

PART TWO

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THE RESOLUTION OF CONFLICTS BETWEEN STATES

5.1 Armed Conflicts and Peace Accords between States

Are wars between states disappearing? They are fewer, but were such wars frequent during the Cold War? If they always were few, then the changes may not be remarkable. No matter the number the potential destruction of one inter-state war may quickly supersede that of most intra-state conflicts, particularly if nuclear weapons are put to use. Thus, finding solutions to inter-state war remains important. In this chapter, wars and peace settlements among states will be analysed. Of particular interest is the way incompatibilities between states are handled. We will begin by recording the experiences of the last decades of the Cold War, then see what has happened in the three decades since 1989, as a basis for a discussion on how inter-state conflicts can be solved.

The Last Decades of the Cold War

The global conflagration between East and West made any country or area an object of strategic consideration. Even highly local disputes acquired an inter-state quality. Judging from incompatibilities, we find that many Cold War conflicts actually concerned the control over government *in* particular countries. This is true for the events in Nicaragua in the 1980s, in Chile in the 1970s, Czechoslovakia and the Dominican Republic in the 1960s, Hungary in the 1950s, etc. For major powers, these situations had relevance for strategic and tactical calculations, all stemming from a concern with a nuclear confrontation. Direct or indirect interventions were common. The logic was that if the 'other side' is involved 'so should we be'. Still, there were classical inter-state conflicts during the last two decades of the Cold War.

In the 1980s, some inter-state wars received global attention. Among the most devastating was the Iran-Iraq War in 1980–88, whereas more press coverage may have been extended to the limited Falklands/Malvinas War between Argentina and the United Kingdom in 1982, and Israel's invasion and occupation of large parts of Lebanon 1982–85. There was a short war between Chad and Libya. There was also a US intervention in Grenada (1983), in the Caribbean, defined as a minor armed conflict. There were four inter-state conflicts during the 1980s. In the 1970s, there were more inter-state wars, notably between Vietnam and Cambodia, Vietnam and China, Vietnam and the United States, as well as between India and Pakistan (over the creation of Bangladesh) and the October War between an Egyptian-Syrian alliance and Israel. Israel took control of a part of Lebanon at the end of the 1970s. In 1974, Turkey invaded the sovereign state of Cyprus, and still continues to hold almost 40 per cent of the island's territory. Indonesia occupied East Timor, a territory that formally was under Portugal, in 1975. There was also a war between Ethiopia and Somalia over the Ogaden area and an intervention by Tanzania into Uganda to remove the regime of Idi Amin. In this decade there were ten inter-state wars. This clearly was more than we saw in the 1980s and 1990s.

The inter-state conflicts in the 1970s and 1980s could not all be subsumed under the heading of the Cold War. Some of them involved major Cold War actors and became part of global politics. But the origins and the incompatibilities were often more specific, concerning territorial issues (islands in the South Atlantic, the status of East Pakistan and East Timor, relations between communities, border questions, etc.) or governance (who should rule in South Vietnam, Uganda, Cambodia, Grenada, etc.). There were strong local dynamics. Major powers may have involved themselves although the conflicts had different origins. Often this contributed to an escalation of conflict. The US engagement in Indochina is one such case. When a major power sends in troops, helps finance one party or in other ways interferes substantially, this is likely to become the main feature of the conflict. In many conflicts, however, the Cold War opponents refrained from provoking each other. Where one was strongly involved, the other might stay out (the Soviet Union was cautious in the Falkland/Malvinas conflict, for instance). There were instances of them supporting the same side (Iraq in the Iran-Iraq War is an example) and cases where both restrained themselves from too heavy involvement (India-Pakistan in 1971).

What does this entail for conflict resolution? It means lessons from these inter-state conflicts are relevant also beyond the Cold War. Furthermore, the conventional wisdom has it that it is easier to negotiate peace agreements among states. Thorny issues of recognition and legitimacy that plague parties in internal conflict are not as significant. Classical wars take place between states which are recognized at least by some members of the international system, if not directly by the warring parties themselves. Thus, contacts should be easier to establish. In addition, the UN Charter and other international instruments are available to handle such conflicts. What is the record from the last two decades of the Cold War?

Victory and defeat were the more frequent outcomes in the 14 inter-state wars. Many resulted in the withdrawal of one party. Argentina evacuated the islands in

the South Atlantic. China pulled out its troops from Vietnam. Pakistan left East Pakistan, ultimately recognizing the independence of the new country, Bangladesh. The PLO had to leave Lebanon and Somalia withdrew from the Ogaden desert. There were deals or agreements behind these moves, but they cannot be defined as peace agreements arrived at through symmetrical negotiations between equal parties. The developments on the battlefield made clear that one party had prevailed.

When victorious endings were not forthcoming, the conflicts resulted in protracted territorial occupation. Many lasted for several decades. Examples are Israel in South Lebanon (22 years), Sinai (15 years) and still continuing in the Golan Heights. Similarly, Turkey kept control in Cyprus (still on-going), Indonesia in East Timor (ended in 1999 after 24 years) and Vietnam in Cambodia (11 years). In the case of Iran and Iraq, the parties controlled different parts of the opponent's territory as long as the war lasted. Territorial conflicts, in other words, were difficult to solve in a speedy fashion through negotiations, although the parties have been internationally recognized states.

In conflicts where the regime issue was central, those conflicts resulted in the defeat and removal of the regimes (Ugandan leader Idi Amin escaping to Saudi Arabia, Cambodian leader Pol Pot continuing resistance from the jungles on the Thai border). This, in a way, made the wars shorter. Once this was accomplished, the intervening state was often willing to withdraw its troops, or at least to take measures to mask its presence. This does not speak in favour of negotiated settlements. On the contrary: as the issue was the control over government, negotiations were ruled out. Often both sides regarded the other as an illegitimate actor who could not be dealt with through direct contact. Thus, we find that inter-state conflicts are not easily amenable to international diplomacy, although some objective conditions would speak in favour of that proposition.

Actually, among the 14 conflicts, there are only two with mutually developed peace agreements. The one receiving the most attention was the Camp David Accords between Israel and Egypt, negotiated in 1978 and 1979 and implemented in the following years. This agreement meets the criteria set out in Chapter 3 for a conflict resolution ending to a conflict. The same can be said for the arrangement to terminate the war between Chad and Libya. It took the form of a process that lasted into the 1990s. The deal between Ethiopia and Somalia in 1988 can be regarded as a settlement. It took place ten years after actual fighting had ended and the agreement confirmed the outcome of the war. The ending of the Iran-Iraq War, through the auspices of the United Nations, included a cease-fire, an exchange of prisoners of war, and an investigation of responsibility for the conflict. It is still difficult to classify as a peace treaty. It is noteworthy, as it was done through the UN Security Council and the UN Secretary-General. This particular war has many lessons for conflict resolution and we will return to them in this chapter.

Thus, the notion that states have fewer problems negotiating among themselves is not borne out, at least for the Cold War period. The 14 wars followed their own dynamics. In some cases, Cold War parties aligned with conflict actors, for strategic and other reasons, thereby reinforcing tensions. The chances of peaceful settlements became intertwined with the overall relations between major powers. It is

interesting to note that many of the conflicts are still not yet solved, three decades after the Cold War ended.

The Post-Cold War Period

It is important to note that the frequency of inter-state armed conflicts generally is low, and this is not a novel phenomenon. It remains true also for the period after 1989. Table 5.1 reports on inter-state conflicts and peace agreements

There were 11 inter-state armed conflicts since the end of the Cold War. The US-led wars in Afghanistan and Iraq were soon transformed into civil wars, with international support going to the governments. In the UCDP this is recorded as internationalized civil wars. This is a broader phenomenon than just these two cases. Certainly, US forces were fighting ISIS, an organization active in Iraq and Syria on issues that had to do with the governments in those two countries, but also resulting in terrorist acts in the West. However, in the mid-2010s this also involved battles elsewhere, pitting ISIS allies and off-springs against US-supported governments, e.g. in Egypt, the Horn of Africa and the Sahel. Also the ending of other cases could be discussed and may seem less clear-cut. For instance, the Gulf War of 1991, which quickly terminated with the removal of the invading Iraqi forces from the territory of Kuwait, continued with air strikes on Iraq by the United States and Britain during the 1990s. The Iraq war of 2003, however, was not a simple escalation from this, but instead concerned the regime of Saddam Hussein in Iraq itself. Since the end of the Cold War five inter-state conflicts have risen to the level of war. It is clearly a lower number than for the two last decades of the Cold War, and may point to a long-term trend towards fewer inter-state conflicts, but is still far from zero.

Table 5.1 provides further information on the fate of these situations. Four conflicts resulted in the victory of one party over the other (USA-Panama, the Gulf War, USA-Afghanistan 2001, USA-Iraq 2003), although a civil war followed in two of them. Two were taken to the International Court of Justice for settlement (Cameroon-Nigeria, Cambodia-Thailand). Two were concluded through a negotiated process resulting in a peace agreement, signed by the two sides (Ecuador-Peru, Eritrea-Ethiopia). India and Pakistan initiated a peace process in 2004 and violence on the border diminished, but without solution. The terror attack on Mumbai in 2008 and political instability in Pakistan prevented further advances. Similarly, there was no settlement between Djibouti and Eritrea, although violence ceased. There was an agreement between Sudan and South Sudan on the common border and fighting subsided but tensions remained, also involving the implementation of the solution. Of the 11 conflicts, seven saw conflict resolution attempts that at least reduced violence. Three resulted in bilateral settlements that have been important in preventing a return to war, while that can only be said for two of the four military victories. One can note that a decisive military victory was the outcome only in conflicts that were very asymmetric (Panama in 1989 and Afghanistan in 2001). As noted the USA was a party to both these cases although its intervention capacity was crucial for all four.

Table 5.1 Inter-state armed conflicts, 1989–2016

<i>Parties</i>	<i>Incompatibility</i>	<i>Outcome</i>	<i>Intensity</i>
Panama v. USA	Regime in Panama	Victory	Minor
India v. Pakistan	Border, Kashmir	Peace process	War
The Gulf War	Kuwait's independence	Victory	War
Ecuador v. Peru	Border	Settlement	Minor
Cameroon v. Nigeria	Border	Settlement	Minor
Eritrea v. Ethiopia	Border	Settlement	War
Afghanistan v. USA, allies, (2001)	Regime in Afghanistan	Victory, followed later by a civil war	War
Iraq v. USA, allies	Regime in Iraq	Victory, civil war	War
Djibouti v. Eritrea	Border	Process, No settlement	Minor
Cambodia v. Thailand	Border	Process, No settlement	Minor
South Sudan v. Sudan	Border	Process, No settlement	Minor

Note: Chronological order, parties listed alphabetically in English, issues indicated, outcome or status by end of 2016 and highest intensity reached during this period.

Source: Uppsala Conflict Data Program Conflict Encyclopaedia, armed conflict dataset.

The incompatibilities in the armed conflicts were related to territorial issues, with the exception of the interventions in Panama, Afghanistan and Iraq. In the Panama case, the USA captured the country's strong man, General Manuel Noriega, and brought him to an American court for violation of US drug laws. The political issue of who rules Panama was turned into a police issue. Objections to US actions were vetoed in the Security Council. In the Afghanistan case, the US had considerable international backing for intervening against the Taliban regime as it gave support to al-Qaeda and its attack on the US on September 11, 2001. The regime was removed, but turned into a rebel force in a protracted civil war. In the Iraq case, the US only had the support of a few allies and did not get an endorsement from the UN Security Council. Nevertheless, it attacked, and the Iraqi leader, Saddam Hussein, was captured, sentenced by a special Iraqi court, and executed in 2006. 'Peace' has not returned to the country however, and the US military engagement has continued. All the other conflicts concerned border questions and issues about the territorial integrity of states. If it is correct, as reported, that the total number of land borders in the world is around 300, eight border conflicts is a small number (Blake 1999: 150). As most of the armed conflicts have remained on a low level of intensity and also found solutions, there seem to be ways in which border conflicts can be handled. This means that those conflicts that were not managed, but turned into wars, need particular attention.

The five inter-state conflicts that became wars point to the propensity for military escalation in inter-state conflicts. This distinguishes them from other types of conflict. There might even be a tendency for earlier and less reluctant use of military capacities in such conflicts. In these five cases the escalation was rapid. Within a few weeks the resources amassed by the parties were immense. This is all the more striking as one case involved two poor agricultural societies (Ethiopia and Eritrea). In the 1991 Gulf War, the swift deployment of US and Western military resources to the Middle East was used to apply pressure on the government in Iraq at the same time as it was part of war planning. A similar tactic was used in the months leading up to the Iraq War that started in March 2003. In the case of Afghanistan in 2001 the escalation was very rapid, with US air strikes beginning within weeks after the attack on September 11, 2001. Relations between India and Pakistan have been on the brink of war several times during the decade. Nuclear weapons tests by the two countries in 1998 increased tensions, and for some months in 1999 the countries were close to a major conflagration. In inter-state conflicts, the parties have military organizations, which are trained for conflict options, at their disposal, and thus the ability actually to use them is higher. Military options are more tempting, more credible, and hence more likely to be applied.

The escalatory potential of inter-state conflicts is well known and is particularly felt in the affected regions. This means that the early activities by neighbouring countries to contain conflicts are important. Such actions were taken in the Gulf War, without a solving formula being found. In the case of the 2003 Iraq War, the alleged presence of weapons of mass destruction or the capacity to produce such weapons was an issue. However, an alternative route existed, supported by the UN Security Council from November 2002: weapons inspections by capable international experts. Thus, the Council was not willing or ready to authorize an attack on Iraq by March 2003. In the case of India and Pakistan, neighbours have been effectively barred from involving themselves, as India has consistently seen the problems as a bilateral or internal issue. The official peace attempts have been strictly bilateral. In the case of Djibouti v. Eritrea, the UN Security Council demanded that the troops of both parties withdraw to the status before the armed conflict. Djibouti did, Eritrea did not, and was subsequently exposed to an arms embargo by December 2009. The conflicts between Sudan and South Sudan, following the dissolution of the shared state, immediately sparked mediation efforts by neighbours and the African Union. There was a peace agreement, but the tension was not ended. In the temple dispute between Cambodia and Thailand, there was an established process in the International Court of Justice to which the parties could defer. These conflicts were contained on a low level of intensity even as the verdict of 2013 did not favour Thailand.

The peace agreements during the post-Cold War period are listed in Table 5.2. Settlements take time. Table 5.2 also lists armed conflicts which saw little or no fighting in the 1990s. This means that the peace processes have been protracted. By 1994, the conflict between Chad and Libya over the Aouzou strip was settled. The final issues were handled by a UN mission, following a decision by the International Court of Justice (ICJ) (Merrills 1999: 105–6; Shaw 1999: 51). By then there had been no armed conflict since the mid-1980s. Similarly, the border issues between Russia

(succeeding the Soviet Union) and China found solutions through a series of agreements, with the first one concluded in 1991 (Kotliar 1999; Su Wei 1999). The most severe confrontation between these countries took place in 1969, more than twenty years earlier. A peace agreement was signed between Israel and Jordan in 1994, but the countries had not been at war since 1967, more than a quarter-century earlier. Why was there a lack of concerted efforts to settle these conflicts earlier? A high level of tension between states is but one answer. Tension in the surrounding region is another. But the answer could also be found elsewhere. Although conflicts may have their own dynamics, their ending requires efforts by the international community. When victory is preferred among leading states, there will be little interest in local settlements.

Some disputes, which did not result in severe casualties, found settlements since the end of the Cold War. Table 5.2 includes Eritrea v. Yemen, which had a dispute over the Hanish Islands and associated maritime boundaries in the Red Sea. Instead of letting the conflict escalate or linger, it was brought by the parties to the International Court of Justice. International arbitration was used for the conflict between Botswana and Namibia, again a dispute not qualifying as an armed conflict. In an earlier era, there may not have been the same swiftness in finding a solution.

This underlines that there is a stronger emphasis on peaceful settlement in the post-Cold War period than there had been earlier. Whereas most conflicts in the last two decades were ended through victory/defeat outcomes, the more common ending since 1989 has been through a process and eventually a settlement. This says something about a changed climate, perhaps also a shift in practice, at least for some types of conflict. It means that conflict resolution is higher on the agenda for inter-state conflicts than earlier. The attempts by many states to use the UN as a way to resolve the Iraq situation prior to the beginning of the 2003 war, also testifies to the willingness to find peaceful solutions. The fact that Iraq has been at war with the USA twice in this period also indicates the limits of such ambitions. This makes it most important to explore how negotiated settlements of conflict issues between states have actually been dealt with, in this era as well as previously.

Table 5.2 Peace agreements in inter-state armed conflicts, 1989–2016

<i>Parties</i>	<i>Solution through the use of</i>	<i>Highest intensity 1989–2014 (or earlier)</i>
Iran v. Iraq	UN Security Council	War
Chad v. Libya	ICJ, UN peacekeeping	War
Mauritania v. Senegal	Bilateral agreement	Dispute
China v. Soviet Union/Russia	Bilateral agreement	(Minor)
Eritrea v. Yemen	ICJ	Dispute
Israel v. Jordan	Bilateral, US support	(War)
Ecuador v. Peru	Four guarantors	Minor (War)

(Continued)

Table 5.2

<i>Parties</i>	<i>Solution through the use of</i>	<i>Highest intensity 1989–2014 (or earlier)</i>
Cameroon v. Nigeria	ICJ	Minor
Botswana v. Namibia	ICJ	Dispute
Eritrea v. Ethiopia	UN, OAU	War
Cambodia v. Thailand	ICJ	Minor
South Sudan v. Sudan	AU, Neighbour	Minor

Note: Peace agreements concluded by parties since 1989, where the parties have been in an armed conflict with one another at some point since 1946. The table also includes three disputes, that is, conflicts below the intensity of an armed conflict. Parentheses indicate that the highest intensity was recorded before 1989. The order of the two parties in each dispute is alphabetical in English and does not imply a statement on the initiator of hostilities.

Source: Uppsala Conflict Data Program, www.ucdp.uu.se.

Geopolitik, Realpolitik, Idealpolitik and Kapitalpolitik

The Cold War was a global power conflagration, entangling all major powers. It did not result in an armed conflict between the leading two actors. With the experiences of the First and Second World Wars in mind, a peaceful outcome for the Cold War could not be taken for granted. The polarization between East and West was a high-risk policy venture. Major power relations since then have been different, e.g. there are now more summit meetings and a different role for, say, the UN Security Council (see Chapter 9).

Indeed, also after the Cold War, there have been complicated relations between major powers, even more markedly during the 2010s. Much attention has been given to China's economic rise and its relations with neighbours and Western powers. This includes questions over the status of Taiwan, control in the South China Sea, and North Korea's nuclear weapons. All of this involves the United States and Japan. Russia remains significant and recently more assertive than in a long period, notably in Ukraine and Syria. It remains an actor in several different regions. Germany, mostly working with the EU and NATO, for the first time sent ground troops outside alliance areas in 1999, when a German contingent was stationed in Kosovo. In 2014 it agreed to send weapons to a war situation, when supplying Kurdish forces in Northern Iraq to fight the threat from the rebel group ISIS. We should note that major powers have not had any direct territorial or other confrontations among themselves since the end of the Cold War. Russia's actions in Ukraine, including its annexation of Crimea, have broken an established pattern.

The wars and armed conflicts since 1989 have involved regional or local issues. This has given rise to new questions. For instance, should major powers, or an international organization where major powers are crucial, act to contain or resolve a particular conflict between states? There is no definite answer here: in inter-state wars since the end of the Cold War – the Gulf War, the Eritrea-Ethiopia War, the India-Pakistan War in Kargil in 1999, the Afghanistan War 2001, and the 2003 Iraq

War – the states not strategically involved pursued distinctly different courses of action. In the first case, the UN authorized an armed intervention. In the second, international mediation was preferred. In the third, there was little involvement at all. In the fourth, there was general international support for the removal of the Taliban regime. In the fifth, two major states were allied in the war (the USA and Britain), and four others were against it, but did not act militarily on the issue (France, Germany, Russia and China). The answer is varied today, immediately after the end of the Cold War giving settlement and diplomacy higher priority, but it may have changed during the 2010s. For instance, in the face of a determined major power, peace diplomacy may not necessarily be an effective alternative. Nevertheless, let us see what the settlement response entails. The duty of the UN is to deal with inter-state conflicts wherever they occur and constitute a threat to 'international peace and security'. The existence of an internationally agreed framework also means that there are particular procedures for the settlement of inter-state conflicts. Chapter VI of the UN Charter is devoted to this. Article 33 recommends member states to take a number of measures: 'negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice'. This is a mixed group of activities, where some more readily relate to certain types of inter-state conflict. For instance, for boundary conflicts, arbitration is frequently used. In this case, the parties commit themselves in advance to accept the outcome of a court of arbitration. Arbitration is, however, difficult to apply to conflicts dealing with governmental control, a regional or global balance of power.

It is likely that the danger of conflicts spreading inadvertently is more immediately apparent in cases of inter-state conflicts today. Earlier, conflicts were held in check by the global powers. Today, there are new patterns in the arms trade, unsettling interruptions in civilian trade, and a less controlled flow of refugees. This means there are heavy pressures on neighbouring governments to take sides or pursue their own defensively motivated actions, thereby spreading the conflict. There are also neighbours being challenged by the warring actors or groups that are linked to the ongoing war. Furthermore, inter-state conflicts often involve challenges to the principles of international law. This implies that a particular settlement may create precedents that will affect active or potential conflicts in other member states.

The *inter-state security dilemma* takes on a new meaning after the Cold War. Its original formulation assumed that sovereign states feared the attacks of other states whose intentions were difficult to read, and thus they prepared to defend themselves. These very preparations created fear and induced the opposite side to prepare for war also. This could give an advantage to the one that would attack first, a first strike option that would be intended to pre-empt actions by the opponent. In a world dominated by superpower rivalry and global tensions, such dilemmas seemed to repeat themselves throughout the planet. However, in a world which instead sees conflict as an aberration, a peculiar exception, fears of attacks should diminish. With evidence that wars become protracted conflicts, rather than military victories, the incentive to strike first should reduce. With the increasing difficulty of finding allies for war efforts, again fears may be reduced.

With an emphasis by major international actors to find solutions, local actors may see fewer reasons to prepare for military attacks.

However, September 11, 2001, has created a new security dilemma which clearly affects international relations. The insecurity of the leading state, the United States, induced insecurity throughout the planet. The 2003 Iraq War has been explained as part of the campaign on global terrorism. This intervention in itself, however, fuelled insecurities in Iraq, leading to a protracted internal war with heavy outside engagement. Such internal security dilemmas will be considered in the following chapters.

Although the inter-state conflicts are few, their significance for the international system is very high. This means they have to be scrutinized in considerable detail. In so doing, it is also apparent that they exhibit different origins, incompatibilities, dynamics and solutions. The inter-state conflicts have been purposefully divided into four categories (Wallensteen 1981, 1994a, 2011b) to simplify comparability. The four categories are *Geopolitik*, *Realpolitik*, *Idealpolitik* and *Kapitalpolitik*.

First, there are *Geopolitik* conflicts, where particular types of territory are afforded such significance by one or more states as to give rise to war or serious armed conflict. The concept of *Geopolitik* goes back to classical thinking on international relations. Certain areas were seen as so important that control over them would also mean control over an entire continent or even the globe. Candidate territories have been certain areas on the Eurasian landmass, control over the High Seas, and today control over outer space. On the local level, states may regard particular border areas as rightfully theirs, for historical as well as strategic reasons.

Second, there is a category of *Realpolitik* thinking, where prime importance is attached to power and the power capabilities of the actors. Mostly, this refers to military instruments and the latest military technology, as well as the quantitative strength that can be mustered. This logic also has classical roots. *Realpolitik* has primarily been seen as a driving force for major powers. It can, however, be applied equally well to regional conflicts, where balance-of-power issues may be as important. A goal of the fighting parties could be to gain regional domination.

These two notions are often closely related to each other, as power has implications for territorial control, and vice versa. Thus, we treat these aspects together in Section 5.2, although they will point to different solutions for conflicts.

Third, there is a category of *Idealpolitik*, meaning an emphasis on ideological and legitimacy issues. Two governments may dispute each other's credentials due to the way in which they have been created or sought legitimacy. It is often maintained that there is a built-in tension between democracies and non-democracies. The appeal or fear of political thought on one side of the border may affect the politics on the other. There are often conflicts arising from revolutions in one country affecting neighbouring states. Indeed, revolutionary change in one major power affects its relations with all the other major powers, and is therefore an event of significance for global affairs. The revolution in China (actually, the military victory by the Communist Party in 1949) certainly had a global impact, as did the coming to power of Hitler in Germany in 1933 and the Bolsheviks in Russia in 1917, just to give some examples. The legitimacy issue needs to be dealt with, particularly in light

of the democracy-peace proposition, stating that inter-state relations between democratic states are more peaceful than all other types of relations (Russett 1993).

Fourth, there is a category that is not given as much prominence as it probably deserves, and here that is called *Kapitalpolitik*. This means that economic issues are central, be they questions about oil prices, the drawing up of pipelines, transportation routes, or relations between rich and poor, industrial and non-industrial producers. Some theorists see these as fundamental for the formation of conflict patterns, and with capitalism as the global guideline for economics, it is a pertinent issue to consider.

The *Idealpolitik* and *Kapitalpolitik* conflicts are dealt with together in Section 5.3. As is often the case, of course, a particular conflict may well contain strands from all four elements, and we will have to see how these impact on conflict resolution possibilities.

5.2 Conflict Resolution: Geopolitik and Realpolitik

Geopolitik, as we have defined it, is concerned with territories of particular interest. In its original form, dealing with major powers, particular regions would gain pre-eminence in global strategies. This was also the situation during the Cold War, where locations strategic to the movement of fleets, troops or aircraft could readily be identified. In the post-Cold War era this is no longer as clear-cut, although arguments for its significance can be made (Cohen 1999). Indeed, areas which are close to major powers continue to be important in strategic considerations. There are some straits and islands which acquire such significance, but now probably more because of their role in the global economy than for their intrinsic military value. In the vocabulary introduced here they are *Kapitalpolitik* assets rather than *Geopolitik* ones. To these belong the Persian Gulf, the South China Sea, the Cape of Good Hope, perhaps the Suez Canal, and the Strait of Gibraltar. Also, locations along major pipelines for oil or natural gas take on significance. In the South Caucasus region, much of the politics is concerned with the routes through which oil from the Caspian Sea can reach the world market. Ukraine is located along similar lines. Geopolitically interesting areas are possible to identify and would, in themselves, be a worthwhile subject for study. Certainly, such considerations will have an impact on the major powers and their attention to particular areas. In the last analysis, what matters are the lenses through which decision-makers view these territories. Territorial issues remain important as conflict issues (Vasquez 1993, 1995; Diehl 1999; Starr and Thomas 2005). The settlement of such disputes is important for shaping future relations between the countries involved (Gibler 2012).

In the 1990s, inter-state war was associated less with grand strategies of *Geopolitik* and more with local territorial issues. Some of these, in fact, have little economic significance to the involved parties, but border questions have proved to be rallying points for action. As can be seen from Table 5.1, most of the recent inter-state

conflicts were border disputes. Some, such as Ecuador-Peru, had a previous history which influenced the prospects for their settlement. The ending of this dispute in 1998 was thus of historical significance (Einaudi 1999). Other conflicts that were new still turned out to be difficult to handle, as the parties grappled with their own positions, trying to locate historical evidence and contemporary precedents for their case. The repeated conflicts between the United States and Iraq, first over Kuwait 1990-91, then the full-scale invasion in 2003, and later in the alliance against ISIS, gave rise to global attention, illustrating some of the dimensions identified above: Iraq is located in a region that is a leading producer and exporter of oil.

Status Quo or Status Quo Ante Bellum?

The key question from the point of view of resolving such conflicts, once an armed conflict has occurred, is to locate a point of departure for settlement. Shall those interested in a settlement use the (new) status quo created by the actions of one party or shall they demand a return to the status quo ante bellum before negotiations can be considered? Accepting the newly created situation, status quo, is the more convenient, less demanding approach. It is a realistic position. It could be said that it would provide a speedy way of resolving a conflict and undo the effects of war, e.g. by allowing the immediate return of refugees. The demand for a return to the situation before the war started, status quo ante bellum, has many complications, but it rests on a normative imperative. It makes clear that international relations are not entirely ruled by sheer might, but follow certain agreed rules. It can be argued that strict adherence to this principle contributes to deterring future conflicts of the same type. If we follow the wording of the UN Charter, we would expect this perspective to dominate. It is a matter of undoing aggression. The most obvious understanding of aggression is when one country comes into a territory held by another state without permission and claims that it intends to hold on to the area. Such a principled stand is attractive. However, the demand that territorial conquest is to be undone before any talks can be considered is not an easy proposition to maintain, in spite of its attraction. Realities may force conflict resolution promoters into more complicated strategies. Let us look at some situations among the wars we have recorded in Section 5.1 and in Table 5.1 as a guide to the experiences of the most recent three decades.

During these years, the status quo approach was applied in a series of situations, but often with some qualification. The UN Security Council resolution of 1967 demanded that Israel return occupied territories in exchange for a lasting peace with Egypt, Syria and Jordan. Thus, the Council took the more convenient approach, but not without conditions. There was an obvious difficulty: there were no international boundaries to return to, only armistice lines negotiated in 1949. It would not have been acceptable to either side to define these as international borders. Only in the case of Egypt have the intentions of the Security Council materialized, in a land-for-peace deal. There is also a peace agreement between Israel and Jordan, but it was simplified by Jordan's decision in 1988 to abandon its claim to the West Bank. Syria

maintains that peace with Israel requires that Israel commit itself to returning to the exact previous lines, before negotiations can take place. Thus, although all agree that the conditions prior to the war should serve as a basis, half a century has passed without the parties finding an agreement to implement this decision.

A second case is the one of Turkey versus Cyprus, where also a withdrawal is expected, but this is tied to a solution to the communal problems of Cyprus. The withdrawal of Turkish troops is one demand, but there are other security concerns (for the Turkish Cypriot community) as well as demands for freedom of movement, settlements and property (for the Greek Cypriot community). This leads us into the security concerns of the parties. In the cases of Cyprus and Palestine, the demand for withdrawal has been coupled to a settlement of the conflict as a whole, suggesting that the particular circumstances of each case have to be central. It means, at the same time, that the militarily established status quo has been maintained for many decades. Thus, they turn into near permanent situations and new generations adapt to their existence. It makes some comfortable, others highly frustrated.

An important test on the application of this approach is found in the war between Iraq and Iran. When the war broke out in 1980, the UN Security Council demanded a cease-fire and did not specify a force withdrawal to the international boundaries. This meant that the Council was satisfied with the less demanding position, but instead faced a situation where the authority of the Council was badly damaged in the eyes of one warring party, Iran. From an Iranian perspective, a cease-fire meant that Iraqi troops would remain on Iranian territory, and only withdraw through negotiations. Iran would have to make additional concessions to achieve this. Iran rejected this stance, and thus preferred to work only with the Secretary-General or the special representatives appointed by him (Perez de Cuellar 1997).

The demanding principle of status quo ante bellum was specifically raised and implemented, sometimes with superior military force, in some of the conflicts recorded in Section 5.1. Argentina was forced to withdraw from the Falklands/Malvinas Islands. Iraq left Kuwait after being militarily defeated. Vietnam removed its troops from Cambodia after ten years. Somalia pulled back from Ogaden. Israel withdrew unconditionally from Southern Lebanon in May 2000. Thus, the principle has general acceptance and its application is seen as the end point of a particular conflict. In none of the examples quoted, however, has it been an easy process. The role of force in achieving this has been obvious.

In the conflict between Ethiopia and Eritrea, the third parties, in particular the Organization for African Unity (OAU), worked from a normative framework on border changes. According to this, there has to be a return to the status that existed prior to the onset of the fighting in 1998. In the words of the OAU Framework Agreement presented to the parties: 'the armed forces ... should be redeployed to the positions they held before 6 May 1998 as a mark of goodwill and consideration for our continental Organization'. The OAU summit meeting in Cairo in 1964 took the fundamental decision to accept the borders that were inherited from colonial times. African states have avoided international border revisions by force. The OAU peace plan built on this consensus. The reference in the Framework Agreement to the organization itself appeals to this legacy, its continental significance, and its ability

to talk 'on behalf of Africa'. These elements were additional pressures on Eritrea and Ethiopia. However, the parties continued to raise questions on the Framework Agreement and later documents derived from it. As part of the process, a high-level delegation from the OAU concluded that the disputed territory around the town of Badme, where the conflict originated in 1998, was administered by Ethiopia at the time the fighting began. Hence, the demand was on Eritrea to withdraw. It was also 'understood that this redeployment will not prejudice the final status of the area concerned'. The choice of words was important: 'redeployment' was not the same as 'withdrawal', or 'evacuation'. A later, legitimate decision could award the territory to Eritrea. This is also what followed. As part of the peace settlement a border commission was created and in 2002 awarded Badme to Eritrea. Since the end of the war, this territory had been held by Ethiopia, which showed no inclination of giving it up, until the new Prime Minister Abiy Ahmed announced a changed policy in June 2018. In the Eritrea-Djibouti territorial conflict, Eritrea is accused of having occupied areas belonging to its neighbour. The UN Security Council in 2009 explicitly demanded a return of Eritrean forces to their 'status quo ante' positions (UN Security Council Resolution 1907).

As these cases illustrate, both the UN and the OAU (now the African Union – AU) have enunciated clear principles against a forceful change of borders. The same is true for many other international and regional organizations. Territorial integrity is built into the normative framework on which these organizations operate. By bringing a particular conflict to one of these organizations, the parties will know what principles to apply. There is a common interest among most states in favour of keeping the present boundaries and thereby to support peace processes on that basis.

The principles are only applicable if the cases are reasonably evident, which means they have to concern fairly sizeable territories and not appear to be merely border adjustments. The occupations by Israel in 1967, Turkey in 1974 and Iraq in 1990 had high visibility. This made it imperative for the international community, chiefly the UN Security Council, to take a marked position on a return to the previous dividing lines. Whether such decisions are followed by effective measures to change the situation on the ground is a separate matter as the mixed record suggests. In cases where a status quo approach has been applied, explicitly or in practice, there is little international interest in bringing about a visible change in the disputed territories. This frustrated the Arab states in their conflict with Israel; Greek Cypriots in dealing with Turkey; and Iran in dealing with the Security Council. In contrast, the conflict between Ecuador and Peru, highly important to both countries, drew less international attention. The dispute concentrated on the treaty of 1942, with many complexities in interpretation. The fighting in 1995 was kept at a low scale, not least due to the efforts of neighbouring countries to contain the conflict. International peacemaking did not have to confront withdrawal issues as the cease-fire was instituted. Instead, diplomacy could concentrate on the incompatibilities.

Although there is an ambition to uphold the demanding principle of a return to the previous status quo before negotiations, the successes in achieving this have not come easily. The record shows that it is not enough to go with diplomatic

persuasion. In the case of Argentina, the occupation resulted in war and the defeat of the Argentinean forces. The islands were returned to British control only a few months after being taken by Argentina. The war was a military and political victory for Britain and there was a return to status quo ante bellum. The costs for this were high. However, Argentina has not accepted the new (or restored) situation. The umbrella agreement of 1989 restored diplomatic and commercial relations without solving the incompatibility. In the case of Vietnam, a unilateral withdrawal was implemented in 1989, i.e. ten years after troops had entered the neighbouring country. By that time, a new regime had been able to establish itself in Cambodia. It was evidently strong enough to maintain control on its own, as it remains in place almost thirty years later. Somalia held on to the territories it conquered in Ethiopia for about one year, but in the face of close cooperation between the United States and the Soviet Union it withdrew. Still, it took until 1988 for Ethiopia and Somalia to conclude an agreement on the basis of the restored status quo.

From these experiences, it can be concluded that the conflict resolution policy in the UN Charter – the demand for a restoration of the status quo ante bellum – in reality is subject to interpretation and evasion. It is obvious that other factors are relevant. For instance, political proximity to the United States may appear to be an important factor for states to avoid being pressured to comply with the principle. For Israel, there are special arguments for its security, undoubtedly with considerable support in the Western world. With respect to Turkey, there has been a similar 'understanding', taking into account its strategic location even after the Cold War, and as a NATO member. This is not necessarily shared in parliamentary assemblies throughout Europe however, where the debate on Turkey's human rights record has been lively. In the Iran-Iraq War, Iraq was the preferred party of the USA, but interestingly enough also for the Soviet Union. Thus, the UN resolutions were consistently biased, and Iran reacted to that with arguments based on international law.

However, the correlation between strategic affinity to the USA and acceptance of the status quo is not always that simple. The United States opposed Argentina's actions in the Falklands/Malvinas but might have been expected to respond negatively to a forceful British reaction. The USA had a tradition of objecting to extra-Hemispheric interventions in South America. After a period of mediation however, the United States chose to support Britain. That the USA opposed Iraq's actions against Kuwait may have come as a surprise to the Iraqi leader, Saddam Hussein, remembering the support he received in the war with Iran, which had just ended. The leaders in Iraq and Argentina may have thought of themselves as so close to the USA that no effective counter-actions would be forthcoming. It is less surprising that the USA opposed Somalia's actions in Ogaden (Somalia by that time was regarded as a Soviet client state) and Vietnam's war in Cambodia (Vietnam's alliance with the Soviet Union was opposed by China and the USA alike). Arguments on conflict resolution principles are evidently not the full story.

However, on issues of territorial change, there has often been a remarkable consensus among the major powers. Defending the territorial integrity of states is a cornerstone of the UN Charter. States are likely to be resistant to forceful changes in principle, as they may also affect them. The status quo ante bellum principle is,

consequently, the one most easily agreed to by the major powers and UN member states. In instances where this is not so, we can suspect that a member state has a particular interest in a given conflict. We would, on the whole, expect a permanent member of the Security Council to support the more demanding position of a return to the pre-war lines, except in cases where it sees particular reasons for not doing so. The creeping occupation and annexation of Crimea by Russia in 2014 (largely without bloodshed) constitute a violation of these principles. Russia's veto prevented Council action. Western countries as well as China refused to recognize this development, maintaining that the peninsula belongs to Ukraine.

For inter-state geopolitical conflicts, questions of status quo and status quo ante bellum are highly relevant. There is a general preference for demanding a return to the situation before the outbreak of hostilities. However, we find exceptions to this rule – weakening its consistent application, and thus also reducing its deterrent effect. The exceptions are largely connected to global powers.

Punitive or Integrative Solutions?

Realpolitik conflicts build on the power of the parties. In this analysis, power is what ultimately decides the outcome of conflicts. Such outcomes, furthermore, are formed in clear alternatives, preferably victory or defeat. If a conflict results in negotiations and compromises, this is because none of the parties is strong enough. Furthermore, the analysis emphasizes that the objectives of the parties involve power and domination. Power is both a means and an end.

When the British government decided to reconquer the Falkland Islands, this was not only a question about the islands and their status. It also involved regional and global influence. To regain control meant that Britain would continue to have a role in South America. To project force across large distances is a power indicator impressing other actors. Obviously, it would have been more difficult for Britain to react in a similar way had, for instance, a British-controlled Hong Kong been occupied by China. Guatemala, on the other hand, may have refrained from challenging British control over Belize, knowing that it would encounter strong opposition. Argentina underestimated Britain's likely response.

Territorial issues have power implications. Whether Iran or Iraq prevailed in their war in the 1980s was thought to affect influence in the Gulf region. Iran, during the reign of the Shah, had been the dominant actor in this sensitive locale and the Islamic revolutionary leadership preferred to maintain this position, albeit with a different ideological content, as we shall see in Section 5.3. Iraq, on the other hand, was likely to use a victorious outcome of the war to bolster the position of radical pan-Arabism. It might tilt the regional balance against Israel, for instance. This analysis leads to a cynical attitude, where a major power perspective would make it desirable if the two regional actors weakened each other. This provides little incentive for major powers actively to bring a war to a speedy end. Would there ever be a *Realpolitik* interest in conflict resolution?

Yes, there are such concerns as it is the *Realpolitik* tradition to consider relations between major powers after a war. The same logic applies to other inter-state conflicts. The key question is whether a losing side should be dealt with in a punitive or integrative way. What is the 'best' approach for terminating a war and avoiding a future repetition of that particular war? This is a discussion with roots in Machiavelli's writings and it continues to have validity. Kegley and Raymond have formulated this as an issue of whether one should prefer a punitive or lenient peace (1999: 33–6). Let us consider these two lines of thought in some detail.

In punitive, or harsh, peacemaking a firm distinction is made between winners and losers. The idea is to establish such a strong power asymmetry that the winners will rule for the foreseeable future and the losers, therefore, willingly accept their roles as subordinate members of the international system. It means that a war is likely to be waged until the complete capitulation of one side. The destruction is the price for a lasting peace after the war, it is argued. The winner has to keep up its superior military, economic and political position after the war. Peace requires heavy military expenditures for a long time to come. In *Realpolitik* understanding, there are always actors who are interested in challenging the stronger ones and who will try to locate its weakest spots. Only a permanent preponderance can remedy this.

There are critics of this line of thinking: there is a danger that even after a severe and humiliating loss the loser will rise again, and now be more bitter and frustrated. Thus, there will be a new round of conflict, new attempts at revenge, new victories and new defeats. Such a cycle of events may be broken by the superiority of one party, a realist may argue, but, the critics will respond that this requires heavy armaments, invites arms races, and prevents the development of civilian sectors in either of the societies.

The integrative approach, by contrast, argues that it is important to reintegrate the loser quickly into the new international or regional order. This means that, once the loser has met the stated demands, normalization should follow, with rewards for good behaviour, an extension of respect and incentives for non-aggressive stances. There is an asymmetry also in this relationship, but it is less pronounced, and there is a willingness to contribute to reintegration. The perspective is long term and reformist. The purpose is to change the asymmetric relationship into a mutually beneficial partnership, something which, it is assumed, is also in the interests of other parties. The hope is that in this way there will be fewer reasons for a resurgence of conflict. It could be objected that this strategy might be self-deceptive and wishful thinking. It is even dangerous if it leads to early disarmament, encouraging uncompromising elements on the other side. Opportunities are created for the defeated to strike back. Even a defeat with a human face is a defeat, and is going to be felt as such. War is likely to result anyway, a *Realpolitik* critic may argue. Neither argument is without its logic as well as plausible critique. This makes it interesting to study the historical record. An overview of the experiences of two hundred years of major power relations shows how different strands of thought have dominated at different times (Wallensteen 1984, 2011b). In periods of universalist or integrative thinking, the frequency of major wars has been reduced; in periods of more particularist thinking, major wars have been more numerous. This means that the overall

approach major powers take to each other does have important effects on their international relations.

An account of the German-French relationships is instructive. The war between the two countries in 1870–71 ended in a humiliating way for France. Not only did Germany take control of two important provinces, Alsace-Lorraine (in German, *Elsass-Lothringen*), but it also proclaimed the new German Empire in the halls of Versailles, the French monarchical residence. These actions made it evident that the conflict would not go away. The conflict between Germany and France became the axis around which European international affairs operated for the following seven decades.

The First World War ended in a similarly humiliating way, but this time the outcome was reversed. Now, it was France that could dictate – in Versailles – the conditions for Germany's post-war situation. These involved the return of territory to France (Alsace-Lorraine), the acquisition of new territories (colonial areas), and the creation of new states in the territory formerly held by the losing powers (the new states in Central Europe emerging from German, Austrian and Hungarian territories). There was also a requirement of heavy financial compensation and restrictions on German military power. It was meant to be a punitive peace, and by any standard it was. The treaty has been much debated. For instance, it has been noted that it had to be implemented by a newly created democratic regime in Germany that had not been responsible for the war. It therefore came to be seen as a treaty against all Germans, not just the elite who controlled the country in 1914. Hitler used this, and aided by the economic crisis, came to power on an agenda for undoing the Versailles Treaty. The Second World War followed.

The allies in the Second World War demanded unconditional surrender by Germany. There was never a peace agreement signed with Germany after the war. Instead the country was divided. This was only in part a strategy for dealing with Germany. The original plan among the allies was that Germany would be treated as one unit, although each of the victors would control certain parts for a period of time. Their disagreement precluded the unification and resulted instead in two German states, the Federal Republic in the West and the German Democratic Republic in the East. The *de facto* solution of two German states may have served a purpose, as it focused German attention not on the victors, but on ways of overcoming the cleavage. Unintentionally, the Cold War led to a more rapid integration of the two German states into the international system, albeit in opposite camps, than would otherwise have been the case. There were additional elements, which served to break the cycle of punitive peace. One was the Marshall Plan. Instead of demanding economic compensation from Germany, the allies resolved to rebuild West Germany as fast as possible. An economically strong Germany, connected with the other Western countries, was seen as a more promising arrangement. It was argued in terms of a struggle against communism and prevention of the spread of revolutionary ideas. The measures were also to prevent a return of neo-Nazism, drawing on the lessons learned from the economic crisis of the early 1930s. The Soviet leadership took a more punitive and less integrative attitude to 'its' Germany. Entire industries were dismantled, moved and used in the reconstruction of Russia after the

war. The Soviet Union chose not to participate in the Marshall Plan's aid programme. If it had done so, Europe might have developed differently.

The emphasis on reconstructing democracy was an important element of the post-1945 policy towards West Germany. This meant learning some of the lessons from the First World War. The democratic system had become too weak, and was identified with the defeat. In the post-Second World War period the tribunals against Nazi war criminals made clear that some Germans were more responsible than others, and thus a new political elite could act with fewer constraints. This included building a new Germany.

It was not only economic, political and legal (including war crimes) reconstruction that was important. An issue was also the demilitarization of Germany. It took until 1955 before a German armed force was again set up, but within its membership of the NATO alliance and with innovative democratic features. Not until the conflict in Kosovo in 1999 were German soldiers stationed outside the country. Since then German troops have also been used in Afghanistan, but Germany did not support the operations in Libya in 2011, in a marked break with its NATO allies. The prohibition of the use of German forces in far away political situations is stronger in Germany itself than elsewhere, although the NATO membership is a cornerstone.

The integration of Germany into another major framework of international cooperation was also important. The creation of the European Coal and Steel Community in 1950 was a first aspect of this, and Germany has since then been an active, powerful member of what is today the European Union (EU). The attitude towards Germany shifted from a punitive to an integrative strategy. From this case we can infer that the latter has produced more promising results for a future without war between the same parties. Remarkably, (West) Germany continued to pay the First World War reparations and could celebrate paying the last instalment in October 2010.

The distinction between punitive and integrative endings of wars thus has an empirical application. Is this framework relevant for inter-state conflicts since the Cold War? Looking at the war endings we have mentioned, it is clear that the attitude has been more punitive than integrative. The Iran-Iraq War displays this fully. The Iranian side, feeling that it was victimized by Iraq and the world, initially demanded the elimination of the regime in Baghdad and compensation for the destruction it had inflicted on Iran. In the end it had to accept the regime, but the hostility remained. On the Iraqi side, the ambition was to eliminate a regime built on the Shi'ite version of Islam. The majority of the Iraqi population is Shi'ite and was seen as a threat to Saddam Hussein's hold on power. The war did not have this result. Thus, two antagonistic parties had to accept each other. It was bitter to their leaders. It also meant that the war could have been concluded much earlier, had a realization of the likely outcome been predicted. The lasting, punitive attitudes are reflected in the parties' interpretation of the cease-fire arrangement, where both sides have been as strict as possible, e.g. in dealing with the exchange of prisoners of war. It is as if the war was continued in the implementation of the peace.

The Gulf War of 1991 ended in a similar way, with a cease-fire resolution by the Security Council. Its strict enforcement reflected the sceptical attitude of the parties.

The UN was not going to reward Iraq for good behaviour, only punish it for bad actions. Iraq had no interest in being forthcoming to the UN, e.g. on disarmament provisions. The ending of the war was punitive, and Iraq's inter-state relations continued to be difficult, until the regime was overthrown in March 2003.

There are few examples of integrative thinking in wars between smaller, neighbouring countries, but one of the most daring initiatives is found in this category: the visit by Egypt's President Anwar Sadat to Jerusalem in 1977. It was a remarkable gesture, and still the negotiations that followed were difficult. Without the intervention of the USA and the Carter administration, the initiative may have failed, rather than becoming a breakthrough in Israeli-Arab relations (Carter 1992). It has resulted in a cold peace, rather than close integration, however. This might be attributable to the fact that other elements of the conflicts around Israel have not been settled.

Conflicts defined in *Realpolitik* terms tend to be dealt with as matters of a bilateral relationship. There are many examples of very difficult negotiations and careful implementation. The parties themselves seldom seem to view the solution to their common conflict as a way of establishing a novel relationship for a particular region. Consequently, the wars have not resulted in novel regional orders, only in temporary endings of one war in a series of wars. If this is true, it means that the parties expect a repetition and will do little to prevent this through innovative thinking. South Asia is a case in point, with repetitive conflicts between India and Pakistan for more than seventy years. There is a particular challenge to search for ways in which this can be changed. Integrative solutions may require a regional approach to conflicts in several conflict-prone regions, e.g. the Middle East, the Gulf region, South Asia, Indochina and the Horn of Africa. In some, there are embryonic organizations on which to build. The history of the French-German relationship suggests that changes are possible. There is, furthermore, little evidence that the punitive approach can bring a conflict to a lasting termination.

The Seven Mechanisms

Turning to the solutions to inter-state wars, to what extent are the seven mechanisms identified in Section 3.5 relevant and useful? Let's look at them one by one and apply each of these to recent conflicts and settlements between states.

The first one concerns the *change of a basic position* by one or several parties. There are instances of demands being dropped. In the war termination which is closest to a peace agreement, the settlement between Iran and Iraq, both sides abandoned key demands, particularly those pertaining to the question of the legitimacy of the regime in the other country and to issues of compensation. Hence, the negotiations came to concentrate on the sequencing of issues, particularly whether a cease-fire should come first or not. In the end, the cease-fire, implemented in August 1988, was followed by the first direct meeting between officials of the two sides some days later. This meant that the two sides accepted the other as the party to talk to. The positions changed without a shift in the leadership. The key issues that remained

concerned recognition, responsibility and compensation. They recognized each other, found a formula for determining responsibility or the start of the war, and left the issue of compensation. Thus a war ending was possible. No doubt, this can be attributed to war weariness. There was little prospect of any side winning, and therefore little point in continuing. But that had been obvious much earlier. It was told to the parties by the international mediators. It is also possible to attribute the final agreement to changes in the international environment. The West as well as the Soviet Union united in demanding an end to the war, whereas they had previously, by individual calculation, supported the same side against the other. This was manifested in the unity of the Security Council. In the face of this change, the warring parties could comply only by giving up the demands that they learned were the least acceptable to the other side as well as to the international actors. In so doing, it also became clear which of those demands were the most significant in the conflict, as a political choice had to be made.

A second way of transcending the incompatibility is by *dividing the contested values*. In a conflict driven by *Geopolitik* considerations, this would mean dividing a particular territory between the contestants. Such outright territorial deals have been rare recently. They seem to belong to a previous era. In the Munich accord in 1938 and the Hitler-Stalin agreement in 1939 this was a prominent feature. Considerations of the rights of local inhabitants may today make such agreements impossible, and possibly only for maritime disputes. We also need to consider the possibility of dividing authority. In a major power perspective, this means creating geographical spheres of influence. Major powers have historically been uninhibited in dividing areas, openly or in secret, to reduce the frictions between themselves. The Cold War had such features. The USA was unwilling to challenge Soviet control behind the lines drawn at the Yalta and Potsdam conferences in 1945. Both sides kept their forces off these divisions, as both sides perceived a danger of escalation and nuclear war. The dynamics remain today, where the US can command its allies, and Russia deal with others. The Arab Spring gives many examples of this, where the US forced the resignation of the Egyptian leader Hosni Mubarak in 2011, while Russia instead preferred to support its preferred dictator, Bashar al-Assad in Syria, particularly after 2015.

Horse-trading is identified as a third mechanism. Geopolitically, this would mean yielding control over one area in exchange for control in another. Sometimes this is what is done in the delimitation and demarcation of new borderlines. It is seldom explicit however, and may be observed only by close scrutiny of the results. A problem in the Iran-Iraq War was the return to previous international borders. These were regulated in a 1975 accord which Iraq had unilaterally abrogated. Iraq was not willing to return to this document. The final outcome did not envisage a border change, however. Instead, it said that forces should be withdrawn to the internationally recognized borders, although these were technically not agreed. In fact, the borders from 1975 were used. This meant both sides had to leave some areas to gain access to others. The occupied territories, in a sense, were traded against each other.

Horse-trading may also involve the trading of one issue for another. A party can agree to drop a particular question, to be rewarded by receiving full support on

another. As we have just seen, in the inter-state conflicts there has been little of such give-and-take in the last three decades. It could well be that horse-trading requires better relations than these cases exemplify. We can observe that it is more likely to be taking place between major powers. Their vast interests make such actions more possible, as commitments to particular actors or issues vary in strength. The negotiations on major arms and nuclear weapons reductions do contain many such arrangements, where entire categories are exchanged. The 1987 deal on intermediate nuclear forces (INF) is instructive. The USA promised to eliminate all of its new cruise missiles (Tomahawk) and ballistic missiles (Pershing II) in return for the Soviet Union eliminating its numerous SS-20 missiles. The weapons systems were seen to have similar functions and could thus be traded. Each side had publicly committed itself to the elimination of the other's weapons of this type. The INF included considerable verification measures. The USA was willing to yield on some of these in order to gain Soviet acceptance of the complete elimination of all missiles (Woodworth 1999: 188). As we observed in Section 2.4, this ability to deal with armaments far surpassed their willingness to deal with ongoing conflicts.

A fourth way of transcending an incompatibility is by *creating shared rule*. Again, there is a difference in dynamics among conflicts between major powers and those among non-major powers. In the former cases, there is a history of creating shared organizations. The UN is, in itself, the outcome of such an effort. The key elements were agreed directly between the American and Soviet leaderships in the negotiations of 1944–45. The UN has, as we have indicated, set standards for the resolution of *Geopolitik* conflicts (notably the inviolability of boundaries of states), which has had a profound impact on the relations between states. In direct deliberation between major powers there are joint organizations, such as inspection teams for arms control agreements, e.g. in the INF agreement in December 1987. These were strictly bilateral arrangements; no third party was let in. In conflicts between non-major powers, such arrangements appear difficult to create. Between India and Pakistan there are agreements pertaining to nuclear installations. Between Iran and Iraq no joint organization was set up between the two, e.g. for operating the important waters of Shatt al-Arab. This would have been a reasonable way of handling a shared waterway, but was not part of the concluding negotiations. Thus, the issue of control over this international waterway remains unresolved. In the agreement between Israel and Egypt some shared organs were created. The same is true for the agreement between Israel and Jordan. In both cases, the agreements have run into difficulties.

If the parties cannot share control, a logical possibility is *to leave control to another party*; this is the fifth form indicated in Section 3.5. This is a frequently used form in inter-state relations. From a major power perspective, this could mean neutralization or the creation of buffer zones. This is how it was possible for East and West to agree to the reintegration of Austria in 1955. Its neutralization was a solution that met concerns among the major powers. There are other examples of such measures, solving at the same time a *Geopolitik* and *Realpolitik* question. In the 1991 Paris accords on Cambodia, the country was defined as non-aligned. Thus, neither China nor Vietnam nor Thailand could count on the country as a potential ally. This was

satisfactory to all parties. It meant, for Vietnam, that it would not face a two-pronged challenge from a Cambodia allied to China. The gain for Thailand was that it would not have Vietnamese forces close to its borders. For China, the advantage was that the influence of Vietnam was reduced or less visible. Furthermore, it was also preferable to most Khmers, as it ensured the independence of the country. The stationing of peacekeeping troops along exposed borders, as has been done in the Sinai and Lebanon, or the creation of demilitarized zones, are examples of partial neutralization. The expectation is that they will be withdrawn when general peace exists. It can be a long-term commitment. In 1993, Sweden and Norway decided to dismantle their demilitarized zone, stretching along both sides of the border. It was part of the agreement on Norway's independence and had been in effect since 1905.

These are successful examples. However, one of the modern wars relates to a failed agreement: Cyprus. The agreement on independence in 1960 made Cyprus an independent and neutral state. It could not align with any of its neighbours. It was part of an arrangement whereby Greece and Turkey agreed that they would not forcefully incorporate Cyprus into their own territory (in whole or in part). This was a form of neutralization of the island, in spite of the majority population (Greek Cypriots) wanting to reunite with Greece (*enosis*) and the minority group (Turkish Cypriots) interested in uniting with Turkey by dividing the island (*taksim*). None of the actors achieved their main objectives. Instead, an independent state, Cyprus, not desired by any side as their first choice, was created. It had a constitution that balanced the various interests, and it also gave the right to neighbours to interfere in the affairs of an independent state. The conflicts on the island escalated dramatically in 1963. UN forces were stationed there from 1964 onwards, but still an invasion took place by Turkey in 1974, de facto dividing the island. A proposed peace agreement in 2004, the Annan Plan, creating a federal state, was accepted by one community but resisted by the other in two separate referenda.

These examples illustrate that neutralization is a difficult course of action. It may function, particularly as long as the surrounding states support the arrangement and it can be upheld by strong local opinion. However, it can also mean that neighbours will anxiously watch what is happening and react rapidly if the agreed order is unravelling. Turkey in 1974 acted after the pro-Greece junta had taken over Cyprus. In its view, the island was about to be incorporated into Greece. Quick, pre-emptive action was seen as necessary. Rather than deterring action, the neutral status spurred action. Thus, leaving important territories outside the control of strongly interested parties may work, but it may also create new dangers. Could such measures be used to solve disputes around areas that have a particularly high value? For instance, could Jerusalem be handled according to a formula involving internationalization? The 1947 UN plan passed by the General Assembly made Jerusalem an international territory. This was followed up in Bernadotte's peace plan in 1948 making the territory separate from the two states that were to be created in Palestine. It was not possible to get full support for this idea. Jerusalem is today regarded by the State of Israel as the country's capital, something not recognized by most of the international community, until the US broke this consensus in 2018. Similarly, Palestinians regard Jerusalem as their capital. There are few precedents for solving such disputes.

Many peace plans have proposed that parts of the city would be international. The Oslo peace process resulted in creative suggestions, but none has yet been accepted by the two negotiating parties. There is only one city which is the capital in two states: Rome. It is shared between the Republic of Italy and the Holy See (the Vatican). This case might provide a better model than the original UN plan. Such a solution has to assume that a part of Jerusalem is an autonomous unit, and there have to be arrangements for unhindered access to the holy places. Still, there is an issue of control and sovereignty that has to be handled in such a way as not to invite a division of the city. Lessons need to be drawn from the fate of neighbouring Cyprus, where even the capital, Nicosia, is divided, although mutual access is now available.

A sixth form for transcending incompatibility is the resort to *conflict resolution mechanisms*. There are a number of such experiences. It may mean that conflicts are handed from a political to a legal level, and thus are treated in accordance with precedence and the parties do not have to invent the solution themselves (Corell 1999: 33–4). There are also *ad hoc* mechanisms created for particular occasions, such as arbitration courts. The most central issue is whether a mechanism has legitimacy with the international system and the parties. In reality, actual solutions may integrate the first five mechanisms we have just recounted. The conflict resolution mechanism adds a procedural and argumentative level to the resolution, which helps to make the outcome more acceptable.

The legal means of conflict resolution are those that have been described most carefully. One of the most interesting is arbitration, where the parties commit themselves to accept the outcome, whatever it is, before the deliberations begin. Since 1945, Bilder claims, there have been 'at least several dozen significant arbitrations'. Here there are more cases from relationships among non-major powers. There are arbitrations handling some of the aspects of the conflicts listed in Tables 5.1 and 5.2, notably between India and Pakistan over the Rann of Kutch area in 1968 and Egypt and Israel over the Taba area in 1988 (Bilder 1997: 161). In none of these cases can we say that the mechanism dealt with the central, often political, aspect of the conflict. It was useful, however, in avoiding further tension around implementation. It is particularly applicable to issues that concern territory. The most recent case is worth a closer analysis.

In the Eritrea-Ethiopia peace agreement of December 2000, the border issue was handled through the creation of a special Commission (Article 4 of the peace treaty). In fact, 17 (out of a total of 47) paragraphs were devoted to this Commission in the final peace agreements. Its composition and mandate were crucial, as this was what the conflict was originally all about. In the text, the parties agreed, for instance, that this neutral Border Commission would consist of five members, with two appointed by each side. It was stated that neither of these 'shall be nationals or permanent residents of the party making the appointment'. These four members were then to agree on the fifth one, who would be the President of the Commission. If they could not agree, the UN Secretary-General was given the role of selecting the president, who would be 'neither a national nor permanent resident of either party'. The parties took special precautions to ensure that the members of the Commission would have no connection to either party. It was also specified that decisions by the

Commission were to be made by a majority of the Commissioners. This suggests that the parties did not expect consensus and that, in severe cases, the President of the Commission might become the sole arbiter of the outcome. In 2002, the Commission nevertheless was able to deliver a unanimous decision on the border delimitations. Ethiopia chose not to abide by the decision, claiming procedural objections. Its position was weak, as it had agreed to the arrangement. In June 2018, Ethiopia surprisingly stated its willingness to implement the outcome of the Border Commission. This was obviously a result of the new Prime Minister's agenda.

The solution to the conflict between Ecuador and Peru was made through a special procedure, which in essence was arbitration. The Guarantor countries to the 1942 treaty that was in dispute were asked to solve the remaining issues. They provided a package deal where the parties had already agreed to certain matters (navigation rights, border integration, confidence-building measures). The Guarantors resolved the outstanding territorial issues by giving parts to Peru, but one crucial square kilometre to Ecuador (as private property), thereby meeting a central Ecuadorian demand. Interestingly, the area surrounding this, a total of more than 50 square kilometres, was made an ecological reserve (Einaudi 1999: 425). Thus, the solution contained elements of a division of territory, but also relinquished control (the ecological reserve). Most important was that the final decision was left to others than the parties themselves, thereby reducing domestic criticism of the governments. Importantly, both the Congress of Ecuador and the one of Peru had accepted this procedure in advance.

Arbitration may not solve matters of power directly, but can have an impact indirectly. Using such a mechanism might be the way to reduce the centrality of a particular issue. The border between Ecuador and Peru was a highly sensitive question in Ecuador, where it took on existential dimensions. It related to the self-perception of being a state of the Amazon basin. Thus, the solution was of vital importance to the standing of the country in the region. Similarly, Peru was not willing to yield, as it had a record of lost wars. Its regional position would be affected, at least in its own eyes, if territory were yielded once again. The conflict resolution mechanism therefore solved an issue while maintaining the parties' self-respect and position in the regional context. It did not make any of the parties more or less powerful than before.

The UN and International Atomic Energy Agency (IAEA) missions on issues of weapons of mass destruction in Iraq were reactivated by the UN Security Council in November 2002. UNMOVIC was led by Dr Hans Blix and the IAEA team by Director Mohamed ElBaradei. This was seen, by many member states, as a mechanism for dealing with the contradictory facts of the case, and possibly as a way to avoid war. The US actions on Iraq in March 2003 effectively ended this route. Interestingly, US teams later reported on the issues, demonstrating that no such capacity existed in Iraq at the time of the war.

Finally, we noted that there are ways in which issues can be *left to the future*, without the parties changing their views on a preferred outcome. This requires, of course, that the parties not commit themselves to a settlement by a certain date, thus preventing the easy resort to this mechanism. By leaving the question open, time is

gained and options are maintained. To defer issues to commissions is a possibility. An example is the ending of the war between Iran and Iraq where Iran demanded that the responsibility for the war be determined. The agreed solution in 1988 was to appoint a group to document this. It presented its report, by December 1991, at a time when much had changed in the Gulf area. To many actors the findings had only historical interest. However, it showed that Iraq had committed the initial aggression and should be held responsible for the damage inflicted on Iran. In short, it vindicated Iran's position. By that time, however, this had been overtaken by other events and the impact was not the one that Iran had expected.

Similarly, in the peace treaty for the Eritrea-Ethiopia War, it was agreed that an investigation into the origin of the conflict was to be carried out. Article 3.2 gave this assignment to an 'independent, impartial body appointed by the Secretary-General of the OAU, in consultation with the Secretary-General of the United Nations and the two parties'. The Commission reported in 2005, saying that Eritrea's attack on Ethiopia in May 1998 could not be justified as lawful self-defence, and that the country should therefore compensate Ethiopia.

These commissions proceeded at such a pace that the verdict would come later, and thus not raise obstacles in implementing other, more pressing provisions of the agreements. In the case of Eritrea-Ethiopia however, the implementation of the border decision had not yet taken place and only in 2018 were there promising signs. Nevertheless, in two of the most destructive recent wars, issues of responsibility for the initiation of hostilities have been central. They have even been so important that they were maintained by the parties until the very end of the negotiation process. It returns us to the issues of legitimacy and the right to initiate war. Undoubtedly, it has become increasingly difficult for states to be involved in wars, unless it can be clearly attributed to self-defence (as accepted in the UN Charter, Article 51). When convincing arguments cannot be made, and this can be determined by commissions, it opens the possibility of compensation as well as increases the obstacles to renewed war.

5.3 Conflict Resolution: *Idealpolitik* and *Kapitalpolitik*

Ideological matters and economics are often seen as driving forces in conflict. They require closer scrutiny. We need to see to what extent such factors have been important in the origins of conflicts, thus having implications for the issues with which peace agreements will have to grapple. Given the dynamic character of conflicts however, issues may also arise as the war proceeds and generate new issues that have to be remedied. Let us look at the role of *Idealpolitik* and *Kapitalpolitik* in general in inter-state conflicts, and then proceed to the use of the seven mechanisms for solving the issues.

In three of the inter-state armed conflicts of the 1990s an incompatibility over government can be clearly identified (Table 5.1). Obviously, the US intervention in

Panama aimed at removing a strong force behind the government. The purpose was to enhance the prospects of democracy in Panama. It was also thought to improve stability and secure the operations of the Panama Canal. The US and its allies attacked Afghanistan in October 2001, following the September 11 events. It had global support for this and the aim was to remove the Taliban regime and eliminate the instigators behind September 11, al-Qaeda. The war on Iraq in 2003 also aimed at removing the incumbent regime, which was seen by the US government as a potential terrorist threat, as a negation of democracy as well as ruling a country with important oil resources. The interventions had several purposes, one of them dealing with *Idealpolitik* (furthering democratic rule, in Panama most clearly, but also in Iraq and Afghanistan) and one with *Kapitalpolitik* (i.e. protecting economic interests, notably the Panama Canal as well as oil recourses and possible pipelines). This does not exhaust this dimension in inter-state conflict, however.

Idealpolitik was an important consideration in the Iran-Iraq War. Both sides feared being overthrown by the other. A change of government in Iraq was also an explicit demand by Iran. It stalled negotiations as Iran demanded Iraq's acceptance of the responsibility for the war. The same concerns were voiced in Eritrea and Ethiopia, each accusing the other of supporting designs on the government or planning to attack the capital of the other. The fact that both leaders were present in Algiers, Algeria, in December 2000, to sign the agreement, also made clear that they accepted the other's hold on power. Similar concerns were an aspect of the Cold War confrontation in particular countries. A country might have a role in the global strategy of the two superpowers. Both had a record of attempting or actually overthrowing governments in other countries. The US intervention in Panama was the last one related to the Cold War. Its explicit motives pointed to a new era, where concerns were no longer with governments' alleged communist inclinations, but their ability to combat the drug trade or deal with terrorism. In this way, concern over government continues to be a valid dimension for inter-state relations.

Idealpolitik and the Settlement of Conflicts

There are two major debates in international affairs on *Idealpolitik* issues. The first concerns the democracy-peace hypothesis. It maintains that democratic states rarely fight wars with each other. If this is so, as the statistical evidence shows, does it mean that if democracies nevertheless are involved in wars these will be settled more easily? The second debate concerns the alleged clash of civilization, where the argument can be translated into saying that deep cultural or political differences are likely to generate more conflict and make settlements less likely. A less ambitious formulation is that ethnic divisions are central for inter-state conflict. Let us look at what this brings for the possibility of ending conflicts.

The *democracy-peace hypothesis* is the one most easily handled with the available evidence (Russett 1993). Of the 11 armed conflicts listed in Table 5.1 a democratic state was party to at least seven. This means that democracies were involved in more

than half of all armed conflicts. Furthermore, five escalated into war and four of those involved democracies. This observation confirms that democracies are not peaceful under all circumstances. The point in the democracy-peace hypothesis is, however, that they are at peace in the relations among themselves. This is also borne out by the data presented here. There is only one case where it could be maintained that both sides were – at least at times – democratic: India and Pakistan.

There is also an historical case that needs to be considered, the one between Turkey and Cyprus. Certainly, democracy had been less well entrenched in these countries at the onset of this conflict than what is normal for the countries studied by democratic peace writers. Clearly, both societies were exposed to considerable internal strain, from the military in one case, and from the conflict with the minority in the other. The Cyprus dispute, furthermore, had a long history. The country became independent from British rule in 1960. It was equipped with a special democratic constitution that gave the most power to the majority population, the Greek Cypriots, which constituted four-fifths of the inhabitants. Within this framework, strong measures were instituted to protect the rights of the minority, the Turkish Cypriots. In July 1974, the democratic government of Cyprus under Greek Cypriot President Macharios was deposed in a coup masterminded by the military junta ruling Greece. The coup leaders controlled the island for a short period of time. The situation was used by Turkey, led by an elected prime minister, to launch a military intervention. In two consecutive military moves, Turkey took control of 40 per cent of the island. Turkey's objective was not to restore democracy on the island, but to safeguard the interests of the Turkish Cypriots and meet strategic Turkish concerns. The government it faced was in disarray. It is difficult to define this as a conflict between two democracies of the type postulated by the democracy-peace hypothesis. It was more a question of state collapse in Cyprus and the grasping of a window of opportunity by an outside power. Thus, it does not challenge the basic proposition on the improbability of war between stable democracies.

The following developments are interesting, however. The intervention stimulated the downfall of the military regime in Greece. A stable period of democracy followed in Greece. Also, the elected government in Cyprus was returned to power. The case is therefore important in a discussion on conflict resolution, as all the parties to the conflict have now been open societies for more than a quarter of a century. The same is true for those particularly interested in a settlement: Britain, the USA and the EU. Still, the conflict remains unsettled, despite repeated international and local efforts. There are even arguments saying that the very openness of the societies prevents a solution, as each proposal is immediately available to everybody. Doctrinaire objections prohibit serious discussion. The deep economic crisis in Greece during the 2010s and the political strains in Turkey, following the attempted coup in 2016, may make a settlement even less likely. Although democracies may not make war, they certainly have difficulties making peace.

From this we need to conclude that *Idealpolitik* considerations are important in the origins and dynamics of conflict. The settlements have, however, seldom referred to these matters. As they are done between states, such matters are the internal affairs of each state. If one side raises them, it is likely that the other will reciprocate with

similar issues. Thus, both sides are likely to avoid the matter, or ask for adherence to principles of non-interference in internal affairs. Sometimes it may go a bit further, as there are likely to be nationals on both sides of the border. This was an issue in the Eritrea-Ethiopia War and the agreement in December 2000 makes reference to it: 'The parties shall afford humane treatment to each other's nationals and persons of each other's national origin within their respective territories' (Article 3). This aims at protecting the rights of Eritreans in Ethiopia and vice versa. There are no mechanisms specifying the implementation of this agreement, but the statement still acknowledges that certain internal matters are of concern to the other side.

The record for imposing a new, democratic regime after a war is not impressive. The US intervention in Panama has been followed by a long period of democratic rule. However, it was a highly asymmetric military intervention and may be special. Both the Afghanistan War (since 2001) and the Iraq War after 2003 have been followed by bloody and complicated internal conflicts at the same time that a democracy-building effort was being pursued. The complexities of Iraq are still unfolding, although a democratic and federal constitution has been put in place. In 2014, a third democratic election took place in spite of considerable domestic strife and a widening rift between the dominating Shi'ites and many of Iraq's other groups. This escalated dramatically during the year with the emergence of ISIS, that even captured Mosul, the second largest city of the country. By 2017 the government reconquered the city, with the help of Kurdish forces as well as US military personnel. The democratic record of Iraq is still low although elections are held (the fourth one in 2018). Similarly, the war in Afghanistan had not reached a point where serious negotiations are acceptable or can take place between the parties (by early 2018). The record of democracies creating democracy by war, in other words, is not striking. *Idealpolitik* considerations are important in ending wars, but even when democracies are the parties that may have the upper hand, it does not mean that the war leads to the creation of new democracies. Post-war dynamics are difficult to predict.

The 12 agreements listed in Table 5.2, i.e. inter-state peace agreement that were implemented since 1989, have been concluded by a mixture of regime types. *Idealpolitik* considerations may actually be more important at the onset of conflicts than at their conclusion, where instead the provisions of treaties may carry the heaviest weight.

An analysis of *civilizational dynamics* as a clash between 'the West and the rest' (Huntington 1996) largely runs parallel to the one of democratic versus other forms of government. If it is defined to mean an Islamic challenge towards non-Islamic societies, it is more interesting. Among the 11 armed conflicts listed in Table 5.1, societies with a predominantly Muslim population were party to six, several along a Muslim/non-Muslim divide, as the list includes India-Pakistan, and the three US-led interventions in Kuwait, Afghanistan and Iraq. Here we should bear in mind however, that the intra-Islamic contestation is an important element. For instance, it was Iraq's invasion of Kuwait that led to the US intervention, defending one Muslim nation against another. In Afghanistan it supported one Muslim group (the Northern Alliance) against another (the Taliban). If we look at societies which had Christian leadership, defined in an equally wide sense, the list is almost equally long, with five

cases where one was between two predominantly Christian states (Ecuador-Peru). Of the five wars in this period three had an element of an Islam-Christian divide. Islam and Christianity, in other words, both have recent experience of serious military involvements. However, considerable armed action falls outside these particular divides, as it does not capture the dynamics of, for instance, the India-Pakistan or Ethiopia-Eritrea conflicts. Hence, the conclusion here becomes the same as for other *Idealpolitik* divisions: appealing to civilizational tensions may be used at the onset of conflict or for sustaining action, but be less relevant in the ending of them.

In a version of civilizational divides which emphasizes the *ethnic* differences between actors, a theme that will be further elaborated in Chapter 7, the patterns are not striking either, even in the post-Cold War era. They may be overlapping with the civilizational paradigm in the conflict between India and Pakistan. It is more interesting to observe that some conflicts strengthen ethnic differences or even create them. The conflict between Ecuador and Peru may have been important for the identity of these parties. It made people on both sides more aware of their own preferences. The same may be the long-term result of the war between Eritrea and Ethiopia.

A more general pattern that can be observed when considering *Idealpolitik* dimensions is the importance of *domestic political change* for conflict dynamics and conflict resolution. Revolutionary regimes create regional repercussions that affect neighbouring countries and give rise to considerable tension, a rearrangement of alliances and wars. Earlier we pointed to the coup in Cyprus that led to the Turkish invasion. Ethiopia and Eritrea were both governed by victorious, revolutionary governments. Successful revolutionaries are likely to believe more strongly than others that they will prevail even under difficult circumstances. Thus, their resistance to negotiated agreements, short of victory, is likely to be solid. The difficulty in concluding the Eritrea-Ethiopia war testifies to this.

Thus, we find that the *Idealpolitik* component is important, particularly as it introduces the question of legitimacy and governance inside states. *Idealpolitik* considerations contribute to an understanding of the origins of conflict, not least the impact revolutionary changes have in regional settings. For inter-state agreement making, internal affairs have to be taken for granted. Increasingly, more democratic regimes are likely to have a long-term impact on inter-state conflict, but ending wars will require having to deal with regimes of many different kinds.

Peacemaking and Kapitalpolitik

Much theorizing assumes that economic matters are decisive for human action. Indeed, very little happens without economic considerations. However, the exact linkages between economic factors, the onset of conflict and conflict resolution are not easy to disentangle. Even more problematic is to estimate their significance when there are other factors in the picture, such as those we have mentioned earlier in the chapter.

It is obvious that an armed conflict is a costly undertaking, and it involves high risks. It is unlikely that there will be a 'return on the investment' in the same way as is the case when building a factory, launching a new product or hiring new workers. From a strictly economic perspective, other opportunities are more predictable and hence preferable. There are, of course, certain industrial interests which have war as their particular 'niche': arms manufacturers, arms traders, armed forces, intelligence operations. During the Cold War many of these interests learned that the most profit is actually not made from war, but from continuous rearmament and the *threat* of war. An arms race may be economically more lucrative than the actual use of weaponry in armed conflict. Wars, we have repeatedly argued, are waged on decisions made by political actors. Wars are explained and legitimized in ways which relate to political affairs. The issues of *Geo-*, *Real-* and *Idealpolitik* all belong to this sphere of 'legitimate' explanations. Economics do not. A slogan in the American opposition against the Gulf War in 1991 was 'no blood for oil', expressing exactly this. The same slogan returned after 2003. It is not possible, particularly in a democratic and open society, to argue for a military intervention based on the economic gains that it is likely to generate. Armed conflicts involve the death of people and the destruction of investments, and these cannot be publicly defended with economic calculations. Thus, little will be openly stated on economic considerations for particular courses of action. So does this mean that there are no economic considerations? Probably not, but it does suggest that there are also other concerns when countries go to war.

Let us first look at the economic arguments in the wars presented in Section 5.1. The discussion concentrates on two economic assets: oil resources and transportation routes. Oil is such a significant aspect of the energy supply of industrial economies that it takes a special role. Reductions in oil supplies or strong increases in oil prices (or both, as the former would lead to the latter) will unsettle economies in most countries, particularly those which rely heavily on oil imports. This afflicts rich as well as poor countries. No other single commodity has such a global impact. Transportation routes are important, meaning that, for instance, the blocking of certain waterways would affect economies in many countries, as they are used not only for oil shipping but also for general trade. It is possible to mark resources and routes on a map. This means that *Kapitalpolitik* assets have a geopolitical component. They are not the same. There is a difference in time and pricing. New sources of oil are still discovered. Alternative energy technologies can be developed. New routes can be found. More rapid transportation can be created. With increasing prices for one source, incentives are created for the development of alternatives. Thus, *Kapitalpolitik* concerns can adapt. All this takes time and it will gradually shift political considerations. However, an economy is a daily operation and it reacts to short-term prospects. Thus, in a short-term perspective, *Kapitalpolitik* concerns over resources and transportation can be close to traditional *Geopolitik* interests.

The presence of oil resources was evident in three of the wars in the last three decades: the Iran-Iraq War, the Gulf War and the 2003 Iraq War. Oil also figured in other wars. There were expectations of oil discoveries around the Falkland/Malvinas Islands, and drilling has taken place since the war. In the Vietnam-China relations,

access to potential oil resources in the adjacent waters has been mentioned. Among the lower-level conflicts reported in Table 5.1, the potential for oil discovery was an element in the Cameroon-Nigeria border dispute. Even so, most of the inter-state conflicts have no relationship to oil production. If we include the issue of transportation routes, two more conflicts can be added: Israel-Egypt across the Suez Canal and the Panama-USA conflict, on the site of the Panama Canal. It is not obvious that the economic benefits of the canals were the primary motive for decision makers. Thus, among the inter-state wars and armed conflicts of these three decades, there is no strong evidence in favour of a simple *Kapitalpolitik* hypothesis that such concerns are always present and even paramount. It gains significance in particular conflicts, not in the overall picture.

In the cases where economic motives are important, the question still remains: how? For instance, it is not theoretically clear whether economic growth or economic decline is the primary motive for why economic considerations move countries into conflict. The Iraqi experience is a good illustration. Iraq gained from the high oil prices in the 1970s. At the start of the war against Iran in 1980 it had considerable financial strength, a well-equipped army and a functioning administrative system. The war soon ended most of this and Iraq became a debtor state. It had to borrow from its wealthier neighbours, not least Kuwait and Saudi Arabia. When the war finally ended, these countries asked for repayments. Iraq responded that this was unfair, as it had been fighting, as it were, for the entire 'Arab Nation' against external 'Persian aggression'. Besides, Iraq argued, to repay its debts the international oil prices had to increase. This was the economic aspect of Iraq's dispute with Kuwait in 1990. Neither Kuwait nor Saudi Arabia was willing to increase the price by lowering their own production, thereby giving more room on the market for Iraqi oil sales. By mid-July the Iraqi leadership had raised border issues with Kuwait and accused it of stealing Iraqi oil by drilling holes from the Kuwaiti side of the border. On August 2, 1990, Iraq invaded and occupied its neighbour. Thus, on top of the economic issue was placed a question of *Geopolitik*. This is instructive and shows how economics can enter into the decisions that lead to inter-state military conflict. The key observation is this: in 1980 the Iraqi economy was in good shape, in 1990 it was in crisis. In both these years the same leadership decided to launch the country into an unpredictable war. There is no straight line between economic performance (or the lack thereof) and the onset of war. We have to conclude that economic questions need to be seen in a larger perspective, not just as economic matters in their own right.

This appears to be a promising way to understand the *Kapitalpolitik* element in armed conflicts. It enters in combination with other concerns. As long as economic issues are handled in isolation, they are likely to find solutions. After all, economic aspects of social life are those that are most easy to divide. That is the point in having economic values translated into currencies, such as dollars and cents. It is when combining economics with any of the other three types of issues that it becomes deadly. This is what happened in 1990 when Saddam Hussein began to invoke territorial issues. This was a clear warning signal, though not picked up by leaders

around the world. They continued to see the dispute with Kuwait as bargaining over oil prices and oil production. The impending escalation was missed.

Thus, economic issues, taken by themselves, are more readily solvable than any other issue. This suggests a negotiation strategy for inter-state conflict resolution, where economic questions are separated from other issues, improving the chances of agreement in at least one sphere of incompatibility. In the negotiations between Ecuador and Peru, agreements on navigation rights and development projects were dealt with first, while the border issue remained to the very end. Still, those agreements may be important to clarify that a final deal has many components, and that there are economic benefits to the peace arrangement. Economics can help forge larger package deals, but these are not complete unless they also solve the other matters. After all, the purpose is not to make lucrative trade arrangements, but to solve important incompatibilities between nations.

An informative example relates to the process ending the Cold War, the Helsinki process. It aimed at reducing the tension between East and West during the Cold War and was agreed on in Helsinki, Finland, in 1975. In this case, different 'baskets' and fora were created for the four types of issues that we have identified here. One basket was concerned with border issues, a second one with economic cooperation, and a third one with human rights. A separate forum was created for a reduction in troop strengths. Agreement was first reached on the second basket. The *Geopolitik* questions of borders were handled in a deal that also involved the *Idealpolitik* questions of human rights. By accepting Soviet demands on the status quo of borders in Europe, the West achieved an agreement from the Soviet Union on human rights. In the West, the treaty became known as a treaty for human rights, and Helsinki human rights groups continue to be important. This is also the way it was read by dissidents in Eastern Europe. In the official circles at the time however, it was hailed as a way of consolidating Soviet control in Eastern Europe. Fifteen years later, it had become clear that they were wrong.

Economic matters can therefore be important elements in peace agreements, and oftentimes there will be compatible interests in such arrangements. Since the Cold War there has been a contentious matter, as a result of war: the issue of compensation. This has been an age-old problem in peacemaking. The winner has often demanded resources from the loser, in order to cover losses, or even to make war profitable. It has been less common in the twentieth century. It was an important element in the Versailles Treaty ending the First World War. Germany was subjected to reparations. They were part of the punitive approach described in Section 5.2. It has been argued that this prevented the recovery of the German economy. It was exploited by Hitler and other critics of the agreement. Thus, compensation issues did not become important after the Second World War in how the West treated Germany. The Soviet Union, however, demanded reparations from its defeated enemies. For Finland, for instance, this was a heavy burden, which actually was turned into an asset, as it gave the country access to a Soviet market that no other Western states had. In wars during the following decades, economic compensation was not of central concern.

The Paris treaty ending US involvement in Vietnam in 1973 actually included such provisions, but they were not implemented by the USA. Following the Gulf

War, a special institution was created for recovering the losses Kuwait had suffered under Iraqi occupation. In this case, compensation could be paid from funds maintained by the UN as it was controlling the income from Iraqi oil sales. A version of this formula has been agreed in the peace agreement between Eritrea and Ethiopia. A Claims Commission was created, seated in The Hague, Netherlands. The parties, i.e. the governments, submitted their claims to the Commission, which then considered them. In its final award the Commission found that Eritrea and Eritrean individuals should be compensated by US\$163 million, whereas the corresponding award for Ethiopia was US\$174 million. As the Commission said in its press release on August 17, 2009, this was 'probably much less than each Party believes it is due'.

Kapitalpolitik considerations play a role in the origins of inter-state conflict, primarily with respect to certain commodities. In many conflicts, such concerns have not figured prominently however. In the wars on the Horn of Africa or in Kashmir they had no direct role. In peacemaking, other concerns are likely to step forward and become the object of negotiations. However, we find that matters of compensation are significant in the processes that end wars. Even though the *Kapitalpolitik* dimension is seldom directly confronted in peacemaking, it is important to keep in mind.

The Seven Mechanisms

The seven mechanisms have different implications for *Idealpolitik* and *Kapitalpolitik* issues, as the following systematic overview shows.

The first mechanism deals with *changes of priority*. In the case of *Idealpolitik*, it might be that the parties go from a rigid to a more flexible interpretation of what their demands are. All ideological systems contain the possibility of making 'hard' or 'soft' interpretations. A hard interpretation means that the thought-system is regarded as entirely correct and exclusive, and cannot entertain alternative ideas. This is likely to be a position associated with conflict. In a soft version, an open, searching and more tolerant approach is preferred, including an ability to accommodate other views. The positions maintained by the parties will be crucial for conflict resolution. The ability to accommodate debate is key for reaching understanding and respect. It may even result in a change among the parties on *Idealpolitik* issues. An inter-state negotiation process is unlikely to come that far. The development of alternative positions is important in a long-term perspective. It suggests that peace agreements would need to include the possibilities of changes, opening the possibilities of dialogue and meetings on levels other than a strictly political one. This has rarely been an element in inter-state peace agreements. As observed above, it may be a side-effect of a war ending. It is important for long-term relations, even if such discussions are shared only among a small group. It becomes a way of broadening the spectrum of options in a society.

The ending of the Cold War has been closely associated with the ability to develop new perspectives on communist ideology and find its compatibility with democracy (at the time termed 'Euro-Communism', *glasnost* and *perestroika*). It not only led to

the demise of an empire and a party, but also to the rise of new organizations, specifically combining a communist agenda with a democratic society. Softer interpretations mean that a party accommodates changes. They are often described as 'moderate' positions. Such developments are important, particularly in societies which have long experience of rigid ideological systems. A 'nationalist' does not need to be a 'chauvinist', for instance, but retaining a national identity can still be important for conflict resolution and for its acceptability in society.

In the *Kapitalpolitik* field, the first mechanism might point to the need for a deliberate decoupling of economic issues from those that are more immediately political, e.g. building on the realization that economic issues are more manageable. It is also easier to shift a position if it is based on an economic calculation. When the benefits from agreement outweigh the benefits from confrontation, deals can be made.

Dividing the values, the second mechanism, appears difficult to apply to secular and religious ideologies. It is interesting to ask, however, what actually goes on in a debate. It is give and take. Positions may be found that are halfway between the parties. It is notable, for instance, that new 'religions' emerge where thought-systems clash geographically. It might not be a coincidence that the four most influential mono-theist religions all developed in the area stretching from the Mediterranean to the Indus River (Judaism, Christianity, Islam, Sikhism, all probably drawing on ancient Zoroastrian thinking). Also, *horse-trading* may be seen to take place between these thoughts, reformulating ideas into entirely new combinations that transcend some of the previous dichotomies. Such rethinking is not arrived at quickly however, and rests on a societal ability for open discussion.

These two forms, division and horse-trading, are easily handled in *Kapitalpolitik* conflicts through a process of bargaining, and using economic values as a baseline. It becomes a matter of fixing the price of the commodities in question, and then working out an arrangement that is mutually acceptable. None of the other issues has a similar scale of values that all sides agree to and that can be used in negotiations.

The fourth mechanism concerns a *sharing of assets*. By pointing to shared values, *Idealpolitik* considerations may be able to develop unexpected links with an opposite side. History has seen many surprising alliances. Even in the Cold War, there were some shared values between East and West. For instance, both sides looked negatively on fascism in Spain and Portugal. There was a shared understanding in favour of decolonization and against apartheid South Africa. This was not based on power considerations, but stemmed from the same *Idealpolitik* positions that made the two sides allies during the Second World War. Sharing some values can lead to joint action. Initially, both sides were supportive of the creation of Israel; only later did they become separated on questions of peace in the Middle East. The opening of the Soviet system in the late 1980s was built on giving a new priority to environmental concerns, matters that also stretched beyond the borders of the Soviet bloc. In the peace agreements since the Cold War, there have been few references to such shared values. However, in the case of the Ecuador-Peru settlement, the creation of ecological reserves in the disputed area was obviously something the parties could agree to.

In the *Kapitalpolitik* field, this is less problematic. It is simply a question of creating a joint company, through which profits can be reaped and shared according to a

formula set up at the founding of the company. Many disputes over oil resources could probably be handled this way, if other issues did not enter into the considerations.

The fifth mechanism, of *turning control of contested values over to other parties*, is perfectly well designed for *Kapitalpolitik* issues. This is sometimes seen as privatization. This has rarely been used in peace agreements, but the Ecuador-Peru accord includes the solution of making a key territory private property. *Idealpolitik* issues are not resolvable in this way. Ideas live their own lives and are only replaced with other ideas, as has happened partly with the democracy-dictatorship divide. However, environmental issues have brought in concerns which create new challenges to governance and legitimacy.

Similar reflections can be made on the sixth form of transcending conflicts, the *use of courts and other conflict resolution mechanisms* outside the parties. On ideological issues, this would mean there is a legitimate authority to decide the 'correct' interpretation of particular thoughts. In countries with a sizable Catholic population, the Pope's ruling on different issues will be a possible way of transcending internal debates. This authority of the Vatican was used for settling *Geopolitik* disputes, e.g. between Argentina and Chile. In the Islamic world, the Al Azar University, in Cairo, Egypt, plays a similar role (particularly for the Sunni branch of Islam). Its statement on the compatibility between Islamic teaching and the Camp David agreements between Egypt and Israel was important for the peace process. It made clear that an unspecified 'temporary peace' is possible between Muslims and non-believers. In *Kapitalpolitik*, the resort to conflict resolution mechanisms is very important and common. The World Trade Organization (WTO) contains clauses for arbitration. For the period 1995–2016, 520 disputes were brought to the WTO its annual report for 2017 states (mostly by the US and EU), while the International Court of Justice was dealing with 20 'contentious' cases according to its annual report 2016–17, including border issues but also warfare across borders, nuclear weapons issues and some financial sanctions. Clearly, there are many more economic disputes, but very few of them may have the potential of escalation, instead finding a solution through the WTO. A look at the ICJ caseload suggests that it involved more *Geopolitik* and *Realpolitik*, and that comparatively few had their origin in purely economic considerations. Either way, these institutions play a significant role in finding ways to deal with issues that otherwise might be highly inflammatory.

Finally, the issues can be left to *oblivion*. This is probably what happens to a considerable number of *Idealpolitik* issues. Confrontations that seemed important fade away or diminish in significance. In that sense, *Idealpolitik* concerns do not have the same permanence as those of *Geopolitik* or *Realpolitik*. As a class of phenomena they remain, but their influence changes. Ideas of fascism, Nazism and communism are not central in debates on government legitimacy in much of the world, but they still have an appeal for some groups, and also in the Western world. Fascist and neo-Nazi groups constitute a problem in Europe. Nationalism has been growing in Russia. The chauvinism that was part of the European experience in the early twentieth century unexpectedly came back as the Cold War was waning. Communist parties still rule

in parts of East Asia, and less reformed communist parties are still significant in Eastern Europe. Thus, ideas do not disappear; they change in relevance and popular attraction. Globally, democracy has gained in significance as a legitimate value. In a way, it has sharpened the dichotomy between democracy and non-democracy. It can be seen in the discussions on humanitarian intervention. The rights of states to intervene in another state to protect human lives threatened by their own governments are given increased salience. It rests not only on the value of human survival, but also on the strength of democratic thinking and democratic powers. There is a transformation of *Idealpolitik* concerns. *Idealpolitik* as such is not disappearing.

In *Kapitalpolitik* matters, economy has a prosaic quality. It is not an issue which easily translates into conflict and war, and for which it is worth risking life, at least not on the public level. Various mafia-like structures exist, and their violence is directly connected to economic interests. For international relations however, this is seldom the case. Economic matters are often regulated, and renegotiations are possible at agreed intervals and levels of government. Hence, economic matters become routine and part of daily life in ways which are not open for *Geo-*, *Real-* and *Idealpolitik* concerns. For much of the 1990s, large-scale economic negotiations were pursued without much public debate. The economic crises since 2008 have had an impact, by making fewer resources available for peace agreements, and reducing the employment possibilities for millions of people. Thus, economic concerns remain important in shaping actors and agendas. What we find is that *Kapitalpolitik* matters are not strong forces behind the inter-state wars we have seen lately, and consequently do not appear in the peace agreements, except with regard to particular resources (oil!) and compensation.

5.4 Conclusions for Inter-state Conflict Resolution

Inter-state conflicts continue to be a problem for international affairs and international organizations, although they have not been as dominant an issue as they were thirty years ago. There have been fewer inter-state wars and the global confrontation between East and West has disappeared. However inter-state conflicts are still occurring, and there is no reason to expect them to cease. Although the spread of democracy and integration may ultimately result in an international system which is less war prone, as implied by the research on the democracy-peace hypothesis (Russett 1993; Russett and Oneal 2001; Weart 1998), this is far from being a linear process. There have still been wars involving non-democracies and democracies. Forcefully removing a dictatorial regime, in the name of democracy, still does not make a democracy, and is more likely to lead to severe internal conflicts. We have even noted a complex situation, the one over Cyprus, now involving only democratic states and still waiting for a solution. More important for the future is probably the potential rise of a major power conflict, involving Western actors, China, Russia and India. The crisis over Ukraine has highlighted problems in the relations between the

West and Russia. The repeated nuclear tests by North Korea in recent years have directly affected relations between the USA, China and Japan. On this there is more in Chapters 11 and 14. Inter-state conflicts still need to be attended to with great severity. The analysis and resolution indicated in this chapter remain important for the foreseeable future.

We have seen that there are four matters that are continuously pointed to in studies of the risk of inter-state war: *Geopolitik* concerns over borders and other territory, *Realpolitik* interest in power and armaments to maintain power, *Idealpolitik* considerations of legitimacy and governance, and *Kapitalpolitik* interest in particular resources and other economic assets. As this chapter has made clear, issues of territory and power remain the most frequent ones. Questions of ideology and economy gain significance, particularly as causes of conflict combine with these factors. Thus, peace agreements have to find ways of dealing primarily with territorial and power considerations.

There is, however, also a lesson in this. Economic conflicts, if dealt with in isolation, are likely to find a solution. The seven mechanisms are applicable to all forms of *Kapitalpolitik* conflict. In this area, parties are able to change positions, find ways of dividing or horse-trading, sharing or handing over matters to others, including conflict mechanisms. The simplicity of the measurements (dollars, cents and corresponding measures) makes this easier. The moral obstacles for fighting wars over money contribute as well. In this, *Kapitalpolitik* contrasts in particular with *Idealpolitik*, which has a higher potential to inflame populations and spur humans into action. It is more attractive, it seems, to die in the fight for a higher value (be it the Nation, God or Democracy). Thus, *Idealpolitik* has a higher mobilizing ability than any of the other categories. Nevertheless, *Geopolitik* and *Realpolitik* seem to be at the core of much inter-state conflict. This is where the parties have the largest difficulties in finding agreements, and these are the issue areas where agreements are most likely to break down.

It is encouraging to find that agreements have also been made in these more cumbersome areas. We have shown that the international community is equipped with principles for handling *Geopolitik* issues. There is a strong preference for negotiations to depart from the status quo ante bellum position. Territorial gains in a war are to be undone, either prior to or as part of a settlement. The UN Charter emphasizes territorial integrity as a fundamental principle for international peace and security.

The seven mechanisms of conflict resolution are all relevant for the settlement of *Geopolitik* disputes. Parties do change their positions, although simple deals of dividing or horse-trading territory appear less common today. There is also a resort to conflict resolution mechanisms even for handling highly sensitive matters (as seen in the settlement between Ecuador and Peru in 1998, and Eritrea and Ethiopia in 2000). The creation of neutral states, i.e. situations where none of the major contestants get their way, has both positive (Cambodia) and negative (Cyprus) recent experiences. Buffer zones, controlled by outsiders, may be a more promising venue, but they require a long-term commitment from the parties and outsiders (Sinai is an example). Although border disputes may be old, they are often kept

alive and become part of the national conscience. Under these circumstances, they are not likely to be forgotten. They require a peace process. Ecuador and Peru could finally reach a settlement in 1998 using some of the seven mechanisms we have mentioned.

Realpolitik issues are seldom properly addressed in peace agreements. The closest we can come is the regulation of armaments. These can be measures directly dealt with by the parties in special arms control deals. The Cold War witnessed many of these. Since then there have been fewer arrangements for nuclear weapons. The ending of inter-state conflict has involved little disarmament. A general impression is that weapons issues are manageable through agreements. Weapons can be counted and weighed. There are often agreements among military experts on what different weapons systems can accomplish. Thus, parties can change position, divide and horse-trade in armament negotiations. They can also agree to bilateral and multilateral inspections. Controlling weapons development therefore becomes an important issue for conflict prevention, and thus we will return to this in Chapter 11, dealing with the prevention of nuclear war. It is one more of the pressing issues of our times.

The most important lesson may instead be another. How are the parties dealing with one another after a war? This is tied to issues of responsibility for the war. Is there accountability for the destructive events in a war between states? In several agreements this issue has been raised and prevented early deals (Iran-Iraq, Eritrea-Ethiopia). The compensation arrangement in the Gulf War also built on the assumption that one side was more responsible. It is less likely to be something the parties agree to in inter-state negotiations. Responsibility is related to the need for court procedures and international criminal legislation. This developed in the 1990s, culminating with the convention on the International Criminal Court in 1998. Now ratified and in operation, this court might have an impact on inter-state peacemaking, but its primary focus so far has been on intra-state situations.

Further Readings

Go to the *Understanding Conflict Resolution* web page at <https://study.sagepub.com/wallensteen5e> for free access to the journal articles listed.

Inter-state War

Buzan, B. (1991) *People, States and Fear* (2nd edn). Boulder, CO: Lynne Rienner. Buzan's classic work constitutes an eloquent theoretical explanation for the dynamics in inter-state relations.

(Continued)

Geller, D.S. and Singer, J.D. 1(998) *Nations at War*. Cambridge: Cambridge University Press.

In this work, the two authors associated with the Correlates of War project recount empirical findings for how the international system actually operates.

This theme is further elaborated in Vasquez, J.A. (ed.) (2012) *What Do We Know About War?* (2nd edn). Lanham, MD: Rowman and Littlefield.

This volume brings together a number of authors working in the Correlates of War tradition on inter-state relations.

In contrast to the concern with security matters, state revenue is given a heavy role in this seminal contribution on the emergence of states in Western Europe: Tilly, C. (1990) *Coercion, Capital and European States AD 990–1990*. Cambridge, MA: Blackwell.

Inter-state Peace

Holsti, Kalevi J. (1991) *Peace and War: Armed Conflict and International Order, 1648–1989*. Cambridge: Cambridge University Press.

In a very long historical perspective Holsti highlights the variations in how inter-state relations are organized and the importance of this for war and peace. For a shorter period than Holsti applies, and with a different systematic, this short article also discusses the importance of international orders and relations between major powers for war as well as peace:

Wallensteen, P. (1984) Universalism vs. particularism: on the limits of major power order, *Journal of Peace Research*, 21 (3): 243–57. (Also reproduced in Wallensteen, P. (2011) *Peace Research: Theory and Practice*. London: Routledge – where the notions of *Geopolitik*, *Realpolitik*, *Idealpolitik* and *Kapitalpolitik* are analysed at some length.)

In an important work two authors explain not only how democracy is important for peaceful inter-state relations, but also integration and international organizations, in what they call Kantian Peace, drawing on a classical text by the philosopher Immanuel Kant:

Russett, B.M. and Oneal, J.R. (2001) *Triangulating Peace: Democracy, Interdependence, and International Organizations*. New York: Norton.

6

CONFLICT RESOLUTION IN CIVIL WARS

6.1 Armed Conflicts and Peace Accords within States

Civil war, or more specifically intra-state conflict concerning the control over government, has been a constant feature in the global conflict picture. It has received particular attention in its own right since the end of the Cold War.¹ It consists of many different phenomena, only one of which is the narrowly defined armed conflict. There are also military coups which sometimes are swift and result in limited violence, attempted coups, short-lived rebellions, and actions by militias, armed gangs, bands, freedom movements and terrorist organizations. There is also government action as an important component and often in a close relationship with the actions of opponents. There are forms of repression, police measures, and legal instruments such as preventive detention, human rights violations and unwarranted arrests. Indeed, there is a close relation between police brutality and violent riots. This is a pattern that can be observed in rich and poor countries alike. A considerable share of all violence in the world can be attributed to conflicts dealing with control over governmental power in particular states. It is an old issue to which much political analysis has been devoted. The events of September 11, 2001, demonstrated the international implications of such dynamics. An organization primarily concerned with change in particular countries (Saudi Arabia, Egypt) chose to attack the main external supporter of the incumbent regimes. Global terrorism mostly has its roots in internal conflicts, some of which deal with government control, some with territorial issues. The Arab Spring further emphasized the importance of governance, with a series of popular revolts for change that in many cases resulted in civil wars, notably in Syria, Libya and Yemen. Let's now examine the situation of internal conflict during and after the Cold War.

Civil Wars During and After the Cold War

Civil war is sometimes described as the most important feature of the period after the Cold War. This is not entirely correct, however. As we have noted in Section 5.1, many of the Cold War conflicts dealt with intra-state conditions and control over the government apparatus. The contention centred on whether a particular state was controlled by the 'left' or the 'right', by pro-Soviet or pro-Western groups. The conflicts were perceived to be part of the Cold War. Thus, they became of international concern. Various forms of intervention took place, internationalizing the civil war. Actions included the dispatching of troops from a bloc leader. Some examples are the US interventions in Guatemala in 1954, in the Dominican Republic in 1965, in Grenada in 1983 and in Panama in 1989; and Soviet troops were used to change governments in Hungary in 1956, in Czechoslovakia in 1968 and in Afghanistan in 1979. There were other, clandestine forms of intervention, as well as support for particular governments or groups doing the actual combat in internal conflicts. Intervention in internal conflicts was a marked feature of the Cold War. Some of its most severe confrontations grew out of such situations, e.g. the conflicts around Cuba (with a US-sponsored intervention in 1961) and the war in Vietnam (particularly following a US-supported coup in Saigon in 1963).

Although the UN Charter specifies that issues which are 'essentially within the domestic jurisdiction' of a state (Article 2.7) should not be of concern to the UN, and thus should not be internationalized, they were. The Charter provision was often only barring the UN itself from involvement where a host of other actors were heavily engaged. Article 2.7 was principally used by the Soviet Union to obstruct international actions in situations among members of its bloc. Even obvious Soviet interventions, such as those in Hungary, Czechoslovakia and Afghanistan, were excused as invitations by a legitimate government. The West was barred from intervening by the fear of a crisis escalating into a nuclear confrontation. Similarly, US interventions were kept off the UN agenda by Western dominance in the Security Council and by referring situations to regional organizations controlled by the USA (e.g. in the case of Guatemala). The strict interpretation of Article 2.7 was also used by military regimes to minimize external and internal criticism and fend off interference in their brutal rule. Newly independent states in Africa and Asia used it as a legal defence of their independence against former colonial powers. Thus, the UN and other international actors met severe constraints in entering into internal conflicts.

Since the Cold War the picture has changed. In the early 1990s, the UN and other international agencies were authorized to enter a series of intra-state conflicts and peace processes, notably in Central America, Indochina, Africa and Southeast Europe. Many of these situations would, during the Cold War, have been defined as being outside the parameters of international action, with reference to Article 2.7. This may explain today's conventional wisdom that there are more internal conflicts than ever before. It is however more accurate to say that there are now more internal conflicts in which international organizations are involved.

Internal conflicts are often seen as particularly difficult to handle. A civil war means the breaking-up of existing social relationships. Families may be divided, friendships destroyed, and local communities shattered. Thus, socially and psychologically, they are more devastating than many inter-state wars. This is true for situations where the inter-state conflicts take place between states that have long been separated. In cases of states being neighbours or when states are newly created, there may, however, exist similar networks across borders as there are inside states. The distinguishing features of civil wars and other internal conflicts is primarily not the brutality or the social impact. All armed conflicts have such effects, which makes war a shared phenomenon across cultures and continents.

The mark of an internal conflict is instead found in the incompatibility and in the primary parties. Civil wars are a matter of keeping or taking control over a particular government and its state machinery. Furthermore, the primary parties are rooted within the same state. Hence, initial conflict dynamics tend to build on internal grievances, such as the ones indicated in Section 3.3. Many of these relate to power relations, economic interactions and the internal social fabric. To a larger degree than is the case in inter-state conflicts; the actor will have a longer shared history of conflict and cooperation prior to the war experience. This is one element in the perception of internal conflicts as more socially devastating than other conflicts. The lines drawn between people are ideological, economic or social. Civil wars may also be 'ethnic' or 'racial'. The civil strife in South Africa and the genocide in Rwanda concerned the control of state power in these countries. The actors were largely, but not entirely, formed along lines of historically ascribed identities. Thus, the conflicts were 'ethnic' but did not include ambitions of territorially dividing the state.

This means that internal conflicts raise two particularly sharp and interlinked questions for conflict resolution and a durable peace settlement. First, there is the problem of how to construct a social and political system which gives reasonable social and political space to all groups in a society. This is necessary as civil wars concern the distribution of power in society. Answers will have to deal with *participation* and influence in a society. This points to the question of democracy as a solution, theoretically and empirically. The second problem is one of *security*. The experience of a civil war raises a pointed internal security dilemma, which the actors may put in the following form: 'If I win, you lose,' and thus as a consequence: 'As you may act against me, I had better act before you do.' This is the logic of repression and terror prior to war. It is the reasoning of armed action. Thus, ending violence in a way which removes this security dilemma has to be part of any settlement. Without the parties being secure, subjectively and objectively, a peace agreement is unlikely to be sustained. This involves control over government, as government resources can be used to maintain the security dilemma or transcend it. Indeed, we may locate the phenomenon of corruption in the same insecurity. It will pay for leaders to accumulate personal wealth, as this is a way to bribe others, whether contenders or loyalists. To put money abroad is providing for an alternative exit in case of challenges. Kleptocracy, in other words, finds its roots in the internal security dilemma. Solutions to the dilemma might improve the chances for honest government.

Peace Agreements in Civil Wars

Before proceeding we need to approach the experiences since the Cold War in ending civil wars through peace processes. Table 6.1 lists all such peace agreements from 1989 to 2016.

Table 6.1 lists 31 countries with armed conflicts that were ended, at least for a period, through a peace agreement. Most of them are in Africa, some in Central Asia and South America. There are different dates given in cases where agreements were later abandoned or a new one added. Some failed completely, meaning that fighting soon broke out again. Even in such cases however, the parties may revert to the original agreement, as happened for instance in Cambodia. In Chad, changes of government resulted in new agreements, and in Liberia the agreement in 2003 has been the most recent in a long series of agreement experiences. It should also be noted that some agreements concerned only some of the parties in the internal conflict.

One of the chief lessons since the end of the Cold War has been the extraordinary complexity of peacemaking. This is further illustrated in Table 6.1, in the many cases with repeated agreements. Some of these attempt at solving the problem stated by the parties (e.g. dealing directly with an issue, such as finding a power-sharing formula) and others indicate a process for how the parties are going to continue peacefully (such as an electoral process). There is often also an interaction between the two, as can be seen from a number of cases mentioned in Table 6.1. By the end of 2016, there were functioning peace agreements in most of the conflicts with an agreement. Agreements have been lasting, suggesting that the parties were mostly serious when signing a treaty. This, however, did not necessarily include all conflicts in a particular country. In Colombia, for example, there was an earlier and durable agreement between some parties in 1991, and a long process with another actor, FARC, in 2001–02, again in 2012 and a comprehensive agreement in 2016, but not with the remaining guerrilla movement, ELN. For a summary, see Box 6.1.

Box 6.1 *Peace Agreement between the Colombian government and FARC, 2016 Conflict and Conflict Resolution according to Figure 3.3*

<i>Armed Conflict</i>	<i>Since 1968</i>
Parties	Colombian Government v FARC.
Incompatibility	Control over government, including basic issues such as access to land. Left-right continuum.
Military Action	Protracted guerilla war, including use of kidnapping and ransom. Heavy military offensives by the Government, particularly in the early 2000s.
Possible compatibilities	Democratic form of government.

<i>Armed Conflict</i>	<i>Since 1968</i>
Constructive Action	Invitation to negotiations, developing shared framework, since 2012 consistent. Located in Havana, Cuba, with facilitation by Cuba and Norway.
<i>Conflict Resolution</i>	<i>Final Agreement, November 24, 2016</i>
Start of implementation	Immediately.
Primary Parties	Government of Colombia, FARC.
Supportive Parties	Neighbouring countries, Norway, Sweden, UN.
Agreement reached	Referendum, renegotiation, followed by Congress legislation.
Main Points	Land reform, political participation (including reserved seats for FARC in Congress), disarmament, victim issues and justice.
Shared institutions	Government and FARC oversees implementation, regular institutions are used for the implementation of the agreement. FARC gets seats in Congress for two periods.
Implementation Record, by 2018	Barometer project of Kroc Institute makes assessment of circa 550 actionable items of the treaty.
Assessment 2018	Generally positive, but challenge to particular provisions in national elections. Guerilla movement ELN not included. Ivan Duque elected President, June 2018, opposing the agreement.

Sources: Interviews in Bogota, Colombia, January 2018 and websites of UCDP, Uppsala University www.ucdp.uu.se and Peace Accords Matrix, Barometer Project, Kroc Institute, University of Notre Dame. <https://peaceaccords.nd.edu/barometer>. Downloaded on March 23, 2018.

It is interesting to observe that many cases show a continuous process of new, more elaborate agreements. The notion of a 'peace process' accurately describes what many peace agreements are all about. The original idea of conflict resolution efforts was to reach an agreement that would regulate conclusively all the aspects of a conflict. The experience since the end of the Cold War has made clear that such comprehensive and final settlements are often unlikely. There are ten cases in Table 6.1 with only one agreement. Most of them were later overturned, without being replaced by a new arrangement. However, the agreements on Macedonia and Nepal were still in place by 2018. It might be true that the longer a conflict has gone on, the greater the need for a durable process for restoring peaceful conditions. This might even be more pronounced for internal conflicts. Furthermore, the longer the negotiation process the more danger there will be of a relapse into war, due to the activities of 'spoilers', the effects of unmet expectations or external intervention. Peace processes are fragile routes to peace.

The total number of civil wars for the period 1989–2016 is 63 (see Table 4.1). Comparing this to the lasting peace agreements in the same period, this means that half of all internal armed conflicts saw an agreement (49 per cent; see Table 4.3).

Table 6.1 Peace agreements in civil wars since the end of the Cold War

<i>Conflict location</i>	<i>Year of agreement</i>	<i>No. of agreements</i>
Afghanistan	1993, 1996, 2016	4
Angola	1989, 1991, 1994, 2002	4
Burundi	2000, 2002, 2003, 2006, 2008	8
Cambodia	1991	1
Central African Republic	2008, 2012, 2013, 2015	5
Chad	1991, 1992, 1993, 1994, 1995, 1997, 1998, 1999, 2002, 2005, 2006	11
Colombia	1991, 1999, 2001, 2002, 2013, 2014, 2016	7
Congo, Republic	1999	1
Côte d'Ivoire	2003, 2004, 2005, 2007, 2008	9
Dem. Rep. Congo	1999, 2001, 2002, 2003, 2009, 2013	7
Djibouti	1994, 2000, 2001	3
El Salvador	1990, 1991, 1992	9
Guatemala	1990, 1991, 1994, 1995, 1996	16
Guinea Bissau	1998	1
Haiti	1993	1
Liberia	1990, 1991, 1993, 1994, 1995, 1996, 2003	11
Macedonia	2001	1
Mexico ^a	1996	1
Mozambique	1991, 1992	5
Nepal	2006	1
Niger	1993	1
Philippines	1995	1
Rwanda	1991, 1992, 1993	6
Sierra Leone	1996, 1999, 2000	3
Somalia	1993, 1994, 1997, 2008	5
South Africa ^b	1990, 1991, 1992, 1993	5
South Sudan	2012, 2014, 2015	7
Sudan	2002, 2003, 2004, 2005, 2006, 2011, 2014	11
Tajikistan	1995, 1996, 1997	5
Uganda	2002, 2007, 2008	8
Yemen	2014	1

^aThe agreement was not implemented, but fighting did not resume.

^bStrictly seen, this case should not be included as the armed conflict between ANC and the apartheid regime took place prior to 1989.

Note: Peace agreements in armed conflicts concerning the control over government, active in the period 1989–2016. The table includes treaties that have been signed, that regulate (resolve or find a process for the solution of) the incompatibility, and have been concluded between the warring parties, and have ended armed conflict behaviour. Cease-fire agreements are not included. The parties are listed in English alphabetical order.

Source: Uppsala Conflict Data Program Conflict Encyclopedia; Table 4.2 in this volume; Högbladh (2006).

This is higher than other researchers report from civil wars in previous periods. The definitions of 'civil war' are not the same as applied here, as they often include state formation conflicts as well. Also, 'agreement' or 'negotiated ending' is determined slightly differently. Still, there are some interesting long-term patterns. For instance, Mason and Fett (1996) report that there were 13 peace agreements for the period 1945–92 in a total of 56 civil wars, i.e. 23 per cent of the cases. Licklider gives an even lower number, finding that for the period 1945–93 there were 14 conflicts which ended through negotiations out of a total of 84, i.e. 17 per cent. Stedman finds that for the period 1900–89 there were solutions through negotiations in 15 per cent of the civil wars in this century (Stedman 1991: 8; Licklider 1995: 684; Mason and Fett 1996).² The negotiated agreements have been few, and even fewer in cases which have concerned the civil war category as here defined. This suggests that peace agreements are more common as ways of ending such wars today than previously. Given that the time span for the cases reported in Table 6.1 is much shorter, it definitely means that peacemaking in civil wars is now a higher priority. For the periods covered by the three studies, a peace agreement was concluded every third to eighth year. Table 6.1 shows that there was an average of around six peace agreements reached every year in the post-Cold War period. Terminating civil wars through negotiations has become very important.

This notwithstanding, a number of internal conflicts ended in the elimination or capitulation of one party, i.e. victory. The share of such endings is somewhat lower than previously. For the post-Cold War period this outcome is evenly distributed between victories for the opposition (for instance, in Panama, Paraguay and Romania in 1989, in Ethiopia in 1991, in Zaire in 1997, in Libya 2011) and for the government (e.g. Sri Lanka in the non-Tamil conflict in 1991, Venezuela in 1992, Russia, and Georgia in 1993). In two cases, peace agreements were never implemented, instead resulting in victory (in both cases by the opposition): Haiti (the Governor's Island Agreement) and Rwanda (the Arusha Peace Accord), both completed in 1993. In the first case, it nearly resulted in an intervention by a multinational force; in the second case, the world was standing idle when an unprecedented genocide followed. It was directed against the Tutsi minority and stopped only when forces composed largely of Tutsi rebels took over the capital. In a more recent internal conflict there was no room for negotiations: Afghanistan since 2001. In this case, victory could be declared as the incumbent government was deposed, the capital taken by the forces of the opposition in a US-led international intervention with the 'Northern Alliance' with US support, and a new regime was recognized. A peace agreement of sorts was signed, the Bonn Agreement of 2001, with broad Afghan participation but without representatives of the deposed Taliban. The agreement has been basic for subsequent events in Afghanistan, but Taliban resistance has continued without any negotiations. A partial agreement with one faction in 2016 is an exception and did not end the conflict. These examples notwithstanding, we can conclude that a clear-cut victory for one or the other side is not as common as are peace agreements.

However, many internal conflicts have 'other outcomes', meaning that the fighting recedes to levels which are below the Uppsala Conflict Data Program

inclusion threshold of more than 25 killed in battle per year. In reality, this means that governments remained in power. The conflicts may have ended in *de facto* victories for the status quo, the government side, without this being clearly acknowledged by the losing side. For either side, perhaps more for the weaker one, a peace agreement may actually provide a greater chance for survival, and therefore there might be an incentive for a peaceful solution. In an inter-state conflict, the sides can withdraw behind an internationally recognized boundary and the survival of that side is not directly threatened.

These observations are further underscored by the fact that many intra-state conflicts continued at the end of the recording period. This means that some civil wars have persisted for a considerable period of time. Situations which have received ample international attention at times, but without a sustained programme of international action, are, for instance, Algeria, Burma/Myanmar, Peru, the Philippines (the conflict involving the Communist Party, the NPA), Rwanda, Somalia and Uganda. These internal conflicts are old. Many have been going on for decades. There are some newer conflicts which may have the potential to become equally entrenched if no solutions are found (e.g. in Central Africa, Mali and South Sudan). Some protracted conflicts have, at times, drawn much interest, notably Somalia, Afghanistan, Burundi and Sudan. A conclusion is that if the parties in an intra-state conflict cannot solve their incompatibilities, it is more likely that a conflict will become protracted than end in victory.

It should be noted that most of the intra-state conflicts concerning government are taking place in classical Third World countries, many of which are poor, over-populated or marked by stark contrasts between rich and poor. This is also where regimes have turned into a kleptocracy. The resources of the state have been used to corrupt leaderships and opponents alike. There are armed conflicts in some oil-rich or industrialized states, but interestingly many have been of a shorter duration (Venezuela, Azerbaijan and Russia) except when connected to religious or racial dimensions (Algeria, South Africa). In predominantly agricultural economies, control over the state may be a particularly valuable asset, as there are fewer alternative sources of income. Some studies also point to environmental degradation as a source of internal conflict, particularly if connected to other factors (Hauge and Ellingsen 1998; Wantechekon 1999; see also Chapter 14).

There is one striking change in internal conflict and that is the reduction in military coups. Military regimes and transition to democratic institutions were an important topic throughout the 1980s. The problem has not lost its relevance, although the patterns have changed by the 2010s. A regional overview suggests a mixed pattern.

South and Central America, which used to be the focus of the discussions, now have few military governments. There is considerable popular resistance to them. The coups that have taken place during the 1990s include the one in Haiti in 1991, the president's actions in Peru in 1992, Guatemala in 1993, and the failed coup in Venezuela in 1992. By 1994 these coups were undone. The coup leaders were forced to leave power in Haiti. President Fujimori in Peru retreated, and then won a second period in office, but his third victory in 2000 was highly fraudulent. He resigned and

was later imprisoned. The chief plotter in Venezuela, Hugo Chavez, was brought to court, later freed to embark on a political career, and took power in 1999 by electoral means. He survived a shortlived coup attempt in 2002 and stayed in power until his death in 2013. There is now a reluctance – nationally, regionally and internationally – to accept military intrusion into political life. This was clear when facing the coup in Honduras in 2009. Latin American opinion was overwhelmingly negative. The negotiated ending of the civil war with FARC in Colombia has been done without resistance from the military establishment. The danger of military coups in South America may still remain, e.g. as a reaction to the severe corruption cases being revealed all over the continent in the mid-2010s.

The Middle East also saw a reduction in military coups, where there were 21 coups in the period 1950–69 and six in 1970–89. In early 2011, an unprecedented wave of peaceful, democratic protests swept through the Middle East, the Arab Spring. The protests unseated the regimes in Tunisia and Egypt. They were strongly repressed in Bahrain and led to armed conflicts in Yemen, Syria and Libya. Particularly in the case of Libya it resulted in UN and NATO action to protect civilians, based on the principle of the international responsibility to protect exposed populations. The incumbent leader, Muammar Gaddafi, was killed in October 2011. However, the early gains in democracy soon turned into a militarization of many societies, most markedly in Egypt. Field marshal Abdel Fattah al-Sisi took power in 2013, and was elected as president in 2014 in elections that were not free and fair, again repeated in 2018.

Another coup-prone region has been Africa, but it has seen fewer military takeover attempts in recent years. In 1960–69, forced removal accounted for close to three-quarters of all regime changes in Africa; in the first five years of the 2000s the share was down to one-sixth (Southall et al. 2005). The unconstitutional removal of leaders remains a problem and the African Union (AU) has instituted a sanctions policy against such events (Eriksson 2010a; Hellquist 2014). The phenomenon has not ceased however, and may have taken on other forms, e.g. as mutinies (Dwyer 2017) or an increasing number of failures (Mali 2012, Burundi 2015). The incumbent government in Gambia was removed in early 2017 with the help of international pressure and after an election that gave the victory to the opponent. In Zimbabwe, in November 2017, the military deposed the incumbent President Robert Mugabe in a popularly supported coup, and promised fair elections. Similarly, a popular uprising removed the long-time leadership in Burkina Faso in 2014, opening it up for more democratic rule, although this has been followed by coup attempts. Still, the legitimacy of coups is low and they are historically few.

There were some coups and attempted coups in Southeast Asia, also in the past decades. The Asian economic crisis in 1997 hastened the downfall of oligarchs in South Korea as well as in Indonesia, at the same time as it strengthened democratic tendencies in Thailand, Taiwan and the Philippines. In Myanmar (Burma) the military retreated and allowed the popular vote to proceed. However, it retained much of its power, to the frustration of the democratic forces, and engaged in ethnic cleansing of the Muslim minority, the Rohingyas, in 2018. In Thailand, popular movements repeatedly challenged existing authority. In 2010 the so-called Red

Shirts were violently repressed by the government, later won in the elections, but then faced a new military coup. Thus, since 2014 Thailand has had an increasingly entrenched military government that has kept promising democratic elections.

As this overview suggests, the coup phenomenon has become more rare in a world of democratization. Political leadership changes, in many parts of the world, have taken more constitutional forms in the post-Cold War era than before. Also, authoritarian regimes have been challenged by mass movements, which have been able to persistently defy police repression, e.g. by turning out in huge numbers. Mobilization via the Internet in general, and through social media in particular, is a new feature in politics, as seen in Iran in 2009 and again in early 2018, and in Arab countries since 2011. In Egypt there was a close connection between being online and generating offline actions (Wahab 2017). This is interesting as there is a debate over whether, for instance, Islam is intrinsically incompatible with democracy. Certainly, the democratization of Indonesia (the country with the largest Muslim population in the world), the democratic transitions from one party to another in Bangladesh during the 1990s, and the rise to power of an Islamic party in Turkey in 2004, might qualify such notions. The spring of 2011 saw wide pro-democracy movements in a series of Arab countries, further confirming that demands for democracy transcend such cultural differences.

However, the lower frequency of the military coup does not mean it is a phenomenon of the past, or that military influence over political life has disappeared. Instead, military establishments are finding novel ways of influencing democratic policies. In some countries, the military remains, according to its own view, the sole guarantor of the 'order' of the day. Hence, the Turkish armed forces have historically acted to ensure a secular, Europe-oriented state in a country with a predominantly Muslim population. By the mid-2010s however, military power seemed curtailed by the dominant political party, the AKP, the Justice and Development Party. The failed coup-attempt of July 2016 led to purges within military ranks as well as within other parts of the government administration. A less visible, but still effective role may be what military establishments hope for in South Korea, Taiwan, Indonesia, the Philippines, Bangladesh and Burma/Myanmar. For outside observers, this means that the analytical tools have to be sharpened to discern the influence of the armed forces.

There are many ways in which military leaders can adjust to democratization, and they do not necessarily have to be hostile towards it. The democratic system assumes not only civilian control over the military, but also that a workable arrangement can be found between a professionally defined military establishment and democratic authorities. Normally this means that the tasks of the military are separated as clearly as possible from civilian responsibilities. This appears to be a global tendency. The ability of the civilian state to control military will depend on the competence and strength of the state. Some argue that economic and technological globalization might undermine the state and weaken its hold over the legitimate use of force (Desch 1999: 128–30). Ultimately, the strength of the democratic system rests on its support from the population. This requires state structures that are strong and autonomous enough to set the agenda for a society. The weakening of state

institutions in the 1990s has implications for the implementation of peace agreements as well as for managing civil-military relationships. In the 2010s there was a marked change in public opinion however, that was also observable in 'mature' democracies of the Western world: candidates and parties with authoritarian traits gained political control, with programmes supporting the use of hard-line policies, increased military expenditure and greater use to coercive power. Democracy observers discussed this as a 'democratic backsliding' (Mechkova et al. 2017). In a number of countries there were elections, where there was only one obvious winner and where the concern instead became the turn out. If too few people voted for the only likely winner it would affect the legitimacy of that candidate. This was a concern in March 2018 in presidential elections both in Russia and Egypt. It certainly illustrates 'democratic backsliding'.

At the same time, overly strong states become repressive and create new conditions for revolt. The terrorism seen in recent times stems from both ends of this spectrum. Closed political systems (such as in Saudi Arabia and Egypt) stimulate opposition, which in turn may draw energy from unsolved regional issues (the Palestinian issue, for example) and find allies in states in turmoil (such as Afghanistan, Syria, Yemen and Pakistan) where it might be possible to establish bases for dramatic actions (such as those on September 11, 2001, suicide attacks or even establishing territorial control). Some roots of terrorism, in other words, come from ongoing conflicts and prevalent political conditions. The solution is neither a very weak state nor an overpowering one.

In this chapter we are dealing with democracy as a solution to internal war, theoretically in Section 6.2 and empirically in Section 6.3. The questions of internal security dilemmas and state failure are approached in Sections 6.4 and 6.5. Newly created democracies have to rest on considerable popular support to manage the balancing act with the military, at the same time sustaining transitions from internal war to peaceful conditions. The role of civil society is crucial for the survival of democracy. We shall return to this in Section 6.6.

6.2 Dealing with Incompatibilities over State Power

Most of the peace agreements listed in Table 6.1 include democratization as a central element in the settlement. This is logical as these wars involve a struggle for power and influence in society. This is a way to handle the *participation of parties* in a society after a war: to give space to a host of actors who have previously been suppressed or excluded from influence. A solution may encompass procedures for transferring the struggle into constitutional and non-violent forms. This typically means a system of political parties, with freedom of association, safeguards for human rights, access to media, security for election campaigns, independent election commissions, fair elections, and the free forming of new governments on the basis of election outcome. In other words democratization is not a quick fix, but a multidimensional process. It is not only a matter of arranging an election, it also relates to an underlying

balance of forces in a society, where parties realize that they cannot monopolize power. They have to adjust their demands in accordance with their electoral strength. This means that the incumbent government may lose power, due to the outcome of a previously agreed upon process (as happened, for instance, in Nicaragua, Cambodia and Iraq). This contributes to making a new system of governance credible and improves its attraction to political forces. This notwithstanding, newly created democracies are likely to remain fragile. We need to analyse how a democratic system, once established, can handle disputes that are likely to arise over the distribution of power in a society.

This aspect is particularly important in connection with the second problem indicated in Section 6.1, the one of *the security of the parties*. Can the democratic system simultaneously solve a basic incompatibility and move a society away from the sharp internal security dilemma where 'If A wins, B perishes – if B wins, A perishes?' There is no doubt that in conflicts with a clear-cut victory/defeat outcome, this is the logic that will apply: Nicolae Ceausescu, leader in Romania, was executed, almost on live television, in 1989. Mengistu Haile Mariam, the losing leader in Ethiopia, fled to Zimbabwe in 1991 to avoid being captured. Mobutu Sese Seko, the deposed leader of Zaire, escaped with his family and died in Morocco in 1997. Charles Taylor was 'persuaded' to leave Liberia in 2003, later being captured and sentenced in The Hague-based court for Sierra Leone. Sometimes the loser is in mortal danger, but there are other examples. The coup leader in Venezuela was jailed, but later made a new political career. The losers in armed conflict in Moscow in 1993 disappeared from politics but remained alive as ordinary citizens. The deposed leader in Zimbabwe, Robert Mugabe, was allowed to stay in the country following his forced resignation in November 2017, reportedly with a government protection force and considerable capital (Burke 2017). There is a reality of an absolute internal security dilemma, but it can be modified. We may ask whether it takes a resource-rich or diversified social system for accepting another outcome (as was the case in Venezuela and Russia) thus making the conflict shorter. An answer is that if the shift in power goes in the direction of democratization, the security dilemma is mitigated. In such cases other outcomes are reported, notably in South Korea and Indonesia, where the leaders could stay in the country, sometimes being convicted for crimes or corruption, but having their lives, families and dependents protected by the new system.

The question of human rights has entered into the settlement in a new way since the Cold War. It affects particularly the issue of what happens to the parties after a settlement and after a loss of power. The emphasis on accountability introduces higher criteria for what is an acceptable peace agreement. This was brought out strongly by the peace agreement for Sierra Leone in 1999. It provided amnesty for perpetrators of some of the worst violations of human rights and dignity. It served to end the war, for a time, but it was also unacceptable to the international community. In a reworked peace agreement, the conditions were changed and a tribunal was created specifically for Sierra Leone. In the Colombia agreement, the issue of legal justice and retribution for victims was an important concern. The general

public reacted against such provisions. This was a reason for the agreement to be narrowly defeated in the referendum and consequently renegotiated by the end of November 2016. It is noteworthy that UN negotiators are now instructed not to accept amnesty provisions.

Still, the democratic system appears to be a social system with possibilities for handling political losers and the changing fortunes of political forces. The human rights criteria help to draw a line between those who can participate in the democratic system and those who are to be brought to trial. Let us see how, in principle, a democratic system works.

The seven ways of conflict resolution we identified in Section 3.5 are typical of the way a democratic system operates. The first form concerns *changes of priorities*. In a democratic system, the electoral outcome gives party leaders the chance to change their goals. They can claim that they have insufficient votes or seats in order to carry out the promises made. Such excuses are not available to the leaders of authoritarian regimes. Instead, the credibility of an absolute ruler hinges on the notion that he/she knows what should be done and is capable of delivering results. The fact that in authoritarian regimes there will also be (hidden) power struggles is not part of the image. Furthermore, the democratic system has the advantage of actually giving the loser a second or third chance. New elections are an agreed, regulated, intrinsic element, and this gives a defeated actor another chance. In fact, the best indicator of a functioning democratic system is the second or third election, not the first one. Alternative political systems neither give nor protect such a second opportunity. The possibility of a comeback can be regarded as the single most important instrument for breaking out of the internal security dilemma. It is a strong point for a democratic system.

The second solution, *dividing the values* in conflict, as well as the third one, *horse-trading*, are integral parts of any parliamentary system. Compromises, trade-off deals and multi-issue packages are continuously the substance of politics. A struggle for power can be solved through ingenious divisions of power (over years, over functions), trade-off arrangements (according to the logic 'I support you on issue A, you support me on issue B') or combinations of the two. A society does in fact contain many attractive positions that can be part of a deal on power distribution. Some ministerial posts are customarily regarded as more important than others (e.g. portfolios as prime minister, or foreign, defence, interior or finance ministries). There are also posts such as the parliamentary speaker, the head of particular committees, control of particular functions in society, governor positions, etc. In a one-party system, these are all available, but the difference is that they are only distributed to loyal party members to prevent them from becoming the basis for critics or attacks on the government. In the democratic system however, they may equally likely go to opponents and to generally competent personalities. They also give a position of power to opponents, and thus serve to protect their security.

The fourth solution, *ruling together*, is represented by coalition governments, which are necessarily formed in a democracy in a multidimensional state and where proportional representation is the formula. A special aspect of this is the power-sharing arrangement, to which we shall return shortly.

The fifth solution, of *leaving control* to a minority or third force, is also a common feature in any established democratic system. Minority governments may in fact be the most common form of governance, particularly if a minority is defined as a representation of the general population. For example, if 80 per cent of the population votes in an election and those getting the majority, say 55 per cent of the votes, take control of the government, this still does not represent more than 45 per cent of the electorate. The key lies in the way the minority government is formed. An open process provides assurances to the population as well as to competing political leaders.

The sixth solution, bringing issues to a *conflict resolution mechanism*, is also available to the democratic system. It can be done, for instance, in the form of a referendum on a particular issue or new elections to break a political stalemate. Some systems do not have this possibility, which means there is more pressure on using the five other mechanisms.

Finally, there is the seventh way: *postponing issues*, by referring them to commissions. This is more difficult in a direct power struggle, but such struggles can be contained if the main contenders agree to let a minority run the government, i.e. using the fifth way as a temporary measure. Leaving constitutional issues to commissions for later proposals can be a way of handling transition questions. The expectation is that once a commission presents its findings, the struggle has lost some of its intensity.

These examples illustrate that the incompatibility over government can be handled in ways which serve to remedy the internal security dilemma. More theoretically, we may ask, what is it actually that the democratic system does? The answer is easier said than translated into practice: it enlarges the number of options to the conflicting parties. There is no longer only a choice between (1) winning and (2) perishing. The democratic system provides intermediate options such as (1.2) winning, but not gaining complete dominance, (1.4) being strong enough to play a role, (1.6) having some strength which can be enough to prevent undesirable developments, or (1.8) losing, but still keeping a position in society. Democracy expands the political alternatives in society. The actors have more real choices, which is to the benefit of the society as a whole. Still, the system is capable of making decisions. It may be slower, but those decisions are more likely to be more durable.

For this to function however, three conditions must be met. The winner must be committed to respecting the right of the loser to be a loser, even to have a chance to make a comeback. This might be in the enlightened self-interest of the winner, if the winner realizes he/she could be the loser at a later stage. Furthermore, the loser must feel secure enough to accept defeat and not risk annihilation at the moment of conceding defeat. In an intra-state war, these are two conditions not easily met in a credible way. In a democratic society, respect and guarantees are customarily extended and the control of weaponry is restricted. The period immediately after a civil war is uncertain for all actors. There are plenty of weapons around. There may be anger and frustration. Economic conditions are often chaotic. This is why a reasonably strong and efficient international peacekeeping force can be important for a peace process in a civil war. It provides a neutral power resource which can extend guarantees to all sides.

Behind these two conditions there is a more deep-rooted notion, a third condition. It is that the state is not seen to 'belong' to any of the parties. Even a given government is only a temporary custodian of the state machinery. State resources are not at the unlimited disposal of the government or the winner. This is the essential meaning of the expression 'the rule of law'. The uses of state resources are limited by rules: there are safeguards, watchdogs and ombudsmen to protect citizens. If generally accepted, the principles of the rule of law will make the state apparatus less attractive as a resource in society. This means that the significance of the state is deliberately restricted. In this way, the democratic system creates its own guarantees. For instance, the loser, if it is the former government repositioned as the opposition, is as important for the continuation of the rules of society as is the winner, who moves in to assume government control. The limit of what the state can do is what provides guarantees for the survival of the system. The struggle for state power, however, often stems from an ambition to gain control of an unlimited resource. To accept the principles of such limits is not easy for any contender.

How can such a transformation take place in a situation where the actors are entrenched in a deadly conflict over the state? How did it take place in the countries that today have democratically stable systems? The solution may be found in a special balance of strength where neither side completely wins or loses all its resources in a society. This means there is a balance among contending forces, giving them a chance to formulate the rules of the game. This is normally done in a constitutional reform with assemblies that bring together influential strands of a society. The agreed rules create a way of life which affects and helps to maintain the underlying societal balance. Some of the peace agreements in Table 6.1 are such formative documents, which become frameworks as the political system evolves. This has led writers to consider constitution writing as a way of solving conflicts (Samuels 2005). The fate of such peace agreements also gives insight into how democracy can be established under extreme conditions. Few, if any, of today's entrenched democracies in Western Europe and North America evolved directly from such strong internal conflicts as several of the countries in Table 6.1 face today.

Clearly, it is a process that is little understood. After the parties have signed a peace agreement they face the difficult phase of implementation. The former warring parties are still the paramount actors and they will attempt to control the developments. As they are the signatories to the agreement, their interpretation is difficult to challenge, as long as they agree on the process. Their disagreement can imperil the whole arrangement. Thus, this is a period requiring considerable trust and confidence. Also for this reason, an international presence may be conducive for the continuation of the process. It should be clear, however, that the primary actors themselves are responsible for the progress of implementation. It is a learning period, where the parties discover new traits about each other as well as how different building peace is from waging war.

After this comes a period where the previous conflict may no longer seem significant, but where the new conditions in themselves create tensions. This is when the peace treaty is not only consolidated, but also exposed to unforeseen tests. There may be topics that were neglected or not understood at the time of the peace accord

(Stedman et al. 2002). There may be problems which arise as a result of the agreement, e.g. the problem of how to handle the former military forces. As we are interested in peace agreements after war, the latter aspect is particularly pertinent. Is it possible for the parties that were fighting a war among each other to integrate into the same societal framework again? The fact that there are more peace agreements in the post-Cold War period than previously means that there is little historical precedent on which to build. This, furthermore, is probably more true for civil wars than any other category. Thus, the questions of physical security and ability to cooperate are put under particular strains. Seen in this way, the fact that so many peace agreements actually survive is an achievement.

The physical security of the fighting parties is of particular concern in the settlement of internal conflicts. Such settlements do not normally establish dividing lines within a country behind which the parties can withdraw, as is the case in inter-state conflicts. There is a limit to dissociative solutions. Sooner or later, the accord assumes that the parties reintegrate or relate closely to each other. Transition therefore requires special measures to provide sufficient security for leaders and to familiarize the general public to their presence in public life. Their freedom becomes the symbol of a new reality of peaceful cooperation. Let us proceed by looking at the experiences since the Cold War in this light.

6.3 Democracy and the Settlement of Civil Wars

The peace agreements in Table 6.1 were concluded in societies with important differences in political institutions on which to build democratic solutions. First, there were cases of conflicts going on in countries which already had limited forms of popular participation in politics. For instance, elections, party competition and media independence were accepted principles. Thus, the question became largely one of reforming this system so as to accommodate the demands arising from the civil wars. The peace arrangements in Colombia, El Salvador, Guatemala, and South Africa could all use existing legal structures. The peace agreements meant fundamental changes in these constitutions so as to allow for a broader participation, as well as the dismantling of structures that were antithetical to the new democratic system (more specifically, the military institutions and all apartheid institutions, respectively). Although basic changes took place, institutions could remain and transcend themselves into the new realities. This is what could be observed in El Salvador with the gains in democratic development (Azpuru 2018). Particularly in South Africa, the changes in power in all central institutions meant considerable social change. Accountability for repression and war crimes were issues raised in the peace processes and resulted in a path-setting institution in South Africa (the Truth and Reconciliation Commission). In all three cases, public security concerns were high following the ending of the armed conflicts. El Salvador faced a test in 2009 when a leader of the former rebel movement (FMLN) who was not a commander, Mauricio Funes,

was elected president, and again in 2014 when another party member won the following election, with a slim majority.

Second, there were civil wars in societies which had had elections and appropriate institutions, but where one-party rule had been the dominant feature for a considerable period of time. To these cases belong, for instance, Nicaragua, Angola, Mozambique and Macedonia. As part of the peace initiatives, constitutions were amended to allow for multiparty politics. The agreements could build on existing structures, but also had to consider that those institutions were likely to be biased. The credibility of an open multiparty system was questioned. In the cases mentioned, the conflict was also strongly polarized into opposing camps. In Nicaragua that polarization has remained. The Sandinista leader Daniel Ortega, who lost elections in 1990, was elected President in 2006, 2011 and 2016. In Mozambique, the polarization from the war appeared to have been defused, only to resurface in fighting in 2013. The long-term ability of eliminating the war divides through democracy may be limited, but the likelihood of renewed violence might be reduced and measures put in place to prevent an escalation.

Third, there was a category of states where the agreements entailed more or less a complete reconstruction of state institutions, including the training of electoral staff, supervision of new institutions, etc. The peace agreements on Lebanon, Cambodia, Chad, the Democratic Republic of Congo, Liberia, Sierra Leone and Tajikistan had such elements. While the agenda for the implementation of agreements, needless to say, becomes more extensive, the less there is for institutions to build on. For instance, the application of principles of accountability and war crimes has met with difficulties.

It is probably correct to say that the countries in the first category are presently functioning more democratically. Thus, it is less likely that there will be a return to the previous wars. Three examples (El Salvador, South Africa, Guatemala) are post-war societies which have found themselves engulfed by considerable violence, often criminal in character and with some roots in the civil war itself. Many social inequities that originally motivated the war linger and may give rise to new parties with new sharp demands. There are seeds of possible revolt, but along different lines than before. The settlement in Colombia has a chance to be an addition to this category, as it has a remarkably entrenched democratic system.

The second category includes some successes, but also a repeated failure (Angola). Nicaragua has seen several shifts in government; Mozambique has yet to experience such a test of the strength of its reformed institutions. International engagement remains important, e.g. for Mozambique (Manning and Dendere 2018).

The most difficult processes can be expected in the third category. It is also made up of a group of societies which will depend the most on external support for success. Cambodia was the object of a largely successful UN peace operation in 1992–93 (Hampson 1996: 200–4), but low-scale wars and coup behaviour have been part of the experiences since then. No shift of government has taken place and the same leader, Hun Sen, is still in power in 2018. The work of the opposition has consistently been made difficult. There has been little gain in terms of the quality of the peace (Un 2018). In Haiti, the international commitment was high in the

mid-1990s, then waned and the country relapsed into conflict in 2004. Not until the devastating earthquakes of January 2010 was there significant attention. In 2016 and 2017 presidential and parliamentary elections were organized. This is to suggest that democratization following a civil war is more likely to succeed if there is a previous legal system building at least on some principles of the rule of law. Also, sustained international support is likely to be required for countries such as Liberia and Sierra Leone. These countries were on roads of recovery; also managing the devastating Ebola epidemics in 2014. Liberia achieved a peaceful transfer of power when George Weah succeeded two-time president Ellen Johnson Sirleaf in 2018. This may suggest that the international support has paid off.

The seven forms of conflict resolution help us to illustrate the process of change more closely. First, there is the gradual acceptance by the governments of, as it were, new principles for ruling society. This means that new priorities are made. The National Party in South Africa had to accommodate itself to a new situation. What mattered to the party was no longer to keep power for itself, but to maintain the social positions of the white minority. In the words of Zartman, the party had to make 'a trade-off of power for position'. Similar moves of accommodation had to be made by other parties. For the ANC, there was a choice between demanding a pact with power-sharing or taking full control by itself (Zartman 1995a: 149, 162), where the ANC in the end preferred the former. The agreements were predicated on such shifts in position by the parties. This meant that one party agreed on the legality of other parties, and thus opponents were able to enter into negotiations. It also implied that the view of the outcome changed. The possibility of losing power or not achieving complete state control was part of the understanding, thereby making it important for a dominant actor to appreciate the need of safeguards for the losers.

For all the peace agreements, it is obvious that the negotiations leading to settlement involved a considerable compromise, including locating middle points and horse-trading deals, i.e. the second and third forms of transcending the incompatibility. This could, for instance, concern issues of the length of transition periods, timetables for demilitarization, changes in institutions with hostile mandates, the introduction of human rights provisions, etc. In some cases, it also involved agreements on dividing cabinet posts according to particular preferences.

Most interesting here is the use of the fourth and fifth forms for solving incompatibilities: power-sharing or leaving control to another actor. Obviously, rebel groups are suspicious of the government and fear its potential power in, for instance, manipulating upcoming elections. In some of the agreements, innovative arrangements were made. In the case of South Africa, a multiparty Transitional Executive Council was instituted to oversee the government's activities for a period of about five months, up to the elections held in April 1994. In the case of Cambodia, a Supreme National Council was created with representation from all four leading groups as well as a strong UN presence supervising five of the key ministries in the central government (Hampson 1996: 178–88). Thus, forms of power-sharing were instituted before the elections, and there were expectations of coalitions or national unity governments after the elections. Such inclusive arrangements may have contributed to the durability of these peace agreements. It is interesting that in some

conflicts, the opposition did not demand a share in the government, but preferred to be able to participate securely in the political process. This was the position of the FMLN in El Salvador (not winning presidential power until 2009). Instead, a National Commission for the Consolidation of Peace (in Spanish, COPAZ) was agreed (Hampson 1996: 140; Perez de Cuellar 1997: 419–20, 434). In the 1991 Angolan agreement, both sides expected to win the elections, and only a weak joint commission was instituted. The next agreement contained more cooperative arrangements, but without leading to a full implementation of the peace agreement (Ohlson 1998: 74–82). It took until 2008, six years after the war ended, for the government to arrange parliamentary elections.

In civil war agreements, there is little resort to formal conflict resolution mechanisms, apart from giving room for negotiations or referenda. This is understandable. Such mechanisms are often legal, and the legal institutions are often part of the dispute. Their roles have frequently been tarnished by the incumbent regime or its predecessors. There is considerable use of international mediation however, and the involvement of the UN in the Nicaraguan settlement was a breakthrough for UN actions in internal conflicts. The supervision of Nicaragua's elections in February 1990 was the first time that the UN monitored elections in a sovereign state (Perez de Cuellar 1997: 405–16). It has, since then, become an important practice. It is remarkable, however, that there are few international institutions to turn to for the settlement of internal conflicts.

Postponing issues, the seventh model, is also a frequent approach, in order to reach an agreement on other topics. In the case of El Salvador, the armed opposition coalition, the FMLN, agreed not to push the land reform issue at this stage (Canas and Dada 1999; Hampson 1996: 141), although it had been a key demand for its entire political and military campaign. It was partly a matter of giving priority to reforms of the military institutions and gaining access to political institutions. The party remained free to return to the problems. The issue remains contentious in El Salvador. Interestingly, FARC's demands in the negotiations with the Colombian government in the 2010s made the land issue central for any settlement, and it became an integral part of the final agreement. It did not want to postpone an issue that was the original motive for the movement, fifty years earlier. In the case of Cambodia, the incumbent government, known as the SOC (State of Cambodia), gradually reduced its demands to insert words on 'genocide' in the concluding document. The question of possible trials on human rights grounds against leaders of the Khmer Rouge regime in Cambodia did not subside however, and later a combined international and national court was set up, delivering its verdicts more than thirty-five years after the events. The trials have been few but costly (Mydans 2017).

These examples illustrate that the democratic framework is helpful in handling conflicts over power in society. It is also noteworthy that the transitions have been made possible by temporary power-sharing arrangements. These may well have contributed to introducing parties, previously excluded from decision-making, to the real financial, administrative and international constraints under which governments have to operate. Power-sharing has an educational effect. It is noteworthy that the agreements that have failed have not had such elements. The use of

power-sharing for democratization involves a conversion of views. It 'moves towards success when it shifts elections from being a mechanism to award victory denied on the battlefield to being the means to admit all parties to legitimate and ongoing participation in the future political system' (Zartman 1995a: 339). As a transition from civil war to civil peace, power-sharing may be a useful device, but if instituted for too long a period, it may have stifling effects.

What this overview shows is that the central provisions in peace agreements have dealt with procedural issues and government institutions. Particular ways of sharing power have been important. Underlying issues, such as land reform questions, poverty and other questions of economic and social justice, and economic policies, which many would deem as important, have seldom been solved through peace agreements. Human rights issues have not always been important. It seems that the opposing sides have had a similar belief that with access to government power, they will be able to deal with substantive matters according to their goals. The democratic systems that follow, however, do not only represent the voices of change, but also the voices of the status quo. The reverse is also true: democratic systems do not necessarily protect the status quo, but provide opportunities for social change. Either way societies change, perhaps more slowly than many would expect, more quickly than others would want.

Decisive for the fate of the agreement are the priorities of the carriers of the peace, the parties that signed and committed themselves to its implementation. Their attention to the procedural aspects and the substantive matters will mix with the new realities following the ending of the war. These actors will have to make a choice among the many elements that any peace agreement entails. For instance, the peace agreement for Guatemala included 13 separate agreements. To implement them all, at the same time, is clearly impossible. Some matters get more attention and more support, others meet with more resistance. The 2016 agreement between the Colombian government and FARC has unique provisions of implementations, notably giving a role to the Kroc Institute in monitoring the procedures. It is a way of external validation that may be considered for the other situations in the future.³ Furthermore, the direction of the society may turn out to be very different from what any of the warring parties had expected. The more open a society, the more will voices other than those of the warring parties make themselves heard. For instance, the issue of justice and human rights is one of the concerns that often gets more attention than the warring sides may prefer. Their primary interest is often with their own security under peacetime conditions.

6.4 Dealing with the Internal Security Dilemma

A major issue for the origin of civil wars, we have said, stems from the **intra-state security dilemma**. For the parties, this is a major concern. What will be their future following the end of the war and the accompanying demobilization of soldiers, closing of bases, and other measures that are necessary for the reconstruction of peace

and the formation of an integrated society? The parties that sign the agreements are likely to be highly suspicious of each other. They have good reasons. In their agitation, they have often emphasized that the other side is criminal, illegitimate, corrupt and/or untrustworthy. To negotiate, conclude agreements, and perhaps, even share power with such an actor, is a difficult transition. Thus, the conclusion by Ohlson in his analysis of the peace agreements in Southern Africa is to the point: agreements are more likely not to fail if the 'physical and organizational security concerns of the primary parties are addressed to their satisfaction' (1998: 186). There are likely to be some security guarantees for the parties to sign the accords.

Such guarantees and reintegration among the parties might work better if the leaders on both sides come from the same social class or share a normative system. This is not often the case. Many civil wars have revolutionary origins, meaning that they pit an established regime against an organization of previously marginalized persons and groups. For the regime, it means fighting people who come from unknown circumstances and are understood only to have ambitions to wrest their power. To make deals and even yield power is frightening and likely to encounter criticism in the regime's camp. For the opposition, the war means getting closer to power and a chance to change society. Not to win might be perceived as failure. If leaders have difficulties in adjusting to a compromise agreement, it is probably even more frustrating for the followers on the opposite sides. To them, it may appear that the leaders are betraying the causes for which the lower echelons have risked their lives. For many, victory will be the only acceptable outcome. The leaders, in other words, have a major educational task in explaining their strategy and why a peace agreement will suffice. They may be aided by war fatigue, economic deterioration, death tolls and rampant destruction, which make the general public responsive to peace. The soldiers, officers and leaders, however, may not necessarily share the perspective of the public at large. The educational task, in other words, has to deal with the internal dynamics of an actor, rather than the general public.

The need to make the rank-and-file follow the leadership into a peace agreement adds strains to the negotiations. The settlement has to include sufficient security guarantees, as well as benefits, to make peace acceptable to the party's internal sceptics. The negotiations need not only to solve the problem with the opponent, they must also address the inner concerns of the party itself. This is where the outside world may have a particular role, as it can commit resources to smooth transitions.

Studying the peace agreements since the Cold War, we find that they attempt to manage the security dilemmas of the transition from war to peace with the help of five different measures. These are: (a) a general demilitarization and creation of a unified army; (b) specific guarantees for leaders; (c) an international presence, e.g. peacekeeping forces; (d) transitory power-sharing; and (e) an amnesty for leaders, officers and agents. These measures are used, whether the agreement is one of depriving a military regime of its power or of giving power to a successful guerrilla movement. In the case of victory, these five measures are likely to be used in a one-sided manner. Demilitarization will be only for the opponents, privileges only for the winners, an international presence only for the legitimization of the new status quo, power-sharing only for those who cooperate and an amnesty only for the

supporters. In the peace agreements of Table 6.1, there are many examples of these five measures being used, but in a less biased manner. The five measures do not exclude one another. There is so far little evidence to suggest that some are more successful than others, or that certain combinations are more optimal. An exemplification will suffice.

Demilitarization deals directly with the ability of one side to threaten the security of the other. A rapid reduction in armed forces and firepower is necessary in order to reduce insecurity among the parties. In many peace negotiations, these are issues which are agreed at a late stage. This indicates that the more obvious 'political' elements are central and that the military force is there to back up the parties' position on these issues. By delaying the security issues, some leverage is kept on the other side. It means also that a cease-fire may be late in coming (as was the case in El Salvador). Alternatively, if there is an early cease-fire, the parties may retain the option of restarting the war (a more common approach). Either way, the timing suggests that the security issues are among the most difficult to deal with. For instance, demilitarization means removing troops from positions conquered in deadly battle, or giving up hard-earned and strategic weaponry. To some military leaders this may appear close to defeat, not victory or peace. The political gains must be considerable in order to convince the military side to make such concessions.

From an analytical point of view, demilitarization is almost a definitional necessity for ending a civil war. Without it, there will be the threat of a resumption of war. The military forces have to be part of a new setup. Particularly important in civil war endings is the idea of combining the fighting forces into one large, new unit. The definition of a state is the existence of *one* military force under one central command, the government. However, simply combining the two sides into one unit would create an unbearably large army. If the integration is successful, this force might become an overwhelmingly powerful factor, potentially to be used against the new political order. It might even become threatening towards neighbours.⁴ Demilitarization and the creation of a new army is a logical outcome of these concerns and of the peace process. It has the additional advantage of making it possible to screen the new military forces so as to include only officers willing to cooperate with the new conditions and integrate with the former opponents. Involvement in war crimes is another obvious criterion for exclusion.

However, the experiences from Southern Africa do not suggest that there has always been complete demobilization (Ohlson 1998: 181). Most important may well be the possibility of reducing the threat to the other side. The formation of a unified army may be a protracted process. In some agreements, such as the one in El Salvador, an important FMLN demand was the elimination of certain officers or certain units in the regular army (in El Salvador this was called 'purification'). Also in this case, three police services were disbanded and a new force created (Canas and Dada 1999). This integration process proceeded surprisingly well. The more difficult problem has been what to do with the decommissioned officers and soldiers. When turning in their weapons they have sometimes been paid (which risks starting a local arms trade) or been given implements to start a new life (land, seeds and fertilizers, for instance, plus assistance in reintegrating into the villages or towns of

their origin). These approaches were used in Mozambique and El Salvador. Counter-reactions by decommissioned soldiers who have kept their weapons have become a problem in the aftermath of some peace agreements. The former soldiers have demanded jobs and payments or joined underground groups. It turns out, however, that this is a dilemma also in cases of victory. It is not only something facing a losing army, but also the victorious military force has to be reduced once the fighting is over. The problem of decommissioned soldiers reflects the availability of weapons, the breakdown in social fabric and the disturbed economy that any protracted war is likely to produce. Lately, donor attention has focused on these issues, termed DDR (disarmament, demobilization and the reintegration of ex-combatants). Recent studies point to the importance of the networks among former combatants for their ability to become engaged in military action again (Themnér 2013). A particular aspect is the fate of former child soldiers.

Security guarantees for leaders are a particular problem, arising as an important factor in the peace agreements in Southern Africa (Ohlson 1998). The leaders entering the accords find themselves in exposed situations. Those who see the outcome as a betrayal may turn against their leaders, who thus become vulnerable not only to revenge at the hands of their enemies, but also to assassination attempts by their (former) supporters. There are examples of leaders being killed during the peace process. This gives incentives for some leaders not to pursue demilitarization in full. There is a temptation to hide weapons or 'civilianize' units which, in practice, have paramilitary functions. A distinction between different types of weaponry probably would help sort out this problem. If larger, offensive and provocative weapons are banned and handed in, smaller and defensive ones might be allowed during a transition period, for a smaller unit geared to the protection of particularly controversial leaders. This, however, has to be a transitory phenomenon; otherwise, it becomes a privilege with a negative effect on popular acceptance of the agreement. Seen in this light, many of the peace agreements in civil wars have turned out to be more manageable than expected. They have seldom resulted in mass killings, contrary to some reports for earlier periods (Licklider 1995). The return of refugees is an indicator of this. There may be a larger problem in cases of clear-cut victories, where the losers are in immediate physical danger and have little political future.

An *international military presence*, in the form of a new generation of peacekeeping operations, can contribute both to demilitarization and leader security. The prime motive for peacekeeping, however, is a different one: to provide a measure of security to the process as such. It gives time for adjustment and for building confidence. The international presence leads to international attention which may assist in reducing the insecurities. Obviously, peacekeeping operations have more specific functions in the implementation of elements in the peace agreements, but that is a separate matter. In the peace agreements reported here, peacekeeping has typically been part of the transition from war to peace and then it has been withdrawn. This is logical, and also in line with the commitment that the international community makes. The goal is to return the primary parties to a 'normal' situation, where they have to work out their relations among themselves. Some agreements had no international troop presence at all (most obviously in South Africa).

There is a debate, however, as to the ability of the international peacekeepers to achieve their task. The mandates, for instance for UN troops, are often very limited, and the priority is often to protect the security of the force itself, rather than the peace process it is there to guard and promote. The mandates are set by the UN Security Council and it may have other concerns in mind than a particular crisis, notably the wellbeing of the national forces that are committed to the international force. There have also been complaints about the quality of the military training for some troops. Much of the credibility of the international presence rests on the ability of the peacekeepers to act effectively and quickly. Also, they are there to indicate the possibilities for additional support from the international community, i.e. to be a tripwire for further international support if necessary. In several instances since the end of the Cold War, this support has not been forthcoming. When challenged, the forces have instead been withdrawn. This was the case in the wars in the former Yugoslavia, where identified 'safe areas' could not be protected, and the same could be seen in the civil war in Syria, in the 2010s, where international demands for local cease-fires could not be enforced on the ground.

Most of the peace agreements contain some element of *power-sharing* or influence on the process, either before, during or after the implementation of the agreement. This aspect is primarily there to transcend some of the incompatibilities in the conflict, as we observed above. Power-sharing also contains a degree of physical protection for the leaders, as they are included in official institutions and thereby are to be protected by them. In such capacities, the leaders will find ways of protecting their followers. This is, from a security perspective, preferable to the suggestions that leaders keep their own security force. Its usefulness hinges on the normalization of society after the war. There is a risk that one part of the government apparatus will come to be controlled by one of the former fighting parties. A change in the composition of the cabinet would then have security implications for certain actors, for instance. It could lead to resistance and state institutions would turn into resources in a potential renewal of the civil war. Such a scenario unfolded in the civil war in Lebanon from 1975 to 1989. Again, a repetition could be seen in Iraq. Following the US withdrawal in 2010, Sunnis became fearful of the Shi'ite-dominated government and associated militias that did not provide for their protection. Some allied with ISIS; the US demanded an inclusive government that was installed following elections in 2014. It did not provide for confidence in the central government, but the government was still resourceful enough (with support from the West and Kurdish forces) to evict ISIS from the country by early 2018. The Colombia agreement includes reserved seats for FARC in the Congress for two terms; this could be regarded as a minimal form of power sharing, giving FARC a role in national legislation.

Finally, several agreements have wrestled with the issue of *amnesty*. Are those leaders, officers and soldiers who are responsible for atrocities during the war to be brought to trial or not? In civil wars which end as victories, the victor may use the legal system to prosecute the losers. This is a factor which may make the losers reluctant to accept an agreement. The security dilemma in this legal form may be a powerful incentive for a leader to fight on. In the end, capitulation may include

some form of amnesty as the losers' last demand. This means there is a high likelihood that a peace agreement will include protective clauses, often for all sides. This makes it possible for the fighting parties to conclude an agreement. For instance, in the peace plan for Central America that Costa Rica's president Oscar Arias proposed in 1987, and which was essential for ending the wars in this region, an amnesty was among the conditions given (Perez de Cuellar 1997: 402). This was immediately accepted at the time. It was complemented, however, with ideas about a national dialogue and reconciliation.

Ten years later, the issue of amnesty in civil wars is more complicated. As was mentioned in Section 6.2, in the peace treaty for Sierra Leone of July 1999, some of the perpetrators of war crimes during the civil war were granted amnesty. It was a condition for them signing. But there was no longer international acceptance of this and the counter-reaction was overwhelming. The war crime tribunals for the former Yugoslavia and Rwanda have made impunity less acceptable. The convention on an international permanent court on war crimes was concluded in Rome in 1998 and the court is now operational. For the fighting parties, amnesty may no longer be a convenient way out. Even if agreements are signed by the parties, international law may eventually overtake them. In 2005, key members of the Lord's Resistance Army in northern Uganda became the first to be indicted by the International Criminal Court (ICC). Previous negotiations have held out the chance of amnesty. As mediation did not end the war, the ICC issued its indictments, asking for international support in capturing the indicted. The conflict, however, continued unabated. At the same time there was evidence pointing to the durable effects of amnesty provisions (Melander 2009a; Wallensteen et al. 2012). There is a continued dilemma for negotiators: personal amnesty may be high on the wish list for some parties, but for others it will be regarded as an escape from justice.

Since the end of the Cold War there have been a number of innovative ways of dealing with the issue of human rights in the conditions of war, severe conflict and military government. This has important implications for the prevention of renewed war. It affects the security concerns of the fighting parties, and points to the emergence of new norms which make impunity less acceptable. The creation of truth commissions is one of these. There is experience with such commissions from many different conflicts (Hayner 2011; International Center for Transitional Justice 2005). Most of these relate to conflicts over power in society, i.e. civil wars and repressive governments. They are important elements in forging a society after a devastating experience. For the society to function, a process of healing and reconciliation is necessary. It runs counter to the demands of particular leaders. Interestingly, such commissions are rare in peace agreements for inter-state wars as well as for state formation conflicts.

It is important to note that many peace agreements in civil wars have provisions for human rights commissions, investigations into brutalities and war crimes. Such provisions may appear as a threat to some leaders, but in particular it gives a role to the civil society that exists beyond the fighting parties. These are instruments that can be used. There are examples of governments making unilateral amnesty decisions, thereby pre-empting later legal procedures. This difficult issue has led to

innovative solutions. One of the most celebrated ones was actually a political compromise, the Truth and Reconciliation Commission in South Africa. It has been heralded as a new model. It does provide amnesty for those who agree to have their cases processed through the Commission. The Commission was only a temporary measure, which meant that the process started immediately, not waiting for the new political situation to consolidate. Other forms, such as the Commission for Truth in El Salvador, have a broader mandate, but have also led to political counter-measures, where some persons were protected from prosecution by the government. This was only the first in a series of measures that prevented the implementation of recommendations on justice (Hampson 1996: 157; Cañas and Dada 1999).

The international war crimes tribunals now give particular emphasis to this issue. It is applicable to all three of the forms of armed conflict which we are dealing with in this book. The longest functioning tribunal for a civil war is that on the genocide in Rwanda. It is based in Arusha, Tanzania. The present Rwandan government is simultaneously pursuing its own legal processes and a process of local reconciliation, the *gacaca*. For former leaders, there may be a preference to go to Arusha, as the international tribunal does not hand out capital punishment. The tribunal is restricted to the events of one year, 1994, which means that only one part of the Rwandan conflict dynamic is captured, basically the genocide of that year (Johnson 1999: 193). There was a civil war before this tragedy and there remains a complex regional situation with huge numbers of refugees outside the borders of Rwanda. The impact of the *gacaca* can be debated. Psychologically, it means a retraumatization that may impede reconciliation (Brounéus 2008). The most prudent solution is a generally applicable, permanent international court for war crimes, i.e. the ICC.

These are five ways, reflected in peace agreements, of mitigating the immediate internal security dilemma. Thus, it was possible to enter into the agreements. But the agenda was often broader than this. As the agreements are recent, it is difficult to draw long-term conclusions. The hope was to transcend the classical security dilemma. We cannot say what the societies will look like ten or twenty years after the peace agreements. In some countries there has been a rise in public insecurity, with criminal violence more widespread than before (South Africa). There have also been political assassinations, often directed at former guerrillas (El Salvador) and against independent voices (Guatemala). This points to the dangerous period that follows an accord. It certainly is not the same as the war breaking out again, but it is also far from the peaceful conditions and expectations of development that sustained the peace processes.

A key question for the internal security dilemma in the long run is what happens to the armed services. The peace agreements expected that constitutional authority would grow by, for instance, enhancing the role of parliament. It would make the armed forces (police, military) subordinate to civilian authority. To restructure a military force would be necessary, but not easily done. A new armed force would need considerable training, and to find new ways for recruitment, implant a new understanding of the role of the armed forces in society and integrate human rights in the self-definition of these forces and in society as a whole. Such restructuring was initiated in El Salvador, Guatemala and South Africa. It means that the military

forces are to be separated from police functions. The rule of civilian leadership is taught to new generations. It is made clear that the army, air force and navy are to be used for external defence only. In the end, a professional army with a different ethos will be established. Part of this is, of course, that the armed forces are to operate professionally, and thus refuse to be involved in political projects of particular, unauthorized leaders. In Liberia and Sierra Leone there has been considerable international support for such efforts, entirely reconstructing the armed forces after the civil wars. In short, the propensity for military coups should be reduced. In fact, there have been few coups after the peace agreements listed in Table 6.1.

It is interesting to note that reforms of the military institutions could be part of an international preventive strategy. In development cooperation, security sector reform (SSR) has become a novel undertaking, unusual for foreign aid donors who have previously deliberately preferred to be civilian in their approach. By infusing professional values into the military establishments worldwide, the likelihood of military coups may gradually recede. Today it appears that such programmes are being undertaken, notably in the Philippines (learning from a long experience of martial law) and in some of the newly independent states in Central and Eastern Europe (as part of a Westernization of the military forces). Such programmes may meet more resistance in countries where the armed forces are strongly entrenched, and may be seen by many as the guarantors of the existing order and the cohesion of the state (Indonesia, Thailand and Turkey).

The solutions to incompatibilities indicated in this section are those that the parties have agreed on in serious negotiations and where implementation is under way. Thus, they are measures deemed by the parties to be necessary for ending a war. The agreements may have been difficult to reach and that could be a good sign that they are taken seriously. This has also been understood as an indication of their willingness to implement what is agreed. This cannot, however, always be taken for granted. In reality, there is a difficult period from the conclusion of an accord to its full implementation. This period is crucial for the creation of goodwill among the parties. Monitoring that implementation is therefore an important aspect of peace-building. A failure to pursue what is agreed was an element in the developments leading up to the Rwandan genocide in 1994. It also gave rise to the notion of spoilers and spoiler management (Prunier 1995; Stedman 1997, 1998). There are parties who see their interests threatened by a peace agreement, and who are willing to pursue their own agenda, even at a very high cost.

6.5 State Failure, State Reconstruction and Non-State Terrorism

In extreme but not infrequent cases, civil wars have resulted in the collapse of state institutions. In such a case, the legal system has broken down, extortion and murder have taken place with impunity, normal operations in society have ceased to function (from garbage collection to tax collection). This is a case of state failure. As was

observed in Section 6.3, peace agreements will then face entirely different challenges. Peacemaking will have to include state building or state reconstruction. Some such cases since the Cold War are Angola, Lebanon, Cambodia, Chad, Liberia, Sierra Leone, Tajikistan, the Democratic Republic of Congo, and most recently Libya, Mali and the Central African Republic. There are also cases where no such reconstruction took place, Somalia being the most notable case, but others include Afghanistan and Burundi. Rwanda may suggest an alternative route to state recreation after war: the victory of one faction then creating its own state machinery.

If we depart from the political science definition of the state as the sole authoritative user of physical violence (see Section 4.2), it might be reasonable to conclude that a state which cannot keep order throughout its territory, for all practical purposes, is a failed or, more diplomatically, a fragile state. Theoretically and practically, state failure, then, is separate from the phenomenon of civil war. It can take place without civil war, and there can be a civil war without a state failure. As we are concerned with situations after civil wars, state failure is one such possible outcome. It may not be the most frequent one, but one that is among the most difficult to repair. We have already concluded that if legal systems and institutions are intact, rehabilitation after war is more likely to succeed. This means that there is a special challenge to peacemaking if state institutions are no longer in place. Some lessons have been learned on the possibilities of recovery from state failure after civil war.

For a long time, Lebanon was seen as the archetype of a state failure. It is normally attributed to the onset of the civil war in 1975. In a rapid series of events, central state institutions ceased to function, the armed forces and the territory of the country were divided along the lines of the contestants. Prior to this, Lebanon had been held together through a delicate political balancing act. It was a permanent power-sharing arrangement. When this began to unravel, the constituent parts started to operate as separate actors. The integration was limited among the parties carrying the state. Add to this family ties, old alliances and enmities, ideological convictions and the involvement of actors with other agendas, e.g. Palestinian liberation organizations, Cold War intelligence agencies, Egypt, Syria, Israel, Iran, and the completeness of the fragmentation can be understood. What followed was a series of changing alliances, local power struggles, *de facto* self-ruling areas, and a proliferation of warlords. Lebanon became an arena for vicious bombings and for capturing, keeping and trading Western hostages. What was once a prosperous financial and entertainment centre was turned into ruins. After fifteen years of wars, a peace process gained momentum. The full extent of state failure can be understood from the fact that in the peace negotiations in Taif, Saudi Arabia, there were no representatives of the government as such. It was not a 'distinct actor' in the negotiations (Deeb and Deeb 1995: 126). Lebanon was recreated, through the passage of the peace treaty reforms in 1990. The state was again a functioning entity, but under heavy Syrian tutelage. After a decade, the state was once more performing basic internal functions. It had taken Lebanon fifteen years to reach a peace from which recovery could be initiated. The regional setting was not conducive to recovery either: initially, in getting Syria's troops out of the country; then conflicts with Israel over South Lebanon; thereafter, a strong militarized actor in the country (Hezbollah);

and more recently, a protracted civil war in neighbouring Syria. In spite of a massive influx of refugees, the political arrangements have remained in place. The reconstruction of Syria after its devastating civil war may have something to learn.

A slightly older case that has been seen as a success in recovery is Uganda. Its predicament rose from internal mismanagement. The regime of Idi Amin has to take the blame for the state's deteriorating conditions. Amin took power in a military coup in 1971, forced the entrepreneurial Asian population out of the country in the following year, and the country subsequently saw the economy sharply decline. He involved the country in a war with Tanzania (1978–79), only to find himself chased out of his own country by Tanzanian forces. The ensuing regime, under Milton Obote, did not improve matters. Inter-ethnic conflicts arose, and the state gradually lost all legitimacy. From this crisis emerged an entirely new leader and a new movement: Yoweri Museveni and his movement for reconstruction. In 1986 his troops conquered Kampala, the capital. An important element in his victory was the generous attitude of the victor. Museveni initiated a process of reintegrating opponents and competing movements into society. The first government was a broad-based coalition. With this there was political predictability. Economic recovery followed. The state failure lasted for about fifteen years. The reconstruction has gone on for an equally long time. The situation improved, but remained fragile, particularly at election time. In 2006 Museveni was elected for a third term as president, a fourth one in 2011, and again for a fifth one in 2016. In all these cases the electoral campaigns have been highly debateable. There is a reluctance to give up control. Democracy is still not entrenched.

This time frame for reconstruction in Uganda is parallel to that for Lebanon. The political management used for recovery is also similar. It is a version of a power-sharing scheme to include many factions of the society. The two experiences indicate the need for at least one strong actor interested in recovery. It could be an external, neighbouring power (Syria), or a victorious movement not tainted by the previous rivalries (Museveni). However, at some time there has to be a role for the rest of society, and that transition has been constantly delayed, not least with references to events involving the region as a whole.

These lessons are applicable to other cases, but also suggest the difficulties. Afghanistan had a chance of recovery after a protracted war, but its disunited leadership failed to grasp it. The withdrawal of the Soviet troops by February 15, 1989, did not result in the fall of the Soviet-supported communist regime as anticipated. The internationally supported Afghan coalition could not take power until 1992. The coalition furthermore remained divided. In 1996, a new force, the Taliban, supported by Pakistan, entered the scene and captured the capital, Kabul. Although it had, by 1999, taken control over most of the territory of Afghanistan, it was not internationally recognized. In 1999, UN sanctions were instituted on Afghanistan for its support of terrorism, as the country had become a refuge for Osama bin Laden and his al-Qaida network, which was responsible for attacks on the American embassies in Dar-es-Salaam, Tanzania, and Nairobi, Kenya, in 1998. American air strikes were directed against Afghanistan in 1998, and then, of course, for the attacks on September 11, 2001. The Taliban leadership refused to hand over Osama bin Laden and his followers made

the country a target for sanctions and war. The war resulted in the removal of the regime by the end of 2001, a broader government was installed, freer elections were carried out, but security rested on NATO, the USA and local warlords. After a few years, the Taliban managed to reassert itself, while the Western countries prepared to withdraw. The prospects of peace appeared bleak, the war spread over the country, but elections took place in 2014. The incumbent, Hamid Karsai, stepped down, respecting the term limits in the constitution. The government that followed was made up in a power-sharing agreement between the two leading contestants, where Ashraf Ghani became president. In a remarkable move he made a peace agreement with the armed group Hezb-i-Islami led by Gulbuddin Hekmatyar in September 2016. It was stronger and more active in the 1980s, but still the deal was seen as a model for talks with moderate elements of the Taliban.

The role of the international community is significant. It often looks for a movement of locals to take power and to whom it can extend its support. This is particularly true if these are local movements that have basic support in the society, and are not associated with the previous regime, the downfall of which led to the state failure. For the international actor this avoids direct interference, while still providing for a friendly government or at least reduced chaos. There have been many disappointments for such an international strategy over the years.

Civil wars resulting in state failure are clearly more difficult to handle through the usual mechanisms of conflict resolution. There have to be actors who are willing to break the cycle of violence. Too often it is likely that surrounding states will engage themselves in a particular civil war to pursue their own goals, and thus soon find themselves in new conflicts rather than in solutions. However, non-interference may not be an option either. Thus, the focus is turned on new groups, emerging from the local society, that can provide a chance for a break in the reproduction of conflict dynamics. We also can see that a recovery will not be possible unless the new social forces are able to include and incorporate elements of the old system. There is an intricate balance that has to be made between being revolutionary and maintaining continuity.

Not only neighbouring states but also non-state actors have taken advantage of the turmoil that is created by state fragility. This has been typical for the way organized crime has acted historically. In the post-Cold War period also, non-state actors using terrorist tactics have seen this possibility. Al-Qaida found its base in Afghanistan and later in Pakistan. The protracted civil war in Iraq has provided conditions that are close to state failure, and thus further new terrorist acts. This confirms the thesis that the breakdown in the state machinery may provide opportunities for rebellious groups using terror tactics. In the examples given, this has had unsettling conditions beyond the state.

There is still no global consensus on a definition of terrorism, but the one provided by the High-Level Panel on UN reform may suffice: 'any action ... that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such act ... is to intimidate a population, or compel a Government or an international organization to do or to abstain from doing any act' (High-Level Panel 2004: para. 164). An objection to this definition has been whether it applies under occupation, and hence, possibly, defines some forms of

resistance as terrorism. Still, there is consensus on the illegality of targeting civilians or non-combatants in most circumstances. The suggested definition would apply equally to actions by states and non-state actors. We will deal with international non-state actors more extensively in Chapter 12.

Let us conclude that civil war may result in state failure, which at the same time requires sustained efforts for recovery and can generate conditions for new armed conflicts and terrorism that will have an effect beyond the borders of that state. In other words, the peaceful solution to civil war is an international interest. This has gradually been understood since 1989, and increasingly so since 2001. The options may still be narrow, and so is often the understanding of the conditions under which peace can be constructed.

6.6 Civil Society in Internal Conflict Resolution

The endings of civil wars, military regimes and state failures have some common traits. They all require the reconstruction of societies on principles which are inclusive, provide some broader participation in state affairs, and offer a sense of security to leaders and citizens alike. The political arrangements are necessary also for solving the problem of refugees that all civil wars, military repression and state failures produce. They lay a foundation for economic recovery. They can be used to provide the rise of a new kleptocracy. From the point of view of future conflicts, most important is the opening they may provide for an active civil society.

Many peace agreements have clauses stipulating the unimpeded return of refugees. There is a record of people moving back to their countries and areas. Also, in cases of victory, refugees begin to re-enter their country of origin. However, the outcome of the war may make it difficult for many to return. They may fear for their own safety, or they may be blocked from returning by groups who believe their return would hamper a particular cause. In the Cambodian conflict, refugees were stranded on the borders of Thailand for more than a decade. Only with the peace agreement in Paris in 1991 and with international assistance was it possible for them to return. On their return they became part of the new political system, not only with the right to vote, but also to organize themselves as pressure groups. In the aftermath of the genocide in Rwanda in 1994, the Tutsi army took control of the country. Fearing revenge, huge numbers of Hutus fled across the borders to Zaire (now the Democratic Republic of Congo) and Tanzania. Particularly in Zaire, they ended up in camps controlled by Hutu militias. When a war erupted in eastern Zaire, these militias withdrew further west. Refugees, freed from militia control, were able to return in large numbers to Rwanda 30 months after they left. The fears of revenge were less than the plight of the camps. Reports showed that they rapidly reintegrated into society and the economy. Their role in the political life was minimal, however (Sollenberg and van Dassen 1998). Thus, the two examples illustrate the different positions of refugees. In the first example, the peace agreement allowed for their return as well as for an open political system. Measures were instituted to

ensure this and they were integrated into the society, although they had been outside the country for a considerable period of time. In the second case, there was no peace deal, only a victory by one of the parties. The refugees could return, but on the conditions set by the victors. To return was still preferable for most.

The issue of the return of refugees is important, as this signifies, more than many other actions, that the extreme conditions that gave rise to their flight have been remedied to some extent. As most of the cross-border refugees in the world stem from conflict situations, peace is also important for handling the world's refugee problem. Stipulations in peace agreements or the conditions offered by victorious parties are important, and deserve closer scrutiny. As the civil wars end with a reconstruction of the same political unit, the return of the refugees needs to be as unrestricted as possible. This separates the refugee situation in civil wars from those in state formation wars (which are dealt with in Chapter 7), where the purpose is often to remove some people from a particular area in favour of others. Unlike civil wars, when refugees are regarded as legitimate citizens of the society, state formation conflicts sometimes distinguish between those with a right to the territory and those who will not be given such a right.

The conditions created by peace agreements are also significant for economic recovery. Without the predictability that peace accords and democratization provide, large-scale investments are not likely to come. It will instead risk making societies dependent on international assistance. The agreements since the Cold War are still too recent for making observations on their ability to actually change the economic conditions. The experience from democratization in South America in the 1980s suggests that economic development became positive. These experiences also point in the direction of the significance of a more participatory democratic society, for the stability of the society. An active civil society, i.e. the existence of numerous independent (non-governmental), civilian-based organizations non-violently and freely pursuing civilian values on issues of societal significance, is important for sustaining democratic society (Putnam (1993) has termed this 'social capital'). Hence, voluntary organizations, professional associations, student movements, trade unions, religious groupings, clans, tribes, women's movements, environmental groups, etc., would be part of such an independent civil society. It can be debated whether political parties, military-based associations, exclusivist groupings and sects are to be included as part of 'civil' society. In sum, they may all be important for democratic life, and it is definitely a part of the picture of what makes established democracies vibrant. Civil society in this form has been instrumental in bringing down autocratic regimes, as witnessed repeatedly in Thailand since 1992, in Indonesia in 1998, in the Philippines and Yugoslavia in 2000, in Georgia in 2003, in Ukraine in 2004 and 2013–14, Pakistan in 2008, Tunisia and Egypt in 2011, and in the opening of the military regime in Burma/Myanmar since 2012. Civil society has emerged as a significant force, also in cases where it has not achieved the desired change, such as in Thailand in the 2010s or in Egypt following the coup of 2013.

This is to suggest that a strong civil society can be a barrier to military control. It probably assumes that the civil state is seen, by the civil society, as a protector of civil values. It has been remarked that there was no public support for the government

in the wake of the military takeover in Pakistan in October 1999. There were no celebrations of the coup either. The indifference of the population was remarkable. The ten-year experience of democratic rule in Pakistan did not seem to entrench institutions and did not result in general support for them. Instead, it appears that these institutions were identified with the political parties of the day and thus were part of a societal polarization. The disputes between leading civilian politicians were detached from the needs of the population. They were perceived as ways for leaders to gain access to governmental resources. The democratic system generated a kleptocracy, not popular participation. In 2008, the military government met the same critique and was brought down, being replaced by a democratic regime that was soon exposed to the same concerns. Legitimate democracy requires social forces to improve honesty and accountability.

The implementation of peace agreements gives a special role to civil society. As we saw in Section 6.3, human rights provisions have been important ingredients in the peace accords since 1989. Their implementation directly depends on the existence of a civil society. Governments may institute investigatory commissions and ombudsmen. However, it has to be the civil society that takes up violations and brings them to the attention of the institutions. For this to happen, the environment must be sufficiently secure. The stronger the civil society, the more such security is created. The government may, by its actions, reduce security and thus act to curtail the civil society. In the implementation period after a peace agreement, there may often be a preference for not taking up human rights issues. The consolidation of the peace is given priority. This attitude is strengthened if some of the chief culprits escape responsibility by the granting of an amnesty or pardon. As we have seen, this has been part of some agreements.

However, few peace agreements prohibit the publication of material on what has happened. Human rights commissions often have the mandate of describing violations that have taken place. Such documentations are crucial, as are their publication and dissemination. As peace is consolidated, there may emerge various ways in which court cases can be pursued. The arrest of the former Chilean dictator General Augusto Pinochet in London in 1998, as a court in Spain demanded his extradition, is suggestive. There may be ways in which cases can be brought without jeopardizing the particular peace agreement. The international arena provides such a possibility. Also, after the consolidation of peace, peace agreements may be reworked or made obsolete. As observed, with the international criminal court, it provides the possibility of trials outside the country, making it possible to manage peace and justice at the same time. It is more likely that a civil society will pursue matters of justice. Governments may find excuses and other interests may impinge on their ability to act. There is, however, also a point in holding such trials inside the state where crimes have been committed: it can make the proceedings more accessible and credible to the local community. Since 1989, the options for war crime prosecution have been dramatically enlarged.

One way for the increasingly significant role of women in internal and international affairs is through civil society. This has been a way in which women have had a real impact on peace making, through direct action on the negotiators (as happened

in Liberia in 2003; see Nilsson 2009), through being included in the negotiations (still all too rare) or through the international organizations (as exemplified by UN Security Council resolution 1325). As more data indicate the significance of gender equality for peace, this will be dealt with specifically in Chapter 13.

The international connections are increasingly important. The civil society of one country is often linked to those of other countries. The emerging international civil society provides new ways in which peace agreements, civilian control and state institutions can be sustained. First, it provides a network for early warning, if matters threaten to go in the wrong direction. The possibilities of instant communication mean that information can be transferred quickly. Thus, it may be difficult for actors to say that they 'did not know'. Second, it provides opportunities for quick action. There may be official visits which can be affected or used to raise particular civil concerns. There may be contracts which are about to be signed, and which can be blocked or postponed. Thus, it might be difficult for decision-makers to say that there 'was nothing that could be done'. International diplomatic conferences and meetings, to which issues can be brought, are constantly being held. These are only some examples of how the international civil society is increasingly able to affect the internal affairs of countries, in a direction that is favourable to peace, civilian control and functioning state institutions.

Recent experiences demonstrate the impact of the Internet and social media on the flow of information as well as the ability to mobilize a population. Together with strong local organizations, this gives civil society a possibility of effecting change that opens up society and at the same time may improve the quality of peacemaking. Democracy is a way in which a society can be governed so that all competing interests are given a chance. It is not an end in itself, but a way in which inevitably arising conflicts can be steered in constructive directions. For too many parties, it has taken a protracted war, a long period of military rule or the experience of state failure to realize this.

Further Readings

Go to the *Understanding Conflict Resolution* web page at <https://study.sagepub.com/wallensteen5e> for free access to the journal articles listed.

Recurrence of Civil War

There is an increasingly complex literature on the issue of recurrence of civil war. A good overview of the literature and the discussions is provided in:

Newman, E. and DeRouen, Jr., K. (eds) (2014) *The Routledge Handbook of Civil Wars*. New York and Abingdon: Routledge.

For an interesting way to investigate the dynamics of recurrence consult Walter, B.F. (2004) Does conflict beget conflict? Explaining recurring civil war, *Journal of Peace Research*, 41 (3): 371–88.

Peace after Civil War

The literature on the possibilities of peace after civil wars is more limited. Insightful ideas can be learned from particular cases, whether failed or successful.

For a number of case studies as well as thematic analysis on peacebuilding after civil war see Joshi, M. and Wallenstein, P. (eds) (2018) *Understanding Quality Peace: Peacebuilding after Civil War*. London: Routledge.

For more general understandings of peace agreements and their implementation, the presentation of the Peace Accords Matrix is a valuable tool. It is introduced in Joshi, M. and Darby, J. (2013) Introducing the Peace Accords Matrix (PAM): a database of comprehensive peace agreements and their implementation, 1989–2007, *Peacebuilding*, 1 (2): 256–74.

Notes

- 1 A note on the term 'civil war': in the United States, it is a common label for the war of 1861–65. However, that was not directly a war about control over the central government. Instead, it was a conflict over state formation, where the right to secede was central. In some parts of the USA, it is still referred to as the 'War between the States'.
- 2 Licklider reports seven conflicts that ended too close to the cut-off date, of which four were terminated through negotiations. Adding them would make 18 negotiated endings out of 91 civil wars, i.e. close to 20 per cent (Licklider 1995: 684). This confirms that peaceful endings have been more common since the end of the Cold War.
- 3 See: Peace Accords Matrix, Barometer Project, Kroc Institute, University of Notre Dame. <https://peaceaccords.nd.edu/barometer>
- 4 There are no examples of such threats to neighbours arising from peace agreements, however. In the cases of victories, there is evidence of such fear in neighbouring countries (meaning an inter-state security dilemma is created as a result of an intra-state victory).

7

CONFLICT RESOLUTION IN STATE FORMATION CONFLICTS

7.1 State Formation Conflicts

State formation conflicts pit a government against an identity-based, territorially focused opposition, where the key issue is the security of a particular group. Often such conflicts are tied to a geographical region of an existing state, but they may also involve questions of discrimination in the society at large. These conflicts are linked to some form of nationalism, and thus relate to European history of the nineteenth century, when nationalist ideologies were first presented. During the 1920s and the 1930s, the League of Nations sought to find strategies for handling nationalistically defined conflicts. The formulation of the principle of national self-determination by US President Woodrow Wilson during the First World War was one such measure favouring nationalist aspirations. At the same time, there was a need to consolidate newly created states and avoid further fragmentation. The territorial integrity of existing states was the counter-principle. The tension between these two concepts coloured much of the twentieth century.

Nazi Germany included a racial project of uniting all Germans into one state, thereby breaking up other states. It also wanted to develop hegemony based on German power and lineage. It resulted in the Second World War, the largest war ever fought on the planet. It also led to the Holocaust, primarily aimed at the Jews, wherever they were. This was the largest, most systematic killing of innocent people in history. The suffering and destruction were enormous. The lessons still have to be learned.

One conclusion was to make issues of ethnic homogeneity contentious. Exclusive nationalism was discredited. When international relations were reconstructed after the Second World War, it could be seen, for instance in the UN

CONFLICT RESOLUTION IN STATE FORMATION CONFLICTS

Charter, that territorial integrity was given a stronger role than self-determination. Expansionist intervention for nationalist reasons was not to be allowed, and thus fewer state formation conflicts were to be expected. At the same time, democracy and human rights were given a stronger position in international relations, manifested, for instance, in the Universal Declaration of Human Rights in 1948. This was meant to counter authoritarian regimes, but some nationalist aspirations had a popular following. Let us review the record of state formation conflicts during the Cold War, then proceed to the present era.

State Formation Conflicts during the Cold War

For four decades, from 1948 to 1989, the territorial dividing lines that were in place after the Second World War remained unchanged. The last changes to be internationally agreed or accepted were the divisions of India and Palestine into two states, both decided on in 1947. Following this, no new states which required the adjustment of borders were recognized during the Cold War. The demands for border revisions for national self-determination reasons that had plagued Europe and East Asia in the period between the world wars were no longer common, and certainly not legitimate. Still, a number of new states became independent. This took place through the agreed process of decolonization. It was a dramatic change in international relations, most clearly indicated in the change in membership of the United Nations. It went from around 50 members during its first years of existence to 170 as the Cold War ended. It was done almost entirely without border changes. A key aspect was that independence was granted within the borders drawn by the colonial powers. Even the creation of Bangladesh from Pakistan in 1971 took place within the lines from 1947. A remarkable stability was maintained at the same time as it allowed for change. This requires a closer analysis.

The arguments for maintaining the territorial integrity and political sovereignty of the existing states, as written into the UN Charter, Article 2.4, were supported by an unusual international consensus on the preservation of existing territorial units. This was a result of the lessons drawn from the actions of Nazi Germany, Fascist Italy and militaristic Japan. All major powers had been victims of the actions of one or several of these states. Furthermore, none of the five permanent members of the Security Council saw a benefit in supporting separatist movements in other countries. This could only complicate matters or even hit back at the major powers themselves. Hence, there was consensus in the Security Council on collective action against Iraq when it invaded Kuwait in 1990, as mentioned in Chapter 5.

The strongest supporter of non-interference and territorial integrity was the Soviet Union. It was also the country that had made the largest territorial gains as a result of the Second World War. These included the annexation of the Baltic states, the incorporation of territory which formerly was part of Eastern Poland and Germany, and taking over Bessarabia from Romania. The return of Soviet control often met with severe resistance, notably in Ukraine and Lithuania. The Soviet Union became a strong defender of the territorial status quo. Soviet concerns led to constant

actions to secure borders and political influence in Europe. The anti-colonial movements provided a potential dilemma and challenge as they argued in terms of self-determination. At the same time, these movements were anti-Western and anti-capitalist, thus being potential allies of the Soviet side in the Cold War. This made it necessary for the Soviet Union to support this principle. Soviet support for it, however, applied only to colonial situations. A distinction had to be made between state formation conflicts in Europe, which were not to be allowed, and those in other parts of the world. Other major powers were also interested in such a distinction.

The consensus among the major powers was to describe anti-colonial conflicts as a particular category of conflicts. The goal in the decolonization process was the creation of new states from the territories legally and militarily held by colonial powers. Thus, the issue was control over territory within what was, formally speaking, one state. Some colonial territories were highly integrated into the colonial 'motherland', even with representation in the National Assembly. This was true for Algeria and other French possessions in Africa, and it was the way the United Kingdom regarded Ireland, India and the dominions, for instance. Mostly, however, the legal status of colonial possessions made clear their subordinate position. The degree of integration was not comparable to those of territories closer to the centres. It was not too difficult to distinguish between what was a significant 'colony' and what was not. It also made it possible to distinguish between countries that did not have colonies and those that did. The United States and the Soviet Union put themselves in the first category; a host of European larger or smaller states were in the other. The USA could actually define itself as the first country to rebel against European colonialism; the Soviet Union argued that it was the first to break out of European capitalism through its Socialist revolution in 1917. Either way, the two dominant states of the time supported the decolonization process.

Decolonization conflicts constituted a sizable fraction of all conflicts during the Cold War period. They were located in the Middle East, South and Southeast Asia in the 1940s and 1950s, in North Africa in the 1950s, in sub-Saharan Africa in the 1960s and 1970s, in Pacific and Caribbean waters in the 1970s and 1980s. The momentum was strong and rolled irresistibly across the southern continents. There was also an important element of solidarity between the anti-colonial movements. With increasing success in achieving independence, they turned into a distinct and united force in international affairs. This was the origin of the Third World, a group which was independent and not aligned to either side in the Cold War. In particular, it became a strong coalition in international organizations building on the one-state-one-vote principle. Thus, decolonization profoundly changed international affairs.

It is important to observe that the nationalist movements for decolonization were often heterogeneous coalitions of ethnic groups, educated urban dwellers and visionary intellectuals. The focus was not on the rights of one particular ethnic group, but on the collectivity, united in a struggle against a dominant, mostly distant, white colonial power. Self-determination was a matter of removing one

form of control, more than taking control by a particular, determined ethnic group that expected to replace colonial domination with its own power. The liberation movements that pursued anti-colonial struggles were formed as fronts and coalitions. They built on an ability to unite different interests into one cause. This form of nationalism was therefore different from the exclusive and chauvinistic versions seen in the 1920s and 1930s. Furthermore, once the cause was achieved, the fronts often turned into one-party systems building state legitimacy on the anti-colonial struggle. In matters of territorial change, they became highly conservative adherents to the principle of territorial integrity of the state. Thus, they did not challenge the established territorial consensus, but instead joined it (Kacowicz 1994: 67). One of the few states that pursued a traditional nationalist agenda was Somalia, aiming at the creation of one state for all Somalis. The merger between the former Italian and British possessions was achieved in 1960, but the continuation of the programme involved the country in a war with Ethiopia and conflict with Kenya, for instance. Morocco had similar ambitions, taking over the Western Sahara from Spain in 1974, resulting in a protracted and still unsettled state formation conflict.

The decolonization era was seen as finished after the southern continents had been liberated from colonial domination. This verdict, of course, depends on the definition of colonialism. The one used to separate 'colonialism' from traditional occupation, annexation and conquest contains several elements. The distinguishing feature is that a metropolis exerts control over a territory populated by people of a different ethnic background, located at a considerable distance and geographically separated from the metropolis. Some settlement of the centre's population in the colony may also have taken place, creating an interest of a settler community. The most obvious differentiation between colonialism and traditional conquest, it has been said, is the saltwater between the metropolis and the periphery. With this definition, the colonization by Western and Southern European powers of the Americas, Africa, the Middle East and Asia, is a distinct phenomenon. Furthermore, it arose at a particular historical moment, often associated with victorious capitalism. These elements distinguish colonialism from the traditional military conquest of a neighbouring territory. However, only with such a definition is decolonization a finished process. If another form of colonization, such as traditional conquest, is included, it is not. Also, if other elements are included, such as economic dependence, colonialism and neocolonialism, it is still an important feature. Furthermore, the notion of self-determination was always wider than only colonial situations. In the 1920s, it was applied to adjacent territories in Central Europe. Thus, the colonial era may not have been finished as easily as is often argued.

There are, in fact, a number of definitional questions that make this a matter of general interest. For instance, was the issue of British control over Ireland to be seen as colonialism or a traditional conquest? It certainly took place before the phenomenon of colonialism was defined, but the different elements in the definition would apply, including colonial-type settlements. The Irish revolt and the creation of the Republic of Ireland preceded the international movement of decolonization, and was seldom seen to be part of it, but in essence aimed at the same goal.

Another case is the Soviet annexation of the three independent Baltic countries in 1940. The centre of Moscow was distant, control was ethnically separate and there were deliberate settlements of Russians in the areas. There was no saltwater between the metropolis and these areas, but would that change many of the consequences? Certainly, the Soviet Union voted in favour of the famous decolonization resolution in the Fifteenth UN General Assembly in 1960 (Resolution 1514) in the belief that it did not apply to its own situation. It could argue that the annexation had taken place after colonialism, was done under a banner of socialism, and that the Baltic states had become 'sovereign' units within one functioning union. During the Cold War, the charge of colonialism against the Soviet Union seldom received significant support internationally, but the term may still capture the experience of the local populations.

A similar challenge could be made to the United States where, for instance, Hawaii and Alaska became states with equal rights only the year before the UN resolution was passed. The two territories were defined not as colonial possessions, but as integral parts of the United States of America. They had freely entered into this association. Certainly, their accession to the union was done democratically. But in that case, it meant that democratic procedures could have more weight than decolonization. Actually, the second UN General Assembly resolution on this issue (Resolution 1541) did suggest types of decolonization other than independence. During the Cold War, however, independence was seen as basic decolonization and the experiences of Hawaii and Alaska were seldom part of the debate. It was, of course, feared that such arguments could be used by settler communities to block decolonization.

Challenges to the definition of colonialism are many and not only theoretical. The discussion may seem obsolete today, but some conflicts have their roots in how decolonization was also handled among the newly independent countries in the Third World. An early challenge was posed by Biafra, in the southeastern part of Nigeria, dominated by the Igbo community. It declared independence in 1967, following massacres of ethnic kin in other parts of Nigeria. This led to one of the most destructive wars in Africa. Some African states recognized Biafra on humanitarian grounds (e.g. Tanzania). Others feared that their own states could meet similar threats and supported the central government. Biafra was defeated in 1970. In the same year, East Pakistani leaders objected to the control of the country from the distant centres of West Pakistan. Military repression followed, a war resulted, India intervened, and by 1971 Bangladesh was created as a new state. West Pakistan acquiesced. After this, international recognition followed. This outcome said that if the metropolis accepts independence, so will the international community.

In the Helsinki Final Act of 1975, signed by all states directly party to or neutral in the Cold War, only the peacefully agreed changes of territory in Europe were accepted. The story of East Pakistan was not to repeat itself in Europe or anywhere else. This was a position strongly encountered by the Eritrean liberation movements which demanded independence from Ethiopia. They argued that their country was also a victim of colonialism, first under Italian rule, then under Ethiopian. This was

accepted neither by other African states nor by the larger international community of the time. The established view of colonialism made that clear. To other states, such wars threatened to invite fragmentation and weakened state authority. They were dangerous precedents. The consensus on the abolition of 'saltwater colonialism' did not extend to questioning established borders. Eritrea did not gain its independence until after the Cold War.

State Formation Conflicts after the Cold War

State formation conflicts after the Cold War have some features in common with those witnessed in the earlier era. They are often seen as justified anti-colonial and/or historical struggles for self-determination (the rebel perspective) or fights to preserve the territorial integrity of a state for the benefit of all its inhabitants (the government view). However, they have less simple solutions. The cutting of a formal link across distant waters is no longer an available option. The centres in today's states are not easily allowing the dissolution of their territories, as the colonial metropolises were willing and able to do after the Second World War. One reason is that the territorial cutting points are difficult to locate and that people are interspersed throughout the entire territory. Sometimes these are recent and deliberately created settler communities, such as the Jewish settlers in Palestine, particularly in the West Bank (and until 2005 also in Gaza); sometimes they go further back in history, as has been the case with Serbs in different parts of former Yugoslavia. Still, the number of new states has continued to grow. In thirty years, the UN membership increased to 193 (by 2018), that means adding more than 20 states since 1989. It is a rate of state creation that is comparable to the Cold War era. A new aspect is that new states are mostly found in Europe. This is the continent which already had the highest incidence of states in relation to its territory. The opposite effect of state formation, (re)unification of states, has also taken place (Germany, Yemen), but the net effect is still an increase in the number of states. In addition, there are presently about a dozen unrecognized de facto states (such as Northern Cyprus, Somaliland, Abkhazia and South Ossetia) as well as Taiwan, Western Sahara, Palestine and Kosovo, four countries to which a larger number of states have extended diplomatic recognition.

Still, these trends in state formation have been remarkably peaceful. Three-quarters of the new, recognized states were created without a major war, as was also true for the decolonization process. The ending of neither the Soviet Union nor Czechoslovakia required a major armed conflict. This, of course, was not the experience of the dissolution of socialist Yugoslavia. It is interesting to ask why the processes were so different.

The main reason can be found in the attitude of the centre of the state being dissolved. When Boris Yeltsin took over leadership in August 1991, it was on a platform of Russian independence from the Soviet Union. The centre, in other words, was in favour of dismantling its own empire. In Yeltsin's view, the Soviet state had deliberately discriminated against Russia in order to have the

cooperation of the other republics. It was claimed that Soviet authorities had invested more in the non-Russian areas. Russia's independence would be beneficial to Russia itself. Thus, there was no reason for Russia to object. Russian populations outside Russia would be in less danger if the demands for self-determination were met. In fact, Russia had an interest in speeding up the process. By the end of 1991, the Soviet Union had ceased to exist. In a similar way, the largely Czech leadership of Czechoslovakia did not object to Slovakia leaving the shared federation, and a peaceful separation was in effect from 1993. Although there were no water divides, the break-up could follow what used to be internal administrative lines, as was the case with decolonization.

In Yugoslavia, the story was different. The Serb leadership objected to the dissolution of the state and acted militarily to prevent it. It feared the consequences for a dispersed Serb population, but it was also a matter of self-interest. Following the demise of Soviet-style socialism, the regime built on exclusive nationalism to keep itself in power. The resulting inability to find an agreed formula for dissolution involved the area in four armed conflicts in less than ten years (i.e. in Slovenia in 1991, in Croatia in 1991–92 and 1995, in Bosnia-Herzegovina in 1992–95, and in Kosovo in 1998–99). The consequences of the wars for the Serb population were uniformly disastrous. The results were the creation of new states, a separated region turning into a state (Kosovo), a reconfiguration of the state into a federation between Serbia and Montenegro, and eventually also its dissolution (in 2006). The borderlines sometimes could follow previous administrative divides and sometimes (as in Bosnia) were new creations. Major population movements resulted, and the chances for people to return to their homes were low, also affecting the Serb populations.

The conclusion from these experiences is that a leadership that favours or accepts the dissolution of a state can accomplish a peaceful transfer of authority. It requires that it sees this to be in its own interest. Often, however, the self-interest is different. Thus, a leadership that is against such a policy, while meeting an equally determined opposition, is likely to face a protracted conflict. Both the government and opposition should have an interest in finding better solutions.

The post-Cold War period shows that there have been almost 100 armed state formation conflicts (Table 4.3). These have pitted an incumbent government against a regionally based, armed opposition demanding a radically different status for a particular territory. The demands have concerned autonomy, federalism, independence or joining a neighbouring state. Often they have followed a weakening of state authority, with groups demanding further autonomy (Chechen groups in Russia) or a return to centralization (the Sunni-based rebellions in post-Saddam Hussein Iraq were initially demanding a stronger centre, while Kurdish groups and many Shia Arabs wanted more power to the constituent part: with Shi'ite control over the centre, these patterns have now been reversed). The armed phase of some of these conflicts predated the end of the Cold War. This is the case, for instance, for Northern Ireland, the Basque provinces, the Kurdish disputes and the Palestinian conflict. The same can be said of conflicts over Namibia in Southern Africa, and several of the conflicts in India, Sri Lanka and Myanmar/Burma. Also in Southeast

Asia there are protracted conflicts, such as those over Mindanao (the Philippines) and East Timor (Indonesia). The examples show that most regions of the world have had some experience of state formation conflicts. They also indicate that those conflicts may become protracted. The ferocity of some conflicts has been extraordinary. This type of conflict war has long been regarded as marginal, part of an earlier era, and therefore not important. They did not fit the established paradigm of state formation conflicts. They had some features which made them different from anti-colonialism.

The actors appeared to be driven by sentiments of self-determination and anti-colonialism that were sharper than in many decolonization struggles during the Cold War. In particular, the close connection between political demands and certain ethnic identities was striking. The new political fronts and constellations were pursuing the causes for one ethnic group within a nationalist umbrella, rather than cutting across many identities in a multi-ethnic nationalist formation. They played on sentiments that were largely avoided in the anti-colonial struggles. It appeared that the new conflicts were neither new in terms of history, nor accepted the conclusions on the dangers of a nationalist war that had governed Cold War thinking. The notion of 'ethnic conflict' came to be associated with this type of conflict. This notion, furthermore, became synonymous with separatism and the quest for ethnically homogeneous states. All of this appeared to throw the world back to the pre-1939 era.

It is necessary to reiterate that most of the new state formation conflicts were located in Europe. This strongly affected a European self-understanding of having successfully left a dark time of chauvinist nationalism. Europe was not prepared to deal with this new reality. Africa, which often is understood as a continent of ethnic conflict, actually had fewer such conflicts.¹ In Africa, opponents seldom directly challenged established state units. Differences in regional, historical or cultural identities resulted in struggles over government rather than in the break-up of states. In the 2010s some such locally based movements also made transnational linkages, notably the Boko Haram movement in Nigeria and the al-Shabaab in Somalia, that both joined ISIS. These alliances, however, may have been more ones of convenience or probably of less practical effect. The same was also true for the Middle East, where the Kurdish drive for independence was the only one following historically and linguistically determined lines. The Palestinian situation is, for instance, not a quest for the break-up of an existing Arab state, but has features of an anti-colonial struggle. Thus, it is possible for Arab countries to support the Palestinian cause for self-determination and statehood at the same time as they oppose Kurdish desires for such goals. However, the announcement by ISIS in 2014 that it was now the new caliphate challenging the borders on (Sunni) Islamic grounds and as colonial constructions drew some appeal. It made other Islamic groups join in the struggle (e.g. groups in Afghanistan, Yemen, Egypt and Libya, in addition to groups in Africa). It also challenged established interests and hence encountered a strong counter-coalition, resulting in its military defeat and a loss of major territorial control by early 2018.

The state formation conflicts of the post-Cold War era often involved neighbour states. This was novel, as states previously avoided entangling themselves, at least openly, in state formation conflicts in neighbouring countries. There used to be little official sympathy for separatist movements. In the post-Cold War period, such inhibitions have declined and neighbours have been heavily engaged in what goes on beyond their borders. Furthermore, in the Cold War era, there was a measure of solidarity across regions and even continents, between different liberation movements. The anti-colonial ambition united them. In the present epoch, this is not the case. Each struggle is separate from others. Each nationalist struggle sees itself as, in principle, unique, and only a few generalizations are made, e.g. if the same ethnic group is involved in several different struggles, or if the opponent is the same. The search for international allies builds on allegiances that can be exploited, rather than on a sentiment of being part of the same global cause. In addition, the major powers normally stayed out of nationalist or 'ethnic' conflicts. This makes the events in Ukraine since 2014 remarkable. Russia's President Putin began to talk about the plight of Russians outside the country and also acted accordingly, when taking control over Crimea in March 2014, ultimately annexing the area into the Russian Federation. Russia also encouraged local separatists in eastern Ukraine, resulting in a de facto division of the country. This way of acting broke a Russian (and Soviet) policy since the end of the Second World War. Putin was now quoted to have said in a speech already in 2005 that what had happened with the dissolution of the Soviet Union was a 'major geopolitical disaster of the century. As for the Russian nation, it became a genuine drama. Tens of millions of our co-citizens and co-patriots found themselves outside Russian territory'.² As is clear from Putin's speech it was largely an analysis of the economic hardship that followed for Russia in the 1990s. In the 2010s, however, the statement has been seen in a different light. It may now be being used to predict Russian action also in the Caucasus or, potentially, in the Baltics. Other major powers had, until this point, largely refrained from supporting particular ethnic aspirations.

The state formation conflicts confronting the international community after the Cold War have some features which are different from the colonial experience. This has had an impact on their solution. Decolonization struggles ended in the withdrawal of the metropolis. This ending has not been available in conflicts without obvious geographical features that separate the opponents. Other dividing lines have been resorted to, with mixed success. Often, solutions have to be found within the confines of a shared territory. This may seem difficult, but a remarkable phenomenon is that such conflicts have found solutions through negotiations. Let us turn to these.

Peace Agreements in the Post-Cold War Era

There are 19 countries that have seen peace agreements on territorial issues after the Cold War, all agreed by the parties and with some lasting impact. They are listed in Table 7.1.

The settlements in Table 7.1 are testimony to the possibility of finding solutions to conflicts which have a long history, and where the understanding of that history is seldom shared among the parties. Different, if not contradictory, historical narratives are integral to the conflicts. Thus, the peace agreements are part of a shift in historical relationships. That is also often the way they are understood by the parties themselves. This historical dimension is something that sets state formation conflicts apart. They often concern peoples that live close to each other. They are aware and informed of each other. In most of the conflicts there is evidence of close neighbourly cooperation. There are also accounts of intimidation and repression. These are narratives passed from one generation to the next, thereby solidifying themselves as stereotypes of the other side. The ambivalence of neighbourly cooperation and tension may be a factor that makes these conflicts particularly volatile. It is easier to mobilize action along these dimensions than others. This has given rise to the notion of an 'ethnic security dilemma', as a conflict-driving force (Kaufman 1996; Kaufmann 1996; Melander 1999). On the local level, minority groups will be insecure *vis-a-vis* a dominant group, and from this tension, militant action can begin, sometimes quickly accelerating conflict dynamics. For instance, if violence takes place against members of one group, this can (correctly or not) be attributed to the other group as a whole. That group in turn will take action to prepare its own defence, which then – to the first group – confirms expected hostile intentions and justifies pre-emptive action. Such dynamics have been reported from some, but not all, conflicts in Bosnia-Herzegovina (Melander 1999).

The **ethnic security dilemma** operates on a local level, making it exploitable by leaders. This is parallel to the internal security dilemma described in Sections 6.2 and 6.4, as well as the inter-state situation for which it was originally developed (Chapter 5). Peacemaking in state formation conflicts faces problems which are manifestly different from those encountered in other types of conflict. To these problems belongs the return of refugees to their original homes, from which they may have been forced out and replaced by others. Comparing Tables 6.1 and 7.1, we can also note that the agreements on state formation conflicts more frequently appear to solve the problem, rather than leading to a process of renewed conflict and settlement. These agreements are fewer, less frequently challenged and thus not reworked. This illustrates some of the differences between internal conflicts over government and those concerning territory. The former deal with constitutions and political arrangements that are likely to change, also under 'normal' circumstances. The solutions to territorial issues, however, are more permanent: a border is drawn, a federal structure is created, thus changing the conditions for future politics in a way that is more difficult to change once again. There is an irreversibility to such agreements. The agreements, in other words, may not only be fewer, and more difficult to reach, but may also involve more lasting changes that are visible on a geographical map. The exceptions are the protracted settlement process over Palestine and over Mindanao in the Philippines. Different courses can be seen there throughout the 2010s with almost no direct talks in the former case, while the other one saw a set of agreements (Box 7.1).

Table 7.1 Peace agreements in state formation conflicts since the end of the Cold War

<i>Conflict location</i>	<i>Years of agreement</i>	<i>No. of agreements</i>
Angola (Cabinda)	2006	1
Bangladesh (Chittagong Hill Tracts)	1997	1
Bosnia-Herzegovina (Croat)	1994	1
Bosnia-Herzegovina (Serb Republic)	1995	1
Comoros (Anjuan)	2000, 2001, 2003	3
Croatia (Serb)	1995	1
Georgia (Abkhazia)	1994	1
India (Bodoland)	1993	1
India (Tripura)	1993	1
Indonesia (Aceh)	2002, 2005	2
Indonesia (East Timor) ^a	1999	1
Israel (Palestine)	1993, 1994, 1995, 1997, 1998, 1999, 2007	8
Mali (Azawad)	1991, 1992, 2015	3
Moldova (Dniestr)	1997	1
Myanmar (Karen)	2015	1
Niger (Air, Azawad)	1994, 1995	2
PNG (Bougainville)	1991, 1994, 2001	3
Philippines (Mindanao)	1996, 2001, 2012, 2013, 2014,	11
Senegal (Casamance)	2004	1
Sudan (Abyei)	2011	1
UK (Northern Ireland)	1998	1
Yugoslavia (Kosovo) ^b	1999	1
Yugoslavia (Slovenia)	1991	1

^aThis agreement was concluded by other actors, formally seen as an inter-state agreement between Portugal and Indonesia, but implemented by warring parties. Thus, it is included in Table 7.1.

^bDifferent agreements signed by different parties, conflict terminated 1999.

Note: Peace agreements in armed conflicts concerning the control over territory in a state, active in the period 1989–2016. The table includes treaties that have been signed, regulate (resolve or find a process for the solution of) the incompatibility, have been concluded between the warring parties, and ends armed conflict behaviour. Cease-fire agreements are not included. The parties are listed in English alphabetical order.

Source: Uppsala Conflict Data Program Conflict Encyclopedia; Table 4.2 in this book; Högbladh (2006).

The record shows that close to one-quarter of the conflicts of this type have reached an agreed settlement or an agreement on a process to such a settlement, as

seen in Table 4.3. This is of particular interest, as victories are less common. For the same period, there are only a handful of situations where one side has clearly defeated the other, forcing, for instance, its withdrawal, capitulation or surrendering of demands on the disputed territory. Among the victories are, in effect, Slovenia's and Croatia's exits from Yugoslavia, although involving negotiations and agreements as well (1991, 1992), Eritrea winning Ethiopia's acceptance of its independence (agreed in 1993), India's subjugation of the Khalistan independence movements in Punjab (by 1993), Yemen's victory over South Yemen's attempt at secession (in 1994, but the civil war since 2015 is partly a recurrence), and Sri Lanka's victory over the Tamil Tigers (LTTE) (in 2009). These few examples show that victory is not easily achieved. Commitment is strong on the opposite sides of the divides. Some of the victories include the mass-eviction of the members of the losing side (most notably the eviction of Serbs from Krajina, Croatia, in 1995).

Several of the peace agreements in Table 7.1 are linked to the decolonization process, and as a consequence to the United Nations: Palestine and East Timor. Before 1989, there were also such agreements for Namibia and Western Sahara. With the exception of Israel/Palestine, the security dilemma has stemmed from distant control, not from the direct influence of locals over locals. This is true for Namibia's independence as well as for the agreement on the Western Sahara. The Palestinian struggle has been seen in that light, as has the East Timor conflict. The internationalized disputes over the status of some of these territories emanated from them being mandates by the League of Nations (Namibia, then known as Southwest Africa, a former German colony; and Palestine), and thus legally a concern for the UN as the successor. South Africa and Britain held these mandates. The Western Sahara was a colonial territory under Spain; East Timor was under Portugal. Both colonial powers gave up control in 1975. Morocco then took control over the Western Sahara, its neighbour to the South, and Indonesia occupied East Timor, as it already held West Timor. These actions were resisted by local movements and gave rise to considerable international opposition. Through the deliberate settlement of people, local ethnic security dilemmas were created. This has been most obvious in the case of Palestine, with an eviction of the former inhabitants, a massive settlement of Jewish immigrants, and following the outcome of the war in 1967, Jewish settlements also in the West Bank and Gaza (until Israel's unilateral withdrawal in 2005). In these areas, a particularly strong escalation could be observed during the First Intifada (1987–93) and even more so during the Second Intifada (approximately 2000–06), two major uprisings of Palestinians. These issues continue to be of international concern.

The UN played an important role in the search for solutions for Namibia, the Western Sahara and East Timor. The conflict over Namibia was the first to come to a generally accepted ending. The Western Sahara is to have a referendum, but the composition of the electorate has not yet been determined. Morocco has managed to prevent the process from moving forward. East Timor became an independent country, Timor Leste, in 2002. This was the will expressed by the overwhelming majority in the referendum of August 1999, leading to carnage by Indonesia-supported militias.

It gave rise to a UN peacekeeping operation, first by Australia, to protect the agreed outcome. In the Palestinian issue, the UN has mostly been on the sidelines. Particularly since the Camp David agreements in 1978–79 between Egypt and Israel, the United States has been the leading outside actor for a settlement. However, we can still conclude that in conflicts relating to decolonization, as defined in the Cold War era, the UN is likely to have a particular role.

Sometimes UN-led processes takes special forms, including that leading actors were not party to agreements. The key actors were sufficiently informed and accepted what was agreed, but did not sign documents. This is true for Namibia, where SWAPO – the leading liberation movement for Namibia – was not a signatory, and for East Timor, where the agreement was concluded between Indonesia and Portugal, as the former colonial power. In both cases, the UN was party to negotiations and implementation. It is not likely to be of great consequence, as these very actors were heavily involved in the following implementations, and were treated as legitimate parties.

It is also important to note that several settlements were reached without the input of the international community (Mali, Niger and the Chittagong Hill Tracts). The issues were seen by the governments as internal affairs. This view was accepted internationally. For a long time, Britain resisted international participation in the settlement of the conflict in Northern Ireland, but eventually an arrangement was found involving the Republic of Ireland as well as the United States. It is still managed outside any international or regional organization. Similarly, Indonesia did not want to see the situation in Aceh as parallel to that of East Timor, and thus did not involve the UN as a third party. Instead, a group led by the former President of Finland, Martti Ahtisaari, brokered a deal in Helsinki and its implementation was supervised by EU observers. The great tsunami disaster of December 26, 2004, leading to the demise of almost a quarter of a million people on Sumatra, contributed to galvanize the interest in a settlement. For the conflict in Chechnya, for which a cease-fire agreement was found in 1996, to be overturned by 1999, Russia refused to have any international participation. It is likely to be difficult for international organizations to get involved if this is resisted by a major power that also happens to be party to the conflict. As we can see, however, even small or weak states may prefer to deal with state formation conflicts on their own, and they may succeed in finding an agreement.

In contrast, the conflicts over Yugoslavia and the settlements agreed to in 1994 and 1995 all became highly internationalized, most typically exemplified by the Dayton agreement in 1995, where the US was heavily involved in the solution. The same is true for the war in Kosovo in 1999 where there was considerable negotiation, again with an important US role. This continued in the events resulting in the unilateral declaration of independence in 2008, that was opposed by Serbia and Russia. The European Union, the Organization for Security and Cooperation in Europe (OSCE), the UN, NATO and a number of NGOs were heavily engaged in the search for solutions. Although it is generally true that solutions to state formation conflicts attract considerable international interest, this does not automatically lead to international involvement in the settlement process. In the Balkan conflicts, governments

and oppositions alike appealed for international support and thereby succeeded in internationalizing the conflicts. This led to isolation of one party, Yugoslavia under Slobodan Milosevic. Only after his resignation in 2000 was this dynamic ended. Still there is no agreement by Serbia to Kosovo's independence, although the *de facto* situation is acknowledged. The support of Russia remains, even blocking a UN resolution in 2015 describing the events of Srebrenica in Bosnia twenty-years earlier as 'genocide'.

These outcomes do not suggest that there is now international consensus in support of national self-determination for state sovereignty as a way of solving the ethnic security dilemma. The international actors were unwilling to endorse this principle for the settlement of the conflict in Kosovo. However, there may no longer be as firm a consensus on the ways of settling state formation conflicts. The decolonization principle is still applied in some instances. The notion of prior recognition by the previous centre can be used in others. The democratic principle – namely to accept what the majority of the population in a particular territory favours – has been applied in some instances. But there are contradictions. Bosnia-Herzegovina was recognized as a sovereign state although there was no prior recognition from the previous unit, Yugoslavia. East Timor, the Western Sahara and South Sudan were given the right to vote on independence in 2011, but why would this not apply to Kosovo or to Chechnya?

In Section 7.2, we discuss the possibility of finding solutions to identity conflicts which do not directly involve a territorial issue. In Section 7.3, the different forms of territorial divisions within existing states are presented, particularly autonomy and federalism. Section 7.4 discusses possible solutions in conjunction with international integration, and Section 7.5 reflects on state formation conflicts and democracy.

7.2 Identity Discrimination and Conflict Resolution

It is often assumed that, at the heart of intra-state conflicts over territory, there is experience of discrimination. Groups and peoples who will not have their rights respected by the governmental authorities, according to their own understanding of what such rights should include, are likely to become dissatisfied and this gives rise to action. This way of understanding ethnic conflicts is an application of the social frustration model presented in Section 3.3. A fuller explanation would rest on all the models given in Chapter 3. The argument would then be reformulated in the following way. There are certain basic needs that are not met. These may not necessarily be just material, but also immaterial, e.g. cultural. Often, in reality, there is a close connection between these two. For instance, if a person cannot use his or her own language to pursue a particular grievance with official authorities, that person is at a distinct disadvantage against those who command it, and thus more likely not to receive a fair share of, say, social services or business deals. Repeated experiences of such differentiated treatment may lead some in the identity group to mobilize for

action. Thus, a leadership emerges and the options are calculated according to the rationality of the resulting movement. Actions are initiated, the conflict escalates, and after a while a state finds itself in an increasingly complicated conflict situation.

What are the needs that could give rise to such a dramatic escalation? They are not obvious from the outset. There are some 6,700 languages in the world. Many are rapidly disappearing. Some argue that only with a state is it possible to protect languages and therefore linguistic nationalism has become a feature in analysis. People's identity is sometimes strongly connected to language. The linguistic differences may be small, as is the case between Croatian, Serbian and Bosnian, but they may be sufficient for locating a significant element in an identity profile. However, it should be clear from the outset that language is not the typical factor that makes one state different from another. There are a great number of states that share the same language, although differently spoken. English is the official language of a number of states, as is French, Spanish, Portuguese, Russian, Arabic and Chinese. A number of languages are strongly related, making it possible to understand spoken idioms across borders. This is the case among the Nordic countries and between India and Pakistan (Hindi/Urdu). Also, there are states that manage well with two (Finland), four (Switzerland) or more than 20 official languages (India). The close connection between state and language is therefore not as strong as might first be thought. Although nationalism often invokes history and language, conflict formation and the quest for a state probably has more complicated origins. Societies are clearly able to accommodate considerable language diversity, and states can survive with other states using the same language.

There are other identity carriers that might result in violence-prone discrimination. Among those are access to education, right of worship, discrimination built on race, gender, sexual orientation, legal discrimination, economic discrimination, oppression by police or military forces dominated by other groups, lack of access to public administration, lack of political representation and human rights, difficulty to cross borders, etc. In short, many of the matters mentioned in the Universal Declaration of Human Rights from 1948 and the Convention on Human Rights from 1966 are potential elements in the escalation of conflict. Most likely, none of these, alone, would give a full explanation. In a given state, there may be groups discriminated against for different reasons which find a sufficiently common cause to combine in support of a particular movement, whether this movement is in power or a challenger. Any society is likely to react early and search for appropriate measures. This means that an escalation is not necessarily driven by the movements pressing the anti-discriminatory demands, but by the government's reactions to those demands. If the reactions go in the predicted direction, i.e. repressive, dismissive or intolerant, it is likely that an opposition movement will gain strength. If that attitude, furthermore, is one of using violent repression, legal harassment and special sanctions, the chance of escalation is likely to increase. Thus, the most appropriate early-warning indicators would be the government response to identity-based demands.

There are many options for governments, and only some result in an escalation of conflict. Early action for accommodation would have the greatest chance of

channelling such demands into constructive societal development. A responsive government has to consider demands from many groups and, in a resource-scarce society, this dilemma will be more difficult to handle. Table 7.2 presents some of the ways in which such demands are dealt with in responsive societies. These solutions can be reached with the help of the seven ways of conflict resolution given in Section 3.5. They particularly aim at finding compromises and horse-trading between competing demands arising from discrimination.

To remove discrimination for one group may affect the rights of other groups; simply replacing the rights of one group with the rights of another is no solution. It perpetuates discrimination. Measures therefore have to transcend discrimination in ways where the reconciliation of opposing demands is seen to be of interest to all groups as well as a general concern for the state. Legitimate principles have to be found. There has to be a commitment to review the actions after a time with a chance of revision. The procedures for instituting solutions are important. Imposition, even of reasonable propositions, will not do. Imposition may, sooner or later, be seen as violation in itself.

Practical applications of the solutions in Table 7.2 can be found all over the world. They are attempts to handle difficult conflicts. Issues can be resolved in ways which are satisfactory to the involved parties. On the whole, there are two basic strategies used. One is inclusive and integrative, trying to make all groups work within the same unified system. It requires particular care so that all concerns are met, the approach is understood by all involved and it finds a practical application that functions in daily life. Another approach is more exclusive and decentralized. Special arrangements are made for particular groups. The overall framework remains the same, but some individuals are treated positively differently from others in order to remedy past grievances and create an equal platform for the future. Each of these strategies can be evaluated, with respect to its short- and long-term impact on society.

Table 7.2 Solutions to non-territorial, identity-driven conflicts

<i>Incompatibility</i>	<i>Solution</i>
Acceptance of language	Several official and administrative languages Shared 'superlanguage', a lingua franca
Access to educational system	Several parallel systems of equal quality Recruitment quota for unified system
Application of religion, morals	Freedom of religion Secular state, separated from religion
Legal system	Shared legal system, with certain allowances Separate legal system for defined groups
Economic inferiority	Positive action for specified period of time Earmarked resources for regions or sectors

(Continued)

Table 7.2

<i>Incompatibility</i>	<i>Solution</i>
Access to natural resources (land, water, subsurface)	National law with specified conditions Local administration of natural resources
Population movements (migration, refugees)	Protection for indigenous settlement Rights of return Significance of documentation
Access to police, armed forces	Recruitment quota for unified system High admission requirements Training in human rights Transparent procedures for redressing issues Disbanding of questionable forces
Access to administration	Recruitment quota for unified system High admission requirements
Oversight of implementation	Independent ombudsmen International review
Political representation	Minority rights, minimum representation Electoral system with equal access
Constitution	Human and minority rights Guarantee against rapid constitutional change
Human rights	Human rights for all, positive action for some
International transparency	Review of implementation International access accepted

The solutions have normally not been instituted as preventive measures in order to avoid future conflict. Rather, they are the result of considerable thought and struggle, particularly by the groups that have a strong grievance against the way society functions at a particular moment in time. Issues of discrimination have given rise to considerable internal conflict the world over. Much conflict action has been non-armed and has affected government policies, without resulting in civil wars. A model-forming experience was the civil rights movement in the United States in the 1960s. The demands by the African-American population changed politics locally and nationally. It also changed the reality for all segments of the population and was pursued largely with non-violent means. The Nobel Peace Prize was given to a prominent leader, Martin Luther King, Jr. The creativity of this movement led to an interest in non-violent methods. The systematization of such methods made the experiences useful in other contexts, injecting new thinking for other struggles (Sharp 1973; Chenoweth and Lewis 2013).

However, violence was also part of the picture. Sometimes it was spontaneous and badly organized, but nevertheless highly destructive, as in the riots that followed the assassination of Dr King in 1968. At other times it was more deliberate, and regarded

as a necessary defence, as advocated by the Black Panther Party. This resulted in gunfights with police units as well as between members of the movement. It was seen as a necessary, revolutionary, way for changing society. It increased the pressure on the government and threatened to turn the issue into a civil war. Severe discrimination, in other words, could lead to the types of conflict we discussed in Chapter 6. In the US case, however, it seldom translated into a demand for secession. This is worth exploring further.

It takes two to conflict. Hence, we have to observe that discrimination in a society affects most groups in a particular state. Some are favoured and others are discriminated against. Thus, there are vested interests in discriminatory practices, which make it possible to maintain such policies over a long period of time. Regimes desiring to keep power may exploit ethnic divides for their own advantage, as was witnessed in the Milosevic reign in Yugoslavia (1987–2000). Such regimes are likely to be repressive and manipulative in order for a leading group to retain advantage. They may be ruthless when meeting resistance. They can play different groups against each other. Some can be invited to join the government, others can be severely harassed. Thus, opposition will be diluted and divided. It is difficult to organize opposition under such circumstances. It requires strategies that focus on particular matters and an ability to pursue them with vigour and creativity. Only then is it likely that governments will become interested in solutions. Sometimes they will implement reforms which are genuine; many times they will remain as window dressing. Achieving an end to discrimination requires an understanding of how power is exerted in a society, and whether that power structure is affected by measures such as those listed in Table 7.2. Ending discrimination, in other words, is not only a matter of possessing the right instruments, but also of applying them in the right ways.

Matters may develop differently if there is a significant, regional concentration of a particular group. It may provide a closer-knit experience of discrimination. It makes resistance easier. It may also invite more repression, as the incumbent power realizes this potential. This, furthermore, makes the fate of the area more important for those who are outside this territory. Regional concentration of discriminated groups may provide for an escalation. If, in that region, there are also members of other groups, which in fact benefit from the policies, an additional element is added. The conflict over Kosovo illustrates this.

In the Kosovo conflict, a key Albanian demand was access to education in the Albanian language. The actions instituted by the Serb authorities in 1989–90 in Kosovo meant a reduced, public role for Albanians. Instead the Serb language gained in significance, even to the point where street signs were changed. Instead of Albanian street names on the top, Serb names were given that position. This signified a loss of control for Albanians in running their own affairs in Kosovo, at the same time as they could see the Serb inhabitants getting better access. Street signs were daily reminders of a new society. From the Serb point of view, however, this was simply redressing the previous situation, when Albanians had dominated. Thus, the educational issue became a symbol of what the conflict was all about: self-rule, but for whom?

The Albanians were the majority in the province, Serbs argued that Kosovo was part of the Republic of Serbia (the largest unit in the Federal Republic of Yugoslavia, as the country was called at the time), and thus Serbs were in the majority. After Kosovo lost its autonomy, the Kosovo Albanian leadership refused to cooperate with the Serb and Yugoslav authorities, as this would imply recognition of their legitimacy. The non-violent methods were supported, but in late 1997 armed groups began to appear. By 1999 there was full-fledged war in the country, including NATO bombardments all over Yugoslavia. This resulted in an international administration, the armed groups were reconstituted as a force under civilian control, but relations between the remaining Serbs and the Albanian majority remained tense. Kosovo's independence in 2008 has not yet changed this, although recent EU connections may.

From this history, we can conclude that the issues of discrimination can be closely linked to political and territorial control. Tight connections between issues, such as those listed in Table 7.2, are likely to escalate a situation into a state formation conflict. This, furthermore, would be particularly strong if some of the issues concern territorial control. The discriminatory experience provides the frustration, the territorial concentration, the shared community, the boundaries, the majority-minority relationship, and if the territory is close to an international border, it provides access to weapons, finances and international assistance (Cornell 2002).

These arguments find support in work by Ted R. Gurr (1993, 2017) which shows that the removal of autonomy has been strongly associated with the onset of a higher level of armed conflict within a decade. Probably, the loss of control is in itself the most distinguishing experience a political unit can suffer, if it is done without the consent of the governed. In the Kosovo case, there was no consultation and it was done with intentions that were threatening to the majority population in the area. That questions of discrimination were important in the conflicts can be seen from a cursory review of the peace agreements in Table 7.1. It is possible to find strong identity groups as governmental, and particularly as opposition actors. All these cases concerned areas where the population had a shared experience of losing territorial control, recently or in historical times. This provides an element of self-righteousness that can sustain a political battle. The forms of discrimination may vary. It can be based on race, as in the case of Namibia. Negative memories went back to German colonization. It can be based on religion, as in the case of Mindanao, an area with a large Muslim population finding itself subject to discrimination from a Christian majority in the Philippines. Again, this dates back to the Spanish colonial conquest. It can be based on economic opportunities, as was the way the civil rights movement began in the late 1960s in Northern Ireland (housing was a first key issue).

Also, in the cases of state formation conflicts resulting in victories, we find similar experiences. Eritrea was initially defined as an equal partner in union with Ethiopia, but was relegated to a province by the Ethiopian government in 1962. Tamils continue to point to their exclusion from political life in Sri Lanka, perhaps made even more severe after the defeat of the Tamil Tigers (LTTE) in 2009. In this, as in many other cases, there are alternative movements; something to be dealt with in

Section 7.5. Since the fall of Saddam Hussein the Iraqi Shi'ite population has reasserted itself, pointing to its experience of religious discrimination as well as political exclusion. In this case, instead, violent opposition has stemmed from the previous powerholders, i.e. secular or Sunni Arabs fearing discrimination in the future.

Discrimination issues have importance in their own right. They can be addressed in political life, either as challenges to the existing state (state formation conflicts) or against government policies (making them into conflicts over government, i.e. intra-state conflicts). When connected to territorial control, they are likely to be more entrenched and difficult to settle. In other words, not all questions of discrimination lead to armed conflict and challenges to the state. Those that do, however, will require particular efforts to identify solutions. Thus, we are moved to study the ways in which solutions can be found to the territorial security dilemmas of the state formation conflicts. This we will do in the following sections.

7.3 Autonomy and Federalism: Territorial Solutions within a State

Discrimination was an essential motive for the opposition in the conflicts listed in Table 7.1. It is given as a cause for action. Of course, there can be other motives, and indeed, whether such a grievance results in armed conflict depends on a host of other conditions. There is no straight line between the depth of a grievance and the onset or continuation of an armed conflict. Still, the reasoning in Section 7.2 leads to the conclusion that the territorial control question is essential. The ethnic security dilemma takes on a territorial dimension that needs to be handled. A state with more than one identity group formed on the basis of a territorial dimension will have to give thought to possible solutions. The following overview exemplifies remedies, using the seven mechanisms of conflict resolution identified in Section 3.5.

The first way points to the possibility of *reducing the significance of the territorial dimension*. This means that the parties, and particularly the opposition, will find that it would benefit from regarding the conflict as one purely of discrimination, equal opportunity, improved legislation, etc. This would mean reverting the conflict to the questions dealt with in Section 7.2. As we can assume that this already has been on the minds of the leaders, or indeed has even been an earlier phase of the conflict, this shift is less probable. Once a territorial demand has been raised, it is difficult to remove it from the agenda. Even if the original instigator gives it up, others may well follow. If it has come to a sustained armed conflict, this is even more unlikely. It is more possible that the demands for independence can be scaled back and that autonomy, for instance, can be acceptable as a final or interim solution. Nevertheless, there are interesting examples of policy shifts. One is the redefinition of the aims of the PKK for the Kurdish cause in Turkey. In a statement to his followers while imprisoned, the leader of the organization, Abdullâh Öcalan, argued that the struggle was no longer about a separate Kurdistan. Violent rebellion was thus to end (Kinzer 1999). The new approach was supposed to transform the struggle from a territorial issue to one of

participation in the existing Turkish state. The armed conflict continued, but in 2012 negotiations began with the Kurdish party in the parliament, and in 2014 it became legal to discuss peace also with the PKK. The approach to the Kurdish issue was as a non-territorial issue. Positions had changed and it appeared to be opening the road to a peaceful settlement. However, the story has been different as setbacks followed, and after the attempted military coup in July 2016 the Turkish government retreated to its earlier position. In fact it escalated the war, to the point of invading the territories held by Kurdish groups in Syria after their military victories over ISIS. A historical opportunity may have been lost.

A second form that was mentioned is to find *ways in which territory can be divided* within the state's present confines. To some, this is seen as partition. An important issue is the impenetrability of the borders. Another is whether it leads to further division. This is where autonomy and federalism come in. Table 7.3 suggests all forms of internal and international partition to provide as complete a picture as possible. The basic idea is that an area and its inhabitants are given a degree of self-rule of their own affairs. This means that it affects not only the territory, but also the functions that this entity is going to handle. There can be various ways in which such functions can be divided as well.

The first five solutions in Table 7.3 are located within the existing state; the last three assume sovereignty and international recognition of the outcome. Also an autonomy arrangement can be internationalized if there are strong international guarantees. Federalism, furthermore, can provide the right to secede to the constituent units, giving them powerful levers against the central government. Independence can be restricted and conditional, as is the case with two of the options in Table 7.3. The agreement on independence may include the right for guaranteeing powers to intervene or even to keep forces in an independent country. It may actually be asked if an autonomy arrangement sometimes gives more self-rule than a sovereign state would have, if particular restrictions were applied. Notions such as 'confederalism' are diffuse and find themselves somewhere between federalism and independence. In reality, the authority provided for the constituent units is decisive, not the labels.

Table 7.3 Territorial solutions to state formation conflicts (with examples from cases mentioned in the text and in Table 7.1)

<i>Status of unit</i>	<i>Characteristics of self-rule</i>	<i>Examples</i>
Self-administration	Devolution of powers from the centre to local, communal or provincial levels	Niger, Mali
Autonomy	Given from the centre and subject to policy changes of the centre; exists in weaker or stronger forms	Mindanao
Autonomy	Given or guaranteed by outside actors, thus not subject only to the policy of the centre, but to international developments	Åland, South Tyrol, Northern Ireland
Federalism	Created for many units, uniform constitution, central government composed of the constituent units	India, Switzerland

<i>Status of unit</i>	<i>Characteristics of self-rule</i>	<i>Examples</i>
Federalism	Created for a few units, with equal rights	Bosnia-Herzegovina (two forms)
Independence	Created with international guarantees, close monitoring	Cyprus, 1960-63
Independence	Done without formal guarantees, but with integration in a regional framework	Within the EU?
Independence	No restrictions except adherence to regular international conventions	Eritrea

Note: The distinctions in this table concern territorial control. Each form could contain a range of self-rule authority over particular issues, for instance, taxation, policing, international representation, external security, etc.

Among the agreements in Table 7.1, decentralization was a chief element in two solutions in the 1990s (Niger, Mali). Various forms of autonomy were instituted, temporarily or permanently, in a number of cases (Palestine, as an interim arrangement, the Chittagong Hill Tracts, Aceh and Mindanao as more permanent institutions). In some instances, the population has been given a choice between 'independence' and 'integration'. In the Western Sahara, this is to be the subject of a referendum that is still being awaited due to disagreement on who should be in the electorate. East Timor in August 1999 had such a choice and the population overwhelmingly voted for independence. In Bougainville, such a vote is promised to take place in 2019. South Sudan's referendum on independence in January 2011 led to a new state.

Box 7.1 The Mindanao (Philippines) Peace Agreement of 2014 Conflict and Conflict Resolution Analysis according to Figure 3.3

<i>Armed Conflict</i>	<i>Since 1978</i>
Parties	Philippine Government (GPH) v MILF.
Incompatibility	Control over territory in Mindanao, including basic issues such as access to ancestral land. MILF secession demand. Christian-Muslim continuum.
Military Action	Protracted guerilla war. Repeated military offensives by the Government.
Possible compatibilities	Democratic form of government, devolution of powers.
Constructive Action	MILF drops secession demand. Invitation to negotiations, developing shared framework in 2012. Negotiations in Kuala Lumpur, Malaysia with Malaysian facilitation.
<i>Conflict Resolution</i>	<i>Comprehensive Agreement on Bangsamoro, March 27, 2014</i>
Start of implementation	Much requiring national legislation, law to be passed by 2016.
Primary Parties	GPH, MILF
Supportive Parties	Neighbouring countries, e.g. Malaysia and International Contact Group.

(Continued)

Box 7.1

Conflict Resolution	Comprehensive Agreement on Bangsamoro, March 27, 2014
Agreement reached	Local plebiscite, Congress legislation (not passed).
Main Points	Autonomous area Bangsamoro, territory specified, land issues, disarmament.
Shared Institutions	GPH-MILF overseeing implementation. Autonomy institutions to be set up.
Implementation Record, by 2018	De facto adhered to.
Assessment 2018	Respected but with repeated violations. Basic Law not passed by Congress by 2018. First woman chief negotiator to sign a peace treaty. Many provisions included support for women participation.

Sources: Websites of UCDP, Uppsala University www.ucdp.uu.se and Peace Accords Matrix, <https://peaceaccords.nd.edu>, downloaded on March 23, 2018.

One of the most elaborate peace agreements involving autonomy has been the Bangsamoro agreement of the Philippines. Its main features are described in Box 7.1. The issue has a long history, but since the early 1980s the MILF (Moro Islamic Liberation Front) was the leading rebel organization fighting the national government, and doing so not only on the basis of local grievances in Mindanao but also on an explicit Islamic platform. Many attempts at solutions through negotiations were attempted and only in 2014 was there a settlement, negotiated between the representatives of the Philippine Government (GPH) led by Professor Miriam Coronel Ferer and those of the MILF, with Malaysia acting as a go-between. The agreement provides for a detailed arrangement reassuring self-rule for the population of specified areas. The law on this was submitted to the Philippine Congress but was not passed under the incumbent Aquino government. It remains on the table, however. The succeeding President, Rodrigo Duterte, is committed to the law, but also wants to make the Philippines into a federal state, and the peace agreement would then have to fit within that framework.

It is noteworthy that there is only one case of a federal solution after a war. This was the status given to Bosnia-Herzegovina in the Dayton Agreement of 1995. The new state of Bosnia-Herzegovina has a presidency (three presidents, one from each community), a two-unit federation, where one is actually another federation (the Federation of Bosnia-Herzegovina and the Serb Republic), and where the units were maintaining separate armies. The state-wide federal level has been difficult to implement. So has the unit-level federation, concluded between the Bosniak (Bosnian Muslims) and Croat leaderships a year before the Dayton Agreement.

For post-Saddam Hussein Iraq, federalism was seen as the only viable solution to reduce the power of Sunnis. For the Kurds and Shi'ites it provided a guarantee for their identities. But it had other disputes with a territorial dimension: which areas should be part of which federated unit and where should multi-ethnic and oil-rich

Kirkuk belong? The rise and demise of ISIS in 2014–2018 may have underscored the urgency of finding solutions along federal lines, but also made them more difficult as the chances of consensus were eroded. Indeed, the premature Kurdish referendum for independence in 2017 further complicated the situation.

The solution to Northern Ireland, found in the Belfast Agreement signed on Good Friday 1998, can be seen in this light. It gives considerable autonomy to the province, and it maintains the territory in the United Kingdom for the time being. It is a unique solution as it provides a functioning autonomous unit, which actually can switch its allegiance to the Republic of Ireland, while retaining its self-rule arrangement. The agreement also makes a connection between the North and the South of Ireland, and institutes a new regional council for the British Isles. There is a federal-like order developing for the United Kingdom as a whole, but the Belfast solution is more complex, as it combines different elements in Table 7.3 in a creative way (for its implementation, see Knox 2018). The British referendum resulting in a majority for ending the EU membership also affects this situation (Brexit), as the open border within the Irish island was a central element in the autonomy solution.

There are objections to such territorial solutions. It has been argued that autonomy may, in fact, result in an area being ruled by illegal and criminal groups. This charge was levied in Russia against the solution for Chechnya in 1996. The bombings of apartment buildings in Moscow in 1999 were explained in this way, and thus it undermined the credibility of the arrangement in the eyes of the centre. Instead of instituting democracy and working for economic development, it is possible that various armed groups could take control, exploiting the fact that there would be no interference of a legitimate superior authority. There has also been the opposite charge, that the autonomies often become too dependent on the policies of the centre. The centre may choose to abolish the special status of a particular territory. This would serve to undermine the credibility of the solution in that particular area. For instance, Eritrean movements claimed that an autonomous status within Ethiopia was no longer acceptable as Ethiopia had abolished the self-rule the area had in the 1950s.

A third way is the issue of *horse-trading*. In this context, it would refer to the possibility of agreements on exchanges. Such exchanges, only some of which can be part of a treaty, may occur in state formation conflicts through a process where a people changes identity, and there are population exchanges across internal borders and exchanges of territories. None of these is attractive following the experiences of the Second World War. In the post-Cold War era, however, they have returned as possible options, although their legitimacy is low, as they run counter to principles of human rights and conflict resolution. The three forms can be illustrated in the following way.

The first refers to a process of integration into the society of previously marginalized groups. This is assimilation, meaning that these groups take on the traits of the dominant side. It is possible, as a long-term result, but it is difficult to see assimilation resulting from an agreement. In reality, assimilation is the strategy a victor prefers to use towards the conquered. In a less harsh form, however, there could be stipulations in an agreement as to the rights of the populations on opposite sides of internal frontiers.

The exchange of populations has sometimes been agreed in international treaties, hence being part of a state creation process. Between Turkey and Greece, there are examples of agreed population exchanges. In the 1920s, a total of more than half a million people were forcibly moved, either from Greece to Turkey (more than 350,000) or from Turkey to Greece (more than 190,000) (Ekstrand 1944). Some see this as an achievement and a contribution to a reduction in hostility. However, tensions have remained between the peoples and the states. The experiences of being forced to move (by the other side, under international supervision, notably) served to fuel the conflict, not dampen it. There are writers who regard such a population transfer, humanely done, as a way of solving the problem of minorities on one side of a border being loyal to a majority living on the other side (Bell-Fialkoff 1996).

The third approach would mean that one side holds a territory the other one wants, e.g. as a result of a recent war. It would be returned in exchange for concessions on other issues. Such horse-trading is probably not legitimate today, except in the immediate aftermath of a war, and then relating to military arrangements rather than population resettlements.

The fourth and fifth mechanisms for solving territorial conflicts within states point to the possibilities of *providing access to government*. This can take place on the local or national level. It means that solutions may be found, without resorting to territorial divisions. Examples are powersharing arrangements and coalition governments (Sisk 1996; Jarstad 2001). The Belfast Agreement created a government for Northern Ireland composed according to the strength of the parties in elections. The minority was assured its seats. Sinn Féin, seen to be close to the Provisional IRA, was thus seated, and has since then exerted influence on developments in the area. Similarly, the Dayton Agreement includes an ethnically defined composition of leading bodies in Bosnia-Herzegovina. In federal arrangements, it is customary that one of two chambers in a federal parliament provides over-representation for certain areas. A federal arrangement gives more influence on state affairs to a particular group through such representation than does autonomy. This suggests the need for a national government for the period of transition.

The sixth model for conflict resolution would mean that a territorial issue is settled through resorting to *conflict resolution mechanisms*. Some such decisions have been made, but only with respect to territorially limited disputes. The status of the town of Brčko was decided through a process of arbitration (making the city a unit directly under the State of Bosnia-Herzegovina, not belonging to either the Federation or the Republic), as the last remaining issue in the Dayton negotiations on peace in Bosnia-Herzegovina in 1995.

On the seventh way, *postponing issues or the creation of timetables*, we can note that, although territorial issues are at the heart of state formation disputes, there are certain issues that tend to come last. As just mentioned, this was the case with Brčko. It was known in advance that this would be a strategically important decision. By keeping it as the last agenda item, negotiators may have believed that it would recede in importance. A solution could then be found, particularly as the alternative would be to jeopardize the entire agreement. As it turned out, the parties were close

to doing just that. The resort to arbitration became the last possibility. As a form of brinkmanship this is a high-risk game that could easily go wrong.

A central question in the Israeli-Palestinian negotiations concerns the status of Jerusalem, which both Israel and Palestine are committed to as the capital in their state. It was left to last in previous negotiations, e.g. in Camp David in 1978. In the Oslo process, it was again defined as belonging to the final status issues. There was a limit to how long this issue could be postponed however, and when a solution was presented, in July 2000, it may have been too late. It involved elements of what we have suggested above on the division of functional influence, sovereignty and guarantees. This was still not enough. Too many other matters have not worked out according to expectation, leaving little confidence for settling this issue. Leaving important matters to last, it turns out, may be counter-productive. But so is the opposite strategy, of solving the most difficult issues first. Difficult questions have to be tackled when confidence and momentum are at their highest.

Judging from the record since the Cold War, autonomy solutions have been of increasing interest. From Table 7.1, it can be surmised that it is one element, albeit under different names, in at least ten agreements. It has also been an important proposal in the search for solutions in some other cases, e.g. for Nagorno-Karabakh within Azerbaijan, Jafna and adjacent areas in Sri Lanka, and Basque and Catalan areas in Spain. It was proposed for Corsica in France. The strength of the autonomy solution is its ability to provide a tailor-made solution for a particular problem. It meets simultaneously the interests of self-determination of a people and the interest of the centre to keep the state together, thereby upholding its territorial integrity. From the point of view of the centre, this is important as it perceives a danger of other units also demanding self-rule. In its worst-case scenario, there is a threat of the break-up of the entire state. Thus, a special arrangement can be defended as a particular measure which does not set a precedent for others. The history of the conflict may assist to provide such arguments. For the territorial unit itself, autonomy creates a direct link to the centre of state authority, hence according it a status no other unit has. Furthermore, if this linkage is sufficiently strong, it may provide the guarantees of self-rule and security that the inhabitants of the unit require (Nordquist 1998). However, mistrust is likely to be high. After all, there has been a war. There are often pertinent questions about the return of people of other identities to which the centre will give priority. Thus, solutions may not always be found only between the centre and the region. It may involve international actors, acting as guarantors. Regional arrangements, the UN or particular states can take this role, although there are not many examples in this period.

The interest in autonomy solutions may have other origins as well. For the opposition, it may be the first step towards independence. This is the way East Timor resistance movements saw autonomy, for instance. It would be a way of building up an administration, shaping a functioning economy, and forming a police system of its own. It would make the option between autonomy and independence a real choice. This plan was pre-empted by the Indonesian authorities however, who in January 1999 gave the same choice to the East Timorese, without first acquainting the population with the practical experiences of self-rule. As it appeared to be a final

offer and the only chance, the choice was easy for these movements. They had to take the chance for independence. The outcome of the internationally observed referendum in August 1999 was predictable. The violence that followed showed that the Indonesian government might not have fully understood the local political situation. It also underestimated the will of the international community to intervene after it saw the overwhelming support for independence.

The experience of East Timor may make central authorities in multi-ethnic societies less inclined to vie for autonomy solutions. In the 2005 solution to the conflict in Aceh, the independence option was also ruled out by the liberation movement, the GAM, no doubt under the impact of the tsunami disaster. This made an agreement possible. This has been underscored by the Kosovo crisis of 1999, where international action created a *de facto* independent unit, but for nine years maintained that it was part of Serbia. However, by declaring independence, Kosovo ended this fiction. Similarly, the self-government afforded to Palestinian-ruled areas of the West Bank and Gaza is seen as a prelude to independence.³

Under such circumstances, autonomy becomes a first step to independence, not a final settlement. However, this is not true for all the solutions. There is no expectation that Northern Ireland will become independent, but it could very well become an autonomous part of the Republic of Ireland. Independence is not likely to come to Mindanao and the Chittagong Hill Tracts. In the agreements in Sudan and Papua New Guinea, a vote would determine the fate of South Sudan (as it did in 2011) and of Bougainville (to be held in 2019). An idea is that this gives the central authorities an incentive to please these regions so as to keep them inside the present state. It remains to be understood what separates the self-rule situations from those where autonomy is but a stepping-stone. Most of the functioning autonomies have not seen ethnic cleansing on their territories or considerable refugee flows, as was the case with Palestine, Bosnia, Chechnya, East Timor and Kosovo. It is also interesting to ask if autonomy is more likely to gain local support under a stable democratic centre. This is true for each of the first four cases mentioned, whereas the last four have been exposed to semi-democratic or dictatorial regimes (the former Yugoslavia, Russia, Indonesia and post-1995 Yugoslavia). This might suggest that Sudan will become another case of secession (which is what happened), while Papua New Guinea might not (the referendum in 2019 will determine this). Democratic government provides for more transparency and predictability. With such experiences, less extreme measures may be sought. This argument would, interestingly enough, apply also to the Palestinian case. No one can refute the democratic strength of Israel. It is, however, an exclusive democracy, not willing to accommodate a large Palestinian population. In this case, a separate-state solution is the only viable one.

The federal solutions are theoretically attractive but obviously not frequent in the settlement of state formation conflicts. Bednar (2009) lists 26 federations for the period 1990–2000 and, at most, two can be seen as solutions to conflicts between parties that became units of the federation. Tanzania was formed to integrate Tanganyika and Zanzibar in 1974 in a peculiar coup episode. This leaves the Bosnia-Herzegovina federation as an exceptional case and its future is still in question. The Dayton Accords from 1995, ending the three years of war in Bosnia, included an

elaborate constitutional structure, with one central government and a federation parallel to an autonomous republic (the Bosnian Serb Republic). It builds on legal symmetry, in which each unit is on the same organizational level. It was argued in the Dayton negotiations that constituent units of the United States, for instance, use terms such as 'Commonwealth' and 'Republic', but are still legally on the same level (Holbrooke 1999: 131). This might not be the chief obstacle for the functioning of the solution, however.

Federal solutions involve a division of territory. In a federation with a strong central structure, such lines are less important, but the weaker the centre, and thus the stronger the constituent units, the more important are the territorial arrangements. According to accounts from the Dayton negotiations, considerable time and energy were expended at drawing boundaries. This is remarkable as they were supposed to be internal lines in a central state. The significance of the border issue suggests that the parties were not really contemplating the creation of a strong unitary state. The formula agreed to beforehand of a territorial division of 51 per cent for the Federation (i.e. the Bosniak and Croat areas) and 49 per cent for the Republic (the Serb areas) was guiding the procedure. The maps were continuously adapted so as to arrive at this formula. Matters of constitutions and elections were dealt with more easily than the one of territory. It is illustrative that the final agreement, concluded in the morning of the last day of negotiations, was on a territorial question, the *Brčko* district (Holbrooke 1999: 302–9). Clearly, the negotiators expected the borderlines to be as important as between separate states. The borders were going to be 'hard', not 'soft' as inside a state, where the same sovereignty extends on both sides of the border. The implementation has had to face this problem, trying to 'soften' the borders by finding agreements on border crossings, common institutions and a common currency. The survival of the state may depend on the success of such measures. What was created at Dayton was not a 'normal' federal state.

It is not surprising therefore that the Bosnia-Herzegovina federation has been marred by problems. But these do not only stem from the sharp boundary cutting across the country, or even the existence of hostile armies. The main problem is that the solution has little foundation in the minds of the population, even among the leaders. The Bosnian Serb population would still prefer to be united with Serbia, something that was explicitly excluded in the Dayton Accords. Croats would still prefer to be with Croatia. The carriers of the State of Bosnia-Herzegovina are the Bosniaks, and they are not the majority. The international support the central government receives is crucial for the federation. It means that independence is severely circumscribed with respect to international relations and as to what state leaders can do inside their state. The commander of the international peacekeeping operations and the Office of High Representative (OHR), appointed by the international community, are the sources of real authority.

Federal solutions may still be of interest, but more as preventive measures than solutions after a war. This form of solution requires an arrangement for the full state, as its idea is that there are many units balancing each other, but also reflecting diversity in the country. Thus, a two-unit federation is at the bare minimum and may in fact lose a significant element of its contribution to conflict resolution, or actually

become a de facto autonomy solution (Zanzibar is highly separated from Tanzania). Although there are only four languages in Switzerland, the units in the federation are many times this number. Also, territorial conflicts may not be of concern to all areas in a given state. It is problematic to extend federal rights to areas which have not asked for them, but have been given them as part of a solution to a problem in another part of that state. In the case of Bosnia-Herzegovina, the Dayton Accords were drawing up a constitution for a new country. In post-Saddam Hussein Iraq a federal state is being constructed by two of the largest communities, together representing a dominant majority: the Kurds and the Shi'ites. The opposition comes from Sunni Arabs and worries are expressed by some smaller ethnic communities, in all around one-fifth of the population. This is a risky experiment that is being carried out as a constitutional process in the midst of a terrorist civil war. Federalism may appear intellectually and technically feasible. However, a common result of studies of the durability of federations is that they require a 'federal consensus' (Duchacek 1977: 13; Bednar 2009: 216). A war rarely creates such a consensus and, indeed, federal solutions have not normally emerged as solutions between the opposing sides in a state formation war.⁴

Thus far, the territorial solutions negotiated since the end of the Cold War using autonomy or federation have not failed. Some are still in an early phase of implementation (Bosnia-Herzegovina, Northern Ireland), others are in place but under review (Mindanao, the Chittagong Hill Tracts), and still others are seen as first steps (Palestine) and are therefore only to be judged with respect to that. We have also observed some of the difficulties, e.g. it seems hard to find a balancing point that can uphold autonomy. It is a compromise between independence and integration. It has strong intellectual appeal, but may be difficult to manage in situations of stark conflict. It might function under conditions where peoples of different identities live intermingled, where there is no experience of ethnic cleansing and where the centre is democratic. Also, we can observe that federal solutions are few and face severe difficulties in recreating an identity-divided state. The Dayton Accords attempt to do this, and so far have been upheld through the Bosniak community and a strong international presence. To this should be added findings which suggest that federations that also decentralize military forces may face quicker and more devastating wars, if an armed conflict were to break out (Regan and Wallenstein 2013). In the case of Iraq, for instance, locally operating well-armed militias constitute a problem, something compounded by the threat from ISIS in 2014 and its defeat (in Iraq) by 2018, as much of the fighting was done by Kurdish and local forces, not only the regular Iraqi army.

7.4 Independence with or without Integration

When parties are involved in war, the original goal is to win or prevent the opponent from winning. In conflicts over territory within one state, the end result should be obvious. Either the existing state wins, order is restored and no changes

of international borders are made, or the existing state loses, new states are born and borders are changed. There are victories that also fit into these two outcomes since the Cold War. Slovenia, Croatia and Eritrea all attribute their independence to military victories; the movement for an independent Khalistan for Sikhs was routed by Indian forces targeting the leadership. Coercion is not necessarily the only way to independence, however. It is noteworthy that negotiated solutions do not rule out the possibility of independence, as can be understood from Table 7.1. Independence would solve the ethnic security dilemma by creating borders between the opposing parties, thereby alleviating the tensions of being in the same state and ending competition for the same recourses. As independence is an option, we need to ask what the experiences are in achieving independence in an armed conflict without victory.

Independence was an alternative for Namibia, as agreed before 1989, as well as East Timor. That is also what the majority chose. It remains a likely option for both the Western Sahara and Palestine. The way the Bosnian conflict is defined in Table 7.1 assumes that Bosnia-Herzegovina was an independent country from 1992. However, as the Federal Republic of Yugoslavia did not extend recognition with diplomatic relations, there remained an uncertainty in the minds of the Bosnian leadership. The Dayton Accords reaffirmed the independence of the country. A different outcome to the war may have resulted in a division of Bosnia between Serb and Croat forces with linkages to Belgrade and Zagreb. Diplomatic and military actions blocked such outcomes. Bosnia's independence was secured through a military stalemate. These examples show that independence can also be achieved in armed conflicts without a complete military victory.

For the many stalemated and ongoing armed conflicts this may be an important lesson. It means that governments may not necessarily fear entering into talks. It does not necessarily lead only to secession. The opposition may not fear that talks will automatically rule out independence, if that is its preferred alternative. Are there situations in which independence may be the preferred alternative for both sides in a conflict? This can be answered by asking how it was possible for a centre to agree to the dissolution of 'its' state. There are three possible answers. The first is whether there is a solution that reduces the impact of granting independence by finding a regional framework for integration. The second is that this depends on the self-understanding of the centre, something that was mentioned in Section 7.1. A third response is that it depends on the demographic geography, particularly the size and significance of populations ending up on the 'wrong' side of new borders. Let us look at these three factors in some depth.

First, granting independence to a territory is more acceptable to the centre government if it takes place within a context of regional cooperation. It means that the inter-state boundaries remain 'soft', allowing the movement of people as well as goods and capital. This all makes sense, for instance, if we discuss autonomy solutions. If the protagonists are members of the European Union, this may make agreements on self-rule less threatening to opponents and centres alike. It may well have been a factor for the agreement on Northern Ireland. The dissolution of the Soviet Union was followed by the quick formation of the Commonwealth of Independent States (CIS). It showed that ideas of regional cooperation were

uppermost in the minds of leaders in the former Soviet states. CIS and other links would serve to undo some of the feared negative consequences of the new situation. The peaceful dissolution of Czechoslovakia may also have been helped by the hopes, on both sides, for closer cooperation with the EU and Western Europe. Violence would have reduced the chances of admission.

The possibility of future integration may convince the centre in accepting the ending of a union. The perspective on the seceding side may be different. Whether won through victory or negotiated process, independence may still be seen as the result of a conflict strategy. Thus, the will to cooperate and integrate with the old centre is likely to be modest on the part of the new state. Its first needs are for internal reconstruction, the creation of its own institutions and the development of its own economic and military capacity. The new unit, furthermore, will be busy extending new international contacts. The residual effects of war and separation are pressing concerns for the leadership on both sides. This scenario gains more support from the record since the Cold War than the hope for integration after a conflict. There was little incentive among the newly independent states from the former Yugoslavia to work out new cooperative arrangements among themselves. They had gained independence from one tightly knit union, and were looking for different integration projects. Slovenia and Croatia hoped to be early candidates for EU membership. Others were concerned about their international and internal security. Macedonia, for instance, had a conflict with Greece over its name, at the same time as it was exposed to the pressures of state failure in Albania, and increasing war in Kosovo. Thus, regional cooperation was given low priority. If it were to come, it would have to be induced by other actors. For the Balkans, this was left for the EU, which also launched a special cooperative initiative in 1999. The hope of joining the EU in the future was seen as an incentive for Serbia to be more willing to accept Kosovo's independence, at least in practice. Croatia's joining of the EU in 2013 may at the same time demonstrate the reality of this option, but also complicate it as Croatia gets a stronger say in the EU's policy on the Balkans.

The prospects of regional cooperation may be different if there is also a change in the former centre. This has been the case in South Africa. Southern African cooperation received considerable input from the peace agreements for Namibia, South Africa and Mozambique. It has also been strong enough to handle disputes among member states. The political changes that took place in the first part of the 1990s gave regional cooperation a chance, and the countries in the region were willing to use the opportunity. A similar chance was created in the Horn of Africa, with the 1991 defeat of the old regimes in Ethiopia (Mengistu) and Somalia (Barre). Within one year, however, a process of regional fragmentation unfolded, ending in the collapse of Somalia, the rise of ethnically based violence in Ethiopia, and by the end of the decade, a protracted war between Ethiopia and Eritrea. The regional organization, IGAD, did not have the opportunity it would have needed. In a short period, the Horn of Africa experienced all types of war: civil wars with state failure, state formation and inter-state wars. In addition, it has had a recent history of authoritarian regimes, coups and economic mismanagement. Regional integration may follow a war, but only under particular circumstances. At best, regional reconstruction may

be a protracted process, no matter what the outcome of the war is. Rather, we may be able to identify 'failed regions', as we can discuss failed states.

It is worth noting that in two cases of independence (Slovenia and Namibia) there was considerable economic progress. Slovenia and Namibia belong to the countries that were the least economically affected by the war. In the first case, the armed conflict lasted only ten days; in the latter case, most of the fighting took place in neighbouring Angola, where the armed liberation movement, SWAPO, had its bases. Two other independent countries (Eritrea, Timor-Leste, i.e. former East Timor) have experienced wars that have gone on for twenty or thirty years, meaning that vast resources have been destroyed and opportunities lost: young people have died or been crippled, infrastructure wasted and resources plundered. They have been expectations of international assistance. In none of these cases is the new state turning to the former centre for support or even compensation. The hopes for regional integration may be important in the minds of the leaders of the centres. It may well underestimate the dynamics behind a struggle for independence. Sometimes regional cooperation can be achieved, but it may be a preferable strategy before a conflict rather than after it.

This brings us to the second aspect. The centre may accept the independence of particular territories if this does not damage its self-understanding. It was easier for the Indonesian Parliament in October 1999 to accept the independence vote in East Timor as this did not threaten an Indonesian self-image. In this view, East Timor was a special case. It was not part of the original Indonesian state that was created from the Dutch colonial empire in 1945. West Irian was joined with Indonesia in 1963, but it had also been under Dutch rule. Thus, Indonesia's core self-definition was based on the former Dutch East Indies. The addition of East Timor, a former Portuguese holding, was alien and associated with the deposed military regime under General Suharto. Giving self-government to East Timor was compatible with Indonesia's regime before Suharto. It also made it possible to argue that no other areas were to leave the country. A coherent ideological position could be found. Thus, a settlement on Aceh required a solution within present-day Indonesia, and the same may be implied for West Papua (West Irian).

Similarly, Czech self-understanding made it possible to accept Slovakia's separation. To keep an empire has not been a Czech obsession. We have already observed the Russian self-understanding promoted by Boris Yeltsin while in opposition. Also, Russia had suffered from the Soviet Union, it was claimed, and thus there was a demand for leaving this union. The new rulers in Ethiopia in 1991, the EPRDF, had a programme which allowed for Eritrea's separation. They gained power in close cooperation with the Eritrean People's Liberation Front (EPLF). The official view of Ethiopia no longer made control over Eritrea vital for the country's role domestically or internationally.

There are many such changes in self-definition in history. Sweden accepted the secession of Norway after an agreed referendum had been conducted and a demilitarized zone between the two countries had been created. This dissolved a union according to the demands of Norway. The union had been created by force but ended peacefully after lasting ninety years, i.e. 1814–1905. Its ending did not affect

an emerging Swedish self-understanding, leaving regional power politics in favour of building a modern society of industry, democracy and welfare.

Also, the decolonization process was related to changed self-understanding among many colonial powers. There was a realization that their own economic growth was no longer benefiting from the colonial empires; the costs were increasing. There was a redefinition of their roles in the world. Improving the wellbeing of the population in the centre became more important than projecting power in distant territories. Some lessons, however, had to be learned the hard way. France lost two wars, in Indochina (1947–54) and in Algeria (1954–62). Britain lost to an ingenious and persistent non-violence campaign in India (led by Mahatma Gandhi, ending in independence for India and Pakistan in 1947) and in the Gold Coast in West Africa (ending in the creation of Ghana in 1957). Together, France and Britain lost in trying to wrestle back control over the Suez Canal from Egypt in 1956. They encountered united opposition from the United States and the Soviet Union. The Netherlands fought Indonesian anti-colonial forces under Sukarno in the late 1940s before realizing the futility of the effort. The last stand for colonialism was by Portugal, where the so-called Carnation Revolution in 1974 ended its colonial ambition. Instead, Portugal gave priority to domestic development and economic integration with Europe, becoming an EU member in 1986.

Changes in self-understanding seem to be important for a more peaceful ending to conflicts over state formation. They may come about as a result of the efforts of the opposition in the controlled areas, but it may also relate to new internal priorities for state and society. Thus, we would argue that a similar self-understanding did not develop in the cases where the conflicts became violent and where independence was only reluctantly accepted. This, furthermore, might also be where regional cooperation has been the most difficult to accomplish. Certainly, South Africa's self-image today is entirely different from the one that existed at the end of the Cold War. This affects relations all over the region.

Third, the human costs may affect the centre's willingness to accept independence solutions. It seems generally true that drawing new international borders is likely to create new problems, not just solve old ones. The state dissolutions we have seen have used previously existing administrative divisions, where such have been applicable. The colonial borders were used for decolonization. There were few Czechs in Slovakia and vice versa, and the same is true with Swedes in Norway. This was not the case in all the situations. Particularly, the new borders among the former Yugoslav republics had the effect of creating Serb minorities in the new states. The notion of ethnic cleansing, by different sides, became the historical imprint of these wars. Serb authorities evicted peoples from their areas of control, and in other instances Serbs were evicted from non-Yugoslav controlled areas. The rapid escalation of the conflicts in 1991 and 1992 removed any possibility of looking into alternative arrangements. There might have been ways of managing these minority problems, as has so far been possible for Russians outside the Russian Federation, and previously for Hungarians outside Hungary.

Together, these three factors may explain why independence solutions are sometimes peaceful, sometimes not. A central aspect is the dominant unit's understanding

of its role. A peaceful dissolution may be more easily achieved if it is done under an expectation of regional cooperation, where the centre has a non-offensive understanding of its role, and where the new borders can be managed so that new minorities, on either side of the border, are given sufficient security. These conditions are not easy to meet, but they have been present on some important occasions.

This means that independence, in order not to create future conflicts, will require accompanying measures, particularly relating to new borders. In general, it appears impossible to draw boundaries which will divide all inhabitants in a humane way. The interconnections between people are many and close, particularly if they are living in an interspersed pattern, as assumed by the idea of the ethnic security dilemma. Also, sources of income are likely to create such patterns. In a somewhat free economy, people of all backgrounds are converging on places of economic growth and new opportunity. Thus, simply drawing thick lines on the basis of population statistics will create unfair and unequal treatment.

Furthermore, one may ask how such a division can be decided in a democratic way. Is a majority decision sufficient or shall the minority be entitled to a veto? How can a referendum without harassment be conducted, particularly if there is already armed conflict? An examination of the experience of the agreed partitions of former British India and Palestine cannot be avoided. There is a debate on these lessons (Schaeffer 1990; Bell-Fialkoff 1996).

The problem with boundary divisions is that people have to move permanently, and thus all their investments, memories and roots are affected. This is not likely to be something about which people are enthusiastic. The blame, furthermore, is going to be directed against the other group, and hence the hatred stemming from a war may become even more deep-seated. There have been two state divisions decided deliberately through legitimate fora. One was by responsible leaders in the case of India, the other by the UN General Assembly in the case of Palestine. Both were implemented more than seventy years ago. Both resulted in wars. The effects have yet to be overcome. The relationship between India and Pakistan has reached the stage of a nuclear arms race. Also Israel is known to possess a nuclear weapons capacity. The issue of how to secure the rights of the dispossessed Palestinians remains unresolved. In other words, these are experiences where the solution to an internal ethnic security dilemma actually led to inter-state security dilemmas of the type we have discussed in Chapter 5. One solution was bought at the price of a new problem.

The fate of refugee populations is likely to be central in any state division. Some of the settlements since the Cold War have allowed for the return of refugees, but in many cases such a prospect has been bleak. The Dayton Accords stipulated the return of refugees, and many have done so. In this case, there is not only the insecurity of being a minority in surroundings dominated by other ethnic groups, but also the challenge of finding an income. As the economies are not developing it is difficult to return, and therefore the security that a multi-ethnic environment would provide will not emerge.

We see that independence, once achieved and recognized, has provided a measure of stability to a particular conflict. In some cases there is also an experience of economic growth. But the hope of dramatically changing the situation in a region is

not borne out. Regional cooperation has become more difficult and the costs to independence higher than anticipated. A new state remains in an area where its old foes also are. New conflicts may follow, as seen in the Horn of Africa. The driving force behind the quest for independence has often been to escape an intolerable situation of dominance. Independence may achieve a change in relations. Whether the result is a less conflict-ridden and more tolerant society or region can be questioned. The record is positive in some cases, negative in others. It is important to observe alternative developments where combinations can be found and have been put in place without armed conflict.

7.5 State Formation Conflicts and Democracy

The solutions to state formation conflicts, which we discussed in Sections 7.3 and 7.4, have concerned territorial divisions between the contending groups, whether their conflict has dealt with decolonization or ethnically based identity issues. The solutions to the ethnic security dilemma have been to create separate units, which provide protection for the different groups. This is in line with much thinking on self-determination. It is likely, however, that this is applicable only to some identity-based conflicts. Most can probably be handled equally well, or even better, through the existing units. Section 7.2 and Table 7.2 suggested some such possibilities. It is only under special circumstances that the ethnic security dilemma will be fully developed and necessitate more radical solutions, such as the creation of new units.

Territorial solutions mean drawing softer or harder lines between peoples in order to create security on each side. A particular ethnic group may feel more secure if it is shielded by a new border. However, some people will be on the 'wrong' side, from the point of view of the new state units. Thus, there are additional security concerns and they are not necessarily solved by the boundaries. Demilitarization and democratization will improve the situation for such groups. The softer the borders the more security will be provided to the new minorities. At the same time, the security demands of the new dominant group make it prefer impenetrable, hard borders. Some tension might be remedied by credible measures for minority rights, for instance, as complements to the independence solutions. The measures in Table 7.2 will be relevant. Also, with harder borders, it will be more difficult for refugees to return. This issue seems more difficult to deal with in the case of state formation conflicts than in civil wars. The restoration of refugee rights in state formation conflicts is more closely associated with security and economic chances for the returnees. For instance, their land and houses may be taken over by others, as part of a deliberate government policy to force them out. The right of return may not be accepted by the new authorities. This risks making the refugee population a permanent issue. Conflict resolution is prevented.

These dilemmas make it necessary to raise the question of whether there are still other possible solutions of state formation conflicts. We would then look for integrative solutions, which give different groups equal rights in the society. For

democracies, in particular, this opens new possibilities. A related issue is that conflict situations do not only contain armed actors, who are often part of the final agreements, but also a surrounding society of non-armed actors. Some may pursue the same goals as the armed actors, others may have dissenting views. Either way, they are part of the society and their roles need to be considered. In addition there might be groups that chose other strategies, directly aimed at civilians, in order to inject fear and gain political advantages. Such terrorism has also been part of the history of state formation conflicts. To these we will revert in Chapter 12.

First, there is a possibility of sharing government, or even giving influence to minorities. The example of Finland is instructive. The Åland Islands have been mentioned as a functioning autonomy arrangement. Swedish-speaking inhabitants predominantly populate these islands. In an arrangement achieved through the League of Nations in 1921 and confirmed by the UN in 1950, this autonomy was created to preserve the Swedish language and culture on the islands. In this way, a dispute between Sweden and Finland about the sovereignty over these islands was solved. However, the Ålanders are only a fraction of all Swedish-speaking inhabitants in Finland. Their preference for a separate unit was not shared by others. This is where the story becomes interesting. Let us follow this.

Other Swedish speakers were not interested in autonomy arrangements, or were even sceptical of it, as it could reduce their influence in the society as a whole. They resolved the issue in favour of full participation in the political life of Finland. To them, it was more important that Swedish was recognized and respected as a national language. A political party pursuing Swedish and liberal interests was created and Swedish-speaking politicians emerged in other political parties. Thus, although being no more than 5 per cent of the total population, the Swedish-speaking group managed to exert considerable influence on national politics. At the same time, it could act to protect specific Swedish interests, which largely were questions of culture and language.

This experience suggests an integrative way of handling identity-based conflicts. It is a demanding strategy for a minority, but it also makes it a creative contributor to the society as a whole. It means that the minority is not primarily defining itself as a minority but as a legitimate participant in the affairs of the country as a whole. It escapes the danger of becoming a group concerned only with its own affairs. It avoids a potential danger in autonomy solutions of isolation, ghetto-like conditions and marginalization from the main currents of the state. This is the essence of an integrative strategy. This experience suggests interesting options, where combinations are possible. It could be that the integrative solution gains strength from the simultaneous existence of the autonomy, which in turn also benefits from the minority's participation in national affairs.

It is possible that such solutions are only open to stable democratic societies. It of course builds on an important premise: the rights of the minority are accepted in the society, socially as well as legally. Some democratic or open societies have encountered problems on this score. There are examples of minorities with elected representatives who encounter strong resistance when pursuing the interests of the minority. This has been a repeated experience in Turkey for parliamentary

representatives of Kurdish origin, for instance. There are similar problems in the State of Israel, where Israeli Arab voters tend to vote for special Arab tickets, and although having their seats in the Knesset, are still not seen among the Israeli general public as a legitimate support-base for a governing majority.

A parallel history is found in the experience of Tamil political representation in the parliament in Sri Lanka. A Tamil party was the leading opposition party in 1977 and initially the government's measures included, for instance, the improvement of the status of the Tamil language. However, the government remained more concerned about its standing in the Sinhalese majority community, and negotiations on a solution became increasingly sterile. Following the anti-Tamil riots in Colombo in 1983, the government passed an amendment forcing all members of parliament to take an oath to defend the unitary constitution. The Tamil members resigned their seats. The negotiations for solutions that had preceded these events had dealt with the possibility of devolution (Wriggins 1995). We have also referred to the experience of Cyprus, again a society working under a democratic framework. Thus, as these experiences suggest, leaders of the majority have at times preferred to marginalize minority representatives, despite their democratic mandates. This is not likely to consolidate democratic procedures in the groups affected.

These examples concern cases where the majority is overwhelming and often able to govern without the support of the identity minority. In Finland, the Swedish party skilfully positioned itself in the middle of the political spectrum. It was party to coalitions with the Left, Centre and Right. Its votes have been important for a government majority. That was also the role earlier performed by Tamils in the parliament in Sri Lanka. In some other democratic societies, such arrangements have been undermined. In Northern Ireland, the Catholic minority was excluded from local political influence, through a *de facto* one-party system. In Cyprus, the power-sharing arrangement was not allowed to accumulate experience. The dilemma for a democratic system is that democratic policies can either integrate or marginalize groups. As we see in these cases, policies have been pursued so as to keep a minority from influence during longer periods of time. This had been done without breaking constitutional rules. The long-term consequences can be negative for the democratic system and for the viability of the state, as can be seen in Cyprus, Northern Ireland, Sri Lanka and Turkey. These societies have found themselves in state formation conflicts from which they have had severe difficulty extracting themselves.

In other instances, where the majority-minority relationship is less clear-cut, the possibility of semi-permanent, broad-based coalitions bridging ethnic divides may be larger. This is part of the formula for the central authority in the state of Bosnia-Herzegovina. In this case, a veto is given to each of the communities. A similar arrangement was made in the constitution for Cyprus (Jarstad 2001) as well as through the Annan Plan in 2004, and both failed to create a necessary atmosphere of cooperation. Functioning examples of such coalitions are found in more authoritarian states. An example is Malaysia, where the National Front, *Barisan Nasional*, was ruling the country for more than sixty years. It is composed of parties representing different ethnic communities. In May 2018 the opposition parties, forming a similar broad coalition, was able to unseat the government. This means, that a

society that was built on elite consensus, and where basic decisions were made through closed deals between the parties in the National Front, now faces a new reality, perhaps moving away from the idea of consensual politics for an ethnically divided society (Lijphart (1975, 1984) also calls this consociational). Malaysian society has functioned remarkably well over a long period of time. Performance in economic growth has been exceptional. At the same time, it has resulted in an ethnization of politics and society. All parties in the parliament now mobilize support along ethnic lines. The overriding shared interest is to maintain stability, which enhances economic growth. In times of economic crises, this could expose the society to severe strain, as was seen in the late 1980s and in the Asian economic crisis of 1997–98 (Case 2001). However, the society overcame the tensions and the cooperative arrangement continued to be in place twenty years later. The outcome of the 2018 elections thus provides important lessons for governing multi-ethnic societies.

This discussion suggests that there are integrative solutions for state formation conflicts. The prerequisite seems to be that they are instituted early, at a time when ethnic polarization is not developed or entrenched. A tradition of national cooperation can be created. Even at a later stage, it is probably important that the democratic practices are given a real chance for a minority to have an impact on the overall policies of the state. The logic that influence leads to responsibility, commitment and identification is compelling: it is only then that the minority will see the state as 'its' own in much the same way as the majority. Without this, however, integrative solutions in democratic societies are likely to be difficult to maintain. There is a danger of marginalization of groups even under democracy. The bigger such excluded groups are, the more troublesome the future for the democratic framework. This is significant to recall in post-Saddam Hussein Iraq, where the Sunni Arab group is a community large enough to sustain armed resistance.

This leads us to the second issue, the role of non-armed groups, or civil society, in the creation and maintenance of solutions. We referred to this in Chapter 3. As was the case in the settlement of civil war disputes, the incorporation of the larger society has been a feature in only some of the solutions. As we noted, there are solutions where leading actors were not actually signatories to agreements (Namibia, East Timor) with even less involvement by other groups. The fact that these conflicts straddle the dichotomy of inter-state and internal conflict means that their management is less consistent. Also, a broader participation requires a democratic system, and several of the settlements concerned countries which were fairly closed. Only a few of the agreements have given rise to a vigorous debate during the peace process. The typical examples are Palestine and Northern Ireland, where options have been discussed while the process was still under way. It is likely that, in both cases, the debate made clear to the negotiating parties the range of opinion and what was acceptable. In some of the ongoing armed conflicts as well as in Cyprus, there are democratic conditions that would be conducive for a broader discussion, but it often seems difficult to initiate. We have earlier mentioned the case of Turkey in the late 2010s. Sri Lanka is an example of a democracy that defeated a state formation challenge. Initially it resulted in a more authoritarian regime, but following elections in 2015 a 'unity government' was formed

taking a more constructive approach to reconciliation after the civil war. In particular it was open to the voices of civil society.

Still, the importance of non-armed groups as well as popular participation in the peace process should not be underestimated. The unarmed and largest party on the Irish Nationalist side in Northern Ireland, the SDLP led by John Hume, was instrumental in the furthering of peace. Its informal contacts with Sinn Féin, regarded to be close to the Provisional IRA, made it possible to broaden Nationalist participation in the peace process. There were also groups and parties bridging the gap between the two major communities in Northern Ireland. The main actors on the Unionist side were all, officially, unarmed actors, though some no doubt still with links to paramilitary groups. The non-armed groups were essential in making contacts. At the same time, they also constituted alternative ways of basically pursuing the same demands. It was, for instance, the parties with a clear non-armed agenda that received most of the votes in the elections during the times of armed conflict.

It is likely that non-armed groups can play similar roles in other conflicts, but that makes a cease-fire a necessity, and the earlier the better. Without it, contacts initiated by non-armed groups can be seen as threatening to the solidarity of a particular side, and thus the groups become targets for terrorist attacks. This has been the fate of several early emissaries, e.g. in the Israeli-Palestinian conflict. A cease-fire is not only something that benefits the fighting parties at a certain moment or reduces the strain on the population as a whole, it also gives a chance for a more vibrant society to have an impact on the course of peace. In a study that has explored this issue quantitatively, Desiree Nilsson (2008) found that in a peace agreement which included civil society actors, the peace was more likely to endure.

For states and oppositions alike, there are no simple solutions to state formation conflicts. This chapter has illustrated some of the possibilities that have been agreed between the fighting parties. It has also shown that victory does take place in surprisingly few cases. State formation conflicts tend to be protracted. This suggests that they require early action for a settlement before they become too entrenched, or solutions in which states allow for constitutional variation, perhaps coupled to regional and international involvement.

Further Readings

Go to the *Understanding Conflict Resolution* web page at <https://study.sagepub.com/wallensteen5e> for free access to the journal articles listed.

General Dynamics of State Formation Conflicts

Anderson, B. (1991) *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.

Kaldor, M. (2006) *New and Old Wars: Organized Violence in a Global Era* (2nd edn). Cambridge: Polity Press.

These two books have both contributed to the discussion on the special character of identity-based conflicts. Anderson builds, for instance, on examples from Southeast Asia, and also focuses on the identity-shaping effects of languages. Kaldor discusses 'new' conflicts as those building on ethnic and other identities, often using the experiences of the Balkan wars, to support her theses. This has also given rise to a debate on what is 'new':

Melander, E., Oberg, M. et al. (2009) Are 'new wars' more atrocious? Battle intensity, civilians killed and forced migration before and after the end of the Cold War, *European Journal of International Relations*, 15 (3): 505–36.

Solutions for State Formation Conflicts

Cornell, S.E. (2002) Autonomy as a source of conflict: Caucasian conflicts in theoretical perspective, *World Politics*, 54 (2): 245–76.

Cornell makes a critical evaluation of the autonomy arrangements worked out during Soviet and post-Soviet times in the Caucasus.

Gurr, T.R. (2000) Ethnic warfare on the wane, *Foreign Affairs*, 79 (3): 52–64. In this article Gurr argues that the international community has actually developed ways of dealing with ethnic conflicts, ranging from the support of minority rights to self-governance. He also sees a largely successful use of such solutions.

Regan, P. and Wallensteen, P. (2013) Federal institutions, declarations of independence and civil war, *Civil Wars*, 15 (3): 261–80.

In this work the authors see federalism as a solution to intra-state conflicts about territory, but also point to the dangers of armed conflicts becoming more vicious if such arrangements break apart. In particular, they study the organization of military forces and its centralization as a key factor.

Bosnia and Palestine

Daalder, I.H. and Froman, M.B.G. (1999) Dayton's incomplete peace, *Foreign Affairs*, 78 (6): 106–13.

The Dayton agreement on the Bosnian crisis was concluded in 1995, and this treaty still stands. However, there were quickly critical comments on what was lacking in this agreement. Daalder and Froman's work is an early contribution, and others have followed.

(Continued)

A different approach is Kostic, R. (2008) Nationbuilding as an instrument of peace?, *Civil Wars*, 10 (4): 384–412, using national polling data in the search for changing attitudes among the ethnic communities.

LeVine, M. and Mossberg, M. (eds) (2014) *One Land, Two States: Israel and Palestine as Parallel States*. Oakland: University of California Press.

This is a collection of essays exploring 'out-of-the-box' thinking for a solution to the protracted Palestinian conflict. In particular it elaborates on the possibility of two parallel states in one territory.

Notes

- 1 If we include the UCDP category of non-state conflicts, the picture is different. Africa has about three-quarters of these conflicts (Pettersson 2010).
- 2 President Vladimir Putin, Annual address to the Federal Assembly of the Russian Federation, April 25, 2005: <http://en.kremlin.ru/events/president/transcripts/22931>
- 3 A challenging new idea is the one of two parallel states on the same territory (LeVine and Mossberg 2014).
- 4 United States of America was created by the victors in the war against the British as a solution to their needs, building on an original confederation that was in effect a defence pact (Bednar 2009: 64–6). After the Civil War, the losing side was simply reintegrated into the existing structure. The Federal Republic of Germany was created by the victors in the Second World War, again their solution to the post-war needs. Both these cases have worked remarkably well and the federations are today profoundly entrenched in the two populations. The same is true for Switzerland, but again it originated as a shared defence pact against outsiders, not as a solution for intra-Swiss conflicts.

PART THREE

COMPLEXITIES IN CONFLICT RESOLUTION

- 8 Conflict Complexes and Conflict Resolution
- 9 International Organizations in Conflict Resolution
- 10 Coercion and Enforcement
- 11 Prevention and Peacebuilding