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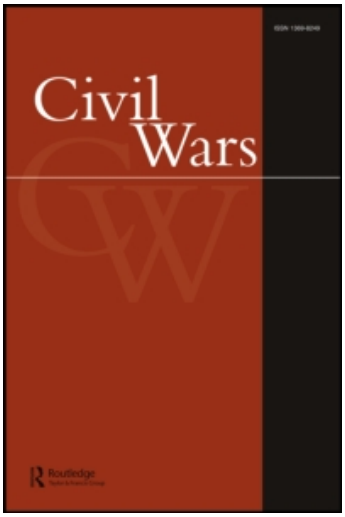

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Spoiling the Peace? Peace Process Exclusivity and Political Violence in North-Central Africa

LISA BLAYDES AND JENNIFER DE MAIO

Why are some peace processes accompanied by bloody political violence while others are not? Recent scholarship suggests that when factions fear that they will not benefit or will be excluded from a negotiated settlement these groups may protect their interests by sabotaging the peace process through violent tactics. We compare three peace processes in Africa – the negotiations to end armed struggles in Mali, the Western Sahara and Sudan – to investigate why spoilers arise in some contexts and not others. We argue that peace process exclusivity, that is negotiations between only some of the potential parties to a conflict, is more likely to breed violence than inclusive peace negotiations where all relevant groups have a seat at the bargaining table. A key to our argument is that the number and form of combatant groups is endogenous to peace process negotiations; as a result, exclusivity encompasses not just leaving out warring parties but also the exclusion of groups that might object to the terms of the peace should they be left out of the bargaining process. This is particularly important since many peace agreements include provisions regarding the distribution of government services, jobs, and representation that may indirectly impact the availability of those goods for other stakeholders, particularly non-combatant parties. While inclusive agreements may be harder to reach, our findings suggest that international organisations that participate in peace negotiations need to carefully consider the real-world trade-off between the ability to reach an agreement and the sustainability of that agreement over time.

INTRODUCTION

Influential scholarship suggests that peace negotiations may actually increase levels of political violence in the context of civil war and that at least some of this violence can be attributed to the actions of spoilers – individuals or groups that are concerned that they will not benefit from a negotiated settlement and protect their interests by sabotaging the peace.[1] Kydd and Walter argue that in the Arab–Israeli peace process and the negotiations in Northern Ireland, violence has been timed to correspond to major events in the peace processes.[2] Sisk finds that increases in violence were associated with critical points in the peace process in South Africa.[3] Shedd argues that the limited nature of the 1996 Russo-Chechen Agreement turned potential

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spoilers into actual spoilers immediately after the agreement was signed.[4] What explains the existence of strategic spoilers in some contexts and not others? In other words, why are some peace processes accompanied by insurgent violence while others are not?[5] We argue that peace process exclusivity, that is negotiations between only some of the potential parties to a conflict, is more likely to generate spoiler violence whereas a more inclusive peace process reduces incentives for the strategic use of spoiler violence.

We investigate levels of violence during peace negotiations in three conflicts in North-Central Africa – the civil war in Sudan, the insurgency in Mali, and the struggle for independence in the Western Sahara. While the *exclusive* nature of the Intergovernmental Authority on Development (IGAD) organised peace process in Sudan created incentives for the emergence of strategic spoilers in the south, Darfur, and on the eastern front, the more *inclusive* nature of UN-led peace negotiations between the Polisario Front and the Moroccan government in Western Sahara reduced the potential benefits of spoiler violence for insurgents.[6] Mali provides a case with variation in peace process exclusivity over time where exclusive, bilateral negotiations in the early 1990s encouraged violence but later, more community-based negotiations led by Norwegian Church Aid (NCA) and the United Nations Development Programme (UNDP), were able to bring hostilities to an end. Since highly inclusive agreements may be difficult to reach,[7] we contend that there is a real-world trade-off between the ability to reach an agreement and the sustainability of that agreement over time.

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THEORETICAL CONSIDERATIONS

Arriving at a peace settlement between conflicting sides is a complicated task. In addition to the difficulty of negotiation between two warring parties, what can be said about actors that do not have representation at the bargaining table? Do peace negotiations create incentives to 'capture' one side's seat at the table in order to influence the distribution of negotiation spoils? And do negotiations encourage unrepresented groups to engage in violence in order to increase their political relevance thereby earning a seat at the table? Fearon writes that a long shadow of the future creates the possibility for cooperation between two sides, but also gives actors or states an incentive to bargain hard, delaying agreement in favor of getting a better deal.[8] What if a long shadow of the future also induces previously excluded actors to find a way to the negotiating table, further delaying a peace agreement? This would suggest that when excluded groups see a peace agreement as having the potential for long-term importance, factions may challenge existing negotiating bodies for influence and previously excluded groups may use violence to find their way to negotiations.

This desire for representation may compel groups to compete for the right to participate in negotiations. One group's attempts to control the state could reinforce the fears of other groups who then respond by competing to influence or gain control

of the government. For example, Saideman suggests that when a state cannot protect the interests of all ethnic groups, then 'each group will seek to control the state, decreasing the security of other groups and decreasing the ability of the state to provide security for any group'.[9] In such a situation, groups may fight to capture control of the state, or insurgent negotiating body, becoming what Stedman calls spoilers.[10]

Stedman distinguishes between inside and outside spoilers. An inside spoiler is one who signs a peace agreement, promises to abide by that agreement, and then fails to implement key elements of the agreement. Outside spoilers are parties that are excluded from the peace process or who exclude themselves. Greenhill and Major suggest that Stedman's treatment of spoilers ignores potential, or latent, spoilers who might be too weak to have warranted inclusion in negotiations but would be willing to raise arms if a peace agreement is reached that is not consistent with their preferences.[11] Previous work on bargaining and negotiations tends to focus on the strategic considerations of the actors that are involved in the formal peace process, particularly on the conditions under which an agreement may be reached and the factors that compel an inside spoiler to renege or defect on an existing agreement. In fact, one of the foundational assumptions of the literature on bargaining and cooperation is that as the number of parties to an agreement rises, the probability of reaching an agreement acceptable to all decreases. Bargaining with multiple actors increases transaction and interaction costs, raises the likelihood of autonomous defection and decreases the feasibility of sanctioning defects.[12] In addition, Cunningham finds that civil wars with multiple veto players have a longer duration.[13]

While previous research has focused on the potential negative externalities associated with multilateral bargaining, it has largely ignored many of the problems that arise as a result of more narrowly defined modes of bargaining. This article explicitly considers how peace processes that are highly exclusive create incentives for the emergence of spoilers. While reaching an agreement with a particular insurgent group may appear at first blush to be a normative 'good', the larger question remains of the broader impact of an agreement negotiated between a narrow set of actors. In particular, if bargaining takes place between two principal actors, these actors may have incentives to leave others out so that they can maximise their joint share of the goods, though as we will suggest, this increases the likelihood of creating spoilers who have the potential to disrupt the peace.

For example, Licklider proposes that 'even a small but dedicated group can commit a series of violent acts that can bring about the collapse of the peace process . . . it is important, then, to make every effort to include all the major groups' in peace negotiations.[14] Similarly, Rothchild is skeptical of exclusive powersharing agreements, arguing that proportionate representation increases the likelihood of successful implementation.[15] Nilsson finds that peace agreements that feature a broad inclusion of civil society in their texts are also more likely to be associated with enduring peace.[16] We build on this previous work and consider the impact of excluding parties that are not necessarily combatant groups or civil society

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organisations but still may be relatively deprived due to a peace deal. Since highly inclusive agreements may be difficult to reach, we contend that there is a real-world trade-off between the ability to reach an agreement and the sustainability of that agreement over time. In the following section, we examine the complicated relationship between violence, mediator-led negotiations, and political structures in three African cases – Sudan, the Western Sahara, and Mali.

NEGOTIATIONS AND POLITICAL VIOLENCE IN NORTH-CENTRAL AFRICA

This section considers how the inclusive or exclusive nature of peace process negotiations impacts the emergence of spoiler violence in three African contexts. We will argue that in Sudan, the exclusive nature of peace process negotiations created incentives for spoilers to both try to capture control of the rebel movement as well as for previously uninvolved groups to engage in violence in order to find a way to the bargaining table. We find that in Western Sahara, however, the region's insurgency group was seen as inclusive and effectively representing the views of most Sahrawis, decreasing the incentive for splinter or challenger groups to engage in spoiler violence. The Malian peace process began as a highly exclusive process which spurred continued political violence; it was only when the negotiations evolved to include high levels of civic participation that violence decreased. We employ a qualitative approach which focuses on process tracing in an attempt to 'empirically establish the posited intervening variables and implications that should be true in a case if a particular explanation of that case is true'.[17]

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Case Selection and Background

Our goal was to select a set of cases that shared a number of basic socio-economic and other characteristics yet had very different outcomes in terms of the levels of violence during the course of peace process negotiations. This led us to select three long-standing political crises in North-Central Africa. For 25 years, Morocco has been battling for supremacy in Western Sahara against a well-armed and highly motivated nationalist movement, the Polisario Front.[18] The dispute over Western Sahara stems from two fundamentally incompatible claims to the same territory. For the Polisario Front, the territory of Western Sahara and its people are distinct from Morocco and should therefore be independent. For Morocco, sovereignty over Western Sahara has become a central aim and a significant unifying force in the country. Similarly, the conflict in Sudan is typically characterised as a war between the southern populations against a northern government for independence in the south. The Sudan People's Liberation Movement/Army (SPLM/A) has been the primary military force in the insurgency. Political violence in Mali during the 1990s was initiated by northern nomadic peoples who sought autonomy from the central government. Long marginalised Toureg and Arab nomads rebelled against a lack of representation and a development gap between north and south. Their goal was the creation of

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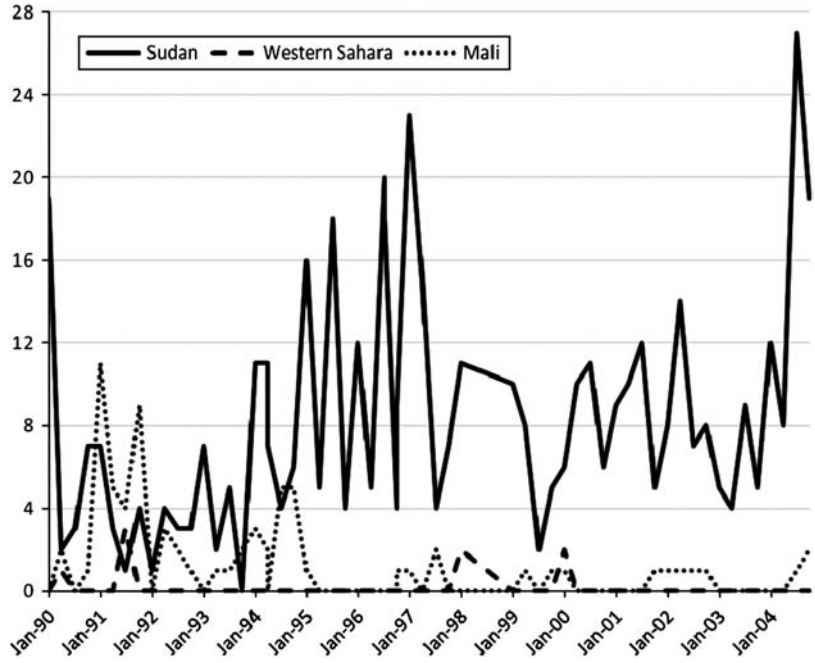
an independent Toureg state.[19] At their cores, each of the cases represents a fight over self-determination with undertones of socio-economic neglect and marginalisation.

The cases are similar on a number of other dimensions as well. Sudan, Mali, and Western Sahara are among the most impoverished territories in the world. Controlling for per capita income is important since poverty is a proxy for state strength, a factor which can influence insurgent capabilities.[20] All three conflicts have seen the involvement of external actors.[21] In Mali, the NCA and the UNDP played a critical role in establishing channels of dialogue between the main actors in the conflict. The Polisario has been supported by the Algerian government, which has challenged Morocco's claim to Western Sahara. The United Nations has also been highly involved in peacebuilding in Western Sahara. The SPLM/A in Sudan has received funds, training, and logistical support from the governments of Ethiopia, Uganda, and Eritrea, and IGAD has been an important external intermediary. Southern Sudan, Western Sahara, and Mali are also all thought to be rich in natural resources. In the case of southern Sudan there is oil, and in the case of Western Sahara, fish and phosphates are in abundance, and potentially oil and uranium as well. In fact, eight energy companies have signed exploration deals with the Polisario for the right to explore oil reserves off the coast of the Western Sahara.[22] Mali contains some of the richest gold deposits in Africa and is believed to be rich in diamonds and other minerals.[23] Finally, in all three cases, forced migration has led to the development of significant refugee communities.

While the three conflicts share a number of important characteristics, they differ in terms of the level of violence that has characterised each in the post-Cold War period.[24] Between 1990 and 2004, there have been only a handful of incidents of insurgent violence in Western Sahara. It was not until 2005 when the Polisario was essentially excluded from peace negotiations over the future of Western Sahara that political violence re-emerged. On the other hand, violence in Sudan has been devastating. Using raw events data coded by the Virtual Research Associates (VRA) Reader, a software tool that parses the lead sentence of Reuters news reports, we have created a count of incidents of insurgent violence in Sudan, Mali, and the Western Sahara during the period 1990–2004.[25] We find that between 1990 and 2004, there were over 500 reports of incidents of insurgent violence in the Sudan. During this same period, only eight incidents of insurgent violence were picked up in this dataset for Western Sahara. Mali witnessed 78 reported incidents during this period with most occurring in the early 1990s. Figure 1 shows the distribution of insurgent violence in the three cases over time.[26] Our view of the dependent variable – insurgent violence – is quite broad; it captures conflict between insurgent groups as factions compete for political influence as well as violence committed by insurgents against state and societal targets. Clearly measuring success in peace processes is a complicated and difficult task; we follow Downs and Stedman who have suggested a minimalist measure of 'success' which focuses on limiting armed intrastate conflict.[27]

What factors might explain the remarkable disparity in political violence in Sudan and Western Sahara? And how can we understand the variation in political

FIGURE 1
INCIDENTS OF INSURGENT VIOLENCE, 1990–2004



violence in Mali over time? Peace negotiations were active in all three conflicts during this time period. After defining the concept of peace process exclusivity, we next consider the nature of peace process negotiations in each context and the way these negotiations influenced the incentive structures facing various groups inside and outside of the negotiation processes.

Peace Process Exclusivity

Peace talks are often differentiated on the basis of whether they are inclusive or exclusive where inclusivity suggests a broader range of actors involved in negotiations.[28] We define an exclusive peace process as one which leaves out one or more of the major parties or *potential* parties to a conflict and, in doing so, prevents them from bringing their grievances to the negotiating table. This differs from some definitions of exclusive talks which refer specifically to the exclusion of pre-existing combatant parties, though an agreement that excludes some warring parties would clearly be more exclusive than one that included these parties.[29] A key to our argument is that the number and form of combatant groups is *endogenous* to peace process negotiations; as a result, peace process exclusivity encompasses not just leaving out warring parties but also the exclusion of groups that might object to the terms of the peace should they be left out of the bargaining process. This is

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particularly important since many peace agreements between regimes and insurgent groups include provisions regarding the distribution of government services, jobs, and representation that may indirectly impact the availability of those goods for other stakeholders, particularly non-combatant parties.[30] Our approach is consistent with Hampson who argues that the success of a peace settlement is directly tied to its design and its ability to deter future challenges to the new political order being established.[31]

Consider various approaches to peacebuilding to end the violence in Burundi as an illustration of various degrees of exclusivity. The All-Party Burundi Peace Talks in Arusha (1998–2000) included 19 political parties but failed to come to an agreement. South African-led peace talks associated with the August 2000 Arusha Agreement, on the other hand, were largely exclusive; the two principal armed groups were absent from the negotiations. The Italian-based Community of Sant'Egidio sponsored a series of secret talks which brought the Burundian government together with one of these groups, the National Council for the Defense of Democracy (CNDD), but excluded other critical parties and 'diverted momentum from the regional drive toward broader, more inclusive political negotiations'.[32] While an agreement was subsequently signed with the CNDD in 2003, other parties remained outside of the peace process and continued armed struggle. The Burundi Leadership Training Program (BLTP), on the other hand, provided training in collaborative decision-making to Burundian leaders drawn from a variety of sectors with the goal of building a sustainable network of leaders capable of working across ethnic and political divisions. Steve McDonald, project manager for the BLTP, explains that previous peacebuilding efforts that were characterised by exclusivity left important actors feeling marginalised – 'The problem is that they were not even invited in. Had they been invited, and then chosen to walk out, they could then be treated differently. They have legitimate concerns that demand to be addressed.'[33] Prendergast and Plumb write that workshops – like the ones run by the BLTP – tend to seek buy-in from a variety of actors, thus representing an 'informal widening of participation in peace processes and a deepening of the analysis of problems and potential solutions.'[34]

Within a single country case, then, it is possible to observe both inclusive and exclusive attempts at peacebuilding over time. In the following section, we consider peace process developments and third-party mediation efforts to resolve conflicts in Sudan, Mali, and the Western Sahara. Each has been characterised by a longstanding commitment of an influential mediator; in the Sudanese case IGAD has spearheaded mediation efforts while the UN has been the key mediator in the case of the Western Sahara. In Mali, the UNDP and NCA were external mediators. We argue that the level of peace process exclusivity pursued by governments, rebel groups, and external mediators provides at least a partial explanation for levels of political violence during peace negotiations. Mediator decisions regarding the exclusivity of a peace process may also interact with the nature of rebel organisations, providing either incentives or disincentives for the emergence of spoiler violence.

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Peace Process Spoilers in the Sudan

Since the early 1990s, the countries of IGAD have had a resolute interest in containing Sudan's internal war. In early 1994, IGAD established a Standing Committee on Peace in Sudan and in March of that year peace negotiations were officially launched. The IGAD mediators presented the parties with a 'Declaration of Principles' in 1994 which called for the right to self-determination for all Sudanese people and stated that the social and political system be secular and democratic. The SPLM/A fully backed the declaration, but the government was unwilling to accept the south's right to self-determination. The peace talks had reached an impasse and were officially adjourned.

The first important manifestation of spoiler violence following the establishment of the IGAD process was an exacerbation of the splintering of the southern opposition movement. Divisions within the SPLM/A began to emerge as it became clear that a pluralist Sudan was unrealistic with the National Islamic Front's rise to power in a 1989 coup.[35] In September of 1994, the South Sudan Independence Movement (SSIM) emerged as a rival to the SPLM/A mainstream organisation and a period of internecine violence ensued. News reports suggest that much of the violence which followed was actually violence between the SPLM/A and its rivals for leadership control of the opposition rather than rebel insurgents fighting the government.[36] John Garang was seen as an advocate for the Dinka while SSIM leader Riek Machar was seen as representing Nuer areas. Lam Akol went on to lead a group of Shilluk insurgents. Ethnic divisions intensified during this period as rivals to Garang sought to become the south's representative when the distribution of spoils took place under a negotiated peace.[37] According to Sara Pantuliano, Program Leader/Research Fellow at the Overseas Development Institute, 'the lack of genuine integration in the state government and emerging divisions within the SPLM [allowed] hardline groups to strengthen their presence in former SPLM controlled areas.'[38]

One of the most important criticisms of the IGAD process is that it was exclusive of the Sudanese public and of rival rebel movements.[39] The Institute for Security Studies (ISS) charges that this exclusivity could threaten the peacebuilding process.[40] ISS draws a distinction between the first phase of negotiations which were by necessity 'secretive, elite driven, narrowly focused and which pointedly ignored the issue of human rights' and later phases.[41] While a proliferation of voices may have made the negotiations difficult to manage in the beginning, in order for the peace agreement to be implemented, the process would have to move to the 'next stage where transparency, engaging the large mass of Sudanese, and vastly expanding the focus and direction of the peace initiative must set the tone.'[42] The Machakos Protocol emphasises the need for a democratic transition of the country, referring to 'democratic governance, accountability, equality, respect, and justice for all citizens of Sudan'. But a number of key groups, including northern opposition groups, southern militias, and the National Democratic Alliance were excluded from the peace process.

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Contributing to the exclusivity of the process has been the nature of the decision-making structure within the SPLM/A. For 22 years, Garang was the charismatic leader of the movement. Known for committing serious human rights violations in southern parts of the country, he did not tolerate dissent and was quick to imprison or kill anyone who disagreed with him.[43] By ruling with an iron-fist and juggling inter-ethnic rivalries, Garang held power even when infighting threatened his grip on the SPLM/A. In addition, the SPLM/A was dominated by Garang's ethnic group, the Dinka,[44] and the movement has been and continues to be divided internally along ethnic lines. Further, critics accuse Garang of having hoarded power instead of delegating authority to his deputies. According to Jamera Rone, a researcher for Human Rights Watch, there was a sense that 'everything was being run out of Garang's back pocket'.[45] Garang dominated the IGAD peace process, calculating (often incorrectly) that negotiations would force southern groups to focus on dealing with the north rather than on their own infighting.[46]

Three years before Garang's death, IGAD undertook a major push in the peace negotiations between north and south Sudan beginning in 2002. The rebellions in Darfur which erupted in February 2003 are considered by observers to be a direct reaction to having been excluded from the IGAD peace talks and to fears that decisions on power and wealth sharing for the entire country were being made without them.[47] The crisis began when two loosely allied rebel groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) attacked military installations. The insurgents claimed that their actions were a response to the chronic political and economic marginalisation of their region and the deadly raids on their communities throughout the previous decade by Arab militiamen.

Socio-economic variables suggest that these areas were long neglected.[48] In Khartoum, 40 per cent of the population is on the general electrical grid while in northern Darfur, for example, only 3 per cent of the population had general electricity, according to the 1993 Sudanese census (see Table 1). Similarly, female literacy in northern Darfur was among the lowest in the country at the time the census was conducted. Southern Darfur fares even worse with less than 1 per cent of households on the general electrical grid and only 19 per cent female literacy. Darfurians long had reason to feel aggrieved as a result of their socio-economic conditions vis-à-vis the rest of the country.

Regional analysts note that there is a growing sense of subnational identity among diverse communities who experienced this type of marginalisation. Marianne Nolte, a conflict analyst working for the UN in Sudan, points out that increased opposition to the bipolar structure of the peace process led mediators to accommodate some of the demands for a greater share of political power and wealth. 'This has encouraged other regional groups, for example from eastern Sudan and Darfur, to intensify their political and military pressure on the government to be included in the peace process,' she says.[49] Feelings of exclusion were compounded by a lack of information about the negotiations.[50]

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TABLE 1
SOCIOECONOMIC INDICATORS ACROSS SELECT STATES

State	Electricity (per cent)	Female Literacy (per cent)
Northern Darfur	3	24
Southern Darfur	<1	19
Nahr al-Nile	31	58
Northern Kordufan	8	30
Khartoum	46	65
El-Gadarif	8	49
Blue Nile	4	21
Al-Gezira	30	55
Kassala	14	37
Northern	27	59
White Nile	15	44
Sinnar	12	40
Red Sea	13	42

Source: 1993 Sudanese Census.

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Insurgents in Darfur may have also been emboldened after observing the concessions that southern Sudan was able to wrest from the Khartoum government and began to see civil war as a viable strategy for addressing their long-standing grievances. Fearful that their exclusion from the peace process would further marginalise their region, insurgents in Darfur may have recognised that though they were significantly weaker than the government, offensive attacks against military garrisons could yield political gains.[51] As a result of the rebels' actions and the government's response, the Darfur crisis garnered international media attention and threatened to derail the north–south peace process.

The government responded with an indiscriminate counter-insurgency campaign carried out by nomadic Arab militias known as the Janjaweed. By the end of 2003, violence in Darfur had escalated into a full-scale civil war. The militia attacks and a scorched-earth government offensive have led to massive displacement, killings, looting and mass rape. The campaign has so far left more than 200,000 people dead and forcibly displaced more than 2 million, mostly from the nomadic and sedentary Zaghawa and the settled Fur and Massaleit peoples, who collectively identify themselves as Africans.

By the time the Comprehensive Peace Agreement (CPA) was signed in January 2005, the crisis in Darfur was being described by some as an example of genocide. As the result of pressure from external actors, negotiations began between the government of Sudan and the rebel movements in the region. The government and the largest of the three rebel movements led by Minni Minawi[52] signed the Darfur Peace Agreement (DPA) on 5 May 2006. The other two rebel groups refused to sign the agreement and the agreement has been described by one negotiator as 'rushed'.[53]

One of the factions that refused to sign is headed by Fur leader Abdel Wahid Mohamed Nur. This group and Minawi's faction had been part of the SLM/A until they formally split in 2005 after months of discord among the leaders. Abdel Wahid

has been holding out for a supplement letter to be appended to the agreement which would commit the government to increase compensation to the region, allow for greater SLM/A involvement in providing security for refugees as they repatriate, and grant the SLM/A a role in supervising the disarmament of the Janjaweed.[54] The other faction that refused to sign the agreement is JEM. Despite the fact that JEM is a smaller faction with little military presence on the ground, the group has acted as a real spoiler to the peace process. Like Abdel Wahid, JEM wants the peace agreement to include greater compensation by the Sudanese government for the people of Darfur and seeks a share of national power for the region. Without such compensation, Khalil Mohammed, the group's leader, has vowed that he will seek self-determination for Darfur.[55]

Both JEM and Wahid's group are determined to prevent the peace agreement from being implemented in its present form as they continue to hold out for greater political and economic gains. A report by the International Crisis Group describes the DPA as a 'failure, too limited in scope and signatories'.[56] The report further suggests that 'the new realities emphasize the necessity of broadening participation in the peace talks to include the full range of actors and constituencies involved in the conflict'.[57]

As violence continues in Darfur, another civil war has loomed in eastern Sudan. Like their counterparts in Darfur, eastern Sudanese rebels claim that successive governments in Khartoum have consistently marginalised them, exploited the area's natural resources, and left the region underdeveloped.[58] As a result, the Beja people who inhabit eastern Sudan have joined forces with other disenfranchised groups from eastern and western Sudan, and violence in the region has escalated.

The Beja have taken up arms in large part because they were frustrated at their exclusion from the CPA negotiation process. The Beja Congress lobbied to participate in the CPA negotiations. Like many groups in Sudan, the Beja were excluded on the basis of the argument that once the war between the north and south had been managed, then issues in the country's other regions could be addressed. Moreover, the east, like Darfur, is technically part of the north as outlined in the CPA, so it is deemed 'represented' by the new political and economic arrangements. Analysts note that had the problems in regions like eastern Sudan been included in the CPA when maximum pressure was being applied to the government, the CPA would have resolved all of Sudan's conflicts.[59]

After the CPA was signed, the Beja's sense of marginalisation and dominance by the Khartoum government escalated.[60] Like southerners and rebels in Darfur, the Beja want issues of wealth- and power-sharing and security to be resolved in a comprehensive, constitutional process. Instead of secession, the Beja seek greater representation in the government and want increased regional autonomy. The government has not yet addressed these grievances and as a result, the Beja may have believed that guerilla warfare tactics were needed to get Khartoum's attention. According to John Prendergast, the Beja appear to have internalised a lesson from the SPLM/A and Darfur situations: violence will compel the government and third-party interveners to act.[61] As some local men on the road to the east from Khartoum

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told ISN Security Watch: 'We have been ignored and left out of decision-making for as long as we can remember. We do not want to see fighting here, not like in other parts of Sudan. I don't want to fight.'[62]

Protests erupted in January 2005 as demonstrators revolted against the exclusion of the Beja Congress party from the IGAD negotiations.[63] The Beja joined with other groups to form the Eastern Front in February 2005. The Khartoum government has been quick to respond to violence in the region because of its strategic significance. Port Sudan is the economic lifeline of the country: Sudan's oil pipelines pass through the eastern region to Port Sudan, cutting through rich agricultural land and expensive irrigation schemes. The Eastern Front has threatened to block the flow of crude oil, demanding that 70 per cent of what it terms 'eastern wealth' remain in the region rather than go to Khartoum for 'redistribution'.[64] The government is reported to have three times as many soldiers in the east to suppress rebellions and protect vital infrastructure. There are also rumors that the government is considering unleashing militias, similar to the Janjaweed of the Darfur conflict, against the population in the East.[65]

In 2005, observers warned that the risk of spoilers from the East was proliferating rapidly, and if a forum for negotiations was not established, a protracted war would break out.[66] The regime in Khartoum began negotiations to make a separate peace to avoid this outcome and in October 2006, the Eastern Front and the government of Sudan signed a peace agreement known as the Eastern Sudan Peace Agreement (ESPA). The implementation of the agreement, however, has sparked further tensions and created ethnic rivalries as some claim that those who contributed the most to the struggle in the East are not receiving their share of political appointments and land settlements.[67]

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Western Sahara Peace Process Negotiations

While the conflict in Sudan was characterised by intense violence during the period of peace negotiations, discussions regarding a negotiated settlement in Western Sahara have been accompanied by far less violence. The Western Sahara conflict has its roots in the mid-1960s when the Organization of African Unity (OAU) and the United Nations began to pressure Spain to hold a referendum on self-determination in the territory known as the Spanish Sahara. Two UN resolutions passed in 1972 and 1973 affirmed the rights of the people of the Spanish Sahara (the Sahrawis) to be independent. The Polisario was established in the early 1970s by Sahrawi youth groups promoting self-determination for the area. The desire for an independent state was thwarted, however, by Morocco which viewed the area as part of its territory. In November of 1975, the Moroccan government organised a 350,000 strong, mass demonstration of Moroccans seeking a Spanish handover of the area. The day after Spain formally withdrew from Western Sahara on 26 February 1976, the Polisario proclaimed Western Sahara an independent state to be known as the Sahrawi Arab Democratic Republic (SADR). Sahrawis see themselves as ethnically distinct from their neighbours[68] and the desire to establish an autonomous nation

distinct from Morocco has embroiled the Polisario in one of the most protracted civil conflicts on the African continent.

International efforts to resolve this conflict were reactivated in the late 1980s. In 1987, the UN sent a fact-finding mission, which included OAU observers, to Morocco, Algeria, and Western Sahara. It met with the respective governments as well as with Polisario leaders and reported its findings to the Secretary-General in early 1988. After separately meeting delegates from the two sides in New York on 11 August 1988, a joint UN–OAU plan to resolve the conflict was announced. The plan called for a cessation of hostilities between Morocco and the Polisario, troop withdrawals, the setting up of a UN force – the United Nations' Mission for the Referendum in Western Sahara (MINURSO) – the establishment of an Identification Commission to assemble and publish a list of eligible Sahrawi voters, and a referendum to be held about six months after the beginning of the process. The choice for the Sahrawi people was to be between integration with Morocco and independence. Although a number of crucial matters were still to be negotiated, this proposal was to form the basis of all subsequent UN mediation efforts in Western Sahara.

Debate over voting eligibility became an important stumbling block in the years to follow. The reference point was to be the 1974 Spanish census which counted 73,497 persons over 18 years of age in the territory. In August 1988, both Morocco and the Polisario gave their qualified acceptance of the settlement proposals. Almost as soon as the UN presence in Western Sahara had been established, however, Morocco sought to alter the composition of the voter pool by moving thousands of people across its border into Western Sahara and asking that their voting applications be evaluated by the Identification Commission. The new arrivals in the region may or may not have been Sahrawis, displaced and forced to live elsewhere by earlier armed conflicts, but the evaluation of their petitions promised to consume much additional time and resources on the part of the Identification Commission, inevitably delaying the referendum.

A ceasefire was negotiated between the two sides in 1991 and since then hopes for a settlement of the dispute have hinged on the UN sponsored referendum which would give the Sahrawi people the choice of independence or incorporation into Morocco. Negotiations to end the conflict – particularly over the question of voter eligibility – continued throughout the 1990s yet the Polisario continued to honor the ceasefire. As the parties inched toward a negotiated settlement under the auspices of the UN, why didn't outside spoiler groups use insurgency tactics as a strategy for entering negotiations? Why didn't rivals challenge the leadership of the Polisario? Ceasefire agreements in the Sudan were not honoured over the long term and parties frequently defected from their agreements to put down arms. This is even more puzzling when one considers the fact that tribal and geographical distinctions could have motivated outside spoilers in the form of splinter or other groups who felt as though their needs were not being adequately represented.

We contend that a key distinction between the situation in Sudan and the situation in Western Sahara is that the Polisario was seen by Sahrawis as an inclusive

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representative of insurgent interests in the dispute while the SPLM/A was viewed as such by Sudanese. While the SPLM/A was seen as largely working on behalf of co-ethnics of its leader John Garang foremost and southerners more generally, leadership within the Polisario operated on the basis of consensus, using popular elections within the organisation to select higher level representatives.

From a sociological perspective, the Polisario can be seen as a supratribal grouping with a highly inclusive identity,[69] though the people of the region did have a history of tribal and racial division as well as intra-group violence. Fighting among Sahrawi tribes prior to the 1970s occurred as a result of competition for resources and also for revenge. Nomadic tribes frequently came into contact and were in competition for scarce water and livestock resources.[70] Raiding fellow tribes was often the sole means of surviving a drought, plague, or another raid.[71] In the absence of a supratribal state authority, it was difficult to maintain order in Western Sahara.[72] Raids often gave rise to blood-feuds or vendettas. In addition to the tribal distinctions, Sahrawis are also a blend of both Berber and Arab descent with some influence from black African and local indigenous populations as well. These racial distinctions also carry a caste connotation with more Arabised Sahrawis considered part of a 'warrior' lineage or scholarly or professional castes versus a lower caste African population, some of whom are descendants of freed slaves.

The Polisario's greatest victory was in the war with Spain (1973–75) and it was at this time that it won strong support from all elements of the diverse population. While it was founded as a military movement, the Polisario soon became the SADR and its structure came to consist of a council or legislature, a national congress, and a ministerial cabinet. National congresses have been particularly important since they serve as the location for where higher level representative bodies are elected.[73] The national legislature called the Sahrawi National Council is selected by the national congress every four years. The congress also selects a secretary general who serves as a de-facto president and appoints an executive committee. A 21-member Politburo checks decisions and connects the movement with the mass organisations of workers, peasants, and women. Local government bodies, or base committees, are also elected and meet biannually. The local government bodies are made up of representatives elected by the party cells of 11 members, organised in each refugee camp. Mobilisation on the basis of politically relevant tribal distinctions was highly discouraged.

The structure of the Polisario reflects participatory, if not Western-style, democracy: every adult cell member can vote at the local level and all members belong to one or more functional committees, such as those for education, transport, and supplies.[74] There is no formal membership of Polisario; instead, anyone who supports the objectives of the organisation, participates in its work or lives in the refugee camps is considered a member.[75] The Polisario has also developed a reputation for being inclusive with regard to the participation of women.[76] The organisation, therefore, enjoys a mass base and has been effective at mobilising the population when necessary. The organisation has also been an important provider of education and health services to Sahrawis, acting as a state within the disputed

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territory. While the primary aim of the Polisario has always been the independence of Western Sahara, an integral component of its mission has always been the 'fair distribution of resources, to overcome the differences between the countryside and the towns, the provision of adequate housing and health facilities, the Arabization of education and the provision of free, compulsory schooling at all levels and for all social layers.'[77] This is not to say that the Polisario is a perfect representative of Sahrawis; internal disagreements over representation have emerged but the leadership of the organisation has used such events as opportunities to deepen accountability.[78] For example, in the late 1980s, some Sahrawis reported mistreatment at the hands of the group leadership. Polisario leaders admitted to mistakes and then restructured the organisation to ensure for more accountability.[79] As result of these various factors, the Polisario's leadership role in the movement remains unchallenged unlike other African and Middle Eastern liberation movements which have proven to be less cohesive over time.[80]

Moroccan policy regarding Western Sahara has changed in the years since King Hassan's death in 1999. In particular, King Mohammed VI has refocused dialogue on the issue of autonomy within Morocco with little regard to the idea of independence via the referendum process.[81] In particular, King Mohammed VI's decision in 2004 to renege on King Hassan II's previous approval of a referendum for self-determination led the Sahrawi leadership to threaten a resumption of violence.[82] During this period, the Sahrawis were essentially phased out as negotiating partners in the peace process in favour of a unilateral Moroccan decision in consultation with a conflict-fatigued UN. Frustration with these developments generated the only significant violence that the region has witnessed since the ceasefire in 1991. Tensions boiled over in May 2005 when the Sahrawis engaged in widespread demonstrations and riots. Tired of waiting for the referendum to be held, the Sahrawis openly called for independence.[83] The Sahrawis refer to the May events as an 'independence intifada' and have engaged in subsequent uprisings against Moroccan security forces that continued into 2006.[84] In other words, the threat of being excluded from negotiations over their own future led to acts of political protest.[85]

While the United Nations has a stated commitment to helping the Polisario and Morocco manage the conflict and 'achieve a just, lasting and mutually acceptable political solution, which provides for the self-determination of the people of Western Sahara',[86] this provision for self-determination was threatened by the recent Moroccan-led initiative to make Western Sahara an autonomous region of Morocco. King Mohammed VI presented the Moroccan proposal to the UN Security Council in April 2007 after the King had already won American and French support for the initiative. While the agreement is far reaching in terms of autonomy over education and local administration,[87] the Polisario Front has repeatedly rejected the idea of being an autonomous region of Morocco and argued that 'unilateral, illegal and antidemocratic' creation of an autonomous zone does not constitute 'the mutually acceptable political solution ensuring the self-determination of the people of Western Sahara'.[88] As one Sahrawi put it, 'It's like someone seizing your house and

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then offering to rent you a room'.[89] The UN rejected the Moroccan proposal for an autonomous region and passed a new resolution on 30 April 2007 reaffirming the Sahrawis' right to self-determination. According to press reports, Morocco and the Polisario will begin meeting again under the auspices of the UN-led peace process though there is considerable disagreement regarding the starting point for these negotiations.[90]

Negotiations and Political Violence in Mali

Attempts to negotiate peace in Mali between government representatives and armed groups began in 1991. Instead of addressing the causes of the conflict, initial peace-making efforts actually exacerbated tensions both within the rebel movement and among supporters of the Malian regime. When the conflict was finally transformed and peace consolidated, this came as a result of external mediation which heavily stressed community-level involvement in negotiations. Peace in Mali, therefore, was only achieved bottom-up through inclusive decision-making meetings and arrangements.[91]

Mali witnessed a bitter civil war beginning in June 1990 when Toureg groups in the north took up arms against the government. The sources of tension were rooted in a history of marginalisation of the north.[92] In 1963, northern nomads had rebelled against the newly independent Malian government for failing to consult them when defining the boundaries of the new nation and for restricting their right to cross borders into neighbouring countries.[93] Over time, nomadic groups were excluded from power and wealth sharing; northerners held virtually no government or military positions. Few development programmes were directed to the north and there was significant lack of infrastructure for education, health, and communication.[94] Government civil servants refused to take positions in some northern areas and citizens in the north claimed not to have seen the state for years.[95] Droughts in the 1970s and 1980s devastated the northern regions and insufficient relief efforts generated flows of refugees into neighbouring countries. Some refugees joined the Polisario movement in Western Sahara; others were recruited in Ghaddafi's army in Libya and were trained to fight wars in Chad and Lebanon.[96] In the late 1980s, deteriorating economic conditions forced Libya and Algeria to expel the refugees. The Toureg refugees returned to Mali, some with considerable combat experience. Armed and harbouring grievance against the regime, Touregs in the People's Movement of Azaouad (MPA) initiated a series of attacks against military posts.

Counterattacks from the Malian army targeted Toureg and Arab civilians. Initially, the rebels enjoyed widespread support from all ethnic groups in the north who were angered by the army's retaliation and were able to finance the war with local resources and money sent from the diaspora. This included the Arabic Islamic Front of Azaouad (FIAA). In the initial stages of war, the primary cleavage was between the north and the Malian government: ethnic groups were united in northern solidarity and put aside tensions over resources or social differences.[97]

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Mali's central government – under the leadership of President Moussa Traore – was eager to negotiate a settlement with the rebels. After suffering a series of defeats, the regime came to recognise that the rebel groups would not be easily overpowered. Militant groups began negotiations with the Traore regime and signed a peace agreement in Algeria in January 1991. The 1991 agreement, known as the *Acords de Tamanrasset*, met many of the insurgent demands including the allocation of development funds to the north, the integration of nomads into the army and in all levels of government administration, and increased regional autonomy 'for managing local affairs according to cultural customs'.[98] Immediately non-Toureg northern groups which had been excluded from the talks began to agitate in protest; for example, 'Songhay and Peuhl populations in the North resented the special status conferred on the Touregs by the proposal for a quasi-independent Toureg territory with highly decentralized powers.'[99] Songhay leaders suspected the accords of re-establishing Toureg hegemony in the north.[100]

The Traore regime came under further attack from opposition outside the north as well. Government ministers and regime insiders felt as if they had been excluded from the negotiations and there was a widespread sense that the army had capitulated to the rebels.[101] Lode argues that civil society groups in the south, including student organisations, trade unions and political parties, all felt that the agreement went too far in meeting Toureg demands.[102] In fact, the president dared not even release the exact terms of the agreement as it was believed Traore had sold out the interests of southern constituencies, none of which had not been included in the negotiations. Protests erupted and in March 1991 General Adamou Toumani Toure overthrew the regime in a military coup d'etat.

The transitional government made no effort to honour the previous agreement and in August 1991 hosted a national conference in Bamako to discuss future political and powersharing arrangements. Observers have argued that the general complaint at the time was that neither the government nor the rebel movements encouraged popular involvement in the negotiations and northern sedentarists felt that their particular needs were not being addressed.[103] External mediators were invited to play a more active role in the negotiations. Eventually French, Mauritanian, and Algerian negotiators brought about an agreement known as the National Pact of 1992 between the transitional government and the representatives of all the armed movements who had formed the United Movements and Fronts of Azaouad (MFUA) in April 1992. The agreement acknowledged the importance of socio-economic development in the north and focused on national reconciliation efforts that were critical to the process of democratisation. While the MFUA provided a common federative structure, there were a number of smaller armed groups that had limited influence in the peace negotiations. These groups emerged essentially as armed spoilers who did not want to support peace efforts. In addition, while the agreement made significant concessions to northern rebels[104] no organisation representing the Songhay sedentarists was a co-signatory to the agreement.[105] As a result of their increasing sense of vulnerability and exclusion, in

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May 1994 the sedentarists launched a 'self-defense' movement which led to a period of intense ethnic-related violence.[106]

After two peace agreements in two years, political violence in Mali persisted. The public had felt excluded by and suspicious of both the January 1991 Tamanrasset Agreement and the 1992 National Pact. Community leaders were marginalised in the creation of the peace agreement and were thus unprepared to take action in support of it.[107] Fighting continued in 1992 and escalated in 1994. Student strikes, demonstrations, and riots threatened the newly-elected civilian President Alpha Oumar Konare. Sedenarists in the north and smaller rebel groups felt excluded from the peace agreements. Furthermore, Drisdelle argues that the peace process in Mali broke down during this period because 'ordinary people . . . had no access to the talks.'[108] The division of material concessions, like opportunities for state employment, were a particularly salient issue:

> The rebels demanded – and got – significant concessions from the State. Hundreds of jobs in the civil service and the army were being given away to the rebels, while structural adjustment programmes deprived most other Malians of any government employment.[109]

In 1994 Konare acknowledged that the situation had become intolerable and at this point the first inter-community meetings began in the north.[110] The inter-community meetings were highly inclusive and open to all members of society who wanted to participate. The meetings worked to develop shared strategies to address the causes of the conflict. In late 1994, Konare announced that there would be no new government initiatives 'until we have given time for civil society to work out a solution'.[111] He ordered the withdrawal of military units from the north who had committed atrocities and confined many other units to barracks. In a speech in June 1994, Konare declared that regional 'concertations' would take place where every current of opinion would be expressed and a strong emphasis was placed on democratic institutions and consensus.[112]

The peace process became characterised by this series of inter-community meetings in the north which generated localised peace agreements among the various groups who voluntarily disbanded their movements in favour of social reconciliation. These 'concertations' were not decision-making bodies but participants' formulated recommendations that were passed on to the government.[113] In this way, the peace-making process was owned by all Malians and the government built support throughout the country for addressing the conflict through a consensual process.

Peace-making at the local level was complemented by government-led initiatives under UNDP auspices to decommission weapons and reintegrate combatants. The UNDP supported the community-led peace process and helped lay the foundations for comprehensive development in the north by organising and sponsoring a series of sub-regional activities to create an atmosphere of collaboration.[114] This included providing the financial support for 50 community meetings which took place where between 500 and 1000 Songhay and Toureg

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agro-pastoralists would meet.[115] A facilitation group also emerged between local actors and NCA. The end of the civil war in Mali was marked by a ceremony in March 1996 where arms were burned in a 'Flame of Peace' bonfire and the northern movements were officially dissolved.[116]

Lode summarises the Malian peace building experience as follows:

> The initial negotiations actually exacerbated the conflict dynamics. Although later talks created the political terms for peace, without the involvement of local guarantors of the settlement at the community level, implementation floundered and peace remained elusive on the ground. It was only when thousands of people throughout the north engaged directly in inter-community peace-making that the path to national reconciliation opened. The involvement of all those most affected by the conflict in open and inclusive decision-making meetings was able to achieve what official political negotiations could not: a transformation of the conflict and consolidation of peace.[117]

The Malian case suggests that the exclusive nature of the early phases of the peace process exacerbated political violence on the part of a number of important actors including sedentarists and marginalised rebel groups in the north as well as southerners who felt as though the regime had sold out their interests in peace negotiations. As a result, the early 1990s witnessed relatively high levels of political violence in Mali. By the mid-1990s, President Konare – aided by Western intermediaries like the UNDP and NCA – encouraged a more inclusive societal dialogue which brought all relevant actors to the bargaining table and eventually led to a stable and more lasting peace.

THE QUESTION OF ETHNICITY: A KEY ALTERNATIVE HYPOTHESIS

The main alternative hypothesis to the one that we have put forth is that the conflict in Sudan was simply more intractable or contentious due to the extreme ethnic heterogeneity found in the Sudanese case versus the cases of Mali or the Western Sahara. As a result, the peace negotiations in Sudan would have been more inclined toward violence and the emergence of spoilers, regardless of the type of external intervention attempted. It is unclear, however, if deeply-held ethnic identifications caused the increased levels of violence in Sudan or if peace process exclusivity exacerbated ethnic fault lines while at the same time encouraging spoiler violence.[118] Scholarship on the creation and mobilisation of ethnicity in politics offers some theoretical insights.

Rationalist examinations of ethnicity would suggest that the creation of ethnic identity may be at least in part explained by the formation of coalitions among individuals seeking to gain some material good or to protect some existing good.[119] Bates writes that the uneven benefits of modernisation in Africa led to organisation on what could be considered ethnic lines – for Bates, ethnic groups are simply coalitions of individuals competing for spoils.[120] There is a strong sense, in his

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narrative, of a desire not to be excluded, or left out from the benefits of a modernising society and ethnic groups are the organising structure for resource competition. More recent scholarship in the field of ethnicity emphasises the idea that individuals possess repertoires of identities which can be activated in different situations or contexts. Posner writes that 'ethnic groups are mobilized or joined not because of the depth of attachment that people feel toward them but because of the usefulness of the political coalitions that they define.'[121] In other words, given the malleability of ethnic identification, ethnic groups are mobilised when it is felt that material or ideological needs are not being met within a particular political situation, be it a peace process or otherwise. Ethnic identities are not just situational, therefore, but also instrumental.[122]

Viewed through this theoretical lens, the fear of exclusion from a peace settlement created the incentive for unrepresented groups to organise into factions – which are sometimes referred to as ethnic groups – and spoil the peace. Therefore pre-existing ethnic, tribal or other fault lines may have become intensified as a result of uneven representation in negotiations. The UN-led peace negotiations in the Western Sahara could be considered inclusive since the Polisario was an effective representative of the entire population in the dispute; tribal, racial, and caste tensions waned as Sahrawis elected leaders to local and national bodies that represented their interests in the negotiations. A variety of sources suggest that the potential for tribal tension did exist; Jensen argues that Sahrawi society was highly factionalised with various tribes and even subgroups within tribes each led by their own leader or shaykh.[123] Further, Shelley argues that there has been 'evident danger of tribal splits',[124] yet almost all players have maintained their attachment to the group. We suggest that this attachment is in large part due to the internal institutional mechanisms of the Polisario. The IGAD-led peace process in the Sudan, however, was highly exclusive in nature, focusing primarily on the government's bilateral relationship with John Garang. Ethnic and geographic fault lines became exacerbated as a result of the type of conflict mediation taking place. In addition, while the Malian conflict was initially marked by strong inter-group solidarity in opposition to the regime, the first government-led peace initiatives exacerbated tensions and mistrust began to create factionalisation. There are 12 primary ethnic groups in Mali and Malians are highly cognisant of ethnic identification.[125] The rebel Toureg cannot be described as a 'unified entity' as they are often falsely depicted by international media.[126] It was therefore critical that the peace process address inter-group dynamics in an inclusive and community-based forum.

CONCLUSIONS AND IMPLICATIONS

We have argued that exclusivity in peace negotiations can breed political violence as outside spoilers seek representation at the bargaining table. These spoilers include both splinter groups seeking to wrest control of an insurgent organisation from its original leadership as well as the introduction of insurgency tactics by groups that

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were previously peaceful but excluded from the peace process. We find that in the case of Western Sahara, the Polisario has been viewed as a largely representative broker of the interests of the Sahrawis, electing its leadership via national congresses and consciously discouraging tribalism. As long as the Polisario had a place at the bargaining table and the ability to participate in negotiations, debate focused primarily on procedural issues related to the UN-proposed referendum with virtually no spoiler violence. Only when the Moroccan government adopted a policy of exclusivity by which the Sahrawis were excluded from peace negotiations regarding their own future did we begin to see the Polisario mobilise riots and demonstrations. In the case of Sudan, the exclusive nature of the IGAD-sponsored peace process has led to to the development of splinter groups among southern rebels and the emergence of outside spoilers in areas like Darfur and Eastern Sudan. In Mali, peace negotiations characterised by exclusivity in the early 1990s were met by both continued rebel attacks and dissension from within the regime. Only when the government worked to create a highly inclusive process with buy-in from a wide swath of the population did violence subside. It is the contention of this paper that uneven representation at the bargaining table may have activated ethnic identification, exacerbating spoiler violence by underrepresented groups who felt compelled to mobilise political violence and that this mobilisation occurred most frequently on ethnic or tribal lines.

Johnston calls into question the general effectiveness of negotiated settlements in ending civil wars and in particular argues that 'institutionalized conflict management strategies that accommodate spoilers creates strategic incentives for more spoilers.'[127] Mediators face a catch-22 of sorts – by including potential spoilers, are third-party mediators causing a proliferation of opportunistic rebel groups? This research suggests, not necessarily. When rebel groups themselves are inclusive and characterised by internally democratic institutions, this reduces the incentives for spoiler violence. Reducing grievance and associated efforts at an equitable distribution of resources can limit levels of ethnic mobilisation and political violence. It may additionally reduce the need for in-group policing of ethnic groups[128] or the use of power to coerce potential spoilers.[129]

While mediators may be under pressure to encourage a separate peace with a narrowly-defined set of actors, our research suggests that this type of behaviour has the potential to exacerbate spoiler violence. In fact, incentive structures within international organisations may indirectly encourage mediators to forge agreements that do not meaningfully end the violence. This suggests that thoughtful external mediation is an incredibly complicated task as mediators not only seek to identify all of the parties to a conflict[130] but also need to determine all *potential* parties to the conflict and then seek to forge an acceptable agreement.[131] Responsible third-party intervention should, therefore, carefully identify which groups may become aggrieved in the face of a bilateral settlement. George Mitchell's mediation efforts as co-chairman of the All Party Talks in Northern Ireland provide a useful example. Mitchell focused on inclusion and consent in his mediation efforts.[132] By bringing the elected representatives of the top 10 political parties to the bargaining table,

Mitchell ensured that there was legitimate electoral support for the talks.[133] This suggests that mediators should consider the 'ripeness' of a conflict on multiple dimensions, including the ability of a rebel organisation to represent its constituency both effectively and equitably.

Mediators may also consider circulating a draft of an agreement in advance of signing in order to determine if relevant non-signatories object to the terms. Yet creating common knowledge about the terms of an agreement is not possible when agreements are made in secret. While secrecy works in crisis diplomacy because it insulates leaders from the political consequences of capitulation,[134] such agreements are less transparent regarding both agreement processes and outcomes and are also less likely to include multiple actors. In fact, the major distinction between public and private agreements is the relative lack of perceived commitment on the part of the domestic audience when an agreement is reached in secret. One implication of our argument would be that secret agreements are more likely than other types of agreements to generate future spoiler violence. This suggests that signing a peace agreement is not an end in and of itself; rather the objective of negotiation processes should be the creation of a self-enforcing arrangement[135] for peace that is not undermined by non-signatory spoilers.

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NOTES

1. Stephen John Stedman, 'Spoiler Problems in Peace Processes', *International Security* 22/2 (1997).
2. Andrew Kydd and Barbara Walter, 'Sabotaging the Peace: The Politics of Extremist Violence', *International Organization* 56/2 (2002).
3. Timothy D. Sisk, 'The Violence–Negotiation Nexus: South Africa in Transition and the Politics of Uncertainty', *Negotiation Journal* 9/1 (1993).
4. Juliette Shedd, 'When Peace Agreements Create Spoilers: The Russo-Chechan Agreement of 1996', *Civil Wars* 10/2 (2008).
5. We define a peace process as a condition in which conflicting parties have either publicly committed to a settlement, or are publicly engaged in the process of pursuing one. In other words, this condition exists during the official process of negotiations, when parties have chosen a problem-solving strategy, or when parties have committed to an actual settlement. See Harold H. Saunders, *A Public Peace Process: Sustained Dialogue to Transform Racial and Ethnic Conflicts* (New York: Palgrave Macmillan 2001); Jeffrey Rubin, Dean Pruitt and Sung Hee Kim, *Social Conflict: Escalation, Stalemate, and Settlement*, 2nd ed. (New York: McGraw-Hill 1994); Stedman (note 1); Kydd and Walter (note 2) for more on each of these particular scenarios.
6. IGAD is a seven-country regional development organisation in East Africa.
7. Kenneth A. Oye, 'Explaining Cooperation Under Anarchy: Hypotheses and Strategies' in Kenneth A. Oye (ed.) *Cooperation Under Anarchy* (Princeton, NJ: Princeton University Press 1986); David E. Cunningham, 'Veto Players and Civil War Duration', *American Journal of Political Science* 50/4 (2006).
8. James Fearon, 'Bargaining, Enforcement, and International Cooperation', *International Organization* 52/2 (1998).
9. Stephen M. Saideman, 'The Dual Dynamics of Disintegration: Ethnic Politics and Security Dilemmas in Eastern Europe', *Nationalism and Ethnic Politics* 2/1 (1996) pp.22–23.
10. Stedman (note 1).
11. Kelly M. Greenhill and Solomon Major, 'The Perils of Profiling: Civil War Spoilers and the Collapse of Intrastate Peace Accords', *International Security* 31/3 (2007).
12. Oye (note 7). Previous scholarship may have also avoided modelling bargaining with multiple actors as it is difficult to identify the 'natural' bargaining protocol with more than two actors. See Robert

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Powell, 'Bargaining Theory and International Conflict', *Annual Review of Political Science* 5 (2002).

13. Cunningham (note 7).
14. Roy Licklider, 'Obstacles to Peace Settlements', in Chester Crocker, Fen Olser Hampson, and Pamela Aall (eds) *Turbulent Peace: The Challenges of Managing International Conflict* (Washington, DC: USIP 2001) p.701.
15. Donald Rothchild, 'Settlement Terms and Post-Agreement Stability', in Stephen Stedman, Donald Rothchild and Elizabeth Cousens (eds) *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder, CO: Lynne Rienner 2002).
16. Desiree Nilsson, 'Behind Closed Doors: Civil Society Actors in Peace Accords and Durable Peace', Paper presented at the 2008 Annual Meeting of the International Studies Association, San Francisco, 26–29 Mar. 2008.
17. Alexander George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA: MIT Press 2005) p.147.
18. Polisario is the commonly used acronym for the Frente Popular para la Liberacíon de Saguia el-Hamra y Rio de Oro which was originally founded in May 1973 to fight against Spanish colonial rule.
19. Rheal Drisdelle, *A Prospect for Peace?* (London: Oxfam Publications 1997) p.32.
20. James Fearon and David Laitin, 'Ethnicity, Insurgency, and Civil War', *American Political Science Review* 97/1 (2003).
21. One issue that we leave unexplored is the extent to which major powers operating in the broader political system may be influencing outcomes. For instance, Keenan argues that the United States' agenda behind the 'war on terror' in Africa has driven multiple wedges in the region. See Jeremy Keenan, *The Dark Sahara: America's War on Terror in Africa* (London: Pluto Press 2009).
22. Al-Jazeera English 2 May 2007.
23. Drisdelle (note 19).
24. We focus primarily on the period from 1990 to present since during the Cold War, great power competition may have provided different types of incentives for insurgent groups and intervening states.
25. The VRA data has been made available by Gary King and Will Lowe. The complete raw dataset is available online at <http://dvn.iq.harvard.edu/dvn/dv/king/faces/study/StudyPage.xhtml?studyId=505&studyListingIndex=1_2a7bd24a149ba45d835d24053f19>, accessed 13 May 2010. Also see Gary King and Will Lowe, 'An Automated Information Extraction Tool for International Conflict Data with Performance as Good as Human Coders: A Rare Events Evaluation Design', *International Organization* 57/3 (2003).
26. We define incidents of insurgent violence to include (but not limited to) acts of abduction, assassination, hostage taking, kidnapping, small arms attack, sexual assault, and car bombings committed by armed civilian groups, insurgents, and ethnic group actors.
27. George Downs and Stephen Stedman, 'Evaluating Issues in Peace Implementation', in Stephen Stedman, Donald Rothchild and Elizabeth Cousens (eds) *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder, CO: Lynne Rienner 2002).
28. Sanam Naraghi Anderlini, 'Peace Negotiations and Agreements', *Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action* (London: International Alert 2004).
29. For example, Nilsson considers an agreement inclusive if all previously warring parties are included in the agreement. See Desiree Nilsson, 'Partial Peace: Rebel Groups Inside and Outside of Civil War Settlements', *Journal of Peace Research* 45/4 (2008).
30. Nilsson also raises the interesting question of durable peace when the signers of an inclusive agreement anticipate the interests of excluded actors. An expectation of this paper is that when the interests of these excluded parties are adequately represented, post-agreement violence should be minimal. See Nilsson (note 29).
31. Fen Osler Hampson, *Nurturing Peace: Why Peace Settlements Succeed or Fail* (Washington, DC: USIP 1996) p.210.
32. Stephen R. Weissman, *Preventing Genocide in Burundi: Lessons from International Diplomacy* (Washington, DC: USIP 1998) pp.28–29.
33. Interview with Steve McDonald, 22 June 2004, Washington, DC.
34. John Prendergast and Emily Plumb, 'Building Local Capacity: From Implementation to Peacebuilding', in Stephen Stedman, Donald Rothchild and Elizabeth M. Cousens (eds) *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder, CO: Lynne Rienner 2002) p.336.

35. Ann Mosely Lesch, *The Sudan – Contested National Identities* (Bloomington, IN: Indiana University Press 1998).
36. See Reuters news reports like, 'Sudan Rebel Group says it Kills Commander Nyuon', 16 Jan. 1996 and 'Sudan Guerrillas Claim Victory Over SPLA Rivals', 30 Jun. 1996 for more details.
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38. Sara Pantuliano, 'Kordofan, Making Sense of Darfur: Stability Threats in South Kordofan', Social Science Research Blog, online at <http://blogs.ssrc.org/darfur/2008/08/15/stability-threats-in--south-kordofan/>, accessed 13 May 2010.
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40. See Institute for Security Studies, 'The Sudan IGAD Peace Process: Signposts for a Way Forward', African Security Analysis Programme, Occasional Paper, 13 Feb. 2004; and IRIN, 'Sudan: Peace Process Threatened by Exclusivity, Says Think-Tank', Nairobi, 4 Mar. 2004.
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46. *Christian Science Monitor*, 'Death of Former Rebel Chief Tests Sudan Peace', 2 Aug. 2005.
47. Interview with David Mozersky, Nairobi, 23 March 2004.
48. Julie Flint and Alex de Waal, *Darfur: A Short History of a Long War* (London: Zed Books 2005) p. 13.
49. IRIN, 'Sudan: The Neglected East', Asmara, 24 Mar. 2004.
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51. See International Crisis Group, 'Unifying Darfur's Rebels: A Prerequisite for Peace', Africa Briefing No. 32, 6 Oct. 2005; Scott Straus, 'Darfur and the Genocide Debate', *Foreign Affairs* 84/1 (2005) pp.123–33; and International Crisis Group, 'Darfur Rising: Sudan's New Crisis', Africa Report No. 76, 25 Mar. 2004.
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53. Alex de Waal, 'Darfur and the Failure of the Responsibility to Protect', *International Affairs* 83/6 (2007).
54. Suliman Baldo, 'Darfur's Peace Plan: The View from the Ground', 23 May 2006, online at <www.opendemocracy.net/democracy-africa_democracy/peace_darfur_3581.jsp>, accessed 13 May 2010.
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56. International Crisis Group, 'Darfur's New Security Reality', Africa Report No. 134, 26 Nov. 2007.
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58. Dorina Bekoe, 'The Eastern Sudan Peace Agreement: Taking Stock and Moving Forward', *USIP Peace Briefing* (2007).
59. Kelly Campbell, 'Emergent Insecurity in Eastern Sudan', *USIP Peace Briefing* (2005). See also 'Sudan: Beja People's Problems Exacerbated by Rebels', *IRINnews.org* 16 Nov. 2005; and Richard Cornwell, 'Sudan: All Quiet on the Eastern Front?' *African Security Review* 14/3 (2005), p.54.
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62. 'Eastern Sudan tempts Darfurian fate', ISN Security Watch Report, 3 Jul. 2006.
63. 'Enemies Everywhere', *The Economist* 1 Oct. 2005, p.4.
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66. Campbell (note 59).
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69. Tony Hodges, *Western Sahara: The Roots of a Desert War* (Westport, CT: Lawrence Hill Books 1983) p.56.

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80. 'Western Sahara Between Autonomy and Intifada', *Middle East Report*, 16 Mar. 2007.
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93. Drisdelle (note 19) p.32.
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95. Poulton and Youssouf (note 92) pp.29–30.
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109. Drisdelle (note 19) p.34.
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111. Lode (note 91).

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112. Poulton and Youssouf (note 92).
113. Lode (note 91).
114. Poulton and Youssouf (note 92) p.78.
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116. Poulton and Youssouf (note 92).
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