandment of the Somali National Army (SNA) and the overthrow of the Barre regime. After the toppling of the regime, many different elite fractions began to compete for influence and this competition is still ongoing and is the reason for the continuation of the conflict (Laitin 1999). My interest will be on the UN interventions: UNOSOM I, United Nations Unified Task Force (UNITAF) and UNOSOM II (United Nations Mission in Somalia II), In other words, my focus is between 1992 and 1995. As mentioned in the report from the African Institute for International Security Studies: the *UN Peacekeeping mission in Africa did not last long as a result of the Somalia fiasco in the 1990s* (reliefweb.int 2009, p.1). The UNITAF operation, which began in 1992, came to a hold when 18 US soldiers were killed. In the same report it is stated that *when US withdrew. The larger UN operation failed and Somalia remains a failed state and became a threat to its neighboring states and its own citizens* (ibid p.1)*.* Also UN seems to find the operation lacking: *In other instances, however, UN peacekeeping and the response by the international community as a whole has been found wanting, for instance in Somalia, Rwanda and the former Yugoslavia in the early 1990s* (UN.org 2013a p.1)*.*

### 2.6.2 Sierra Leone

My interest in Sierra Leone will be the Sierra Leone Civil War (1991-2002). The conflict began between two main fractions. The Revolutionary United Front (RUF), with the help from Charles Taylor in Liberia, tried to overthrow the corrupt and Autocratic rule of the All People’s Congress (APC) lead by Joseph Momoh. The result was an eleven years long conflict (Nilsson 2008). My intention is to study the Lome Peace Accord signed on 27.03.1999 and the subsequent return to fighting which lead to the British military intervention in 2000 and as a result the declaration by president Kabbah in 2002 stating that the civil war was officially over (Nilsson 2008) Further a UN Report indicate that it is a moderate success: *UNAMSIL* (United Nations Mission in Sierra Leone) *has largely succeeded in fulfilling its mandate to oversee the peace process ... yet stability in Sierra Leone remains fragile* (UN.org 2004b, p.1). In another UN report the argument is that: *UN Peacekeeping has also made a real difference in other places with recently completed or ongoing operations such as Sierra Leone … they have helped countries to close the chapter of conflict and open a path to normal development, even if major peace building challenges remain* (UN.org 2013a p.1)

### 2.6.3 Guatemala

My interest in Guatemala will be the Guatemalan Civil War (1960-1996). The armed conflict began when leftist guerillas of the National Military Academy revolted against right wing death squads and the autocratic government of General Ydigoras Fuentes who had taken power in 1958, after the assassination of the incumbent colonel Castillo Armas (Preti 2002)& (Brands 2011). My focus is the peace operation MINUGUA (1994-2004). The Secretary-general Kofi Annan has stated that: *MINUGUA stands as s successful example of UN Peace building with valuable lessons for operations in other parts of the world* (UN.org 2004a, p.2). In another report from UN the same conclusion seems to be drawn: *Since 1948, the UN has helped end conflict and foster reconciliation by conducting successful peacekeeping operations in dozens of countries, including Cambodia, El-Salvador, Guatemala …* (UN.org 2013b, p.1).

# 3.0 Methodology

In the following section, I describe my reflections in theory of science and describe which tools I will use in order to answer the problem statement. First, I reflect on my ontology and epistemology which leads me to the theoretical framework and my empirical choices and reflections[[9]](#footnote-9).

## 3.1 Ontology and Epistemology

Ontology is the subject in philosophy of science that studies the question of ‘what is reality?’ (Blakie 2003a, p.1).The Ontological position in my research is Objectivism. This is a position that argues that there is a reality independent from our knowledge about it and the categories we use in everyday life (Bryman 2004). At the same time I recognize that the knowledge about this objective reality always has to be discussed by means of terms. These terms help us to understand and relate to the world. This is also the critical realist ontological position.

Epistemology is a theory of knowledge that examines how humans come to acquire knowledge of the world, and how they learn the nature of this knowledge (Blaikie 2003b, p.1)[[10]](#footnote-10). The Epistemological position in my research is Critical Realism which is described below.

### 3.1.1 Critical Realism

In critical realism the aim with the research is to understand ‘what is’, about ‘why it came to be the way it is?’ and about ‘how it ought to be’ (Hammersley 2002, p. 149). The purpose of this approach is to identify the reality of the discourses, events and the natural order of the social world. The only way to understand, or change the social world is to unearth the structures and real mechanisms underlying perceived events: why it came to be the way it is? (Bryman 2004). There is an underlying assumption that our knowledge about the world is erroneous and theoretical. In spite of this actuality, we can still make use of empirical tests, because the effects and tendencies are observable (Dobson 2002). The NCF proposed by North, Wallis & Weingast is in many ways a theory which tries to understand the mechanisms and structures at work in the Institutions and organizations of LAOs and in that way try to understand how these countries contain violence. Therefore, I identify with the Critical Realist claims of the function of my research needs to produce explanatory critiques of the dominant practices in the peace process as well as ideas and assumptions which regulates how we structure the process. BFW’s theory is also an attempt to understand the recurrence of violent eruptions in civil war and her practical guidelines on how to design better outcomes. I do not believe that I can provide any clear predictions; I simply wish to specify the tendencies that lead to a successful or a failed peace process, as well as the explanatory power of the two theories.

### 3.1.2 The Deductive Approach

Deduction is about testing a theory’s explanatory force by using our prior knowledge (Troelsen 2008). This is an approach that starts with a broad general theory and then uses it to deduce some basic hypothesizes (Corbetta 2003). In this paper I wish to test NWW and BFW’s suggestions and explanations and from these I deduce the following basic hypothesizes:

* Civil wars recur because the settlements do not take into account that these societies do not have institutions and organizations which may guarantee the enforcement of the settlement.
* Some countries experience more frequent violent outbreaks because the way to contain violence in these societies, is based on rent allocation and limited access to form organizations. When the economic situation changes, these countries have to renegotiate the status quo and this is done through the use of violence.
* Civil war settlements break down because there is a lack of third-party involvement to enforce the agreements made.
* Civil war settlements break down when the third-party attempts to disarm, demobilize and reintegrate the fighting parties too quickly.

It is my understanding that when these assumptions are challenged by three practical cases; Somalia, Sierra Leone and Guatemala, there is a possibility that a new focus will ensue and thereby a revised understanding of the approach of NWW and BFW will emerge. In this way I hope to come closer to an enriched and revised holistic understanding on why civil wars recur and how the international society can build better settlements.

Deductive reasoning has a different inert logic during research than its opposite method of induction. William Trochim argues that induction is the more exploratory and open ended bottom-up approach; it begins with data and then the development of a theory. In contrast deduction is concerned with confirming and testing of a hypothesis i.e. more limiting in nature and has a more top-down feel to it (Trochim 2006). In this research I begin with a theory and then I test it on actual data which determines that the approach in this paper will be the deductive approach. As I adopted the idea from Critical Realism which makes it clear that we can never know the entire truth, our understanding will always change and come closer to reality. Therefore I acknowledge the fact that even if the hypothesizes should show to be reliable this does not mean that I hold the truth and that the same outcome would apply to other cases. I simply wish to determine that in the three cases and in those specific circumstances, the specific findings of NWW and BFW appear to be reliable explanations.

## 3.2 Theoretical Framework

The theory will enable me to analyze the empirical data in order to understand how the international community can design credible civil war settlements. In addition the theory will help me understand why civil wars return to violence and how come in some societies there are more frequent violent onsets. This will be done by applying the NCF on how to interpret recorded human history proposed by NWW and BFW’s argument of why settlements fail and how settlements ought to be designed. The order of the two theories has been chosen because the NCF provide me with a macro-structural historical framework, whereas BFW is more of a short-term transition theory. I find it most practical to begin with the macro level and understand the logic found within these societies; before attempting to fix the peace negotiations with BFW’s suggestions and investigate her theory which is specifically addressing civil war.

These two theories derive from the school of Rational Choice Theory (RCT). Basically RCT is rational explanations with data; an analysis of human action based on the strategic choices of individuals[[11]](#footnote-11). Richard Münch describes the purpose of RCT thus: social interaction is an economic transaction guided by the actor’s rational choices between various alternative outcomes of an action taken in terms of its costs and benefits; the actors will rationally choose the action which promises to minimize costs and maximize the benefits, or put differently, which promises the highest product of the net benefit to the actor and the probability of its occurrence (Münch 1992, p.138).

BFW is from this school which can be seen, in her focus on why the elite in the conflict affected countries will choose to return to the use of violence or adhere to the settlements? In short she studied their actions and negotiation strategies to understand their rational for choosing one cause over another. NWW are also from the Rational Choice tradition but I will place them in the subfield known as Rational Choice Institutionalism (RCI), although their NCF can be seen as an attempt to merge RCI with Historical Institutionalism (HI). In RCI the focus is on Institutions[[12]](#footnote-12) and the main assumption is that actors make use of institutions in order to maximize their utility. The actors’ choices to either adhere to the ‘rules of the game’ and the restrictions imposed on the individuals rest on the rational cost-benefit analysis of their preferences (Schmidt 2010). The logic found within NCF on the concept of - and emphasis on institutions corresponds to the RCI subfield. This is also seen in NWW’s focus on rents given to military specialists in an attempt to buy their support; the rents become part of the military specialist’s cost-benefit analysis. HI makes use of history to explain the macro-historical structures and practices in the institutions, described as routinized practices and regularized patterns (Schmidt 2010). In the new framework HI can be identified in NWW’s explanations of the development of institutions and ORGANIZATIONS in France, Britain and USA, in an attempt to account for the transition from LAO to OAO[[13]](#footnote-13).

I am aware that choosing two theories from the same scholarly tradition is limiting in scope. This approach was taken because it enabled me to go more in-depth with one specific theory. The reason for the choice of RCT is because the theory can be considered a paradigm in social science and the theory has been around for approximately four decades which makes it one of the most important and thoroughly documented theories (Münch 1992, p.137 and Shepsle 2005, p.1). In addition, due to its age and status as a paradigm the theory is constantly adapting when faced with challenges and criticism, which explains the existence of subfields e.g. RCI.

The choice of NCF is because they attempt to give an explanation of the frequent eruptions of violence in the Natural states, they also give an explanation for why the development policies often fails and finally they provide me with the institutional and organizational understanding on why there is a lack of political and judicial institutions to enforce the settlements. BFW is chosen because her theory offers specific suggestions and tools that the agents involved in peace building can make use of. She also attempts to explain why the civil war negotiations appear to have a tendency to go back to the battlefield.

## 3.3 Research Design

The research design used in this project provides the framework within which my problem and facts can be analyzed and collected (Bryman 2004). The basic framework in this project is a case study design.

### 3.2.1 Case Study and Document Research

A Case study is associated with a location, such as an organization or a community. The emphasis is upon a rigorous examination of the location (Bryman 2004). The type of case used is the critical case: in these types of cases the researcher has a specific theory, a case is then chosen because it will enable a better understanding of the tendencies and circumstances in which the theory will show to be reliable or not (Bryman 2004). In my paper I chose the three cases in order to test a specific NCF as put forward by NWW and the method and explanations suggested by BFW. In this way understand the tendencies and circumstances in which the theory will or will not hold. According to Alan Bryman in the last couple of years many scientists have argued for a greater use of case study research that entails the investigation of more than one case i.e. multi-case survey (Bryman 2004, p.55). A Multi-case approach is essentially conducted when the number of cases exceeds one. I am intending to make use of a Multi-case approach by conducting research on three different locations. In this multi-case study I make use of document study, mostly secondary literature. The document research method is a more cost effective method in social surveys than participant participation or interviews. A document research method is defined as a technique used to help the researcher to: interpret, examine and categorize the limitations of physical sources. Usually these sources are written documents from the private or public domain (Mogalakwe 2006). The research in this paper is based on different written sources; articles, books, and reports. Another benefit of Document Research with secondary data analysis is that many of the data sets and reports written by social scientists are of high quality. As a student it would be difficult to achieve the same standards and the same extensive coverage of data sets in such a short time (Bryman 2004). This leads to my empirical framework, which describes the reflections for this project about what type of documents and data is necessary to make holistic research, in order to reach a deeper understanding of the matter[[14]](#footnote-14).

## 3.4 Empirical Framework

The empirical data of this project consists of the official UN reports on MINUGUA, ECOMOG (Economic Community of West African States Monitoring Group), UNOMSIL(UN Observer Mission for Sierra Leone), UNAMSIL, UNOSOM I and II and UNITAF. In order to gain an understanding of the mandates, official numbers on the resources and manpower employed by the operations. A part from UN reports, I make use of historical accounts and books about the conflicts and societies, as well as critical scholarly articles with a focus on Guatemala -, Sierra Leone- and Somali civil war. I am aware that the UN reports can be subjective and biased because of the agenda of the authors presenting the data and account. This is why I am trying to find critical articles and historical books that can provide me with a detailed knowledge on the missions and countries.

The research questions that will guide my research are the following:

* Did the country have credible institutions (political or judicial) to guarantee a settlement?
* Was there third-party involvement? Did they enforce the settlement?
* Did the Disarmament, Demobilization and Reintegration phase begin too quickly?

## 3.5 Flow of argument

To make a theoretically-informed and empirically-grounded analysis, the flow of argument of this project is done in two interrelated methods: firstly, it provides a review of the theories of NCF and BFW’s design of successful settlements and her arguments for the breakdown of negotiated agreements. And secondly, it examines the relevance of these theories in the analysis of the specific critical cases: Guatemala, Sierra Leone and Somalia in an attempt to understand how the international society can build successful settlements and whether their explanations are reliable. In the methodology I establish the tools used to answer the problem statement. Through the ontological and epistemological reflections I state that my approach is Critical Realism and within this it is deductive because of the focus on the theory of NWW and BFW. In order to test the deductive method I use historical accounts and critical papers in an attempt to check the use of NCF and BFW in real life. The method used is multi-case and Document Research. I will use the research questions listed in section 3.4 to guide me in the process of describing the three cases.

In section 4.0 I will describe the two theories, NCF as the first because of its macro nature and then BFW because of its practical suggestions and focus on civil war settlements. Section 5.0 will be my empirical data; First, that of Somalia (5.1), then Sierra Leone (5.2) and finally Guatemala (5.3) All of these were chosen because of my lack of bias and prior knowledge. Section 6.0 is the analytical chapter, (6.1) will focus on the lack of institutional capacity and the effect on the settlement. (6.2) will focus on the lack of credible enforcement by a third-party and how this affects the settlements, and (6.3) will focus on whether the timing of DDR has an impact on the settlements? In section 7.0 I will conclude on the findings and section 8.0 will be my recommendations for further research.

## 3.6 Literature Review

I have read an article by Mathew Longo & Ellen Lust (2012) that can provide both an interesting angle to the DDR process and also act as a critical focus on third-party enforcement. One of their most controversial arguments is that in elections, with the goal of democratizing these conflict affected countries, balance of arms may have a positive influence in three ways: before the elections, arms can force the incumbent party to launch elections; In the actual election, the visibility of arms can influence the behavior of voters and the choices of candidates, giving the voters a chance to cast their votes sincerely; And after the elections, the arms can push the incumbents to accept the results and secure a democratic outcome (Longo & Lust 2012). Their assumption goes well hand in hand with NWW in the sense that they hold the assumption that violent assets are dispersed in the LAOs. Disarmament therefore threatens the power balance and as a consequence a new negotiation on the status quo may occur. It also provides more of an understanding on BFW’s focus on DDR and the need for credible enforcement by a third-party. This is also where the two arguments differ. BFW finds that it is only when there is a credible third party guarantee that a settlement will succeed. In contrast this is the Longo & Lust position on third party assistance: *third party guarantors often fail to maintain, or be perceived as neutral. The result of intervention then can be one of heightened fear, greater instability and eventually when third parties withdraw, the return to violence. In short, what is most critical is the stabilizing dynamics of power balance; third party guarantors may be one path towards this goal, but often not the best* (ibid 2012, p. 261)*.* Their argument provides me with an alternative critical reflection on the involvement of; third-party actors, balance of power, and the role of neutrality[[15]](#footnote-15).

The literature on Somalia is filled with accusations and attempts at blaming others for the failure. There seems to be an anti-US and anti- UN camp. Because of this, I have made use of literature that points out failures on both sides such as: Menkhaus (2010), Harper (2012), Howard (2008), Tripodi (1999), Boulden (2001), and one World Bank article (2005). Because of the use of UN reports these have a Pro-UN bias; also Clarke & Herbst (1996) are more in favor of UN, whereas Perlez (1992), Robbins (1992) and Makhubela (2012) don’t touch on US but predominantly criticizes the UN strategy. In this way I hope that by giving a voice to both camps and make use of predominantly neutral sources my account on the Somali process will show to be neutral and detailed.

In the literature on Sierra Leone there seems to be two explanations for why the conflict came about. The first one is what has been termed ‘blood diamonds’ and a revengeful insurgent leader - Sankoh, as seen in: Abedajo (2002), Heupel & Zangl (2010), Hirsch (2001), Johnston (2008), Hough (2007) and Le billon (2008). The second one is blaming Structural Adjustment Programs (SAPs) and state failure, this is seen in: Brattberg (2012), Williams (2004), Zack-Williams (1999), Bøås (2001), Keen (2005) and Cubitt (2013). I also included sources that mention both reasons such as: Howard (2008), Harris (2012) and Binningsbø & Dupuy (2009).

In my research on Guatemala I came across a problem, this is expressed in Jonas (1991, p.xv): *many analyses of the Guatemalan situation have taken as their point of departure the overthrow of the nationalist, popular government of Jacobo Arbenz, which gives the accounts a certain inappropriate analytical bias.* Reading through various different articles I found myself encountering a scarcity of literature on the situation prior to the overthrow of the democratic government of Arbenz. The majority of the literature dealt with the situation in post-war Guatemala, or had been written before the completion of the UN operation. A lot of the articles centered on the massacre of the native population; there is also a sense of cold war rhetoric. I managed to find three sources on the situation before the civil war and the judicial and political institutions and organizations. The best neutral source was that of Jonas (1991), but Calvert (1985) and Black (1984) were predominantly Anti-US. I decided to base the Guatemala chapter on books, as they were more neutral and detailed, including: Brockett (2005), Higonnet (2009), Leeuwen (2009), Reilly (2009), Sieder (1998). I also included articles focusing on one specific issue that I found wanting, such as; Gavigan[[16]](#footnote-16) (2009) and Rettberg[[17]](#footnote-17) (2007). Finally I included three additional sources on the actual peace agreement process: Jonas (2000), Burgerman (2000) and Rosenthal (2001).

# 4.0 Theory

In this section I will introduce the theories that will be applied in this paper. They are as following: New Conceptual Framework proposed by NWW and BFW’s theory on how to design successful settlements. In the end of each introduction I will explain which parts of the theories I will apply in my empirical research and the analysis of the three research questions.

## 4.1 New Conceptual Framework for Interpreting Recorded Human History

The approach of NWW is not a formal or analytical theory; instead they have developed a conceptual framework. According to Eisenhart (1991), a framework is an argument which tries to incorporate different theories and points of views which culminates in a series of explanations for accepting some concepts and excluding others. These accepted concepts serve as a guide during the collection of data in a specific topic and also the way the data from the specific topic is to be explained and analyzed (Eisenhart 1991). This understanding of a framework is also seen in the work of NWW. In the words of the authors: *We propose a conceptual framework that incorporates explicitly endogenous patterns of social, economic, political, military, religious and educational behavior… the intension is to put these examples in a new context, to provide a new framework for interpreting the course of human history over the past 10.000 years and to open new ways of thinking about the pressing problems of political and economic development facing the world today* (NWW 2009a, xii). Put differently, this incorporation of the endogenous patterns of economic, political, military or educational behavior is the views that will guide the interpreting of the human history. The authors take these concepts which they use to make their argument. They also make use of theories from other authors to explain why they disagree with their point of view and thereby justify why their argument is the better one.

The aim of the NCF is to apply and develop an alternative explanation which aims to understand the dynamic interaction of social, political and economic forces as well as a new institutional explanation for why certain social patterns of political economy have continued for millennia. It takes into account the issues of organizational structures within the elite and how societies use institutions to contain and limit Violence (NWW 2009b). They critique the Weberian assumption that the state has a monopoly of violence and postulate that those from this school ignore the important role of Violence in many societies. The NCF provides a unified explanation that allows us to think about the interaction of political and economic behavior, using the explicit assumption that the problem of violence should be the entry point to think about the manner in which societies are organized (North, Wallis, Webb & Weingast 2010). It is a dynamic description of social change, not of social progress.

They also propose a different way of understanding why poor countries are poor? They explain it by stating that they are poor because they experience more frequent episodes of negative growth and shrinking of income. All societies are subject to unpredictable changes internally and externally. Changes in the internal factors can be; the character and identity of the leaders, internal disputes and feuds. Changes in the external factors can be climate change, neighboring groups and relative prices. All societies must cope with these persistent changes but they cope with it in different ways dependent on the social order of the society (NWW 2009a). NWW explains that there have been three forms of social orders: Foraging Order (Hunter-gatherer societies; this order is not the main concern of the NCF and will not be elaborated on in this paper), Limited Access Orders and Open Access Orders. The main concepts are: Violence, Organizations, Institutions and then LAO and OAO, which were elaborated on earlier in the paper[[18]](#footnote-18).

### 4.1.1 Logic of Natural State- and Logic of Open Access Order

The hypothesis about the logic of the natural state is that the way the societies cope with Violence is by groups, who have access to violent assets, to form a dominant coalition and through this alliance they grant one another privileges. This coalition is made up of different specialists; economic, political or military specialists. When they have formed the coalition they limit violence through the manipulation of the economic interests of the political system, they create rents in order for the military specialists to find it in their best interest to hold off on the use of violence and also by restricting the ability of the citizens to form organizations (NWW 2009b). The rents are one of the best tools of the dominant coalition for the reason that the groups understand that their rents might disappear when violence occurs. The most valuable privileges for the elite are the ability to provide exclusive third-party services to strengthen the arrangements. Also these exclusive privileges create rents which as mentioned are part of the incentives holding the arrangement between the leaders and the organizations together (North, Wallis, Webb & Weingast 2010).

NWW operates with three implications for LAO: First, LAO are not static but they are stable – no dominant coalition is permanent. When external or internal changes take place some members of the coalition may become weaker and others more powerful. This might prompt that Violence recur because fighting would create a better payoff than the rents created by the arrangement. Second, the right to create organizations is what solves the problem of violence, but as a result economic growth is hindered; since competition and innovation are impaired. Third, because privileges are granted personally in LAO, these states look corrupt from the perspective of OAO societies. Because development workers and OAO societies find the LAOs corrupt they attempt to fix the Natural states by applying policies to minimize the corruption. Consequently, the policies fail because the agents involved do not understand that the LAO are not sick but the use of privileges and rents are an integral part of how the societies work (NWW 2009b).

NWW operates with a typology of LAO, with three ideal types: Fragile, Basic and Mature Natural states. These three ideal types or points on a spectrum are differentiated by the focus on the structure of their organizations. The first point on the spectrum is that of Fragile Natural states, here the dominant coalition can barely support itself when faced with external or internal changes. The coalition tends to change frequently, and this instability keeps organizations away from committing to the elite arrangement. The second point is that of Basic Natural States here the dominant coalition can sustain and create fairly stable organizational structures but within the orbit of the state. The majority of the private organizations and elite privileges are tied to the state, even branches of transnational companies operating in the society. The third point is that of Mature Natural state here the dominant coalition can sustain a diversity of organizations both inside and outside of the orbit of the state. Although, the elite still has the privilege of granting support and access to private organizations but also to prevent it. There exist institutions which specify the functions and agencies of the state but also methods on how to solve conflicts within the dominant coalition (North, Wallis, Webb & Weingast 2010). It is worth mentioning that this spectrum does not imply that the three points are an immanent process; societies do not move from fragile to mature; in fact, many states regress instead, while others can stay one type for centuries (Ibid 2010).

The hypothesis on the logic of the OAO can be drawn from the Weberian assumption that the state has a monopoly on the use of violence. The military and police force are consolidated under the control of the government Organizations. There are Institutions which limits the illicit acts of violence. These societies also make it possible for a large number of the citizenry to create Organizations in order to pursue a certain goal. There are non-discriminatory rules for all citizens to start a political or economic organization and it is possible to receive state support on an impersonal basis (North, Wallis, Webb & Weingast 2010). Impersonality is one of the most central characteristics of OAO; the non-discriminatory Institutions make certain that everyone is treated the same. In addition, the organizations are not identified with the individual identities of the members. The impersonality also changes the nature of competition in the OAO (NWW 2009a). NWW makes use of Schumpeter’s concept of creative destruction. The concept attempts to promote the notion that the basic feature in capitalism is economic change and therefore the system can never be stationary. The system is always innovative and changing its structure from within, thereby destroying the old structures. The new creation of products and the free flow of ideas in a capitalist market result in new ways to resolve and understand problems. The capitalist system is in constant competition in the OAO and this creates adaptive efficiency, which is the capacity of a nation to persist when confronted with the constantly changing internal and external challenges. It is Schumpeter’s hypothesis that creative destruction and adaptive efficiency require open access to form Organizations. In the LAO the creation of economic Organizations and innovation threatens the existing arrangements of the dominant coalition as a result the coalition limits the access (NWW 2009b).

### 4.1.2 Development and Natural States

If you study the long-run history, what you will find is that the non-developing world seems to be normal while the developed world appears to be particularly abnormal (North, Wallis Web & Weingast 2010). NWW claim that despite this fact those in charge of development policy take the developed world as the model to induce lessons from in order to encourage development. In this way, they assume away the role of violence and the importance of limited access and rent-creation that are the logic found in the Natural states. In fact, when economic growth does come about in the LAO there is an increase of the dominant coalition’s ability to create rents and thereby increase the support and access to Organizations. However, there is also a chance that the influx in rents will lead to a power shift; if those involved agreed on the demands of more rents to one of the groups; there is a change that a peaceful bargaining will adjust the rents. Although, there is also a chance that the elites will disagree to the demands and the relative power shift, thereby fighting with violent means might be the preferred outcome (North, Wallis, Webb & Weingast 2010). Development policies from OAO e.g. rules of law, impersonal rights, political freedom and free markets greatly reduce the LAO’s ability to control violence and that a renegotiation of the relative power shift has to take place. These changes and policies can make people better off but the opposite is also true (NWW 2009a).

Another argument of NWW states that elections work differently in LAOs than in OAO. Therefore the promotion of elections as a development tool is flawed. They criticize the belief that the definition of democracy is to be grounded on whether a country sustains competitive election with partisan turnover. NWW make use of Dahl’s concept of polyarchy that makes it clear that in order for democracy to work; elections have to be embedded in a competitive and institutional setting that permits political competition. Elections work differently in LAO’s where the dominant coalition negotiates the relative power balance between them and in order to stay in power they then resort to bribery; in form of rents or the privilege to form an organization, but can also because of the dispersion of violence use coercion to force the choices of the voters (NWW 2009a). In conclusion if development policies have to work they have to begin within the logic of the LAOs, and the way forward seems to be the creation of Organizations and increase the elite access to the institutions.

### 4.1.3 New Conceptual Framework in this project

I will use the new social science approach to understand; first, the internal logic of the LAOs, the institutional and organizational (judicial and political) aspect of BFW’s argument; second, why some countries experience more violence than others; finally their explanation for why development policies fail.

What NWW contribute to BFW’s theory is the explanation on how the elite control violence. I will therefore describe what the dominant coalitions were like in the society before the civil wars. I will then use the typology of Fragile, Basic and Mature state to determine whether the countries had judicial and political institutions capable of enforcing the settlements made. The concepts and understanding of Institutions and Organizations will be those of NWW. These are some of the questions that can be applied in the cases: What types of organizations was allowed; only inside the orbit of the state; were there private organizations; were these coalitions able to support organizations in the first place?

Another use of NWW will be their explanation for why some societies appear to be more violent than others. This they state is because the social order is built upon privileges and rents and when there is a change in e.g. the economic situation a new negotiation will ensue to establish a new dominant coalition. Also the reason why development policies fail is that policies built on the logic found within OAO e.g. rule of law, impersonal rights, open access to markets, this approach tends to reduce the LAO’s ability to control violence. Privileges to allow access to organizations and the granting of rents are the pillars that hold the LAOs together.

An issue which NWW and BFW agree upon is that elections are no determent that the country is democratic and that the attempt to create peace by setting up elections has the potential to backfire. Instead, all parties involved have to have a stake in the new government. To NWW elections work differently in LAO’s because the dominant coalition resort to bribery in forms of rents and access to organizations or they use their violent assets to coerce the choices of the masses. They agree with Dahl that in order for democracy to work; elections need to be embedded in a competitive and institutional setting that allows for political competition. This is not the case in the LAOs.

## 4.2 Barbara F. Walter’s Theory and Arguments

BFW’s interest area is civil wars and how these types of war rarely end in negotiated settlements. One of the puzzles for Walter is that combatants in civil wars were almost as likely to resume hostilities as they were to implement and sign settlements[[19]](#footnote-19). This is puzzling for two main reasons; first, though the combatants are often reluctant to cooperate nearly half of all peace negotiations did actual make it and most important not on the battlefield. Second, in spite of the high costs of fighting, more than half of all combatants would rather go back to fight than to keep the truce (Walter & Snyder 1999). The fact that the civil wars tend to end on the battlefield poses a taxing problem for policymakers and a startling empirical mystery for political scientists. What can the international society do to aid both sides of these conflicts and why are national rivals incapable of negotiating successfully?

These are the questions posed by BFW and what her theory is all about; the puzzle of ending a war (1999). Many conflicts have to deal with the problems of tunnel vision, miscommunication and organizational inertia which make cooperation and reconciliation difficult. Even if, in rare occasions opponents agree to negotiate they have to face the risks of cooperation such as; whether the compromise turn out to be inherently a bad deal for their side, and whether the opponent will fulfill their side of the deal? (Walter 1997). To BFW the challenge facing the combatants at the bargaining table are not the motives that started the conflict e.g. majority rule, land reform or the other grievances. Instead, the greatest challenge is to design a settlement that persuades both sides to give up conquered territory and shed their partisan armies even though these steps will put limits on their capacity to implement the terms of the contract (Walter & Snyder 1999).

### 4.2.1 Explanations for the Breakdown of Negotiations

Barbara attempts to explain why negotiations break down. She states that there hardly is any studies attempting to answer the question of why civil war combatants withdraw from the bargaining table and return to war. However, there are two explanations: one that asserts the fighting parties actually want to reach conciliation but are unable to reach a mutually acceptable treaty, and one that assert negotiations fail as the rival parties are stalling the time for strategic reasons (Walter 1999).

The first camp argues that the bargaining’s fail because of an imperfect negotiation process where the armed parties aggressively follow independently rational negotiating tactics which backfire. She explains that this camp holds four problems facing those who do wish to settle: 1) each has reasons to misrepresent or withhold information about their actual strength 2) they are committed to demands they are unable to back down from 3) both places high importance on winning the conflict which makes reconciliation hard and 4) the rivals are unable to settle on how to distribute the stakes (Walter 1999).

The second camp argues that combatants do not want to reach a settlement and if they do go to the table it is for strategic reasons. One of the proponents of this argument is Stephen John Stedman who argues that the greatest risk in peacemaking is spoilers; leaders, who hold the understanding that peace emerging from bargaining threatens their interests and therefore they make use of violence to weaken the attempts to attain it (Stedman 1997). Others argue that leaders might find it in their best interest to fake interest in negotiation in order to cater to world opinion and thereby receive foreign aid (Walter & Snyder 1999).

BFW criticize these two camps stating that the first camp offer no account for why the settlement fail even after mutually satisfactory terms have been reached, and the second camp offer little info about the conditions that prompts groups to implement and sign settlements. Although she does believe that each argument has some validity, there are cases where the combatants have no real wish to negotiate and go through the motions because of military concerns, reputational concerns or because of outside pressure encouraging them to do so. Though, in other instances the fighting parties are unable to find a middle ground (Walter 1999). She proposes a third argument; the negotiations fail because the combatants are unable to credibly promise to abide by the terms, because of the lack of institutions and organizations. It is only when a third party guarantor steps up to enforce the terms of the commitment to share political power and to disarm that the settlement becomes believable and cooperation likely (Walter 1997).

### 4.2.2 The Suggestions of Barbara F. Walter

BFW conducted a study about Mozambique’s peace agreement in 1992. On the basis of this study she offers four suggestions which policymakers can apply to when resolving civil wars: First, in all cases of negotiations even those appearing promising, there is a need for outside enforcement of the terms. The fighting parties have to be certain that the peacekeepers are willing and able to arrive and coerce compliance if the need arises. Second, it is unlikely that fair and free elections are reliable as a mean to democratize in the aftermath of a civil war. Third, giving the two groups permission to retain some arms in the open should act as an important deterrent against one group attempting to establish authoritarian rule and help to reassure them of their safety. Fourth, enforcement matters in the resolution of civil conflicts but only on short term, creative institutional design matters more for demobilization than military force (Walter & Snyder 1999).

BFW conducted a study on all civil wars, in the period 1940 to 1990, in order to study which features were at play in the successful settlements. Her findings had six implications: First, the only peacekeeping type that helps the resolution of a war was one backed by a promise to use force. Second, an agreement will only be as effective as the political determination of its supporters, any hesitation from outside parties will undermine the enforcement operations. Third, the third party supporters need to be prepared to stay through the formation of the new national army and the new government. Fourth, in contrast to what one might assume, strict neutrality by the third party supporters does not appear to be necessary[[20]](#footnote-20). Fifth, Disarmament has a negative influence on the combatant’s sense of security. Sixth, alternatives do exist to extensive and prolonged intervention; fewer third party troops is needed when all parties are assured an actual say in the new government and extensive internal power sharing agreements have been planned (Walter 1997).

 In conclusion Barbara emphasizes two additional points: first, security guarantees are important and necessary, but they are not enough for settlements to succeed; a settlement requires that the fighting parties actually desire peace. Second, sometimes negotiations are not the least costly solution; some battles are worth fighting for. Negotiations can be great moments of opportunity rather than futile efforts to build cooperative regimes. Settlements offer an actual chance to institute a multiparty democratic state, in a situation in which a one-party authoritarian regime might otherwise ensue (Walter 1997).

### 4.2.4 Use of BFW in this project

I will use BFW’s theory to understand how come the negotiations breakdown and also her suggestions on how to design successful settlements.

In the words of BFW the reason why civil war settlements break down is because the combatants are unable to design a settlement which persuades both parties to give up conquered territory and shed their partisan armies. For this to happen there must be a third party security guarantee to provide security and material assistance without this outside assistance the settlements will not be credible.

In terms of how to design credible settlements, then Walter’s suggestions on how to build successful settlements are as following: there must be a credible commitment from the peacekeeping force to back up the promise with the resolve to use force. Any hesitation from outside parties will undermine the enforcement operations. The agents need to be ready to stay in the implementation phase. Neutrality does not appear to be necessary. Disarmament has a negative influence on the combatants’ sense of security. All parties have to be assured an actual say in the new government and creative power sharing agreements need to be negotiated. I will limit my empirical research to three main focus points: were there actual institutions and organizations in place that could enable the parties to commit to the terms? Were there third-party enforcement assistance? Were the DDR process conducted too quickly? I will also attempt to touch briefly on the issues of neutrality, elections and balance of power in order to use Longo and Lust’s perspective.

# 5.0 Empirical Analysis

This section will focus on the cases of; Somali Civil War, Sierra Leonean Civil War and the Guatemalan Civil War. In each case I will attempt to provide information on the Institutional situation of the country. Why the conflict came about? How was the commitment of the third-party involvement? When was DDR attempted during the operations? And how were the peace agreements designed?

## 5.1 Somalia and the Institutional Situation

 On 15.10.1969 President Abdirashid Ali Sharmarke was assassinated by a policeman, and on the 21.10.1969 the military undertook a coup which set up the Supreme Revolutionary Council to govern the country with General Siad Barre as the president (Harper 2012). The official mission of the new regime was to; put an end to the widespread corruption, to introduce scientific socialism and to become independent economically (Laitin 1976). Although In practice the situation was much different. First, the military established an oppressive military dictatorship. The new dominant coalition that was said to put an end to clannism depended on an informal Organization of three Darod Clans; Marahan, Ogaden and Dhulbahante (MOD) (Tripodi 1999). This new coalition made use of exploitation and oppression against the population. The new elite expropriated the citizens’ land for state-sponsored projects, took over the scarce water sources and nationalized the financial sector. Finally, they took control over the domestic economic market and in this way the new elite coalition controlled all the economic assets which they used to reward their allies and because of the national bank and trade under the control of the state, the new coalition could extend the privilege of access to funds and trade to the supporters and exclude rivals (Leeson 2006).

In the terminology of NWW It would be prudent to call it a Basic Natural state[[21]](#footnote-21), because of the rents and privileges provided within the orb of the state. Nevertheless, I hold the opinion that the Somali state was in fact a fragile natural state. According to the majority of my sources the reason why Barre was able to stay in power was because the regime coincided with the Cold War era. In this climate the regime was first supported with financial and military aid from USSR and after the Soviet Union shifted its alliance to that of Ethiopia, Barre’s regime secured aid from the US. The foreign debt of Somalia in 1990 was $US 1.9 billion, which corresponds to 360% of the country’s GDP (Ahmed 1999, p.6). The military support received from USSR and US during the Cold War was responsible for making Somalia one of the heaviest militarized states in Africa. Also the Arab states contributed through OPEC[[22]](#footnote-22) with $73 million in 1975 and additional $33.4 million in 1976 (Laitin 1979). It is my argument that without this massive influx of foreign aid and military assistance Siad Barre and his MOD coalition would have been unable to distribute rents and privileges. In other words, barely able to sustain its own coalition and for this reason Somalia pre-civil war was a fragile natural state.

As for the judicial Institutions in the Authoritarian regime; the first new rule in the new regime was Law no.1 this rule repealed all the democratic checks and the constitution that had been effective since the end of the colonial period. It also made it clear that from now on there would be no election but all the members of the new political elite would be appointed by Siad Barre (Leeson 2006). One of the most important and restrictive rules was Law no. 54 this rule restricted the basic civil freedoms such as the right to form adherent organizations and the right to free speech. In fact gossip became a capital offense (Lesson 2006). He also restricted the role of the clan leaders who no longer held the power to negotiate and punish when disputes arose, by decreeing that when clan fights erupted they were to bring their disputes to the central government[[23]](#footnote-23). And in 1975 because of the ‘scientific socialism’ the economy would now become a plan economy with the state in control of trade, international aid and the national bank (Leeson 2006). Thereby the new coalition was now able to grant the permission to form contractual organizations and had the privilege of allocating rents

This table explains the institutions and organizations and the social order in the pre-civil war context

|  |  |
| --- | --- |
| **Important historical dates and changes** | **Social Order and INSTITUTIONS** |
| First coalition in Somalia was from 1960-1969. Led by Abdirashid Ali Sharmarke. It was a FRAGILE NATURAL STATE | * Introduction of OAO policies into the Somali culture
* The dominant coalition was kept together by a constitution, but much more important by rents allocated on the basis of personal characteristics (clan based) and limited access to resources and aid
* There was a national army but also a dispersion of violent assets throughout the multiple clan factions
 |
| Regime of Siad Barre, and the SRC party, 1969-1999, Military authoritarianismBecause of Aid flow; BASIC NATURAL STATE, but without these resources Somalia would have been a FRAGILE type of state | * One party system (MOD Coalition)
* Plan economy (control over resources, aid and bank)
* Rent allocated by SRC and also the right to form ORGANIZATIONS
* Consolidation of the military (with third-party assistance), but violent assets dispersed
 |

### 5.1.1 Somali Civil War

Because of the plan economy, with the dominant coalition focusing on their own private gain and the looting of the peasant’s production also the allocation of international aid into the consolidation of the military, this resulted in lack of resources when it came to investments in health, education, transportation and public goods. Consequently, a severe drought occurred from 1973 to 1974 (Leeson 2006). The outcome of this drought was the first major armed conflict with the neighboring country Ethiopia, the well-known Ogaden War in 1977-78. Because of this war an estimated 300.000-400.000 Somalis became refugees and the casualties reached approximately 25.000 (World Bank 2005 & Menkhaus 2010). The Somali’s lost the war and this eroded the authority and credibility of the police and army, the guardians of the Pan-Somali nationalism[[24]](#footnote-24) (Ahmed 1999). Since, they lost this resulted in a division within the dominant coalition, in April of 1978 a number of high ranking military specialists attempted a coup that would assassinate Siad Barre. They did not succeed and were all punished by the president and his supporters (Laitin 1979). According to Menkhaus (2010) the casualties and refugees prompted an international response, and it was in this era that the seeds of the war economy were planted in the minds of the clan leaders. Since, Barre recruited a large number of the refugee’s as warriors and the humanitarian relief groups were forced to pay for security from the national military and the food aid was used to preserve the status quo by using it as rent to their followers. It is his assumption that the dominant elites within the various clans, came to see humanitarian aid as a resource they could exploit as long as there was security interests (Menkhaus 2010). The drought and the Ogaden War and the coup d’état were the first signs that the fragile natural state were about to collapse.

This paragraph will be a description of the development of the civil war and who the actors involved were. The first internal armed conflict took place in 1987 when the Somali Salvation Democratic Front (SSDF)[[25]](#footnote-25)engaged in periodic skirmishes in the northeast with the regime and consequently brutally repressed by the regime (World Bank 2005). The Second opposition movement was the Somali National Movement (SNM) which was formed in 1981 by an elite group (Ahmed 1999)[[26]](#footnote-26). This organization formed in order to reclaim the northwest territory and in 1988 the group engaged in armed conflict with the Somali army. The Somali army committed atrocities against the civilians; aerial bombardments leveled the city of Hargeysa. It is estimated that 50.000 to 60.000, mostly Isaaq clan members, were killed and 400.000 refugees either fled to Ethiopia or became IDPs[[27]](#footnote-27) (World Bank 2005). In August 1990, SNM, SPM[[28]](#footnote-28) (Somali Patriotic Movement) and USC[[29]](#footnote-29) (United Somali Congress) met up in Ethiopia and there they formed a united front against the national army (Harper 2012). This resulted in the third armed clash in 1991 and as a result Barre sent the military to the regions of Ogaden, Hawiye and Isaaq where they launched lethal attacks on the agricultural resources and the citizens and also poisoned the water supplies (World Bank 2005 & Boulden 2001). The reign of Barre came to an end when the resistance intensified and his power basis disappeared, as did his economic support and he fled the country in 1991. Although this did not end the conflict because the warlords Farah Aideed and Ali Mahdi who had fought to topple Barre turned on one another in a battle for power in Mogadishu, these two groups came from the USC and saw themselves as the rightful leader of a new dominant coalition (Heupel & Zangl 2010).

### 5.1.2 Third-Party Intervention in Somalia

The UN response to the Somali civil war changed from extreme neglect (UNOSOM I) to total involvement (UNITAF and UNOSOM II) and then back to extreme neglect (Post-UN withdrawal) (Boulden 2001). As Mohamed Shahnoun[[30]](#footnote-30) stated; we delayed the response too long, there were nine months where the fighting parties were not in all-out war. He also claimed that Djibouti asked UN for support in an attempt to broker a peace, but did not receive any help; the response had been – Somalia was too complicated (Robbins 1992). Also the former Secretary General Boutros-Ghali expressed incense at the lack of interest in the west on the situation in Somalia, because of the focus on the rich-man war in Yugoslavia (Perlez 1992). In wasn’t until 1992 when the media began to show interest in the conflict that UN found it prudent to act. Because of the emergent war economy and the prior experience of the warlords when it came to international aid, the food import was plundered by the various clans and used to keep their followers as well as to purchase weapons. In fact, the economic and political system revolved around plundered food (Clarke & Herbst 1996). In addition the insecurity forced the NGOs and UN to buy protection from the warlords (Ahmed 1999 and Heupel & Zangl 2010).

On 24.04.1992, the Security Council approved a mission known as UNOSOM I. The first action was an arms embargo and to send 50 military observers and approving the deployment of five hundred military delegates to provide security and accompany UNs special representative Mohamed Shanoun[[31]](#footnote-31). Through the effort of Shanoun, Mahdi and Aideed agreed to permit the 50 military observers, but Aideed didn’t agree to the security force (Boulden 2001). According to UN report (2003a) a 100-day action programme of humanitarian assistance was facilitated and this resulted in a donor response of $67.3 million. Because of the plundering of food and the reliance of warlords for security, this lead to a debate within the NGO and UN about the need for military interference; this pitied relief agencies against military interference against those calling for an intervention (Menkhaus 2010). It was during this time that President Bush informed the Security Council that US was ready to take the leading role in commanding and organizing a military intervention (Boulden 2001). As a consequence the Security Council adopted resolution 794 (1992) sanctioning the use of: *all necessary means to establish, as soon as possible, a secure environment for humanitarian relief operations in Somalia*, *and in addition called for the member states to provide military forces and to make contributions in cash* (UN.org 2003a, p. 6).

This resulted in the US led UNITAF mission, this operation of peace enforcement was to do what UNOSOM I had failed to do; prevent intrusion from militia and armed bandits in the delivery of aid to the starving Somalis (Mersiades 2005). The objective from the US point of view was to secure the supply lines and the aid personal and then leave when stability had been recreated. According to Clarke & Herbst (1996) the US officers told the warlords that they could keep their weapons if they moved their arms out of the capital and there were no interest in assisting in creating a central government. In other words Disarmament did not happen during the UNITAF operation and this (some say) was a tragic mistake, because it would have been easier to disarm the clans when the UNITAF force were present in Somalia. According to Howard (2008) the UNITAF operation consisted of 38000 multinational troops more than 25000 of these were American. From the onset the UNITAF force were only meant to be a short term mission until UNOSOM II was to take back the responsibility.

The mandate of UNOSOM II was according to the UN report (2003b) to continue to protect the humanitarian assistance, establishment of a new government and disarmament[[32]](#footnote-32), in order to restore law and order. According to a World Bank report (2005) this ambitious UNOSOM II mandate threatened the economic interests of the militia leaders who saw the move as an attempt to disenfranchise them. This was what led to the first clash between General Aideed and Pakistani UN peacekeepers in June 1993. The manpower and flow of international aid in this UNOSOM II period was impressive, approximately US$ 1.5 billion a year and 30000 in terms of manpower (Harper 2012, p.60). The attack on the Pakistani soldiers prompted what many have seen as a major mistake i.e. resolution 837(1993) in which the council sanctioned that the UN forces could take all necessary actions against those accountable for the attack (UN.org 2003b). This led to four months of armed clashes between UN/US and Aideed. In retrospect the hunt for Aideed was a mistake because this resulted in the perception in the minds of the Somalis that UNOSOM was just another clan and part of the overall conflict, the UN mission was no longer neutral (Menkhaus 2010 and Clarke & Herbst 1996).

 The conflict between the US military and General Aideed came to a head in October 1993, in what is known as ‘Black Hawk Down’[[33]](#footnote-33). US military were killed and dragged through the streets, as the Americans watched this event on the news they required a return of the troops and President Clinton announced the withdrawal of US military by 31.03.1994. He also decided that the hunt for Aideed was to come to an end (Harper 2012). This notice and the understanding that the force would diminish led to UNOSOM II officials altering the course of action on Aideed and suddenly he was involved in the peace process as a potential partner rather than a warlord. And the Security Council reformed the mandate to a weight on the humanitarian features (Howard 2008 and Boulden 2001). Although disarmament was still seen as a necessary strategy as was the establishment of a central government, forceful disarmament was sanctioned although in the end when it was clear the force would diminish, it became too dangerous a task and the warlords took to the streets to resume the economic activities they had been deprived of during the large scale military presence (Boulden 2001).

 In March 1995 UNOSOM II withdrew from Somalia. This statement from UN provides the official statement on the reason: *the responsibility for political compromise and national reconciliation must be borne by the leaders and people concerned … They bore the main responsibility for creating the political and security conditions in which peacemaking and peacekeeping could be effective. The international community could only encourage. It could neither impose peace nor coerce unwilling parties into accepting it* (UN.org 2003b, p.19). It was for this very reason that the UN decided that Somali clan leaders were not willing to compromise and take responsibility for the creation of a secure environment; therefore UNOSOM II would come to an end. Their conclusion echoes that of the camp which states that, the parties never intended to end the conflict, they were only appeasing the international society for strategic reasons. The table account for the involvement of the third party operation and the DDR process

|  |  |
| --- | --- |
| **Third Party intervention and mandate** | **Resources and manpower – DDR** |
| UNOSOM I. (1992- 1993)The objective during this operation was to monitor the ceasefire, and provide protection to UN personal and the international aid | * Prior to UN the warlords and clan leaders provided security
* 50 military observers, 3.500 security personal and up to 719 in military support (UN 2003a)
* $67.3 million in financial assistance
 |
| UNITAF (1992-1993): establish a safe environment for the delivery of humanitarian assistance by all means possible. To ensure that humanitarian assistance was delivered and distributed to those in need | * DDR did not happen during the US led operation, nor did the force attempt to set up a centralized government
* 38000 multinational troops, 25000 of these were Americans
 |
| UNOSOM II (1993-1995): protect humanitarian assistance; establish a new centralized government and Disarmament. Later sanctioned that the UN force could take all necessary actions against those responsible for attacking the UNOSOM II force.Returned to focus on humanitarian assistance and DDR.  | * DDR was conducted prior to establishment of a secure judicial and political environment
* When UN was attacked, the mission stopped being neutral and became part of the conflict
* $1.5 billion a year and 30000 delegates
 |

### 5.1.3 The Negotiated Settlement

Since the civil war there have been fourteen peace conferences and all have failed to end the conflict. The common feature of the settlements was the objective of creating a central government as a way of transforming the conflict, and was negotiated outside of the country (Makhubela 2012). Nonetheless, the settlement that is the attention of my paper is that which took place in Addis Ababa in March 1993. I chose this one because it was the UN attempt at brokering a settlement and the first attempt from UNs side at peacefully ending the civil war. In the Addis Ababa agreement there were 15 parties to accommodate, all of which were splinter alliances with either Aideed or Ali Mahdi (Salaax & Ibrahim 2010). In this meeting they agreed to a ceasefire, the demobilization of the army, disarmament, formation of the Transition National Council (TNC) and decentralization of power. One of the main complications was the lack of any state apparatus, also the repeating violations of the agreement by all sides and the fractionalization of Somalia (De Rouen et al 2010).

The first important theme in the settlement design was ‘disarmament and security’. One of the points I wish to stress is no. 2: affirm that disarmament must and shall be comprehensive, impartial and transparent. And no. 3: commit ourselves to complete and simultaneous disarmament throughout the entire country … and request that UNITAF/UNOSOM assist these efforts so as to achieve a completion of the disarmament within 90 days. And point no.6: urge UNITAF/UNOSOM to apply strong an effective sanctions against those responsible for any violation of the cease fire agreement of 1993. And finally point no. 9: Agree on the need to establish an impartial national and regional Somali police force in all regions of the country (USIP.org 2002, p.2). It would appear that the parties involved (if they were sincere) had wanted UNITAF to help them disarm and to do so in a transparent way and in a tit for tat fashion.

 The second theme was that of ‘rehabilitation and reconstruction’. The points I wish to emphasize are no. 3; express our appreciation to donor countries for their humanitarian assistance … and the pledge to mobilize $142 million for relief and rehabilitation efforts in Somalia. No. 4; Call upon UNOSOM … to assist in the rehabilitation of essential public and social services, and of necessary infrastructure, on a priority basis. Finally no.7; urge the UN system to effectively utilize Somali human resources in the rehabilitation and reconstruction process in Somalia (USIP.org 2002 p.2). According to these figures the agreed sum was clearly met, and perhaps, instead of focusing on the hunt for a warlord, they ought to have assisted in the rehabilitation of public and social services that had been destroyed. And they should have asked for more information from the Somali human resources and perhaps they would then have realized that the Somali elders traditionally were used to resolve conflicts. In Somaliland the traditional elders managed to solve their dispute in the Burama conference and also up to a point the differences within the Isaaq clan family. This was a grassroots process without UN and out of the limelight of the media (Ahmed 1999). Perhaps the Somali human resources would have been a great help.

The third theme was ‘restoration of property and settlement of disputes’. The important clause is no. 2; affirm that all private or public properties that were illegally confiscated … or taken by other fraudulent means must be returned to their rightful owners (USIP.org 2002, p.3). If we apply the theory of NWW then these resources they had taken would have been used as rents to their followers.

 The last theme was that of ‘transitional mechanisms’. This system was to be structured by four basic administrative components. The first of which were the Transitional National Council (TNC), then the Central Administrative Departments (CADS), Regional Councils (RCs) and finally District Councils (DCs) (USIP.org 2002). Because of Walter’s emphasis on extensive internal power sharing arrangements I have decided to post the description of what these four components were to administer. The TNC consisted of: three representatives from each of the eighteen regions currently recognized, including one woman, five additional seats for Mogadishu, One nominee from each of the political factions currently participating in the first session of the national reconciliation conference (USIP.org 2002, p.4). The CAD members were to be appointed by the TNC and their job would be to operate and reestablish the department of social affairs, humanitarian affairs, economic affairs and paving the way for the creation of a formal government. The RCs were to be created in all the 18 regions of Somalia. The task of the councils was to implement economic and humanitarian programs in coordination with the TNC. They were also to liaise with NGOs, UN specialized agencies, and other Organizations through the CADs and TNC. In addition these councils were to be responsible for law and order on the regional level. The DCs were to send representatives to constitute the RCs (USIP.org 2002). Finally the DC was to be constructed in the present districts in every region. They were to be chosen through consensus based selection and election in accordance with Somali traditions. The task of the DCs was to manage the affairs of the district including health, reconstruction, public safety and education (USIP.org 2002). In other words, a power-sharing agreement, in which, the various elite fractions had a stake in the new government.

## 5.2 Sierra Leone and the Institutional Situation

When Sierra Leone received its independence in 1961, it is the argument of Cubitt (2013, p. 40), that Sierra Leone lacked political specialists with experience of statecraft beyond one based on the system of indirect rule left by the UK. The assumption had been that the local elite had sufficient qualifications and that the nation was a cohesive unit with mutual interests. This was not the case the country was divided into three ethnic demographics: Temne/Limba, Mende and the Krio. The local elites were focused on enriching themselves and their supporters through the control of the state resources (Cubitt 2013). The dominant coalition before the coup d’état was that of SLPP (Sierra Leone People’s party)[[34]](#footnote-34) and the way to win elections in the early days of the country, were by using teenage boys dressed in vests and bandanas, in order to intimidate voters ( Christensen & Utas 2008).

In 1967 Siaka Stevens, a unionist in charge of the APC, won the election and he came to be president from 1968 to 1985. APC is described as a catch-all movement that had appealed to a wide range of particular young people and dissidents who felt they had been marginalized by a coalition based on chiefdom- and creole elites (Bøås 2001). It is worth noting that the election was won because APC used coercive tactics instigated by the youth, such as: setting people on fire, beating the citizens, shooting children, bringing opponents before youth-run kangaroo courts and hacked women and men to death with machetes. Some claim that this was the beginning of the phenomena - child soldiers (Christensen & Utas 2008, p.17). These tactics were also used when Stevens in 1978 decided to have a vote on whether the country should be a one-party state. The result was that 97% of the voters were in favor of this new system. Therefore, *de jure,* Sierra Leone had become a one party state (Bøås 2001). Stevens reoriented the diamond production towards clientelism, and made sure that his economic and political competitors were either joining the APC or marginalized. In other words revenue allocation and diamond mining were closely intertwined with the consolidation of the informal economy and corruption. The formal organizations and institutions were thereby limiting the access (Le Billon 2008).

In the 1980s, as a result of the global debt crisis, export volumes were falling; prices for the exports were falling too. A reconstruction of the economy was needed and the foreign debt increased dramatically (Keen 2005). In order to stay in power during the decline in exports and prizes, Stevens had turned to aid in order to finance the Neopatrimonial[[35]](#footnote-35) exchange and to balance the budgets (Bøås 2001). It is estimated that by 1984, Sierra Leone received SDR 50.2 Millon of IMF (International Monitoring Fund) payouts; many of the state run companies were sold or given to Sierra Leone-born Lebanese state officials and traders. These controlled the majority of the economy (Williams 2004, p.60).

 In 1985 Stevens stepped back from his position as president, and handed over the mantel to General Joseph Momoh (1985-1992). Momoh faced two pressures; the need to provide services and resources to fend off potential rivals, while providing his followers with resources and services for their support; pressure from external donors to privatize state organizations and downsize the state which they saw as corrupt and inefficient and to grant outside investors greater involvement in the economy. He chose the second option and then focused on fending off his potential rivals (Williams 2004). In 1986 he concluded a long-term SAP facilitated by IMF. The consequence was that Momoh declared a state of economic emergency and embarked on a crack down on gold and diamond smuggling, corruption, and hoarding of local currency and essential commodities; in order to counter the informal economy (Zack-Williams 1999). This resulted in the fact that in the years 1986-87 the country spent more money on paying its debt than on its combined budget for education, health and other social services. The focus on paying the debt also meant a crackdown on military expenditures (Keen 2005). This was the political and economic situation in the country when the civil war came about. I will label the ideal type in all the three eras as fragile natural states. Because they had to rely on coercion and rent allocation in order to remain in power. And through the 80s the coalition were unable to sustain the contractual organizations and had to rely on foreign aid to stay the dominant coalition.

As for the political and judicial institutions, then there was no platform for the citizens to vote or use their voice, no justice for their grievances about abuses of human rights or the deepening poverty, no access to levels of power. Unions, businesses, agricultural cooperatives, professional organizations, and the judiciary were intimidated to such an extent that they migrated or became part of the patrimonial system, giving the ruling domination much room to retain from reforming the system (Cubitt 2013). In other words the rules were discriminatory, and based on personal characteristics. Access to organizations had to be granted by the dominant coalition as well as rents. There was no INSTITUTIONAL or ORGANIZATIONAL access for the citizenry to the legal or political systems.

The table below describes the political and legal institutions and the type of state in Sierra Leone pre civil war.

|  |  |
| --- | --- |
| **Important historical dates and changes** | **Social Order and INSTITUTIONS** |
| 1961- 1967, SLPP (Mende based coalition).FRAGILE NATURAL STATE  | * The constitution was a document created by UK
* Multi-party system with The Mende, Krio and Temne/limba chiefs vying for power
* Coalition was fragile, with the elite competing for state control to have access to the state resources. to buy out rivals
* There were elections but based on intimidation and rents
* Legal system based on personal criteria, and unequal treatment
 |
| 1968-1985 Siaka Stevens, APC coalition (Dissidents and young people). FRAGILE NATURAL STATE  | * One party system from1978
* Political, Military and Economic elite based coalition
* Resource based rents (in 80s turned to aid), coercion and limited access used to stay in power
* Military specialists bought through rents, violent assets dispersed
* Legal system based on limited access, right to vote restricted
 |
| 1985-1992, General Joseph Momoh, APC coalition. 1986-87 IMF began to increase their say in Sierra Leone. FRAGILE NATURAL STATE  | * One party system
* Political and economic elite based coalition
* Aid based rents, coercion and limited access used to stay in power
* Military spending cuts, thereby the coalition lost its military support
* Limited access to state resources to citizenry
* Legal system same as under Stevens
 |

### 5.2.1 Sierra Leone Civil War

In March 1991 the group RUF consisting of 100 fighters: including mercenaries from Burkina Faso, Liberian fighters loyal to Charles Taylor and Sierra Leonean dissidents, invaded the Kailahun district in the southeast of Sierra Leone from Liberia (Hirsch 2001). Within three months of the invasion, the RUF controlled southern and eastern Sierra Leone, one fifth of the country. The reason for Charles Taylor’s interest in assisting RUF and its leader Foday Sankoh in the quest to take control over Sierra Leone were threefold: first SLA had been helping out in the ECOMOG intervention that prevented him to take over power in the Liberian capital, second the Sierra Leonean government allowed ECOMOG to bomb Taylor’s conquered territories from its airport, third he needed the diamonds to fund his rebellion activities and the allocation of rents to his followers (Zack-Williams 1999 and Bøås 2001). Another connection between Sankoh and Taylor were that they had received training in Libya by Gaddafi (Johnston 2008).

 The camp which blames SAPs and state failure mentions that a reason for the civil war was that the SAPs encouraged privatization that was hijacked by powerful economic elites. The programs fed into the creation of oligopolistic and monopolistic markets, while cracking down on social services (Keen 2005). One of the most important contributors to the discontent was the decline in educational services, this caused a large number of youth and children to go idle about and therefore a large number of youths gathered in town halls where they discussed politics (Hough 2007). Another important contributor was that the decline in the payments to the governments soldiers caused the soldiers to join up with the rebels[[36]](#footnote-36) in the struggle for diamonds and finally in 1992 the NPRC (National Provisional Ruling Council) led by Valentine Strasser, ousted Momoh In a coup d’état (Binningsbø & Dupuy 2009). The camp that blames a vengeful Sankoh and diamonds posit that Sankoh had been imprisoned by Stevens in 1970s because of a failed coup attempt. As a consequence for his trials in the prison he was thirsting for revenge against the chosen successor (Hirsch 2001 and Heupel & Zangl 2010). On the subject of diamonds then it is estimated that RUFs illicit diamond smuggling in 1990s netted approximately $25 million and $125 millon per year. De Beers[[37]](#footnote-37) estimates the number to be $70 millon per annum (Johnston 2008, p. 83). These diamonds were given to Taylor who, after resuming the position as president in 1997, fed it into the global economy and in return supplied RUF with ammunition, weaponry and equipment (Heupel & Zangl 2010). I find that both camps seem to have valid evidence for their claims and possibly both of these reasons fueled the civil war in Sierra Leone.

### 5.2.2Third-Party Intervention in Sierra Leone

 The first outside assistance came from the South African mercenary group Executive Outcome[[38]](#footnote-38) (EO) in 1995. This group was paid with the finance which Valentine Strasser managed to secure from the International Financial Institutions (IFI), because of his ability to decrease the inflation and pay back the countries debt[[39]](#footnote-39) (Keen 2005). The mandate was to fight for the government and this group was so successful that it secured the countries diamond mines and managed to force the group out of its headquarters in Freetown in less than two years. Strasser then asked the group to train and equip the CDF[[40]](#footnote-40) force (Hough 2007). The combined force of CDF and EO prompted that RUF were so weakened that Sankoh found it in his best interest to sign the Abidjan Accord in 1996 (Harris 2012). There are those that argue that when EO left the country the power balance shifted and RUF saw this as an opportunity to become the dominant coalition in Sierra Leone (Binningsbø & Dupuy 2009). When Strasser was ousted from power by General Julius Maade Bio in 1996, Bio succumbed to internal and domestic pressure and allowed for an election to take place since the situation on the ground was finally secure. The SLPP led by Kabbah won[[41]](#footnote-41).

The second third-party intervention came from ECOWAS (1997-2000), some claim this was because of the horrible strategy utilized by the RUF and the Sobels; in which the insurgents cut off the limbs of citizens dumping these parts outside of the government buildings. RUF also used killings, terrorizing, sexual abuse and acts of cannibalism as a war strategy. Even so this did not cause the west to intervene because of the attention of the conflict in the Balkans (Hough 2007). There are also those who argue that ECOMOG, the fighting force of ECOWAS, is a vehicle for the security of political regimes and the elites in the region not for the common people. This they argue on the ground that ECOMOG’s focal point were to reinstate Kabbah and to take back the control of Freetown, while the bush land and the hinterland was left to the mercy of the RUF/AFRC[[42]](#footnote-42) (Bøås 2001). Others claim that Nigeria, which was one of the major contributors in the ECOMOG mission in Sierra Leone, was interested in becoming the West African hegemon and Sierra Leone provided an opportunity to garner international recognition for its endeavors to create peace (Hirsch 2001 and Adebajo 2002). Whatever the intension, ECOMOG became involved as the first multinational attempt at brokering peace.

 The mandate of ECOWAS was initially to enforce the arms embargo and to monitor the ceasefire, but when Nigerian fighters were attacked the mission became one focused on pushing RUF out of Freetown and restore president Kabbah to power (Adebajo 2002 and Hough 2007). The contribution of ECOMOG was 13.000 troops and 12.000 of these were from Nigeria (Howard 2008, p.304). Despite the manpower the group was not that effective, especially because it was ill-equipped and language difficulties between the French speaking and English speaking units, and therefore Sandline International[[43]](#footnote-43)was hired to assist ECOMOG (Adebajo 2002). As a result AFRC and RUF were pushed from the capital city and into the rural areas. In January 1999 RUF resumed the fighting. Once again ECOMOG countered and the disorderly ECOMOG unit raped, executed and tortured anyone who looked remotely suspicious or as others claim were unable to distinguish between citizens and rebels (Hough 2007 and Adebajo 2002). The result of this clash became the signing of the Lome Agreement in 1999 and the RUF/AFRC units had to retreat to the northern parts of the country.

The third third-party intervention was the peacekeeping operation UNOMSIL (1998-1999). The mandate of this mission was to monitor that the Lome Peace Agreement was adhered to and also observe the security and military situation in Sierra Leone, and help with the DDR process (UN.org 2000). As well as monitoring the resettlement of the 500.000 Sierra Leonean refugees from Guinea and Liberia. At the time of the Lome Agreement there were still one million IDPs in Sierra Leone (Adebajo 2002, p.99). The maximum deployment of UN personal in the UNOMSIL era was in august 1999 with 352 international deployed individuals. The expenditure from July 1998 to June 1999 was $12.9 million gross (UN.org 2000).

Then in august 1999 the newly elected president Obasanjo of Nigeria informed the UN that Nigeria intended to withdraw its troops from Sierra Leone, every month 2000 Nigerians would leave the operation. Nonetheless he did offer to send 12.000 troops under a UN run mission. This prompted UN to get serious in dealing with the civil war. The mission changed name to UNAMSIL and the new mandate became: to assist the government in adhering to the settlement with RUF, to encourage the fighting parties to create confidence-building mechanisms, to implement the DDR process, ensure the freedom and security of movement for UN staff; and support for elections (Brattberg 2012). In May 2000 RUF rebels attacked UNAMSIL troops, seized weapons and vehicles, took 100 peacekeepers hostage and killed four of them (Howard 2008). This changed the UN Mandate to one of peace enforcement. The council authorized UNAMSIL to; *take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone* (UN.org 2005)*.* Nevertheless UNAMSIL was unable to provide security and therefore UK decided to send in 700 combatants into Freetown in 2000 to assist UNAMSIL and helped train the new cadre of soldiers and officers in Sierra Leone (Hirsch 2001). In resolution 1289 (2000) the mandate was revised *to assist the law enforcement authorities* (Administrative and civilian police) *in the discharge of their responsibilities* (UN.org 2005). UNAMSIL became the largest peace operation costing roughly $600 million a year. In 2000 the troop deployment was 13.000 but in 2001 the mission was enlarged to 17.500 troops (Williams 2004 and Hirsch 2001). In 2002 a parliamentary and presidential election were held, Kabbah and the SLPP won, RUF didn’t win any seats. 37.000 CDF combatants and 24.000 RUF had completed the Disarmament program before the election. About half of the necessary police force had been trained by the end of 2005 (Howard 2008 and Binningsbø & Dupuy 2009)

The table below account for the third party involvement and the DDR process.

|  |  |
| --- | --- |
| **Third-party involvement and Mandate** | **Resources/manpower– DDR**  |
| Executive Outcome (1995-96)To push RUF out of the capital Freetown and to help train the CDF fighters.  | * Effective militarily and managed to defeat RUF so badly that Sankoh signed the Abidja agreement in 1996
* No DDR process
* Election launched that made Kabbah and SLPP the new coalition
 |
| ECOWAS/ECOMOG (1997-2000) Mandate was to monitor the Abidja cease-fire agreement and enforce the arms embargo.Enlarged to restore president Kabbah as president and push RUF out of Freetown.  | * Inefficient militarily, had help from Sandline International.
* Not neutral, ECOMOG troops part of the conflict
* DDR not effective
* In 1999 SLPP, RUF and AFRC signed a power sharing settlement until the scheduled election
* 13.000 troops, 12000 of these were Nigerians
 |
| UNOMSIL (1998-1999) mandate was to monitor the Lome Peace Agreement was adhered to, observe the security and military situation in Sierra Leone, and help with the DDR process monitoring the resettlement of the 500.000 refugees  | * 352 international personal.
* $12.9 million gross in financial assistance.
* DDR attempted but did not succeed.
 |
| UNAMSIL (1999-2005) Mandate was to: assist the government in adhering to the settlement with RUF; to encourage the fighting parties to create confidence-building mechanisms; to implement the DDR process; ensure the freedom and security of movement for UN staff; and support for elections. Also assist with the training of the new national army and law enforcement authorities. | * UNAMSIL troops unable to defeat RUF militarily
* UK Intervened with a national force on 750 that pushed back RUF and began the training of the new army
* manpower increased from 13000 to 37000 in 2001
* Resources $600 million a year
* DDR process completed in 2004
* Election was held in 2002
* UN completed its mandate in 2005
 |

### 5.2.3 The Negotiated Settlement

The Lome Agreement was detailed and based on the principle of power-sharing. It is for this reason I will mainly elaborate on the issues I find most important.

The first theme is that of ‘power-sharing’ article 3 to 5 makes it clear that RUF was to have assistance in how to become a political party: *assist in the transformation of RUF into a political party, RUF members allowed and equipped to hold public office; formation of a broad based government of national unity including RUF.* The possibility of RUF entering a coalition was present (c-r.org 2000, p.1).

Theme three is that of ‘reconcilliation’ under this part the agents’ involved received pardons for their deeds: *pardon for Sankoh, pardon and amnesty for RUF, ex-AFRC, ex-SLA or CDF combatants*. In other words the combatant’s fears were taken into account. Also a point that was missing in the UNOMSIL operation: *council of elders and religious leaders to resolve any differences* (c-r.org 2000 p.1).

The next theme is that of ‘Constitution’: *establishing a Constitutional Review Committee.* And *commitments to constitutional elections*. These points I find important because there was an attempt at creating a legal and political institutional basis that had been absent for so long. Also an election was to be scheduled which took place in 2002 and thereby the power-sharing agreement was no longer in effect. The next theme is that of ‘military’*: all ex-combatants to be disarmed, demobilized and reintegrated* and *new national army to include ex-RUF, CDF and SLA combatants* (c-r.org 2000, p.2). In other words, the national army would be comprised of an equal amount of ex-combatants with ties to all the fighting parties.

The next theme is that of ‘human rights’: *Truth and Reconciliation commission to be established, dealing with human rights violations since 1991*. And *commitment to free education and affordable primary health care* (c-r.org 2000, p.2). In this way there was a chance that the Truth and Reconciliation commission would be able to grant access for the victims to the legal institutions and organizations for the violations they had been subjected to. Nonetheless combatants and Sankoh did not have to answer to their crimes. Also the social services that had been absent and part of the reason for the civil war, was to be secured on an impersonal basis.

Another issue that catered to RUF/AFRC was that these groups could keep control over certain areas. Sankoh had to be given the title of vice-president and also chairman of the CMRRD which was a council dealing with natural resources[[44]](#footnote-44). The AFRC leader Koroma was made the chairman of the commission for the consolidation of peace. One AFRC representative and three RUF were included in Kabbah’s reshuffled cabinet (Binningsbø & Dupuy 2009). In short the Lome Agreement catered to concerns of combatants and the elite in RUF and AFRC. It emphasized on the importance of setting up legal and political institutions and organizations. And made sure the parties had an equal amount of power in the new national army and police force. Despite the design in this settlement, Sankoh and RUF still broke the agreement, and it wasn’t until Sankoh was put in prison for violating the agreement and UK took charge that RUF started to adhere to the agreement.

## 5.3 Guatemala and the Institutional Situation

Guatemala gained its independence from Spain in 1821 hence the political history is longer than for Sierra Leone and Somalia. Consequently I have had to limit my account on the institutional situation by choosing the transition from Jorge Ubico’s fascist (1931-1944) regime to the democratic interlude (1944-1954) and the first regime in the counter-revolution (1954-1957).

After a long period with conservative rule, a more liberal era (1871-1944) transpired in Guatemala. The last president to take power before the democratic interlude was the dictator Jorge Ubico. He had managed to secure the power by overt US support (Jonas 1991). This president was a firm admirer of Hitler’s ‘Third Reich’; he was also responsible for submerging Guatemala into an economic system based on single crop production-coffee (Black 1984). According to Calvert (1985, p.70) Ubico presided over a ‘model jail’. This he based on the fact that one of the legal rules was the vagrancy law, in which all the male citizens were forced to carry a work card counting the amount of work the person had carried out in the past year, and those without these cards were used as forced laborers for the plantation owners[[45]](#footnote-45). The role of the state in this period was to yield control over production and national resources to the foreign[[46]](#footnote-46) and private economic elite; by protecting their interests through law and order and subsidize the private interests (Jonas 1991). Because his political base depended on the coffee planters, he limited the access for the economical entrepreneurs and also political activity (Black 1984).

 Ubico’s rule was challenged by the economic crisis and the falling prizes on Coffee, and then in 1944 when the allied forces had defeated the Fascist regimes in Europe, he lost his support from US because of his pro-fascist sentiments (Jonas 1991). When Ubico lost his domestic and international support he decided to step back and manipulated the election in such a way that he was able to choose the successor Colonel Vaides, after he promised not to alter any of the privileges secured to the private sector elite. Because he didn’t rule for long I will not account for his role in this project. I will term the ideal type in Guatemala during the time of Ubico as FRAGILE Natural state. For the reason that he was unable to secure power without coercive control, he was unable to retain the support of US and his support base. The dominant coalition consisted of a minority of coffee producers and a couple of US foreign companies. The elite were only able to support a limited amount of contractual organizations.

In 1944 a coup led by two young military commanders; Jacobo Arbenz and Francisco Arana came about in Guatemala. The frustrated military junta had given their civilian and student supporters arms and thereby managed to seize control over the capital (Calvert 1985). According to Jonas (1991, p.23) The revolution was spearheaded by university students from the middle class, and then the most dominant force were the urban bourgeoisie; those who were fed up with the fact that the economic entrepreneurs were forbidden to form adherent organizations and also the lack of political liberties. In the terminology of NWW they were frustrated with their limited access to the institutions and organizations, and their lack of rights to form organizations.

The next two paragraphs will deal with the democratic interlude and I have decided to grant more space to these eras because I consider them important in order to understand why civil war came about and also given that Guatemala at some point were in fact a Mature Natural state.

The revolutionary leaders promised a free and fair election and the majority put their support behind the civilian underground leader, the teacher Juan Jose Arevalo (1945-1951). For the first time the only group that had limited access to the election process were illiterate women. He won with a majority of 80 percent (Black 1984). He called his ideological orientation ‘spiritual socialism’. The ‘socialist’ part of the orientation referred to his concern for public welfare and humanitarian ideals. In reality this was capitalist development with a nationalist streak (Jonas 1991 and Black 1984). The political and legal institutions changed with the drafting of a new constitution. In this document the citizens were given the right to vote[[47]](#footnote-47), to organize political organizations[[48]](#footnote-48) and the freedom of press and speech. The political power was decentralized; the municipalities, armed forces, universities and other organizations were granted the right to form adherent organizations (Jonas 1991). In 1947 a new important piece of legislation was passed this law guaranteed medical and educational benefits, safe working conditions, the right to form unions, to strike and bring disputes to labor courts. Another successful law was passed in 1949, this new rule made it possible for the peasants who owned less than 2.47 acres to apply for the right to rent land from one of the larger landowners and the confiscated national farms, that had been confiscated from the Germans[[49]](#footnote-49) (Calvert 1985).

The next president was Jacobo Arbenz and he won the election in 1950 with 63 percent of the votes and he held the power from 1951 to 1954. The reason for the US communist paranoia in regard to Arbenz, was the fact that he legalized the communist party in 1951 and allowed the party to enter into parliament (4 seats out of 56) and his wife was the daughter of a rich Salvadoran family with communist sympathies (Black 1984 and Calvert 1985). One of his objectives were to transform Guatemala’s economy away from its dependency on foreign capital, into an independent system based on utilizing national resources and import-substituting industrialization i.e. national private economic organizations were to be encouraged and to redistribute the income. Nevertheless he did make room for foreign investors, if they would pay taxes and comply with national labor legislation (Jonas 1991). His most important contribution was the Agrarian Reform law of 1952, this law gave the government the right to confiscate uncultivated land away from the large estates. Only those farms fully worked were excused from expropriation. The government would pay a declared value in compensation for the confiscated land. In just eighteen months 100.000 landless families were given 600.000 hectares (Calvert 1985, p. 78). Arbenz’s reforms and rhetoric of independence and the massive support of the peasants and workers gave him a fair amount of domestic[[50]](#footnote-50) and international enemies[[51]](#footnote-51) and also the foreign companies, who saw the tax and labor laws as threatening their interests (Black 1984 and Jonas 1991).

 CIA decided to step up its psychological warfare in Guatemala through the radio with anti-communist and anti-Arbenz rhetoric. In June 1954 the government declared a state of siege and tried to get rid of known collaborators. But the counter came about too late (Jonas 1991). In that same months the invasion began with a small newly formed military force that had been equipped and trained by US. By use of aircraft provided by CIA the group attacked the national army and airfield. This prompted Arbenz to arm the peasants and workers to defend the government. He also decided to resign and appoint his successor Carlos Diaz, if he promised not to negotiate with the insurgent leader Castillo Armas. This coup put a final end to the democratic interlude (Calvert 1985). According to Black (1984, p.17) Castillo Armas was chosen by US because of his malleability. The result was a new dominant coalition of economic elites from the new and old capitalist class, united in an anti-communist zeal and a return back to the oligarchic liberalist system, with the religious elites preaching on the dangers of communism (Jonas 1991 and Black 1984). It is my opinion that the ideal type was the mature natural state, because of the rules granted on impersonal characteristics, opening of access to legal and political institutions and the state gave permission to form adherent organizations outside of the orb of the state. Nonetheless, the military assets were not consolidated under the authority of Arbenz, it was an autonomous entity. For these reasons I see the Arbenz era as one that had been in the transition proper[[52]](#footnote-52) stage – on its way to become OAO.

The presidential candidate, before the civil war was the pliable Castillo Armas (1954-1957). His rule marked the beginning of the counter-revolution era. In this period subsidize to the private sector would increase, direct taxation reined in and the Agrarian Reform was annulled. Although, the strategy of stimuli to domestic private industrial investment, agricultural export expansion was kept in place, but without its nationalist content. New highway, communication, electrification and transport systems and cheap labor were to attract foreign investors (Black 1984). As for the legal institution then the new regime suspended the constitution. A new penal law was introduced; which introduced the death penalty for a range of crimes, such as the formation of unions and to strike. The communist label was introduced and put on anyone the new rule saw as a threat to the new coalition. The political organizations formed during the revolution were dissolved. The freedom of press and speech were limited to those with permission from the new elite. The dominant coalition retained the right to grant the privilege of who was to form organizations and who were allowed to participate on the political arena.

The political institution were ones more based on personal characteristics and limited access for those outside of the coalition. I will term the epoch of Armas as a Fragile natural state because he needed help from outside to sustain his coalition and he was not the man with the actual power in Guatemala. It was the foreign economic elites who held the actual power over the judicial and political institutions and organizations.

The table below attempts to summarize the pre-civil war political and judicial institutional situation

|  |  |
| --- | --- |
| **Important historical dates and changes** | **Social Order and INSTITUTIONS** |
|  Jorge Ubico (1931-1944) dominant coalition was the coffee oligarchy and foreign companies.  fragile natural state  | * Access to political and legal institutions granted to the coffee oligarchs and foreign companies
* Limited access for economic entrepreneurs
* The coalition had the power to grant permission to form organizations but only had a small amount of rents they could distribute to followers
* Military but the violent assets were dispersed
 |
| Dr. Juan Jose Arevalo (1945-1951) new dominant coalition consisted of military elites, educational elites and new economic entrepreneurs. mature natural state  | * The access to political institutions granted to everybody on impersonal characteristics, except illiterate woman. All political parties access to join political elite except communist party
* Legal institutional access granted to all on impersonal characteristics
* The permission to form adherent organizations was granted to all citizens
* Violent assets dispersed
 |
| Jacobo Arbenz (1951-54) Coalition same as under Arevalo. In the Transition process towards OAO. | * Access to political institutions was granted to all political organizations but illiterate women still not access
* Allocated state resources to primarily domestic economic organizations
* No special rules for foreign companies
* Attempted to empower the mass citizenry with access to land and better and equal pay to all workers
* Open access to the legal institutions
* No consolidation of the military
 |
|  Castillo Armas (1954-1957) coalition of new rich entrepreneurs and traditional elites, religious elites.Fragile natural state  | * Increase access and rights of domestic companies to rent allocation and to form economic organizations
* Domestc economic and political organizations to be granted permission from new coalition
* Limited access to political institutions based on the label communist
* Elections subjected to fraud and coercion
* Limited access to legal institutions
* Rights of workers and peasants restricted
 |

### 5.3.1 Guatemala Civil War

The civil war in Guatemala lasted for 36 years during the period 1960 to 1996. The reason for the emergence of the civil war can be described in these words from Higonnet (2009, p.4) *so drastic was the closing of channels of participation and so extensive was the recourse to violence that it is considered one of the factors that led to the guerrilla insurgency of 1960.* Throughout my research I have found strong evidence for the claim that the closing of channels was one of the primary reasons for why the conflict came about. The peasants and workers had finally managed to obtain access to the political system, they had been promised access to land, access to the legal system and the right to certain economic benefits. They were used to speak their mind, had learned that they were entitled to equal pay, to form organizations outside of the state control, to strike and to apply for assistance from the state whenever they came up with an entrepreneurial idea. Therefore the lack of these entitlements; to lose the acres of land, and their increase in payment led to a confrontation between the new economic elite on one side and the workers and peasants on the other. Another reason for the civil war in the 1960s was that the citizens were inspired by the Cuban Revolution (Brockett 2005).

 The conflict began when young military officers attempted to conduct an abortive military coup in order to tumble the government of President Miguel Ydigora in 1960. They were fed up with the presence of Cuban rightist exiles on their territory and the endemic governmental corruption. When they did not succeed in neither negotiating with the dominant coalition nor by violent means they fled, later to return and form an alliance with the communist party PGT[[53]](#footnote-53). They named their group MR-13 (Black 1984 and Brockett 2005). The remnants of the two revolutionary groups decided to form an alliance and they became the group known as FAR[[54]](#footnote-54). Once again the insurgent activities was unsuccessful and the survivors fled the country or went underground by1963 (Black 1984). The next violent period came about in the era known as the militarization period. This began when Carlos Arana hijacked the state in 1970s where after he rewarded his military supporters with acres of land and resources (Jonas 1991). The insurgents during this time were FAR, PGT and a new underground movement ORPA[[55]](#footnote-55). These had learned from the failed attempts in the 60s and had been working in the rural areas where they attempted to recruit the peasants, workers and pandering to the indigenous population.

Romeo Lucas Garcia managed to kill 9000 unarmed citizens in 1981 alone (Jonas 1991, p.147). Nonetheless he was unable to push back the opposition. Therefore General Rios Montt launched a successful coup and became the president in 1982 (Brockett 2005). At this time the opposition had joined forces and had formed the Unidad Revolucionaria Nacional Guatemalteca (URNG).

According to Jonas (1991, p.148) Montt killed between 100000 and 150000 civilians. Higonnet states that he instigated 626 massacres with the intent to terrorize the potential support group of the URNG by massacring the indigenous population. The hardest hit areas were the Rabinal area where 14.6% of the rural population had been killed off, 99.8% of these had been of native descent; the other location was that of Ixil in which 14.5% of the population had been killed, of these 97.8% were indigenous (Higonnet 2009, p.127)[[56]](#footnote-56). Included in these figures were innocent children even babies and mothers. The indigenous population was forced into joining the civil patrol[[57]](#footnote-57), the natives expropriated from their lands and forced into ‘model cities’[[58]](#footnote-58). The violent aspects of the activities during the Montt era have been labeled as a genuine genocide against the indigenous population (Brockett 2005 and Jonas 1991).

### 5.3.2 Third-Party Intervention in Guatemala

Because URNG was weakened by Montt’s horrific acts the insurgents decided to reach their goals through negotiations. At the same time the atrocities became known to the international community. For this reason the US and other aid donors could no longer justify sending foreign aid including military assistance to the Guatemalan government (Reilly 2009). However, the military needed economic assistance and therefore the more moderate forces came to the conclusion that it would be in their own best interest if the international reputation improved significantly, in that way guarantee economic stability and foreign aid (Burgerman 2000). First step in their plan were to overthrow Montts. Then in 1984 the military elite decided that their image would improve if a civilian resumed the role as head of state and they allowed for an election. Thus in 1986 the first civilian president resumed the role as head of state and the army decided that the image would improve further; if they negotiated with the URNG. In 1986, the presidents of Central America held a meeting in Exquipulas, Guatemala, where they attempted to deal with the security situation in the region.

 The result became the organizing of the National Reconciliation Commission of Guatemala (Rosenthal 2001). The first peace negotiation occurred in 1989 and it was sponsored by the new commission and by third-party assistance from catholic bishops functioning as mediators. Nevertheless the meeting didn’t accomplish much (Jonas 2000). Perhaps this can be explained by the fact that within the military, private sector and the government there were diverting opinions on the topic of negotiating with insurgents (Rettberg 2007 and Leeuwen 2009). This could also be an indication of the fact that the army simply pretended to reach a peaceful settlement for strategic reasons.

The first UN attempt at brokering peace occurred in 1994 when a group of external actors known as ‘friends of the peace’[[59]](#footnote-59) decided to act as facilitators of the official negotiations between URNG and the government, in order to help them find common ground (Rosenthal 2001). The topics during these negotiations were issues of disarmament, human rights, and an effective cease fire (Reilly 2009). It is important to mention the importance of domestic civil society organizations such as CACIF[[60]](#footnote-60), also the ASC[[61]](#footnote-61) that was an attempt from the various NGOs and civil society groups working with Indigenous - and workers’ rights to present a strong and united front and thus influence the peace talks by submitting a written proposal (Rettberg 2007 and Burgerman 2000). The result of the 1994 negotiations became the signing of the Human Rights Accord in March that year; this called for the formation of international verification mechanisms in order to make sure the human rights were respected, also the strengthening of the judicial institutions and organizations. It is important to mention that MINUGUA did not arrive until eight months later and the government did not comply with the obligations of the accord as a result (Jonas 2000 and Reilly 2009).

The group of friends and the two conflicting parties reconvened in June that same year and this time the issues were more complicated; the issue of amnesty for the perpetrators and the issue of resettlement of IDPs were the issues in the focus. URNG who was the voice of the ASC wanted the talks to continue, or perhaps they knew that they had been weakened to such an extent that they were unable to thwart the agreement on amnesty for the army and the government. Whatever the reasons, the ASC was split internally on the issue and wanted justice this ended up in internal disputes and demonstrations. In the end those at the bargaining table decided to grant the army and insurgent’s amnesty but a truth commission was formed and given the job of shedding light on the past crimes[[62]](#footnote-62). And the IDPs were to be resettled (Leeuwen 2009 and Jonas 2000). Finally in Oslo on the 29.12.1996 URNG and the government of Alvaro Arzu signed the crowning achievement of all the peace talks - a comprehensive settlement bringing an end to the 36 years of civil war (Sieder 1998).

In 1997 the Security Council decided to launch the MINUGUA operation. The mandate of this mission was to verify and observe that URNG and the government complied with the ceasefire settlement; including disarmament and the separation and concentration of the respective forces, the formal cessation of hostilities and demobilization of former URNG combatants. The council also decided to deploy a group of 155 requisite medical - and military delegates for a three month period (UN.org 2003c). Another function of MINUGUA was to give guidance: to the judicial institutional reform measures[[63]](#footnote-63), DDR process and the consolidation of the military under the control of the government (Burgerman 2000). Taking everything into account the financial aspect of the operation reached $3.9 million (gross).

MINUGUA succeeded in demobilizing 2928 URNG combatants, issued temporary identification cards and 535102 rounds of ammunition and weapons were handed over to the MINUGUA (UN.org 2003c, p.2). The army was not as efficient as that of URNG only two out of twenty three military zones were closed. An estimated ten battalions with approximately 300 to 400 soldiers were transferred or demobilized. The budget on military spending’s, that were supposed to be reduced by 33 percent, steadily increased (Sieder 1998, p.25).

In conclusion, URNG and the government did not resume the armed conflict which is positive, even so Guatemala’s legacy of impunity, lack of state accountability, militarization, human rights abuse, ethnic division and political and economic polarization continue to be a problem in Guatemala to this day (Sieder 1998). Also the economic situation has yet to improve. According to the latest economic data from the World Bank (2013, p.2) Guatemala is the biggest economy in Central America, although it is the country in Latin America with the highest levels of inequality.

The poverty indicators are among the highest in the region, especially in the indigenous and rural areas. The poverty assessment from 2011 was 53.7 percent and on the Human Development Index from 2013, the country ranked as 133 out of a total of 187countries.

The table below summarizes the third party involvement and the DDR process

|  |  |
| --- | --- |
| **Third-Party involvement and Mandate** | **Resources/Manpower – DDR** |
| Equipas II (1987-89) Attempt at brokering peace from the Central American leaders and the domestic level. | * Central American presidents meet and establish the National Reconciliation Commission of Guatemala
* 1989 the Commission fund a negotiation between URNG and the government. With catholic bishops as mediators
* No DDR, no settlement
 |
| Friends of the Peace (1994-1996) acted as mediators between the two partiesAlso Civil Society (ASC, CACIF and NGOs) worked from the Grassroots level trying to give voice to the citizens | * Manpower: NGOs and civil society
* Colombia, Mexico, Spain, US, Venezuela and Norway
* No DDR
 |
| MINUGUA (1997-2004): verify and observe the Ceasefire and Human Rights accord were adhered to; disarmament in separate areas, demobilization of former URNG. Give guidance to judicial and constitutional reform measures, disarmament procedure and the consolidation of the military under the control of the government. IMF, World Bank and other donor agencies assisted by putting economic pressure on the elite. | * Demobilization of the URNG (success)
* Disarmament of the URNG (success)
* The army demobilization, only 400
* Budget cuts on military spending’s, not happened
* No consolidation of the army under governmental control
* 155 UN observers deployed
* $3.9 million (gross)
* Judicial institutions still weak (Sieder 1998)
* Police force weak (Gavigan 2009)
* More democratic but still limited access (Reilly 2009)
* Land reform little improvement (Reilly)
* Economically weak and unequal (Reilly)
 |

### 5.3.3The Negotiated Settlement

In the period 1994 to 1996 there have been twelve settlements signed between URNG and the Government. I have decided to look into those I find most important and comment on the points made, when relevant to this thesis (Rosenthal 2001).

The first agreement is that of the ‘1996 cease fire agreement’ and one of the points is no. 6; *during the period of the ceasefire, representatives of the UN shall be present in the military units of the Guatemalan armed forces and at the URNG assembly points.* Then 7*; during troop movements and once at the assembly points, the forces may not engage in any propaganda or political activities beyond the assembly points.* The third one is 8: *redeployment of Guatemalan armed forces units; withdrawal means the establishment of spaces in which there is no Guatemalan armed forces presence of any kind. These spaces are to ensure safety and logistical support for URNG in order to facilitate verification by UN* (USIP.org 1998a, p.2)*.* Thus we see that the security of the army and the insurgent forces had been considered in the settlement, also that neither of the groups had to let the other know how many weapons they had handed over. Because of the difference in the effectiveness of the DDR process between the army and the URNG, then it could be said that perhaps the asymmetry in power at the time of the negotiation, could have made the insurgents agree; while the army was strong enough not to comply, especially when they met no sanctions or coercive measures.

The next settlement is that of the ‘Human Rights Accord in 1994’; the important points are: *no special law or exclusive jurisdiction may be invoked to uphold impunity in respect of human rights violations* (USIP.org 1998b p.2). In other words, the elite need to expand the rule of law and there must not be any differences based on personal characteristics. Clearly an Open access policy imposed into a LAO. Another OAO policy is this one: *Freedom of association and of movement is internationally and constitutionally recognized human rights which must be exercised in accordance with the law and must be fully enjoyed in Guatemala* (USIP.org 1998b, p.2). In short open access to form adherent organizations.

On the theme of ‘institutions’ the important issues are: *with regards to the council of human rights, the government of Guatemala shall continue to support the latter’s work so as to strengthen the institution, backing its actions and promoting such reforms of the enactments as may be needed to enable him to better carry out his functions and responsibilities* (USIP.org 1998b, p.2)*.* From this point it can be argued that the peace-builders recognized that the judiciary institutions and organizatons were not in place, and therefore Guatemala needed recommendations and funding from a third-party.

In the third agreement on the ‘establishment of a truth commission’, an important point is this: *the commission shall not attribute responsibility to any individual in its work, recommendations and report, nor shall these have any judicial aim or effect (USIP.org 1998c, p.2)*. In other words; amnesty for those responsible for the genocide on the indigenous population, in fact, they were not even to be mentioned by name.

The fourth agreement that I wish to report on is that of ‘the rights of the indigenous population’: *the parties recognize and respect the identity and economic, political, social and cultural rights of the Maya, Garifuna, and Xinca peoples, within the Guatemalan nation*. The parties further *acknowledge that the indigenous people have been particularly subjected to de facto levels of discrimination, exploitation and injustice, on accounts of their origin, culture and language (*USIP.org 1998d, p.1). From this point we can see the touch of the civil society and that the grievances and one of the root courses of the conflict were taken into account.

The last agreement is that on ‘social and economic aspects and agrarian situation’: b*earing in mind the need to increase state revenues in order to cope with the urgent tasks of economic growth, social development and building peace, the government undertakes to ensure that by the year 2000, the tax burden increases by at least 50 percent as compared with the 1995 tax burden[[64]](#footnote-64)* (USIP.org 1998e p.24). The second important points in this settlement are: *lasting peace must be consolidated on the basis of social and economic development directed towards the common good, meeting the needs of the whole population.* And*; this is necessary in order to overcome the poverty, discrimination and social and political marginalization which have impeded and distorted the country’s social, economic, cultural and political development and have represented a source of conflict and instability*. Finally, *rural areas require an integral strategy that facilitates access by small farmers to land and other production resources, offers judicial security and promoted conflict resolution (USIP.org 1998e p.1)*. I included all of these points, to show that it was precisely for these reasons that the civil war broke out in the first place. It is my opinion that all of these rules, might as well have been written by the revolutionaries in the democratic interlude. If this is so then perhaps it is no wonder why the peace accords have not been adhered to. The economic elite and land owners still wants to keep their wealth to themselves, and the rest of the population still wants access to the state resources and wealth.

My concluding remark on the twelve peace agreements is the fact that the settlements were comprehensive – paying attention to both the proposal and issues from the civil society as well as the elite level. Despite these creative negotiated settlements, the commitment to obey from both parties I find wanting. But from the data on the amount of manpower or resources granted from MINUGUA, compared to those of Somalia and Sierra Leone, and the lack of a commitment to use force if the agreements were violated, it could be argued that one of the reasons for the lack of progress are to be found in the lack of credible third-party involvement. A second argument could be that the URNG was weaker than the government at the time of the negotiations.

# 6.0 Analytical chapter

In the following three sections under 6.0 I will attempt to gather the empirical data on the three different cases and discuss the findings on the basis of the research questions. These are the following:

* Did the country have credible institutions (political or judicial) to guarantee a settlement?
* Where there third-party involvement? If yes, did they enforce the settlement?
* Did the Disarmament, Demobilization and Reintegration phase begin too quickly?

## 6.1 Analysis 1: The lack of institutional capacity and the effect on the settlement

Through my empirical research on the Somali Civil War I learned that when UN decided to intervene the economy was destroyed, the urban areas overcrowded with IDPs and the infrastructure and water supplies destroyed. The institutional and organizational capacity was lacking. The new dominant coalition had yet to settle who would take over after Barre. The Somali case can be used to criticize BFW’s strong focus on the institutional capacity. The mediators did try to assist Somalia by setting up a power-sharing coalition and assist in how to build better Institutions and organizations. Even in the beginning stages UN donated $67.3 million and in the most generous phase the number reached $1.5 billion a year. The financial assistance was way more than the total amount on $3.9 million given to Guatemala and the $600 million given to Sierra Leone each year. In the case of Somalia there is a tendency which confirms the argument of NWW about changes in internal or external affairs in the sense that when the external situations of; weakening economic assistance, natural disaster e.g. drought and at the same time internal challenge consisting of fragmentation within the dominant coalition – a renegotiation of a new status quo became the outcome.

BFWs theory does not take into account the Neopatrimonial system which dominates many of the African states. Or to use the conceptual framework of NWW Somalia was a fragile natural state with a long history of limited access to state resources and legal and political institutions. To the majority of the Somali, the central government had become synonymous with oppression and corruption, a powerful tool which could enrich those who held the power in Mogadishu. Based on these facts NWW’s focus on rent allocation and the privilege to grant access to Organizations seems to be true.

The Sierra Leone case on the other hand is an example of a case that does support the BFW assumption of the lack of institutional capacity and therefore lack of settlement. When third-party forces arrived the economic situation had significantly deteriorated, the country had been militarized, the elections dominated by coercion and bribery or the coalition changed through coup d’états. The legal and political system was based on rent allocation and personal characteristics; In other words, a typical LAO society with the need to frequently renegotiate the balance of power in Sierra Leone. The UN force led by UK clearly knew that the new dominant coalition was in need of policy advice, the will to enforce should one part violate the agreement and financial assistance, in order to strengthen the lack of institutions and organizations. It could be that the Sierra Leone case was blessed by the fact that UN attempted to broker peace after the failure of the Somali process and therefore had learned some valuable lessons. Even if Sierra Leone was no absolute success and still faces multiple challenges, there seems to be an observable tendency that; policy advice, the economic resources and the UK enforcement led to the fact that civil war has yet to recur. For these reasons I find that Sierra Leone provides evidence to BFW’s hypothesis on the role of institutional capacity. The Sierra Leone case also offers weight to the theory of NWW with their statement about development policies being hurtful for the LAOs; this was clearly one of the reasons why the country experienced the civil war. The attempt from IMF and the World Bank at introducing SAPs into the already fragile natural state only served to increase the discontent within the population and to limit the coalition’s ability to control violence when the state could no longer afford to pay rents to the military elite.

 The Guatemala case taught me that the institutional and organizational capacity do have a strong impact on a successful settlement. It is true that the country had experienced nine years of improvement in the institutional situation. In fact, during the Arbenz era, Guatemala had had the potential to develop into an OAO type of society. For this reason it could be argued, that because Guatemala at one point was a Mature Natural state, the settlement had a better chance to succeed. Perhaps this was also the reason for the lack of manpower and financial assistance granted to Guatemala through MINUGUA. The belief that Guatemala’s institutional and organizational situation was enough to implement the settlement is wrong for the following reasons. First, despite these nine years of transformation the country had, at the time of the peace negotiations, experienced more than one hundred years as a fragile or basic natural state. Second, Guatemala came out of 36 years of civil war and an economic crisis, Guatemala had been ruled by the military and the economic elite for decades; the institutional and organizational capacity had been corrupted or repressed. For centuries the majority of the citizens, predominantly the Indigenous[[65]](#footnote-65), had suffered marginalization, limited access to legal and political organizations and severe acts of violence.

The multiple peace agreements indicate that the UN was aware that there were severe problems with the political and judicial system. Although, the primary role of the UN were to; observe, mediate and assist with advice. This is where BFW’s theory on the lack of credible institutions comes into the picture. The Guatemala case provides evidence to her claim of the need for outside assistance and enforcement when it comes to a successful outcome. The dominant coalition in Guatemala was not able to implement the various policy advices for the following reasons: first, the new rules were exactly the reason why the civil war came about; second, there were no severe repercussions when the settlements were violated; third, the $3.9 million and 155 observers were not enough for the new coalition to actual implement the agreements, considering that the country suffered from an economic crisis. Guatemala also offers support to the claim of NWW in the sense that the external changes i.e. natural disaster (earthquake), global financial crisis, SAPs and Cold War meant that the Central American country had to renegotiate the status quo with each change, and at one point the economic and political elites were unable to continue to buy the support of the Military elite, who took the power in order to receive better benefits.

In summary Sierra Leone and Guatemala provide evidence to the importance of the institutional and organizational capacity in the settlement. Sierra Leone is a case in which a third-party stepped up to give guidance, economic assistance and had the will to enforce the agreement; because they were aware that the institutional capacity of Sierra Leone was not in place. The Guatemala case gives cloud in the sense that it is the opposite situation of that of Sierra Leone: the country came out of 36 years of civil war, the institutional and organizational capacity to credibly commit to the settlements were not strong enough to implement the advice, nor did the incumbents fear the repercussions if they did not adhere to the accords. Therefore the unwillingness to enforce and provide adequate economic assistance and the lack of institutional capacity led to the fact that Guatemala still to this day experiences militarization of the state and multiple acts of violence, especially from criminal gangs. Somalia did not have the institutional capacity to enforce the settlements; this was despite the fact that the manpower and financial assistance was clearly present. For this reason I find that in cases like Somalia, OAO policies were more destructive than helpful, which indicates that NWW’s theory on why development policies fail was true in the Somali situation.

##  6.2 Analysis 2: The lack of credible enforcement by a third-party and how this affects the settlements?

Through my research on the Somali peace operation I learned that the mission suffered from changing patterns in the commitment to see to the enforcement of the ceasefire. In the beginning the conflict received little attention from the international society because of the situation in Yugoslavia. The involvement in the beginning stages were fifty military observers, humanitarian assistance and a team of peace brokers led by Shahnoun. During the UNITAF and UNOSOM II era the manpower, material assistance and the commitment to enforce the settlement increased significantly, until the Council decided that the parties were unable and unwilling to adhere to the plans. Also the peace enforcement troops in the UNITAF period had a positive effect on the settlement, until the force was diminished in 1993 and fighting recurred. Therefore I find that the Somali case provide BFW’s claim of a*n agreement will only be as effective as the political determination of its supporters, any hesitation from outside parties will undermine the enforcement operations*, to be reliable. Beside from this part of BFW suggestions it is my claim that the Somali case is in contrast to the majority of the arguments of Walter. However, the reason could be an indication that the fighting parties did not actually desire peace but that they were only pretending in order to receive foreign aid. BFW does agree that this is sometimes the case.

The lesson of Somalia seems to indicate that the Longo and Lust position on neutrality of the third party involvement holds more weight than BFW’s claim that neutrality does not appear to be important in the settlement process. When UN became militarily involved in the enforcement of the agreement, and especially when the council decided that Aideed was to be arrested and the fighting parties needed to be disarmed by all means, the UN force became perceived as another rival and in that way lost its support from the local population. Therefore, it is my opinion that neutrality does matter in the settlement. As the international community found an interest in the Somali conflict, there was an understanding that institutions and organizations had to be reconstructed, also that the parties were unable to adhere to the settlement without: economic assistance, the will to enforce and to provide policy advice. Moreover, the Addis Ababa agreement tried to accommodate all the parties and give them a stake in the new coalition. Despite all these factors and that the will to enforce, assist and provide advice existed from 1992 to1995 and the UN and US Advisors would stay during the implementation phase; it is my argument that Somalia does not offer reliability to the hypothesis of BFW on 1) the importance of credible commitment of a third-party guarantor 2) the importance of the third-party to remain in the implementation process 3) that giving everybody a stake in the new coalition are requirements in a successful settlement.

In contrast to Somalia, the Sierra Leone case suggests that credible enforcement of a third-party guarantor has a positive impact on the successful settlement. From 1998 to 1999 UNOMSIL consisted of 352 in terms of manpower and $12.9 million in financial assistance. This mission was not equipped to enforce the ceasefire. From 1999 to 2005 the assistance and manpower increased, and UN also decided to send out soldiers, who could take action when the terms of the agreement were violated. When it appeared that the UNAMSIL operation was about to turn into another ‘Somalia’, UK decided to intervene and stepped up to become the credible third-party enforcer, and the UN and UK stayed put until the implementation phase had ended. I consider this to be an indication that the following findings of BFW’s seem to be reliable: 1) it is only when a third party guarantor steps up to enforce the terms, that the settlement becomes believable and cooperation possible; 2) the settlement will only be as effective as the political determination of its supporters, any hesitation will undermine the enforcement operation; and 3) the third-party supporters need to be prepared to stay through the formation of the new government and national army. The Lome Agreement is more detailed than the Addis Ababa Agreement and based on the principle of power sharing granting a stake to all fractions in the new dominant coalition. The settlement even included assistance to RUF in order for the fraction to change from a military entity and into a potential political player. For these reasons I find the following findings of BFW to be reliable: 1) fewer third party troops is needed when all parties are assured an actual say in the new government and extensive internal power sharing agreements have been planned.

Nevertheless, I do not find any truth in the statement that neutrality in the operation is of secondary importance. In fact, EO might have been effective, but as soon as this powerful group left the power-balance shifted and RUF decided to return to the use of Violence. ECOMOG became part of the conflict by siding with the incumbents; thereby the group was seen as an enemy. When UNAMSIL was attacked by insurgents the operation became party of the conflict on the side of the incumbents; because RUF had become unpopular due to their atrocities and weakened militarily by the effective UK soldiers, the rebels had to agree to the ceasefire and finally the settlement was adhered to. This seems to be an indication that neutrality has a positive effect on the successful implementation of the settlements, and that the statement of Longo and Lust that, when the third party no longer seem to be neutral this can be a cause of heightened insecurity and fear that could ultimately lead to a resurgence of the conflict, is accurate. Had it not been for the change in the balance of power and popular support between incumbents and insurgents, the conflict could have recurred as the UNAMSIL force left the country.

Sierra Leone and Guatemala seem to share the same tendency. Whereas Sierra Leone was a case in which enforcement, assistance and policy advice led to the implementation of the settlement, Guatemala is a case that shows what happens when there is no enforcement of the terms and the violations of the agreements. The conflict between URNG and the government did come to an end, but the implementation of the terms of the agreements has yet to happen. The Guatemalan peace accords were more extensive, took note of the lack of institutional capacity and to assist with policy advice. The mediators even gave the population of Guatemala a chance to voice their opinion in the terms of the contract. On this note, I wish to criticize BFW’s strong focus on power-sharing settlements. There are instances, such as the case of Guatemala, in which the strong focus on the commitment of the elite fractions end up in creating settlements that protect the guilty ones and ignores the victims. I argue, that Guatemala is such a case for the reason, that the military leaders responsible for the massacre, or as some state – genocide were 1) rewarded with amnesty for their crimes they weren’t even to be given a name in the truth report 2) granted key positions or 3) were able to keep the privileges which they had secured during the civil war period. In fact, Riot Montt[[66]](#footnote-66) managed to run for presidential candidate in 2003, and in 2007 he became a member of the congress. For these reasons, I believe elite pacts are hurtful for the sustainability of the peace and those violated forgotten in order to ensure the collaboration with the elite. Nonetheless, the conflict did come to an end. I believe the following comment of BFW that, *sometimes negotiations are not the least costly solution; some battles are worth fighting for. Negotiations can be great moments of opportunity rather than futile efforts to build cooperative regimes. Settlements offer an actual chance to institute a multiparty democratic state, in a situation in which a one-party authoritarian regime might otherwise ensue*, can be put on Guatemala. The incumbent power had the economic, political and military power superior to that of the weakened URNG, and even the civil society had been weakened to such an extent that they were unable to be an equal force in the bargaining process. It is my opinion that the UN agents should have been present to ensure a balance of power because this would have had a positive effect, in form of providing the insurgents with a feeling of security, which would then cause more pressure on the government to observe the agreements.

The peace process in Guatemala was different in the sense that it began as a domestic initiative based on an attempt by the coalition to secure outside assistance and a better international image. Based on the evidence of today, the incumbents did not intend to commit to the accords and only paid lip service. I deduce that when the agents learned that there would be no consequences if they did not adhere to the terms of the agreement, and given the fact that the insurgents was now disarmed, the implementation of the extensive power sharing agreement did not happen. My conclusion is that the Guatemala case therefore shows that the tendency of successful settlement and credible third-party enforcement appear to be reliable.

In contrast to the case of Somalia and Sierra Leone then neutrality had a negative impact on the peace process. The MINUGUA delegation was impartial and listened to both sides without favoring any of the opponents. As BFW claims; *some battles are worth fighting for, negotiations are great moments of opportunity*, the situation in Guatemala could have been helped if there had been more support to the insurgents and thereby UN would have lost its policy of neutrality. It is not certain what would have happened; still neutrality had a negative impact on the successful implementation of the settlement.

In summary, in the case of Guatemala and Sierra Leone there seem to be a tendency that BFW’s hypothesis is reliable. Sierra Leone indicates that when UNAMSIL and UK decided to step up and; 1) enforce the terms of the agreements, 2) create creative institutional arrangements that gave everybody a stake in the new government, 3) stay through the implementation phase, this led to the successful implementation and that the civil war has yet to recur. Whereas, Guatemala show that; 1) creative institutional arrangements that cater to the elite coupled with the lack of will to enforce the terms of the agreement, ended with an end to the civil war but with no implementation of the terms of the agreements and therefore hardly any difference for the citizens of Guatemala. Somalia on the other hand shows that; 1) enforcement of the terms, 2) the will to stay in the implementation phase and 3) giving everybody a stake in the new coalition, did not lead to the successful settlement. BFW’s hypothesis on neutrality is not reliable if you consider the Somali or Sierra Leonean peace process, but in the case of Guatemala neutrality might have caused more damage than if the mediators had sided with the insurgents.

## 6.3 Analysis 3: Does the timing of DDR have an impact on the Settlements?

There appear to be a tendency in the Somali, Sierra Leonean and Guatemalan cases in support of NWW’s statement on the dispersion of violent assets and the lack of a monopoly on violence, also for the importance of how the LAO’s limit violence by means of manipulation of the political and economic interests of the military specialists. In all cases there existed an actual national army, but the military specialists were not consolidated under the control of the government. Furthermore, the insurgents were in position of violent assets which were dispersed throughout the countries. The importance of the manipulation of the economic and political interests as a way to control violence in LAO’s are observed in all of the three societies. In Somalia, due to the decline in support to Barre’s regime from the international community, the SNA were unwilling to continue its military support to his regime and decided to plunder the food supplies and to sell protection to the citizens, when these activities showed to provide a better payoff. In Sierra Leone, president Momoh’s decision to introduce the SAPs and thereby limit the state’s rent creation capability i.e. to continue with the manipulation of the military specialists, the army turned into Sobels; supported Momoh at day and at night the group went diamond smuggling to obtain a better profit. In Guatemala, when the government’s ability to grant rents and privileges eroded, as a result of economic crisis and SAPs, the military specialists decided to take over power of the state apparatus and hereby maximizing their economic gain.

On the topic of ‘elections’ Somalia doesn’t say much on the issue because the civil war has not yet come to an end, nor were the terms of the settlement implemented. In the case of Sierra Leone there is a slight tendency in favor of BFW’s postulate of; *it is unlikely that fair and free elections are reliable as a means to democratize in the aftermath of civil war*. In 1996 Sierra Leone held an election in an effort to put an end to the fighting, RUF did not participate[[67]](#footnote-67) and not everybody managed to vote. This is also where I find reliability to the claim of Longo and Lust, who argue that *balance of power matters in the democratization process.* At the time of the election the incumbents, with the assistance of EO and CDF, had weakened RUF to such an extent that the group had to accept the election and to sign a peace treaty. Moreover, the fact that the shift in the balance of power led to a return to violence this could indicate that balance of power during the election is of major importance in the democratization process.

In 2002, UN and UK became the stabilizing mechanism, ensuring the balance of power which made it possible to have a relatively free and fair election. In the case of Guatemala the difference in power between the incumbents and insurgents in the elections led to the fact that the civil war dominant coalition were able to remain in power. It is true that the access for the political organizations increased and that there were observers on the ground. Nonetheless it is my understanding that the country still to this day suffers from political and economic marginalization, and that the incumbents had more economic and military power that could buy the support or coerce the choices of the citizenry. For this reason the balance of power in the election process is of major importance. In all three cases the elections prior to the civil war show support to the hypothesis of NWW on the elections in the LAOs, since the citizenry were either bribed or coerced.

The Somali case provides reliability to the hypothesis on the negative impact disarmament has on the settlement, if the process is attempted prior to the stability of the judicial and political environment. There are those who claim that the UNOSOM I operation would have turned out differently if UNITAF had attempted to disarm and establish a new centralized government. Whether this is the case or not, of obvious reasons we will never know. What I can say is that the DDR process was implemented in Somalia prior to the stability of the political and judicial environment. Likewise, if the fractions would not disarm the UNOSOM II soldiers would enforce the process if necessary. Subsequently, as the DDR process was implemented the security situation eroded and the fractions no longer wished to comply with the terms of the agreement. However, it is not possible to determine whether disarmament has a negative impact on the combatants’ sense of security or if it was a case of the erosion of the payoffs which the combatants had secured during the course of the civil war. In the case of Somalia, I do not find evidence for the importance of a third-party supporter to help enforce the DDR process. The economic assistance and enforcement capability was provided quite generously by the international community; yet DDR was not successful. This could be the fault of the timing or because the Somali fractions were taking a break until the third-party left, where after they would resume the fighting and their illegal economic activities.

Sierra Leone supports the hypothesis of BFW when it comes to the timing of the DDR process. During the ECOWAS involvement and the UNOMSIL operation DDR had been attempted, but the outcomes were unsuccessful. In the ECOWAS period the ECOMOG force was not trusted because of its pro incumbent sentiments, and the situation on the ground had yet to be stable. This was also the case for the UNOMSIL mission; the financial assistance and the enforcement capability was not enough to convince the fighting parties to give up their arms, neither had the judicial and political situation been created. DDR was not successful until the judicial and political system had been created, the security situation improved and the third-party supporter providing the enforcement mechanisms which persuaded the fractions that they were secure. I also find partial evidence for BFW’s notion that; *creative institutional design matters more for demobilization than military force*. In the settlement, all the fractions had been offered a stake in the new national army. The police corps and the combatants had been given amnesty for their crimes and would therefore be protected against imprisonment. It is my opinion that Amnesty for the perpetrators is not necessarily positive; nonetheless, the civil war has yet to recur. Even if these institutional arrangements were important, I do not agree that this is more important than military force, they are of equal importance. In conclusion, I find that disarmament has a negative influence on the combatants’ sense of security, although personal gains are certainly also in the minds of the combatants.

Guatemala provides evidence to the claim of BFW on the importance of the third-party to enforce the terms of the disarmament. When the national armed forces did not adhere to the promise to implement the DDR process and learned that they faced no severe sanctions, the DDR process came to an end. In terms of the timing of the DDR process, the DDR was not attempted until the settlements had been signed by all the parties involved. The security situation had improved somewhat, but the judicial and political situation had yet to be finalized. It is my opinion, that because DDR was instigated before the implementation of the terms of the agreement and coupled with the fact that the violators met no enforcement from the UN, DDR and the demilitarization of Guatemala remain unsuccessful. A weak URNG completed the DDR process, the third-party did not enforce and therefore the national army had no reason to adhere to the settlement. The case of Guatemala offers no reliability to the argument of BFW that; *creative institutional design matters more for demobilization than military force*. The settlement gave amnesty to the combatants, gave all parties a stake in the army or the police force, they took note on the sense of security i.e. demobilization was to be conducted in different locations and in this way the amount of combatants and weapons registered was kept a secret. Because of the uniqueness of the Guatemala case on the balance of power, military force on the side of the insurgents would have mattered more than the creative institutional design.

In summary: there existed a tendency in all of the different cases on the reliability of the NWW notions of dispersion of violent assets in LAOs and the importance of the coalition to be able to provide rents and privileges to the military elite. In addition, elections in LAOs are different than in OAOs, where coercion and rents are used to force or bribe the citizenry. I found that there was a tendency in favor of Longo and Lust’s focus on the importance of the balance of power during the elections. Sierra Leone and Guatemala shows that when one part is stronger than the other, the elections are unlikely to be fair and free. Sierra Leone indicates that the NWW and BFW hypothesis on elections to be ineffective tools in the aftermath of the civil war are reliable. The Somali case provides evidence to the claim that the timing of DDR matters when the security -, judicial and political situation is missing. There is a clear tendency in all of my three cases for the importance of the timing of the DDR process and the adequate security-, judicial and political situation. In Somalia and Sierra Leone DDR was attempted before the situation on the ground had been secured and also before the judicial and political situation was improved. Guatemala shows the danger in DDR when one party is weaker than the other. I find that in terms of what is more important; creative institutional design or military force; then Somalia shows what happens if there is more military force than creative institutional design involved in the DDR process; Guatemala indicates what happens when there are extensive creative institutional design and little military force and finally Sierra Leone offers the middle way in which creative institutional design coupled with military force result in the successful DDR process. Finally, I find a tendency that disarmament have an impact on the combatants’ sense of security, however, personal enrichment appears to be just as important to the fighting parties.

# 7.0 Conclusion

Through my analysis on the institutional capacity and its effect on the settlement I observed a tendency in favor of BFWs claim in the cases of Sierra Leone and Guatemala. Sierra Leone is a case in which a third-party stepped up to give guidance, economic assistance and had the will to enforce the agreement; because they were aware that the institutional capacity of Sierra Leone was not in place. The Guatemala case gives cloud in the sense that it is the opposite situation of that of Sierra Leone: the country came out of 36 years of civil war, the institutional and organizational capacity to credibly commit to the settlements were not strong enough to implement the advice, nor did the incumbents fear the repercussions if they did not adhere to the accords. Therefore the unwillingness to enforce and provide adequate economic assistance and the lack of institutional capacity led to the fact that Guatemala still to this day experiences militarization of the state and multiple acts of violence. Somalia did not have the institutional capacity to enforce the settlements; this was despite the fact that the manpower and financial assistance was clearly present. For this reason I find that in cases like Somalia, OAO policies were more destructive than helpful, which indicates that NWW’s theory on why development policies fail was true in the Somali situation.

In regard to the importance of third-party involvement and enforcement I observed a tendency in favor of BFW’s hypothesis in the cases of Sierra Leone and Guatemala. Sierra Leone indicates that when UNAMSIL and UK decided to step up and; 1) enforce the terms of the agreements, 2) create creative institutional arrangements that gave everybody a stake in the new government, 3) stay through the implementation phase, this led to the successful implementation and that the civil war has yet to recur. Whereas, Guatemala show that; 1) creative institutional arrangements that cater to the elite coupled with the lack of will to enforce the terms of the agreement, ended with an end to the civil war but with no implementation of the terms of the agreements and therefore hardly any difference for the citizens of Guatemala. Somalia on the other hand shows that; 1) enforcement of the terms, 2) the will to stay in the implementation phase and 3) giving everybody a stake in the new coalition, did not lead to the successful settlement. BFW’s hypothesis on neutrality is not reliable if you consider the Somali or Sierra Leonean peace process, but in the case of Guatemala neutrality might have caused more damage than if the mediators had sided with the insurgents.

 On the topic of the timing of the DDR process and the importance of adequate security-,judicial and political institutions, I deduce that there was a tendency in the Somali-, Sierra Leone and Guatemalan case in favor of BFW’s hypothesis. In Somalia and Sierra Leone DDR was attempted before the situation on the ground had been secured and also before the judicial and political situation was improved. Guatemala shows the danger in DDR when one party is weaker than the other. I find that in terms of what is more important; creative institutional design or military force; then Somalia shows what happens if there is more military force than creative institutional design involved in the DDR process; Guatemala indicates what happens when there are extensive creative institutional design and little military force and finally Sierra Leone offers the middle way in which creative institutional design coupled with military force result in the successful DDR process. Finally, I find a tendency that disarmament have an impact on the combatants’ sense of security, however, personal enrichment appears to be just as important to the fighting parties.

Throughout my empirical research I observed a tendency in all of the different cases on the reliability of the NWW notions of dispersion of violent assets in LAOs and the importance of the coalition to be able to provide rents and privileges to the military elite. In addition, elections in LAOs are different than in OAOs, where coercion and rents are used to force or bribe the citizenry. I found that there was a tendency in favor of Longo and Lust’s focus on the importance of the balance of power during the elections. Sierra Leone and Guatemala shows that when one part is stronger than the other, the elections are unlikely to be fair and free. Sierra Leone indicates that the NWW and BFW hypothesis on elections to be ineffective tools in the aftermath of the civil war are reliable.

In conclusion I find that in the case of Sierra Leone and Guatemala, the explanation on the importance of institutions (political or judicial) to be in place to guarantee a settlement, to be reliable whereas Somalia implies that this is not the case. The second explanation of the lack of third-party involvement and enforcement receives support from the case of Guatemala and Sierra Leone, whereas Somalia is in opposition to this claim. The third explanation of the timing of Disarmament, Demobilization and Reintegration receives support from the case of Somalia, Sierra Leone and Guatemala. Therefore only BFW’s third assumption in relations to the three cases received full support through my chosen cases. In addition I find that the New Conceptual Framework is a useful explanation when it comes to understand the institutions and organizations in the conflict affected countries. Also the understanding of why some countries experience more frequent eruptions of violence than others is useful and reliable.

# 8.0 Recommendation

This study was an attempt to investigate: *What is the explanation of why civil war settlements are often followed by a recurrence of conflict?* BFW, NWW and Longo & Lust are all from the same tradition - RCT and therefore their theories are compatible with one another and together they represent the RCT explanation for the recurrence of conflict. Even so, the issues of civil war settlements and the repeating cycles of civil conflict are complex and therefore I recommend two alternative schools that relates to my empirical findings and my problem statement.

During my research it came to my attention that 1) Guatemala suffers from gang related violence perpetrated by the poppy production and illegal drug trafficking networks[[68]](#footnote-68), 2) one of the reasons for the conflict in Sierra Leone was the countries resources ‘blood diamonds’ in particular and 3) warlords in Somalia were paid money from the UN and NGO’s in order to protect the aid. Based on these findings I recommend a study of these factors from the perspective of the ‘new war’ thesis. The explanation for the recurring nature of conflicts, is that war of today are based on the mutual interest of the conflicting parties in continuing the conflicts, because the civil wars provide a cover to the illegal activities and the informal economy of the globalized world system (Kaldor 2010). Heupel & Zangl (2010) clarify the four key assumptions of this new theory: 1) in new wars there are often fragmentations of the warring factions into smaller units, 2) the new wars are often funded by criminal activities; a so-called criminalization of the economy, 3) in new wars ideological or identity based war motives are replaced by economic reasons, and 4) in new wars the war strategy is to terrorize and target the civilian population (Heupel & Zangl 2010, p.27). I propose that a future study could investigate these four assumptions in regard to Somalia, Sierra Leone and Guatemala and thereby investigate whether the new war explanation is reliable.

The second school and explanations of interest would be that of the Psycho-cultural approach. I link this to my empirical findings because I identified a tendency in Somalia, Sierra Leone and Guatemala that a change in the dominant coalitions rent capacity caused a decline in the living standards of the population and thereby the recurrence of violence. The Psycho-cultural approach is also in contrast to the RCT tradition, because it studies the collective motivations through the lens of individual behavior[[69]](#footnote-69). RCT is not concerned with what goes through the minds of the individuals; but what can be mathematically investigated from their actions. The main argument is that frustration leads to aggression and that there are three types of deprivation: Decremental[[70]](#footnote-70), Aspirational[[71]](#footnote-71) and Progressive[[72]](#footnote-72). One of the important mediating factors is called ‘normative justification’ i.e. is violence[[73]](#footnote-73) part of the cultural repertoire?[[74]](#footnote-74) The explanation for the experience of the recurrence of violence is that the insurgents experienced one of the three types of deprivation. I recommend that an in-depth study into the standard of living of the insurgent group in order to investigate which of the types of deprivation led to the civil war and its continuation, and also d whether the mediating factor of a cultural repertoire of violence existed in the countries.

# Appendix 1:



Source (Walter 1999, p. 128)

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1. For Empirical Data on these statistics see Appendix 1 [↑](#footnote-ref-1)
2. Inter and Intra state. [↑](#footnote-ref-2)
3. Undemocratic countries [↑](#footnote-ref-3)
4. Rent-creation result from the services and goods government can afford, such as enforcement of contracts, resource endowment, public infrastructure, defense, legal systems and enforcement of property rights (NWW 2009a) [↑](#footnote-ref-4)
5. Democratic countries [↑](#footnote-ref-5)
6. When Walter use this term – she means organizations and institutions. [↑](#footnote-ref-6)
7. This question was chosen because of this quote: *at a time when no legal institutions and no legitimate government exist to enforce the contract, the parties are asked to disarm, disengage and demobilize their military forces and prepare for peace,*  I understand this to imply that the timing of DDR happened too quickly [↑](#footnote-ref-7)
8. During this paper; when I make use of capital letters, the following definitions lay behind. [↑](#footnote-ref-8)
9. This paragraph was introduced in my prior semester projects; I contributed with this paragraph [↑](#footnote-ref-9)
10. This section was taken from my prior semester projects; I contributed with this chapter in the group effort. [↑](#footnote-ref-10)
11. Notes taken from the course*; Violence, Conflict and Politics*, attended at Saint Francis Xavier University Fall Semester 2012, with Prof. Grenier [↑](#footnote-ref-11)
12. RCI describes institutions in the same way as NCF as the’ rule of the game’ and as restrictions to their behavior and actions. [↑](#footnote-ref-12)
13. See North, Wallis & Weingast (2009a) this was their introduction book on the NCF. [↑](#footnote-ref-13)
14. This section was taken from my prior two semester projects; it was one of my contributions [↑](#footnote-ref-14)
15. Longo & Lust are from the school of RCI [↑](#footnote-ref-15)
16. Focus on criminal organizations and the security situation. [↑](#footnote-ref-16)
17. Private sectors role in the negotiation process [↑](#footnote-ref-17)
18. Section 2.0 [↑](#footnote-ref-18)
19. See appendix 1 [↑](#footnote-ref-19)
20. Longo and Lust state that the lack of neutrality can result in a return to war [↑](#footnote-ref-20)
21. See section 4.1.1 [↑](#footnote-ref-21)
22. Organization of the Petroleum Exporting Countries [↑](#footnote-ref-22)
23. Consolidating the right to punish under the MOD [↑](#footnote-ref-23)
24. Dream of reconquering what they see as lost territories in Ethiopia, Kenya and Djibouti [↑](#footnote-ref-24)
25. Majerteen based clan [↑](#footnote-ref-25)
26. Isaaq based clan [↑](#footnote-ref-26)
27. Internally Displaced Peoples [↑](#footnote-ref-27)
28. Ogaden clan based [↑](#footnote-ref-28)
29. Hawiye clan based [↑](#footnote-ref-29)
30. The first UN representative to Somalia [↑](#footnote-ref-30)
31. He quit, or rather was fired because of criticism of UN [↑](#footnote-ref-31)
32. Forcefully, if the fractions would not Disarm voluntarily [↑](#footnote-ref-32)
33. Named after the military helicopter used by US in Somalia [↑](#footnote-ref-33)
34. Mende dominated party [↑](#footnote-ref-34)
35. Rent-system that use state resources to secure support. [↑](#footnote-ref-35)
36. These has been termed Sobels (soldiers by day and rebels by night) [↑](#footnote-ref-36)
37. Who was allegedly involved in the sale of the blood diamonds [↑](#footnote-ref-37)
38. Had just won a victory in Angola, where it sided with the government [↑](#footnote-ref-38)
39. in 1993 the civil service was cut to 46.400, reducing the inflation from 101% to 15% (Bøås 2001 and Williams 2004) [↑](#footnote-ref-39)
40. Known as Kamajors [↑](#footnote-ref-40)
41. The RUF had not participated in the election and 750.000 people did not vote (Bøås 2001 and Williams 2004). [↑](#footnote-ref-41)
42. Armed Forces Revolutionary Council, a military fraction attempting to take over the state [↑](#footnote-ref-42)
43. Private Security Company from UK. [↑](#footnote-ref-43)
44. Diamonds in particular [↑](#footnote-ref-44)
45. Majority were from indigenous descent [↑](#footnote-ref-45)
46. US companies in particular [↑](#footnote-ref-46)
47. Not illiterate women [↑](#footnote-ref-47)
48. Not the communist or foreign run parties [↑](#footnote-ref-48)
49. Lost their property because of US pressure on Ubico during WWII [↑](#footnote-ref-49)
50. New rich and traditional oligarchy [↑](#footnote-ref-50)
51. USA and Catholic priests [↑](#footnote-ref-51)
52. NWW named the final stage between OAO and LAO as Transition Proper [↑](#footnote-ref-52)
53. Partido Guatemalteco del Trabajo [↑](#footnote-ref-53)
54. Fuerzas Armadas Rebelde [↑](#footnote-ref-54)
55. Organización Revolucionario del Pueblo en Armas [↑](#footnote-ref-55)
56. Higonnet’s book is a translation of the report ‘*memory of Silence*’ which is the official report from the Truth Commission [↑](#footnote-ref-56)
57. In this way pitting community and family members against one another [↑](#footnote-ref-57)
58. Propaganda areas introduced by the military and Montt [↑](#footnote-ref-58)
59. Spain, US, Colombia, Mexico, Venezuela and Norway [↑](#footnote-ref-59)
60. Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations. Private sector organization dominated by economic elite [↑](#footnote-ref-60)
61. Assembly of Civil Sectors [↑](#footnote-ref-61)
62. The authors of the ‘memory of silence’ [↑](#footnote-ref-62)
63. Strengthening rule of law, police force, prisons and court system [↑](#footnote-ref-63)
64. Guatemala had the lowest tax system in Central America [↑](#footnote-ref-64)
65. 40% of the population was indigenous in 2001 (CIA world fact book) [↑](#footnote-ref-65)
66. The man guilty of the worst human rights atrocities during the Guatemalan civil war [↑](#footnote-ref-66)
67. Assistance in becoming a political party did not happen before the Lome Agreement had been signed [↑](#footnote-ref-67)
68. Guatemala is located in the Centre of the drug trafficking belt from Andes to US’s enormous cocaine market (Gavigan 2009, p.72). In 2005, Guatemala cultivated 100 hectares of opium poppy (CIA.gov 2013) [↑](#footnote-ref-68)
69. Notes on this approach have been taken from the course: *Violence, Conflict and Politics*, attended at StFX University Fall 2012, with professor Grenier [↑](#footnote-ref-69)
70. Angered because of loss in privileges and living standard [↑](#footnote-ref-70)
71. An increase in new expectations that are not met by those in power [↑](#footnote-ref-71)
72. Happens when there is a situation of Aspirational and Decremental motivations present simultaneously [↑](#footnote-ref-72)
73. Understood as the physical act of violence [↑](#footnote-ref-73)
74. The glorification of violence or martyrdom in the countries culture [↑](#footnote-ref-74)