

**AN ANALYSIS OF STRATEGIC-MILITARY ISSUES IN THE ENDING OF
CIVIL WARS: A CASE STUDY OF THE DEMOCRATIC REPUBLIC OF
THE CONGO, 1994 – 2004**

By

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ABSTRACT

This study is an analysis of how military issues can contribute to a sustainable ending of civil wars particularly in Africa. The continuous warfare in the Democratic Republic of the Congo (DRC) between 1996 and 2004 is used to understand the nature of civil wars and how they relate to classical strategic theory of war in general and their termination in particular.

According to classical strategic military theory, war must always be guided by clear political objectives. Without this, war becomes an irrational act and spins out of control. Tactical victory gained in the battlefield over an opponent must be translated into strategic victory for war to end sustainably. This can only be done if the political objective of the war has been attained. But also crucial are the terms and conditions of peace that the victor offers the defeated opponent.

Not all wars end with a tactical victory in the battlefield. In many instances of modern wars, and in particular with the current civil wars in Africa, there is a stalemate. This forces the belligerent parties to negotiate. Within the context of the DRC, the first war (1996-1997) ended in a tactical victory for the Rwandan alliance (composed of Rwanda, Uganda and Burundi) over the regime of President Mobutu. However, this victory was not translated into strategic victory (long term peace). The alliance, despite having installed a new leader (Laurent Kabila) in the DRC, remained an occupying force, with the Rwandan military commander taking over the role of the DRC's military chief of staff. This was in part because the political objectives of the Rwandan alliance had changed from revenge on Mobutu for sheltering and supporting the perpetrators of the genocide in Rwanda, to economic exploitation of the abundant natural resources of the DRC. The outcome was that the proxy (Kabila) turned against his backers as he sought to gain legitimacy and support from his fellow Congolese citizens.

President Kabila ordered the Rwandan alliance out of the country. The alliance then started a second war (1998-2002) aimed at deposing the former proxy and

establishing new proxies. The situation had however changed as the old proxy (Kabila) had acquired new partners (Angola, Namibia and Zimbabwe). This, apart from transforming the DRC war into Africa's first continental war (in terms of the number of countries that were eventually involved), turned into a stalemate. This resulted in negotiations that took a long time to complete.

The first round of negotiations produced the Lusaka Ceasefire Agreement (LCA) in 1999 with two independent tracks that led to two levels of agreements: inter-state agreements and intra-state agreements. None of these were implementable until 2002 when the DRC negotiated with Rwanda and with Uganda separately on military issues of the conflict. These negotiations produced the Pretoria Accords between the DRC and Rwanda, and the Luanda Accords between the DRC and Uganda. The withdrawal of the militaries of Rwanda and Uganda from the DRC paved way for their proxies, The Rally for Congolese Democracy - Goma (Rassemblement Congolais pour la Démocratie - RCD-Goma) and the Movement for the Liberation of Congo (Mouvement de Libération du Congo – MLC) to join the Inter-Congolese National Dialogue (ICND) which ended in 2004 without a conclusive agreement on military issues.

Keywords: Democratic Republic of the Congo, civil war, conflict, terms of peace, military, classical military theory, rebels, negotiation, mediation, Rwanda, Uganda, Burundi.

LIST OF ABBREVIATIONS AND ACRONYMS

- ADF - Allied of Democratic Forces
- AFDL - Alliance of Democratic Forces for the Liberation of Congo-Zaire
- ALiR - The Army for the Liberation of Rwanda (Armée pour la Libération du Rwanda)
- ANC - African National Congress
- ANC – Armée nationale congolaise
- ANP - National Popular Assembly
- BCC - Banque Commerciale du Congo
- CAR – Central African Republic
- CIA - Central Intelligence Agency
- CLF - Congolese Liberation Front
- CNDD-FDD - Conseil national pour la défense de la démocratie-Forces de défense de la démocratie
- CNDP - National Congress for the Defense of the People
- COW - Correlates of War
- CPL - Congrès des progressistes pour la libération
- CPLP - Community of Portuguese Speaking Countries
- DDR - Disarmament, Demobilization and Reintegration
- DDRRR - Disarmament, Demobilization, Repatriation, Rehabilitation and Reintegration
- DRC – Democratic Republic of the Congo
- DSP - Division Spéciale Présidentielle
- ECCAS - Economic Community of Central African States
- ECOR - Ethnic Conflicts Research Project
- ECOWAS - Economic Community of West African States
- EPLF - Eritrean Peoples Liberation Front
- EPRDF - Ethiopian Peoples Revolutionary Democratic Front
- EU - European Union
- ex-FAR – Former Armed Forces of Rwanda (Forces Armées Rwandaises)
- FAZ - Forces Armées Zairoïses

FDD Forces for the Defence of Democracy in Burundi
FDLR - Democratic Forces for the Liberation of Rwanda
FLC - Front de libération du Congo
FNL - Front National de Libération
FONUS - Forces for Renovation for Union and Solidarity
FPLC - Patriotic Forces for the Liberation of Congo
FUNA Former Uganda National Army
GDP - Gross Domestic Product
GIA - Global and All-Inclusive Agreement
GLR – Great Lakes Region
GOU – Government of Uganda
GSSP - Special Presidential Security Group
IAC - International armed conflict
ICGLR - International Conference on the Great Lakes Conference
ICND - Inter-Congolese National Dialogue
ICRtoP - International Coalition for Responsibility to Protect
ICTY - The International Criminal Tribunal for the former Yugoslavia
IDPs - internally displaced persons (IDPs)
IHL - International Humanitarian Law
IMF - International Monetary Fund
INGO - International Non-Governmental Organisation
InterFET - The International Force for East Timor
IPC - Ituri Pacification Committee
JVM - Joint Verification Mechanism
LCA - Lusaka Ceasefire Agreement
LRA Lord's Resistance Army
MAGRIVI - Mutuelle des Agriculteurs de Virunga
MIB - Mission d'immigration des Banyarwanda
MIZK - Mission d'Identification des Zairois au Kivu
MLC – Mouvement de libération du Congo
MNC-L - Mouvement National Congolais-Lumumba
MONUC - Mission de l'Organisation des Nations Unies en République Démocratique
du Congo

MONUSCO - Mission de l'Organisation des Nations Unies pour la Stabilisation en
République Démocratique du Congo

MOSOSP - Movement for the Survival of the Ogoni People

MOU - Memorandum of understanding

MPLA - Popular Movement for the Liberation of Angola

MPR - Mouvement Populaire de la Révolution

MRND - Mouvement Républicain National pour la Démocratie et le Développement

NALU National Army for the Liberation of Uganda

NIAC - Non-international armed conflict

NRM – National Resistance Movement

OAU - Organization of African Unity

PACMT - Political Agreement on Consensual Management of the Transition in the
DRC

PALU - Unified Lumumbist Party

PDSC - Christian Social Democrat Party

PPRD – People's Party for Reconstruction and Democracy

PRP - Partie de la Révolution Populaire

RCD – Rassemblement Congolais pour la Démocratie

RCD-ML - Rassemblement Congolais pour la Démocratie - Mouvement
de Libération

RoC – Republic of Congo

RPA - Rwandan Patriotic Army

RPF – Rwandan Patriotic Forces

RUF - Revolutionary United Front

SADC - Southern African Development Community

SIPRI - Stockholm International Peace Research Institute

SNC - Sovereign National Conference

UCDP - Uppsala Conflict Data Program

UDPDS - Union pour la Démocratie et le Progrès Social

UK – United Kingdom

UNGoE - United Nations Group of Experts

UNITA - National Union for the Total Independence of Angola

UNRF II Uganda National Rescue Front II

UNSCR – United Nations Security Council Resolution

UNSG – United Nations Secretary General

UPDF - Uganda People’s Defence Force

US - The United States of America

WNBF - West Nile Bank Front

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CHAPTER ONE

INTRODUCTION

1. Identifying the research theme

Civil wars have been an endemic feature of the post-independence African continent. Harff and Gurr (2004: 221) define civil war as a violent conflict between roughly equal factions within a state trying to create, or prevent the establishment of a new government for the entire state or some part of it. On the other hand, Turton (1997: 154) views civil war as an escalation of ethnic conflict, by describing how the latter develops from the former. He affirms that ethnic conflict is a three-stage process in which ethnic antagonism first becomes political competition; second, gives rise to a spiral of ethnic violence and third, escalates into civil war.

Turton's views correlate with those of Brown (1996: 1) when he talks of "internal conflict." He defines an internal conflict as a potentially violent political dispute whose origin can be traced primarily to domestic rather than system factors, and where armed violence takes place or threatens to take place primarily within the borders of a single state. Examples of internal conflict include, according to Brown, violent power struggles involving civilian or military leaders, armed ethnic conflicts and secessionist campaigns, challenges by criminal organisations to state sovereignty and armed ideological struggles and revolutions.

The common factor among all the above definitions is the recognition that civil wars are a violent reaction by a section of the members of a society against the central authority; and that they occur predominantly within the borders of a state.

While there has been a corresponding global prevalence of civil wars between the 1960s and 1990s, Africa has had more than its share. According to Hoeffler (2008: 5) there were 17 civil wars globally within this period. Out of these 17, eight were in Africa. Since then the number of civil wars fell gradually across the world, including in Africa. Between 1960 and 2002 a total of about 3.86 million people were killed in civil war battles globally. Of this, the majority of the casualties were in Africa,

making Africa the region with the highest number of battle deaths (Lucina and Gleditsch, 2005: 145-166). But if one considers that only about 12 per cent of the global population lives in Africa, then the continent has experienced more civil wars than any other continent. Even more worrying, according to Hoeffler, is that civil wars in Africa have lasted longer and are often recurrent than in any other part of the world. This observation resonates with the analysis reached by Lucina and Gleditsch, as summarized in the table below.

Table I: Battle and war deaths in selected African countries

Source: Extracted from Lucina and Gleditsch (2005: 159).

| Country | Year | Total Deaths | Battle Deaths | % Battle Deaths |
|------------|-----------|---------------|---------------|-----------------|
| Angola | 1975-2002 | 1.5 million | 160,500 | 11% |
| Mozambique | 1967-1992 | 0.5-1 million | 145,400 | 15-29% |
| Sudan | 1983-2002 | 2 million | 55,000 | 3% |
| DRC | 1998-2002 | 2.5 million | 145,000 | 6% |

The table above captures the lengthy nature of civil wars in selected African countries. It also highlights the destructive nature of these wars. The indirect deaths from civil wars are horrendous due to the spread of epidemics, famine and mass dislocation and degradation of the state functions. This is in addition to direct deaths that occur in the same civil wars. It is of great concern that in a span of just four years (1998-2002), a period that coincided with the second civil war in the DRC, a total of 2.5 people died as a result of the war.

With respect to the core countries of the Great Lakes Region – GLR (DRC, Rwanda and Burundi), the International Coalition for Responsibility to Protect (ICRtoP) and Caritas International have documented the death of more than 6.9 million Congolese between 1996 and 2013 due to direct and indirect causes of the war (Eberhand, 2013: 1). The civil in Rwanda ended up in genocide in 1994 with over 800,000 deaths and thousands more as refugees. The civil war in Burundi between 1993 and 1997 caused at least 150,000 deaths (McGreal, 1996:11). In addition to deaths, economic development is stalled or even reversed in countries that experience civil wars. This is as a result of the destruction of infrastructure and the disruption of production as

people are forced to flee (Kalyvas, 2007:1).

It is on the basis of this reality that this study seeks to understand why these wars have persisted, and even recurred in situations where they were considered terminated. The biggest question on people's mind is therefore why these wars, which are predominantly intra-state (also known as civil wars), tend to persist and recur. Even in cases where they are considered terminated, the wars recur shortly thereafter, and challenge the traditional understanding of how wars should end. In a monograph titled *Reintegrating ex-combatants in the Great Lakes region – Lessons learned*, I analysed the factors that led to the cycles of civil wars in the Republic of Congo (RoC), and the Central African Republic (CAR).

In the case of the RoC, the rebel group known as “Cobras” of Sassou Ngwesso achieved tactical military victory in October 1997 over the national army, popularly known as “Ninjas” of Pascal Lissouba who was the president (Global Security.org, 2011). Sassou's victory was possible due to the support he received from the Angolan army. When he became president, Sassou signed an agreement with other rebel groups that had also been fighting Lissouba. The “Ninjas” now became the rebels and continued roaming the country, threatening a return to war. They were completely ignored in the new dispensation despite remaining armed and ready to continue the war. The Lissouba faction was never presented the terms of surrender and therefore the outcome was a fractious situation in which there were no terms of peace agreed between the two factions. The World Bank advised Sassou to find ways of reintegrating the defeated “Ninjas” into the society. However, this has not solved the problem of the “Ninjas” who have remained a threat to the peace and stability in the country (Alusala, 2011: 17-32).

The CAR has experienced a tremendous series of civil wars that were characterized by military coups since independence. Nocola (2004: 24) documented that in January 1966, Jean-Bedel Bokassa overthrew David Dacko, the country's first president. This triggered a continuous series of similar coups that accompanied successive civil wars in the country. In September 1979, David Dacko overthrew Bokassa, to reclaim his seat. Two years later (in 1981), Andre Kolingba overthrew Dacko and led the country

into a new constitution and ushered in multiparty elections, which Ange-Felix Patasse won in 1993. However, the civil society and the military raised grievances regarding salary arrears, and unequal treatment of military officers from different ethnic groups. This led to civil unrest against Patassé. François Bozize, then the military commander, seized power in March 2003 (Alusala, 2007: 10-18) and since then the country has continued to experience political instability.¹

In 2010, Dye and I analysed the 16-year civil war in Mozambique, which started in 1977, merely two years after the country's independence. The war ended with the signing of the 1992 Rome General Peace Agreement. Although the agreement spelt out the political and military details, suspicion between the Frelimo government and Renamo former rebels hampered the full implementation of the peace agreement (Chan and Venancio, 1998: 62-65). By 2009, about 100,000 Renamo ex-combatants were still threatening a return to war, demanding that Frelimo had flouted the terms of the peace agreement relating to electoral fairness and transparency (Alusala and Dye, 2010: 1). The point of divergence between Renamo and Frelimo has been on electoral order, and less so on military issues of the Rome Peace Agreement. Since the first multi-party elections in Mozambique in 1994, Frelimo has apparently won every presidential and legislative election, including in the areas considered strongholds of Renamo (Placido, 2013: 2).

It is important however to mention that Mozambique has remained relatively peaceful since the signing of the Rome General Peace Agreement in 1992 because the parties implemented the seven core requirements (protocols) of the Agreement. Among these requirements were Protocol I (Basic principles); Protocol II (Criteria and arrangements for the formation and recognition of political parties); Protocol III (Principles of the Electoral Act); Protocol IV (Military questions); Protocol V (Guarantees); Protocol VI (Cease-fire); Protocol VII (Donors' Conference) (Rome General Peace Agreement, 1992). Because Mozambique addressed the military differences between the former belligerents, it has been able to maintain peace and

¹ Bozize persistently flouted the opportunity to negotiate the terms of peace with his adversaries in the country and in March 2013 Michel Djotodia overthrew him. The recurrence of the civil war was therefore perpetuated by recurrent failures of the protagonists to enter into negotiations that could have enabled them to agree on the terms of peace that would espouse military issues of the conflict. The civil war in the CAR continues.

stability. This did not take place in the RoC and in the CAR civil wars and as such the two countries have not experienced peace. It is critical therefore to ensure that when a war ends the former belligerents agree on the terms of peace that are not only comprehensive, but also offer conditions that appeal to the vanquished party. The recurrence of wars on the continent is mostly due to the fact that the terms of peace at the end of civil wars have not been fair and therefore not acceptable to the vanquished parties.

The importance of negotiating the terms of peace that are acceptable to both (or all) belligerents in a war, as discussed across this study, cannot be overemphasized. Furthermore, the longer the civil war lasts the more it leads into a mutually hurting stalemate, raising the need for negotiations. At this point, a negotiated settlement becomes the only option (Zartman, 1993) for ending the conflict. As Fearon (2004: 276) concludes, "...civil wars last a long time when neither side can disarm the other, causing a military stalemate. They are relatively quick when conditions favor a decisive victory." These scholars, however, have not addressed the question of why these wars keep recurring despite the manner in which they are terminated. This study seeks to address this question with the aim of finding out how civil wars, especially in Africa, could be brought to a sustainable ending. The assumption is that the way in which a civil war is terminated determines its chances of recurring. To understand how this happens, one needs to start by comprehending how wars terminated in the past, and the best way is to look at what classical strategic-military theory says on war termination. The basis of using this theory is that the guiding objectives of war have remained the same across time, as argued by Clausewitz, Mao, Sun Tzu, Machiavelli and Jomini. In their discourses on war termination, they conclude that war can only end sustainably when the victor and the vanquished are able to negotiate and agree on the terms of peace regardless of whether the war resulted in tactical victory or in a stalemate. Such negotiations should normally involve both military and political terms of peace.

In the process of negotiating peace agreements to end Africa's civil wars the focus has often been on the political terms such as power sharing arrangements and the formation of new governments, elections and the writing of new constitutions. Very

little attention has been paid on how to deal with the armed groups, in particular the vanquished groups. Regarding military issues, the peace terms may only talk of the integration of the defeated party into the military structures of the victor or even total disarmament and reintegration of the defeated into the community without regard for possible repercussions. Worse still, in situations where the parties agree to dissolve into a new unitary military force, one of the parties (usually the victor or government side) tries to manipulate the situation to its advantage, sometimes without providing specifics such as who gets integrated and at what level (rank), who gets disarmed (i.e. the criteria for integration into the new army), the security of the rank and file of the former combatants as well as their preferences in the new military order. These concerns comprise the military issues of ending the conflict because whenever they are not considered comprehensively, the possibilities of former combatants taking up arms again with the aim of controlling resources and territory formerly under their control remains high. This has often resulted in the recurrence of civil wars, as borne out by several cases in Africa.

One such a case is the 1991 Bicesse Accords reached between the Popular Movement for the Liberation of Angola (MPLA) government and the National Union for the Total Independence of Angola (UNITA) rebels in Angola. The agreement led to a ceasefire without the parties agreeing on the military roles that the former belligerents would play in the post-war framework after the elections. When MPLA claimed victory in the first round of elections, UNITA rejected the results and resumed the war in 1992, before the second round could even be held. The new civil war saw UNITA finance itself from diamond mining from the area under its control, while the government financed its side of the war using the revenues from Angola's rich offshore oil deposits that the government controlled (Hodges, 2001: 10-13). It was noted that the new war was more ravaging than any other in the country's history, with UNITA taking control of 70 percent of the country. The United Nations (UN) brokered talks eventually led to the Lusaka Protocol in November 1994.

Incidentally, Jonas Savimbi, the UNITA leader, refused to travel to Lusaka for the signing of the protocol. It was until when UNITA lost its military power through the assassination of Savimbi in February March 2002 that the negotiations regained

traction (Comerford, 2005: 25- 40). The earlier failure in the peace talks was due to the military power that Savimbi still wielded, and which the negotiations had not taken heed of. This prevented UNITA rebels from espousing the terms that were presented to them. Even after Savimbi's death, it took the effort of the military from both sides to negotiate the signing of the Luena Memorandum of understanding (MOU) between the two parties in April 2002, which terminated the war.

The case of the civil war in Guinea Bissau (1998-2000) is one other such example. The war started when General Ansoumane Mane launched a military revolt against the government of President Joao Vieira following a dismissal of the army chief. Negotiations led by the Economic Community of West African States (ECOWAS) and the Community of Portuguese Speaking Countries (CPLP) ensued after 11 months of fighting, leading to the signing of a peace agreement in Abuja in November 1998 between General Mane and President Vieira. The agreement also set a date for elections and paved way for the ECOWAS to deploy troops in early 1999, without the former belligerents agreeing on the modalities of disarming and integrating into a national force (Addison and Murshed, 2002: 500). The Abuja agreement would soon be violated due to persistent differences between the military and the presidency.

Vieira was eventually deposed in a coup in May 1999, leading to fresh elections in November of that year. A new government was sworn-in in February 2000 with Kumba Yala as president (Birikorang, 2005: 2). Despite the inauguration of a new government, the military continued to challenge the government's style of leadership, and even declared the government's military appointments null and void. Eventually, General Mane launched another coup in November 2000 in which he (Mane) was subsequently killed by troops loyal to President Yala. Consequently, General Verissimo Correia overthrew Yala in a bloodless coup in September 2003. Fresh negotiations were launched in which all the parties (including the military) had an equal role.

To solve the recurrent crises, the Military Committee, representatives of political parties and the civil society negotiated and signed a political transition charter in which they agreed to be led by a civilian Prime Minister, National Transitional

Council and a Civilian Transitional President. According to the Charter, legislative elections were held after six months of its signing, and fresh presidential elections followed after 18 months. In May 2004, the National Popular Assembly (ANP) was formally inaugurated, replacing the National Transitional Council, and presidential elections followed in June 2005, thereby formally terminating the civil war. According to Birikorang (2005: 2), Guinea Bissau's civil war clarifies the misconception that, "...the mere holding of elections will channel political action into peaceful contests among elites, the winners of which are accorded public legitimacy" (Karl, 1999: 82).

In yet another case of unsustainable ceasefire, a democratic election was organized in March 1998 in Sierra Leone after nearly a decade of civil war. But hardly a year later, in January 1999, the Revolutionary United Front (RUF) rebels invaded Freetown. Mediation initiatives followed, leading to the signing of the Lomé Peace Agreement in July 1999, thereby paving the way for the cessation of hostilities and the formation of a government of national unity in October 1999 (Addison and Murshed (2002: 499-500). However, the peace deal did not last as the unresolved underlying military issues led to mistrust and witch hunt between Foday Sankoh's RUF and the government, leading to the collapse of the peace deal in May 2000 when international peacekeepers attempted to enter the rebel-controlled diamond-producing areas, which financed rebel activities. Renewed negotiations ended with the government and the RUF signing a fresh peace agreement in November 2000. However, the agreement had limited credibility, and by the end of 2000, the RUF and other rebels controlled half the country, including the diamond-producing areas.

What emerges from the above cases is the importance of addressing military issues in any negotiations to end civil war. Finkelstein (2007: 134-135) refers to military issues as matters of "Army Building" or "Military Construction," and goes on to explain that they (military issues) refer to the sum total of policies, programmes and directives that guide the current and future modernization of armed forces. These issues are anchored on the adoption of a common doctrine, organising the forces and their structure as well as training. These issues are the backbone of the stability of a country if the forces are to perform their duties in synergy. Similarly, in the context of this study,

military issues (as discussed under section 6.3.2) were the deciding factor in negotiating a successful end to the two civil wars in the Congo. These were matters that the inter-Congolese parties needed to agree on, in order to establish a single military command for the country out of the various factions that had fought in the civil wars. These issues included the formation of new military for the DRC.

It was therefore necessary on one hand that the parties (both the rebels and the DRC government) agree on the size of the new army, its command structure, the composition and security of the commanders, the ratio of rebel-to-government soldiers to integrate into the new national forces, the training doctrine for the new army and on the other hand they also agree on the sharing of political power (see section 6.3.1) in line with the aspirations of the signatories to the ICND.

In section 2.1.4, I refer to the fact that in strategy, politics lie at the centre of the formulation of the objective of war. It is the roles of the political leaders, with the technical advise of the military commanders, to identify the objective to be achieved in a war. This is the logic behind the relationship between political power and military issues. It also explains why the rebel groups (MLC and RCD-Goma) insisted, during the ICND, on securing strategic positions in the transitional government. However, when President Joseph Kabila maintained that the position of president was not vacant and therefore non-negotiable, MLC and RCD withdrew from the talks (see section 6.3). This led to the collapse of the first round of the ICND.

This study therefore affirms failure to resolve military issues at the heart of a civil war has a high propensity for leading the parties in a state of mistrust, lack of commitment to the terms of peace and a possible renewal of war. Based on the realities of the foregoing cases in which the failure to incorporate military issues in peace agreements led to resumption of conflict, I seek to use the wisdom of classical military theorist in addressing the issue of civil war termination in Africa and in particular the centrality of establishing the terms of peace while ending these wars. I use the case of the two wars in the DRC (1996 to 2004) to analyse the problems of civil war termination in Africa in an attempt to find a more permanent solution.

1.1 Termination of wars

Classical strategic military theorists define war termination as a discrete post-war process that falls in the political leaders' bailiwick - meaning one's sphere or territory of operations (Machiavelli, 1965: 227). Because wars are a continuation of politics, they (wars) are a way of attaining a political objective. This is in line with Clausewitz's explanation that modern wars are never final until the objective is attained, or convincingly lost. He argues that before the French Revolution, most wars of the time (or wars of *ancient régime*) were conducted between professional armies of limited size for limited interests. Under such conditions, explains Clausewitz, once an army had been defeated on the battlefield, given the moderate demands of the victor, it was relatively easy to agree on the terms of peace. This was because the wars of the *ancient régime* did not involve civilians, as is the case in modern wars. Old wars involved only state-to-state armies and therefore were fought strictly according to rules of war, unlike modern wars, which involve insurgents (Handel, 2005: 200).

According to Clausewitz (1943: 111), war can be terminated through four instances. First is by fulfilling three objectives aimed at disarming the enemy and compelling him to take peace on one's own terms. He emphasizes the need to: (a) destroy the enemy's forces by putting them in such a condition that they can no longer carry on the fight; (b) occupation of the enemy's country, since if this is not accomplished, then the enemy could renew the hostilities in the interior of the country perhaps with allied help; and (c) break the enemy's will to continue fighting. According to Clausewitz, this is the most important aspect of terminating a war, because the defeat of the enemy's army and even the occupation of his country will not result in a final peace agreement as long as the enemy's government and population have the will to go on fighting. Under most circumstances, however, the destruction of the enemy's army and the occupation of his country should be able to break the enemy's will to continue fighting, thereby bringing the enemy to the negotiation table.

Second, it depends on the theoretical and actual grounds for making peace. He proposes that theoretically, wars can be terminated following the defeat and disarming of one belligerent, but warns that this is rarely true in practice especially where

victory is improbable due to a military gridlock that prevents either side from winning.

Third, the termination of a war can also be based on the rational calculus of the conflict. Here, he states that the decision to terminate war ought ideally or normatively to be determined by the costs and benefits of the war. He concludes that when costs and benefits are equal, the decision of whether to quit the war or to continue fighting will depend on factors such as anticipated trends in the relative strengths of belligerents or the importance of the interests at stake (Clausewitz, 1943: 92).

Fourth, optimal timing (also known as the equilibrium analysis of war termination) is essential. This situation is hinged on the argument that the truth about war is that no single belligerent can bring it to a decisive military conclusion without resorting to negotiations. Mutually, the parties should eventually seek to end the war both on the battlefield and at the bargaining table. The optimum point of war termination is arrived at when both parties have equal incentives to end the war, although it is assumed that the weaker or losing side always has a stronger incentive to make peace, which puts him in a weaker bargaining position (Clausewitz, 1943: 95-98).

More recent authors such as Smith (1995: 265-270), Handel (1982: 42), Stein (1975: 2), Craig and George (1990: 229-246) and Kecskemeti (1970: 105) have attempted to describe the concept of war termination as the process by which belligerents agree on the cessation of hostilities, a formal cease-fire or a peace agreement; the acceptance by all sides of the military outcome as the basis for determining the political outcome of a conflict; the process by which elites on all sides secure the agreement of their colleagues to press for peace; and the stage at which elites decide that the expected utility of continuing to fight is less than that of a settlement. As a concept, war termination is the study of how and why armed conflicts are brought to an end. It focuses on the point that marks the transition from armed conflict to a cessation of armed hostilities, or the discontinuation of hostilities, which does not necessarily include positive progress to a lasting peace (Handel, 1989: 456). Tuck (2010: 207) differentiates the termination of an armed conflict from its resolution by stating that

the resolution of an armed conflict is about finding positive progress to a lasting peace.

Pillar (1970: 1-25), refers to termination of war as the ultimate form of de-escalation, which occurs when one side capitulates or withdraws; belligerents arrange mutually agreeable terms or outsiders impose a settlement. On the other hand, Gordon et. al. agree that the ease of terminating a war is dependent on the decisiveness of victory, but could be difficult to achieve when both sides fight for limited ends with limited means (Gordon et.al, 1983: 220-22).

The foregoing discourse confirms observation by the classical strategic-military theorists that war can end either through tactical victory or through negotiations. It further confirms that even when a war ends in tactical victory, negotiations are still necessary in order for the former belligerents to agree on the terms of peace as a way of attaining strategic peace. This is why Sun Tzu (1971) advises that the successful strategist must, in victory; create a common interest with the defeated enemy in order to have a lasting peace. The victor can achieve this by treating the captives well and caring for them. This according to Sun Tzu, means winning the battle and becoming stronger. He adds, "...generally in a war the best policy is to take a state intact; to ruin it is inferior to this," (Sun Tzu, 1971: 79).

However, Handel (2005) and Schelling (1976) argue that for war to terminate, the conditions of peace must be such that they appear generous or at least reasonable to the loser. In other words, the terms presented to the loser have to be agreeable/acceptable, for him not to rebel. In this case therefore, an enduring peace or strategic peace (also referred to as strategic victory) so achieved, is a reciprocal process by the winner and the loser. Handel emphasizes this point by adding that military victory alone is only a necessary but never a sufficient condition for a lasting termination of war, which, after all, can only be achieved through political means. The parties can only achieve this through a political process of accommodation in which the victor recognizes the interests of the defeated party and grants him peace terms that he can accept for the long-term peace (Handel, 2005: 198).

Handel further points out that history is replete with examples of decisive military victories that led nowhere because the victor was not ready to acknowledge the legitimate interests of the vanquished adversary. He concludes that the more resounding the initial victory, the harder it is for the now hubristic (proud) victor, in the heady moment of triumph, to recognize the reciprocal nature of war termination. This explains to a large extent why the greatest victors paradoxically fail to obtain enduring results (Handel, 2005: 198).

Schelling (1976: 1-25) outlines the importance of recognizing common interests in conflict. He posits that in taking conflict for granted, and working with an image of participants who try to “win,” a theory of strategy does not deny that there are common as well as conflicting interests among the participants, because, “winning” in a conflict does not have a strictly competitive meaning since it is not winning relative to one’s adversary, but rather gaining relative to one’s own value system. This may be done by bargaining, by mutual accommodation and by avoidance of mutually damaging behaviour.

Machiavelli uses the illustration of the Roman decision-making approach to illustrate how to bring a war to a peaceful termination. The Romans had always to choose between two extremes: since a unilateral diktat (an order or decree imposed by someone in power without popular consent) imposed by the victorious side would not work in the long run, the Romans had to choose either to eradicate, disperse and enslave their defeated enemies, or grant them generous terms worth their equal. Machiavelli cites this in the *Discourses* when he says,

“The people of that town sent many citizens to ask pardon from the Senate...When one of the Senators asked one of them what punishment he thought the Privernati deserved...the man answered: ‘That which they deserve who think themselves worthy of liberty.’ To this the Consul replied: ‘And if we should remit the penalty to you, what sort of peace could we hope to have with you?’ To which he replied: ‘If you grant good one, loyal and lasting; if a bad one, not very long...’” (Machiavelli, 1965: 390-395).

Thucydides, like Machiavelli, extols the virtues of magnanimity in victory and good will in peace. Thucydides refers to the lessons drawn from the Athenian wars to advise that if great enmities are ever to be really settled, "...we think it will be, not by the system of revenge and military success, and by forcing an opponent to swear to a treaty to his disadvantage, but when the more fortunate combatant waives his privileges, to be guided by gentler feelings, conquers his rival in generosity, and accords peace on more moderate conditions than he expected. From that moment, instead of the debt of revenge which violence must entail, his adversary owes a debt of generosity to be paid in kind, and is inclined by honour to stand to his agreement" (Thucydides, 1950: 233). Classical theorists object annihilation of the vanquished by the victor. Rather, it recommends a mutual negotiation between the two on the terms that would govern peace between them. This is the essence of negotiating the terms of peace as a guarantee for strategic peace. It is this process that transforms tactical victory into strategic victory (long-term peace).

According to Whetham (2006: 130), a military victory and achieving a satisfactory end state is not the same thing, although for a military victory to actually mean anything, the two must be closely connected. He adds that there is a clear distinction between conflict termination and conflict resolution, warning that at times victory can come at the expense of a political settlement thereby making any military victory hollow at best, disastrous at worst.

What emerges is that war termination only comes through negotiations. It is through negotiations that the terms of peace are settled. But unless these terms are acceptable to the vanquished, long-term peace will remain elusive. Furthermore the terms of peace must also include how to deal with the defeated army or rebel group so as to dissuade it from taking up arms, and this is the essence of prioritising military issues in such negotiations.

1.2 Research problem and objectives of the study

The main argument in this study is that a sustainable termination of a civil is highly dependent on the degree to which the terms of peace are agreeable to all belligerents. At the core of those terms is how the parties appreciate the need to mutually agree on

military issues. The study borrows from the tenets of the classical military theory to demonstrate this important aspect of war termination which, according to this theory is based on the reality that despite the change in the nature of war from largely inter-state (in classical times) to increasingly intra-state (in modern times), the main objective of war (i.e. attainment of a political objective) has not changed. This study uses the case of the DRC to illustrate the approach used in terminating civil wars in Africa. Central to war termination is the peace agreement which clearly states the terms of peace. In a situation where the war ends in tactical victory it is important that the victor offers terms that are acceptable to the defeated party (Handel (2004: 354). This is what has been referred to as the transformation of tactical victory into strategic peace (Clausewitz, 1976: 386). In situations where the war is ended through negotiations, it is important that the final outcome is acceptable to all the parties.

The two wars in the DRC represent the two scenarios. In that the first case, the first war ended in tactical victory and the total defeat of the Mobutu regime and in the second scenario, the second war only ended when the parties entered into negotiations. The victors in the first instance failed to transform their tactical victory into strategic victory. The end result was the second war. There were a number of agreements to end the war. These involved agreements between states involved in the war in the DRC and the second involved the Congolese parties, both armed and unarmed. The agreements reached in the ending of the second war were not acceptable to all parties in part because they focused more on the political elements (power sharing) and ignored the military aspects. This resulted in continued warfare. The objectives of this study are therefore to:

- (i) Establish the extent to which classical theories of war termination are applicable in the situation of civil wars in Africa, using the DRC case study.
- (ii) Establish the extent to which the military issues were included in negotiating terms of peace to end the civil wars in the DRC, and the consequences thereof.

The study uses the above objectives as point of departure in analysing the reasons why civil wars (particularly in Africa) have tended to be lengthy and most often

repetitive. In so doing, the study establishes that when a war ends in absolute victory for one party over another, or ends in a stalemate, the essentials of ensuring strategic peace lies in the commitment of the parties to the terms of peace which should be mutually agreed upon by all the parties. Whenever there are no agreeable terms of peace, such a conflict is likely to recur, as proven by the case of the DRC civil war, which forms the basis of this analysis.

1.2.1 Why the DRC case study

A case study is an empirical inquiry that investigates a contemporary phenomenon within its real-life context. It is most useful in explaining situations in two contexts. Firstly, where the distinction between phenomenon and context are not clearly evident; and secondly in situations in which multiple sources of evidence are used (Yin, 1984: 23). In other words, in research, case studies serve to illustrate the validity of a research problem. According to Schell (1992: 2-3), the use of case study approach is unparalleled because of its flexibility to adapt to both single and complex research questions even in situations rich with contextual variables. He adds that case studies are best suited in responding to the how and why questions, or when the investigator has little control over events. Case studies avail the researcher with a real situation on which the researcher justifies or negates their arguments.

In line with the foregoing definition of case study, this research adopts the case of the civil wars that occurred in the DRC in order to illustrate its arguments. The study traces and explains the sequence of significant events the civil war in the DRC. The aim is to demonstrate (using the case of the DRC) typical issues that characterise most civil wars in Africa and why such wars become resilient to termination. This is therefore a descriptive case study.² The DRC was naturally a preferable choice for a case study in this context due to a number of reasons. First because the wars that

² Case studies can be classified into three categories: The exploratory (traditional form) the descriptive and the explanatory. An exploratory case study responds to the questions of “what” or “who” and employs methods such as interviews, models and experiments. On the other hand, descriptive case studies trace the sequence of events over time with the aim of unveiling key issues. Explanatory case studies provide answers to questions of “how” or “why.” In this context, the researcher seldom has control over actual events, which often occur in some real life contexts. For a detailed discussion, see, Shields, S. “The Case Study Approach,” at: http://www.mors.org/userfiles/file/meetings/09iw/pres/wg3_shields_s.pdf (accessed on 16 October 2014).

occurred in the DRC between 1996 and 2002 exhibited characteristics of a war in which the victor failed to present the terms of peace that would be acceptable to the vanquished, thereby leading to a lengthy war. Second, the conflict blended both inter-state and intra-state actors, a phenomenon that is attracting increasing research interest. The study presents an assessment of how proximate (external) events in a neighbouring country have triggered war across its borders by aggravating core causes in the neighbouring country. This also calls for the need to understand the regional context of the conflict and ensure that this concern is part of the negotiations for ending the war. This brings into focus the internal and external military dimensions that need to be negotiated.

Third, because the war drew in several actors, it presents a challenge to the conventional understanding of how wars with such a plethora of actors with varied interests are negotiated and ended. For instance, it is a very rare phenomenon for (two) intervening countries to fight in a third country, as was the case when Rwanda and Uganda fought over economic interests in Kisangani, as discussed in chapter five and six. This altercation also projects how interests of actors evolve with the war, sometimes leading to a clash of interests.

Fourth, because of the long duration that the two wars took to terminate, the actors evolved new strategies and changed or developed new alliances. In some of the cases, states formed alliances with rebel groups in an effort to control some areas of the Congo. This phenomenon presents an ideal case of how the fluidity of wars sometimes blurs the dichotomy between inter-state and intra-state wars through an amorphous formation of alliances between state and non-state actors. The findings of this study therefore add more knowledge to the growing body of literature on the changing nature of wars and how they should end sustainably.

Fifth, the DRC is a dominant state in the GLR and the continent for various reasons. It is geographically vast than all its neighbours, and with the highest concentration of natural resources. However, it is politically weaker than all its neighbours and with a variety of ethnic groups that in some cases overlap across the borders with its neighbours. This makes the smaller but relatively politically stronger neighbours to

take advantage of the Congo's situation and the cross-border inter-ethnic linkages to pursue their (economic) interests in the Congo in a way that resists most attempts to terminate the war. This research contributes to understanding the attitude and interests of Congo's neighbours as a way of finding a solution to the war.

Sixth, the period between 1994 and 2004 has been chosen because 1994 was marked by the events that triggered an outflow of Rwandan refugees into eastern Zaire. This later contributed to the wars in the DRC, as the Rwandan Patriotic Army (RPA) forces pursued their enemies into Zaire from 1996 in search of tactical victory. This first war seamlessly unfolded into the second war in 1997. The negotiations that followed led to the signing of a ceasefire in Lusaka, in 1999, and subsequent peace agreements between the DRC government and the governments of Rwanda and Uganda separately. This paved way for the inter-Congolese dialogue process. The result was the Global and All-Inclusive Agreement (GIA) on the Transition in the DRC (also called "Pretoria II") that all belligerent parties as well as the political opposition and civil society signed on 16 December 2002 in Sun City, South Africa. The cornerstone of GIA was the cessation of hostilities and the commencement of the transitional government. This is stressed in the first paragraph of the first Article I of the GIA. This agreement therefore marked the formal ending of the war and the establishment of the government of national unity within the framework of the Congolese parties, as analysed in chapter six.

1.3 Research methodology

This study applies qualitative research methods in which it adopts a descriptive approach in assessing the role that military issues play in the termination of civil wars. The study presents a qualitative assessment of the way in which military actors in the successive wars in Congo between 1996 and 2004 succeeded in terminating both wars. The first war ended through tactical victory and the second war ended through a negotiation process. However, in both wars, the actors failed to transform those victories into strategic peace. The study uses the classical strategic military theory (discussed in chapter two), to elucidate these facts. This theory also helps in explaining the changing nature of war and the behaviour of the actors.

The advantage of this qualitative method is that it provides a description of the events that characterised the two wars in the DRC, and relates them logically with the objectives of this study. The method also suits this kind of research because of its ability to compare and analyse the intentions and actions of the parties involved (Likoti, 2006: 24). Qualitative methodology is generally associated with interpretative epistemology, which refers to the form of data collection and analysis that rely on understanding with emphasis on meaning – why things happen the way they do (Marshall, 2005). The descriptive approach will therefore be useful in defining terminologies and explaining their use.

The findings of this study have, firstly contributed to the existing body of literature on the role that the theory of classical strategic-military contributes in explaining the termination of wars that bear similar characteristics to the DRC case. Secondly, the findings established by use of this methodology confirmed that despite the evolution in the nature of war (from inter-state to intra-state), the objective of waging war remains the same: search for tactical victory and the promotion of a political objective. The methodology has also informed the study the fact that sometimes actors in a war may change their objectives from political to economic (such as plundering of natural resources of the occupied territory). Third, it has provided an understanding of why the actors have continued to perceive the use of force (sometimes through proxies) as the solution to intrastate conflict, rather than negotiations.

The primary sources of data have been literature on classical military theory. It has also included subsequent commentaries by more recent military theorists, as well as extensive review of literature on civil wars generally and in Africa in particular. The second major source has been documents relating to the negotiations and peace agreements in the DRC. Such material was obtained from libraries, diplomatic sources and the UN website particularly regarding UN resolutions, international non-governmental organisations (INGOs). An institutional approach was used in analysing the Congolese country situations with regard to civil wars and military intervention from the early 1990s to 2004.

Most of this information was corroborated by my participation as a member of the UN Group of Experts (UNGoE) on the DRC. This practical experience on the ground in eastern DRC, coupled with a similar experience gathered in Liberia, enabled me to assess the validity of the arguments that I have presented in this study.³

1.4 Structure of the study

Apart from this introductory chapter there are six other chapters. Chapter two presents the theoretical background on the principles of the classical strategic-military theory and what it says about how wars end. It presents a discussion on the two main reasons why states go to war – in search of tactical victory and to achieve a given political objective. The discussion confirms that classical wars were driven by the desire for belligerents to pursue political goals by conquering new lands in the same way, as are today's wars. This is so in spite of the evolution of warfare and means of waging it. The central argument is therefore that the primacy of politics and the desire for victory are the guiding principles behind wars even in contemporary situations, just as was the case in classical wars. The chapter also provides a discussion on the importance of formulating a political objective that can be transformed into strategic peace when tactical victory is gained, i.e. victory must be seen within the long-term political objective. Finally the chapter discusses the meaning of termination of war in the classical military strategic theory, and how that termination is achieved, i.e. the significance of transforming tactical victory into strategic peace. In doing so, this chapter provides a platform for the third chapter, which goes a step further to interrogate the occurrence of civil wars and how they terminate in the post-Cold War era.

Chapter three builds on the second chapter by presenting, firstly a detailed examination of what constitutes civil wars. It then discusses in detail the two broad

³ I served as a member of the UNGoE on the DRC for three successive terms pursuant to the UN Security Council Resolutions (UNSCR) 2078 of 2012, UNSCR 2021 (of 2011) and UNSCR 1952 (of 2010). See the respective final reports presented to the UNSC Sanctions Committee on the DRC at: http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/42
http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/843
http://www.un.org/ga/search/view_doc.asp?symbol=S/2011/738.
A similar report on Liberia is located at: http://www.un.org/ga/search/view_doc.asp?symbol=S/2008/785. All these were accessed on 10 March 2014.

causes of civil wars – core (direct/root) causes and proximate (indirect) causes. This is followed by an in-depth analysis of the two ways in which civil wars, like all wars, end – through outright military victory, or by negotiation. It further emphasizes the fact that although modern war has evolved to be predominantly intrastate in nature, the classical strategic principles and aims of war as a continuation of politics by other means remain the guiding principle. This is because the search for victory remains the sole purpose of any military activity, and as such war today's wars are a continuation of politics by other means, just as was the case in classical times. The chapter concludes with a discussion on the approaches of terminating wars, such as military intervention, negotiation and mediation, neutralizing of hate mongers and small wars. This provides a suitable link to chapter four, which explores the wars in the DRC.

The fourth chapter is a discussion of the DRC wars. It applies the theoretical framework discussed in chapter two to explain the causes of wars (as defined in chapter three). This is followed by a detailed examination of the causes of the wars in the Congo, under the broad classification of core and proximate causes. The emerging argument is that the DRC wars were due to core causes such as changes in the international environment – the end of the Cold War, global democratization demands and internal ethnic strife. They were also as a result of a proximate cause arising from the spread of the Rwandan civil war into eastern DRC. The chapter emphasizes that the spread of Rwanda's civil war into eastern Zaire was a catalyst to the war that broke out in Zaire in 1996 – it triggered the core causes into a conflict that escalated into an armed rebellion that led to the overthrow of President Mobutu. The main actor in the war was Rwanda, sought to attain its own objectives as explained in chapter five.

Chapter five examines what triggered the two wars in the DRC. It establishes that while there were several core causes as outlined in chapter four, Rwanda's pursuit of its own objectives triggered the war. Rwanda's main objectives were to force the Rwandan Hutu refugees from camps in Zaire back to Rwanda, to revenge the perpetrators of the 1994 genocide by ensuring total military victory over them and thirdly, overthrow the regime of Mobutu in revenge for the support that President Mobutu had offered President Habyarimana, including the safe haven for the

genocidaires. The chapter further analyses the factors that facilitated the entry of Rwanda and its allies into Zaire. This included the contentious issue of the Banyamulenge nationality and the location of the refugee camps close to the border with Rwanda. It also discusses the tactics that Rwanda used to ensure that there would be little intervention both regionally and internationally, when it invaded Zaire. These included the co-optation of Uganda and Burundi, international diplomatic offensive and the use of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (Alliance des Forces Démocratiques pour la Libération du Congo-Zaire) - AFDL or ADFLC as a Congolese proxy rebel group.

By using the DRC case, the chapter has provided a classic example of how attaining tactical victory does not necessarily yield into strategic peace – Rwanda and allies successfully gained a tactical victory over Mobutu, but failed to offer terms of victory that would appease the Congolese. This led to the second war, which only ended when Rwanda and Uganda, the main military actors in the conflict, each signed a peace agreement with the DRC in 2002 regarding the withdrawal of their troops from the territory of the DRC. This was followed by their proxies, the Rassemblement Congolais pour la démocratie (Rally for Congolese Democracy) or RCD) - Goma and Mouvement de libération du Congo (Movement for the Liberation of the Congo) or MLC, joining the Inter-Congolese National Dialogue (ICND), as explained in chapter six.

The sixth chapter is about the ending of the wars in the DRC. It reinforces the classical military dictum that every war has a political objective. This is manifested by the fact that the second war overlooked all the mediation efforts that were attempted, until each party to the conflict gained control of specific regions thereby dividing the DRC into three spheres of control. The chapter also brings to the fore the fact that militarily stronger parties (Rwanda and Uganda) are the ones that dictated to the DRC the terms of peace, leading to the signing of the Pretoria Agreement between DRC and Rwanda; as well as the Luanda Agreement between the DRC and Uganda. It was under the terms of these two agreements that the two countries withdrew their troops from Congo, marking the end of the second war in 2002.

It was only after Rwandan and Uganda withdrew their forces from the DRC that their Congolese proxies (RCD-Goma and MLC) joined the ICND that led to the signing of the Global and All-Inclusive Agreement on the Transition in the DRC - GIA, (Acte global et inclusive sur la transition en République Démocratique du Congo - AGI), also called “Pretoria II”, on 12 December 2002 in Pretoria. However, the implementation of the GIA was fraught with many challenges related to unresolved military issues. This bore a high potential of igniting a new war after 2004.

Chapter seven is the conclusion. It provides the main findings of the study, and an assessment of how the objectives set out earlier in this chapter have been achieved.

CHAPTER TWO

CLASSICAL MILITARY THEORY OF WAR

2. Introduction

This chapter assesses the classical strategic military theory of war. It looks more specifically at what the theory says about the nature of war, its objectives and how it should end. The basic argument is that despite the evolution of warfare from inter-state wars of ancient times to predominantly intra-state that characterise the current warfare, its two primary objectives – the promotion of a political objective and the search for victory, have remained the same over time.

According to classical strategic military theory (also referred to simply as classical military theory or classical theory), the objective of all wars is to attain a political objective. The backbone of this theory is that although the nature of war and the manner in which it is waged has evolved over time, the primacy of politics as the driving force behind wars has not changed. Similarly, the best way to end a war lies in the ability of the party that gains tactical victory over another, to transform that tactical victory into strategic peace (or long-term peace). In the event where there is no tactical (decisive) victor, and such a conflict leads to a stalemate, both parties have the obligation of engaging in negotiations on the terms of agreement aimed at ending the war.

The increasing resistance to efforts to terminate the modern wars is on the one hand due to their lack of clear political objectives or the shifting of objectives as the war progresses. This turns some of these wars into mere irrational violence or pillage. Another reason is the failure of the victors to offer acceptable terms of peace to the vanquished, and, in situations of a stalemate to reach an agreement on the terms of peace. More often also, the military issues are shelved for later as the parties concentrate on negotiating the sharing of political powers in the new dispensation.

2.1 War and its primary objectives

Classical theorists of military studies emphasise the centrality of politics in war. For instance Clausewitz (1943: 149) stated that, “Politics...is the womb in which war develops...” this was also the position taken by Chinese war strategists, Mao and Sun Tzu, who maintained that there has never been a war that did not have a political character, and war cannot, even for a single moment be separated from politics (Handel, 2005: 65).

In his emphasis of war as a continuation of politics by other means, Clausewitz (1943: 144) clarifies that war is a clash between major (political) interests that is resolved by bloodshed. Scherrer (2003: 33), one of the modern scholars of war, developed this view further in relation to participants in a war, and stated that war is a violent mass conflict involving two or more armed forces as combatants/actors in warfare. He goes on to distinguish between non-war type of mass violence and war by arguing that in a war situation, at least part of the actors are trained and the victimization and aggression is organized, supported or tolerated by state actors to a certain extent. In mass violence, there is asymmetry as the participants may lack coordination, training and resources.

The above view is similar to that of Suganami (1996: 4) and Ewald (2004: 22), who provide a distinction between war and conflict. According to them, war is between states, while conflict would embody both open armed struggles over political power as well as a clash of interests that do not necessarily take the form of violent conflict. In other words, conflict should be considered as a rebellion in which grievances are sufficiently acute that people want to engage in violent protest. In Ewald’s understanding, a conflict does not always have to manifest itself in a violent form, but can also be structural. He defines conflict as a rebellion with a motive, adding that a conflict or rebellion occurs when grievances are sufficiently acute that people want to engage in violent protest. From these definitions therefore, conflict encompasses a much wider context than war, which usually manifests itself in a violent manner.

2.1.1 The nature of war

In his study of war, Garnett (2005: 45-55) contends that the word “war” is a blanket term used to describe diverse activities, as there are total wars and limited wars, regional wars and world wars, conventional wars and nuclear wars, high technology wars and low technology wars, interstate wars and civil wars, insurgency wars and ethnic wars and recently, coalition wars. He further argues that there is no authoritative answer to what causes war because the question, “what are the causes of war” is a complicated “cluster” question that may, under the umbrella of other questions such as “what are the conditions that must be present for war to occur?” or “under what circumstances have wars occurred most frequently?” or “how a particular war came about,” generate different questions. He also cautions that applying the term “war” to the use of military force against non-state actors is problematic, as, under international law war is defined as an armed conflict between states. Questions persist as to what exactly the word “war” means, and how it differs from, for example conflict. The following discussions on conflict and armed conflict help to elucidate the difference.

Armed conflict is defined by the UCDP as a contested incompatibility concerning government or territory over which the use of armed force between the military forces of two parties, of which at least one is the government of a state, and has resulted in at least 1,000 battle-related deaths in a single calendar year (SIPRI Year-book, 2007: 91-106: 91). In an attempt to differentiate war from armed violence, Brzoska (2007: 95) states that armed conflict reflects a conception that was expressed in Clausewitz’s dictum that war is the continuation of politics by other means. He goes further to discuss constituent elements of armed conflict as being deliberate violence by collectives, the use of arms, the battle, political objectives and a government as an actor on at least one side of the conflict. However, Brzoska cautions that the concepts “armed conflict” and “war” cannot be differentiated although “armed conflict” is generally considered as the broader of the two categories.

Conflict research on global mass violence reveals that the Clausewitzian type of inter-state conflict has dwindled considerably both in absolute number and proportion (with a dominance of 1 in 20 conflicts) since World War II, and that the majority of

all conflicts that continue to occur are intra state in nature (Scherrer, 2003: 27-68). Holsti (1995: 320-321) writes that in the old days war was characterised by hand-to-hand and close-range combat, and was fought primarily between armed forces. In this way, civilian casualties were rare. He goes on to argue that since 1945, the nature of waging war has continuously evolved. Most wars have been people's wars; that is, guerrilla-type combats in which the soldier-civilian distinction disappears. In this kind of war civilians become granaries, intelligence sources and political motivators for the warriors. With this strategy, the adversary cannot ignore civilians since they play a crucial role in sustaining the people's army. This was the case in Vietnam when American forces destroyed villages, killing thousands of civilians in napalm and bombing raids against populations suspected to be harbouring Viet Cong troops. The French in Algeria and the Russians in Afghanistan also did the same (Holsti, 1995: 321).

Similarly, technology has considerably shaped the manner in which war is fought today. Long-range artillery, high altitude bombing and submarine attacks have seriously eroded the civilian-combatant distinction. International controls over the development of chemical and biological weapons, and the nuclear non-proliferation treaty are manifestations of recognition that modern arms technology brings with it the mass killing of innocent civilians (Holsti, 1995: 320). The evolving nature of war is thus a continuing subject of interest to many scholars. For instance Handel argues that there are four types of possible wars, depending on the level of technological development (Handel, 2004: 369-370). These are:

- *High-tech against high-tech*: this occurs when enemies with equally advanced levels of technological sophistication go to war. In this type of war, neither side possesses a particular advantage, and the pace of war is likely to be faster and the rates of attrition higher while collateral damage may be reduced on both sides, as is the case in conventional war.

- *Low-tech against high-tech*: this occurs when a less technologically advanced belligerent takes on a technologically sophisticated opponent. This is also referred to as asymmetrical war, and oftentimes the technologically

disadvantaged seek a variety of ways to neutralise the technological superiority of his opponent. The weaker party can, for example maximise his own comparative advantages by resorting to guerrilla warfare, terrorism, passive resistance or any other combination of low-intensity warfare, including the threat to use low-tech weapons of mass destruction, as was the case in the Vietnam War and the Soviet Union's war in Afghanistan.

- *High-tech against low-tech*: this is largely a one-sided war in which a less technologically advanced state chooses or is compelled to fight a conventional war on the terms of a technologically superior enemy. Examples of such wars include the Gulf War against Iraq and the Israeli air war against Syria in 1982.
- *Low-tech against low-tech*: this is war in which opponents rely on few, if any, advanced technologies, and it includes belligerents who physically possess sophisticated military equipment but cannot use it effectively, as is the case in some African or Asian civil wars, or wars between less developed countries.

Unlike the foregoing classification in which technology is the basis of classification, the Ethnic Conflicts Research Project (ECOR) classifies wars and mass violence based on their objectives of those waging them. In this regard, ECOR (Scherrer, 2003: 27-30) identifies the following types of war:

- *Anti-regime wars*. These are conflicts of a political nature. They commonly arise when an insurgent group launches an uprising against a state for various reasons. According to ECOR, anti-regime wars have 19.6 percent frequency of occurrence in most countries.
- *Ethno-nationalist conflicts*. They include intrastate conflicts such as those involving a state versus a nation and which often leads to cross-border or spill over effects. These are considered the most dominant of all, with a 31.8 percent frequency.

- *Interstate conflicts*. They involve a state versus another state and are also referred to as “classic wars.” These wars have a 4.7 percent frequency. These are referred to as wars of *ancient régime* in classical military theory.
- *Decolonisation wars*. These were mainly common during the period of struggle for independence in Africa in the 1960s. Like interstate conflicts, decolonisation wars have a 4.7 percent frequency.
- *Inter-ethnic conflicts*. These conflicts are predominantly orchestrated by non-state actors, as is the case in communal conflicts where one community engages another in armed conflict, for instance due to competition over shared resources. Inter-ethnic conflicts have a 23.4 percent frequency.
- *Gang wars*. These are normally orchestrated by non-state actors such as warlords, religious extremists and terrorists as well as organised criminal elements. They commonly occur in situations of state failure or state collapse and have been on the increase from the 1990s. Such wars have a 14 percent frequency.
- *Genocide, state-organised mass murder and major crimes*. Genocide is the killing by a government, of a group of people of the same ethnicity, race or religion because of their group relations. Other examples in this category of murder include politicide (murder committed by a government against a people or person because of political reasons), democide (any type of murder of a person or a people by a government. It is a collective description that includes genocide, mass murder and politicide). This category of war remains the rarest type of violent conflict, with a 1.9 percent frequency (Rummel, 1994: 10-15).

War has also been classified on the basis of total war and limited war. Various scholars, base their analysis on the differences between total war and limited war in terms of the nature in which the war is waged. With regard to total war, Mandel (2006: 35-48) in his discussion of the meaning of military victory argues that total war occurred more in ancient times, such as during the eighteenth century (although World War II and the 1980 – 1988 Iraq-Iran War are included), whereas limited war is more of a modern phenomenon.

Like Mandel, Kecskemeti (1958), Osgood (1967), Hobbs (1979), and Noonan and Hillen (2002) distinguish total war from limited war in terms of motives, tactics, strategy and expected outcomes of the warfare. For instance Noonan and Hillen (2002: 231) state that in total war, victory involves complete defeat of an enemy, such that the winner is able to resolve the conflict by completely eradicating the opposition by winning it over, removing it, or causing it to surrender. In classical wars (which were largely total wars in nature), battles seldom lasted for longer than a single day, and were frequently decisive in the sense that one side was defeated on the battlefield, harried and slaughtered while retreating, and deprived of any capacity to offer further resistance (Bond, 1996: 2).

- *Limited war*. In contrast to total war, limited (modern) war victory envisages more subtle application of military force in which limited war becomes primarily a diplomatic instrument whereby military forces are used more for signaling than for fighting, and decisive military outcomes are neither necessary nor even desirable. It is in this context that limited war is defined as armed conflict short of general war, involving the overt engagement of the military forces of two or more nations (Noon and Hillen, 2002: 231).

Wolf (1972: 397) concludes that the concept of limited war entails the use of limited motives and means, whereby war participants prefer compromise or minimal gains to going beyond a certain level of cost. Under such circumstances, the goal of the force is not annihilation or attrition but calibrated elimination of the enemy's resistance by the careful and proportional use of counter violence. However, there are always no guarantees that limited war may not always remain limited once the anticipated costs of achieving them deteriorate because belligerents who learn they are stronger than they previously estimated may expand their war aims.

Similarly, other authors classify wars (in terms of armed conflicts) according to the extent of their spread. They therefore emerge with two broad categories, namely, international armed conflict and non-international armed conflict.

- *International armed conflict (IAC)*. This is a type of armed conflict in which two or more states are engaged. Fleck (1995: 45) states that an IAC occurs when one or more States have recourse to armed force against another State, regardless of the reasons or the intensity of this confrontation. The author goes on to argue that when an IAC occurs, relevant rules of International Humanitarian Law (IHL) may be applicable even in the absence of open hostilities, as often no formal declaration of war or recognition of the situation is required.

The application of IHL, according to Fleck, depends on factual conditions on the ground during the conflict. Hence there may be an IAC even in a situation where one of the belligerents may not recognize the government of the adverse party. Fleck's argument mirrors the commentary of the Geneva Conventions of 1949, which confirm that any difference arising between two States and leading to the intervention of armed forces is an armed conflict within the meaning of Article 2, even if one of the Parties denies the existence of a state of war. The invasion of Zaire in 1996 by Rwandan alliance fits this category of war, although the alliance tried to obscure this phenomenon by using a proxy to make it appear like it was a Congolese civil war. This is covered in detail in chapter five.

- *Non-international armed conflicts (NIAC)*. These are armed conflicts that are not of an international character, occurring in the territory of one of the High Contracting Parties (Article 3 of the Geneva Conventions of 1949). NIAC include armed conflicts in which one or more non-governmental armed groups are involved, with hostilities occurring between governmental armed forces and non-governmental armed groups or between such groups only.

International law draws a distinction between NIAC from less serious forms of violence, such as internal disturbances and tensions, riots or acts of banditry by stipulating that for a conflict to qualify as NIAC, the situation must reach a certain threshold of confrontation with two identified criteria to be met. Firstly, the hostilities must reach a minimum level of intensity necessitating the government to use military force against the insurgents, instead of mere police forces (The International Criminal Tribunal for the former Yugoslavia – ICTY, 2005: para. 135-170). Secondly, non-

governmental groups involved in the conflict must be considered as parties to the conflict, in which case they should possess organized armed forces. This means that such forces have to be under a certain command structure and have the capacity to sustain military operations (Schindler, 1979: 131).

On the basis of the foregoing discussion on the difference between IAC and NIAC, it can be summarized that international armed conflicts exist whenever there is resort to armed force between two or more States, whereas non-international armed conflicts are armed confrontations occurring between governmental armed forces and the forces of one or more armed groups, or between such groups arising on the territory of a State provided that such armed confrontation reaches a minimum level of intensity and that the parties involved in the conflict show a minimum of organization.

The above discussion on types of wars has provided the debate of the various classifications of wars. The deduction is that wars can be classified based on aspects such as their locality, technology, their objectives as well as the mode in which they are waged. This diversity in classification helps to justify the wide range of interpretation that exists. According to Handel's classification of wars, civil wars, especially in the context of Africa, would fall under low-tech against low-tech type of war. It is within this broad categorisation of war that one needs to situate civil wars.

2.1.2 The nature of civil wars

Civil war was defined in chapter one as a violent reaction by a section of the members of a society against the central authority occurring predominantly within the borders of a state. It is important to note here that there are other definitions of civil wars. According to Hironaka, a civil war is a large-scale, organised and sustained conflict between a state and domestic political actors. It is a high intensity conflict involving major casualties and significant amounts of resources, in contrast to less deadly forms of social conflict such as riots or social movements (Hironaka, 2005:1-32:3). In defining civil war, Hironaka adopts the approach of the Correlates of War (COW) dataset, which classifies civil wars as conflicts in which over a 1000 war-related casualties occur per year of conflict. The limitation in this definition is that we are not

told what “over a thousand war-related casualties...” refer to – whether it includes only deaths or even injuries. The COW was founded by Singer and Small in 1963 and bases its analysis on dataset related to incidence and extent of inter-state and extra-systemic wars. This may not be the best approach in understanding civil wars particularly in Africa. This is because as explained in chapter one, these wars are often accompanied by collateral damage and deaths that are not direct battle deaths but occur as a consequence of the war.

Collier and Hoeffler (2001) while accepting the definition of Hironaka and COW of 1000 deaths add another dimension that distinguishes civil wars from massacre. They state that in civil wars, both government forces and an identifiable rebel organisation must suffer at least five percent of these casualties (Collier and Hoeffler, 2001). This definition, contributed to the seminal data that Small and Singer (1982) collected in 161 countries (and updated by Collier et. al) over the period 1960-1999, in which they identified 78 civil wars. The question that has dominated the study of civil wars has been what causes them.

Civil wars can be either conventional (regular) or unconventional (irregular). In conventional warfare the militaries (adversaries) are guided by the conventional principles of warfare, while in irregular war, the government forces may be faced by a group that does not adhere to such rules (see chapter two). In unconventional warfare, the weaker party, which almost always is a non-state actor, attempts to bring about political change by fighting its state-based foe through the use of guerrilla tactics (Baylis et.al, 2007: 166-67).

According to Brown (1996) and the *Stockholm International Peace Research Institute* (SIPRI), most irregular wars concern control over the government or territory of a state. Irregular wars have become the most common form of war after the end of the Cold War. Berdal and Malone (2000: 1) and Du Rand (2010: 1), emphasise this fact by noting that conventional wars have gradually reduced since 1945, while intrastate wars have become the most predominant form of conflict today. Africa has borne the brunt of civil wars, which have persisted for long, while others have recurred after attempts to solve them failed. In a study of civil wars (as a form of intra-state wars)

and why they have increased in the post-Cold War world, Collier established that of the 27 major armed conflicts that occurred in 1999, all but two took place within national boundaries. The author attributed the upsurge in internal conflicts after the end of the Cold War largely to the fact that during the Cold War, the third world governments had been cushioned by the Cold War bipolar politics in which the superpowers offered inducements to maintain allies, who directly became their proxies. Inter-state wars were thus prompted and supported by superpowers (Collier, 2000:15). However, when the Cold War ended, the super power support was withdrawn. This helped to transform the conflicts into intra-state wars, when the former super powers withdrew support from their proxies.

In their definition of internal conflict, Dwan and Holmqvist (2005: 97) distinguish internal conflict from conventional warfare. They posit that while internal conflict is one in which at least one party is a non-state actor, conventional warfare is between states, and involves large, organized and well-disciplined national forces, backed by advanced technology and parties which observe the international laws of war and international humanitarian law. Internal conflict, on the other hand, is seen to be characterised by small, diverse and often ill-disciplined groups relying on small arms and light weapons to fight a mobile war against one or more enemies.

In an internal conflict, the level of violence can range from low-level terrorist campaigns to sustained guerrilla insurgencies to all-out civil war or genocide. In most case the key actors are governments and rebel groups, but when state structures are weak or non-existent, groups of various kinds fight among themselves in a Hobbesian universe of their own (Damrosch, 1993: 4).

The above definitions point to the evolving nature and causes of war. The unchanging aspect of is that war has retained its main objective across time. However, the formulation of objectives has to always adapt to the changing situation in which the war is fought. It for this reason that the formulation of political objectives and strategies to deal with war needs to align with the emerging changes in the nature of war.

2.1.3 Formulation of political objectives and strategy

It has been emphasised above that politics lies at the centre of any war. It is therefore the political objective that should drive any war. The driving forces behind any war are the political leaders. These are the people responsible for identifying the political nature of war, with the advice of the military commander. To do this the leaders have to answer questions such as whether the political objectives on one or both sides are total or limited; whether they will be able to mobilise the support of the people and for how long; whether they will be able to attract the support of other states. It is by answering these questions that a leader can develop successful strategic and operational plans for the war. According to Clausewitz (1943: 584) strategy is the art of using battles to win the war, and it differs from tactics (discussed below), which implies the art of using troops in battle. Clausewitz goes on to explain that strategy is the art and science of cultivating and disseminating the armed forces and other instruments of national power in a seamless way so as to secure national objective. Strategy is therefore central to the achievement of the political objective. Because every war is unique in some way, strategies also vary.

Wars vary on the basis of the nature of their political motives and the situations which give rise to them. It is from this standpoint that political leaders and military commanders can make proper preparations, develop optimal strategies, and be able to wage the war effectively (Clausewitz, 1943: 88-89). There are six common basic elements emanating from classical military theory guide the formulation of political objectives of a war:

- i) War almost always has a rational purpose, at least initially because it serves the political interest of the state, group or tribe. This is why the political and not the military leaders should always control the war and its direction. What is important to note is that wars can begin on the basis of rational cost/benefit calculations and expectations of promoting the state's interests – but lose any semblance of a rational direction as they spin out of control. War can also be waged rationally to achieve non-rational objectives.

- ii) War should neither be the first resort, nor the last resort, although it provides the most effective or even the only way to protect or enhance the interests of the state or group.
- iii) Wars should be pursued on the basis of clear goals, with cost/benefit calculations that ensure that wars are won as quickly as possible at the lowest possible cost.
- iv) Rational calculations are sometimes affected by friction, chance and uncertainty, uncontrollable passions, incompetence and the irrational behavior of leaders or groups.
- v) Military victory alone is not enough; as, for such victory to be sustainable, the military achievements must be consolidated by political and diplomatic means, as the victory achieved must be made acceptable to the enemy.
- vi) Wars cannot be abolished, as conflict and violence are part and parcel of the relationships among nations and groups. Some wars can however, be prevented (Handel, 2005: xviii –xix).

The formulation of the political objective of a war needs to have clear achievable goals that would ensure that the war is won quickly and with lowest possible costs. This is the essence of a good military strategy. Once formulated, the political objectives have to be transformed into policy or military strategy, ready for implementation. This is done through the process of decision-making. According to Offer (1998: 354-367), there are three levels of traditional hierarchy of influence and decision-making in a situation of war. These are the strategic level, operational level and tactical level.

Traditionally the three levels are depicted hierarchically as a pyramid in which strategy is at the top and the operational and tactical levels are subordinate. However, this simplistic hierarchy does not reflect the dynamic relationship between the three levels in the real world because orders do not only flow from top to bottom with a

monopoly on all decisions at the highest, strategic level (Offer, 1998). The problem, however arises when outstanding performance on the tactical or operational level causes political and military leaders to emphasise short-run success on the battlefield while neglecting the development of a coherent long-range strategy, which, when not consciously formulated, emerges by default. In such a case, instead of being the driving force in war, a strategy becomes a mere by-product or afterthought (Handel, 2004: 354).

Clausewitz (1976: 386) had an admiration for Napoleon's tactical or operational brilliance when he (Clausewitz) emphasised that that all strategic planning rests on tactical success because to Napoleon, tactical success meant cutting ruthlessly through the enemy's strategic plans (Clausewitz, 1976: 386). Mao Tse-tung, on the other hand warns of the danger of tacticisation of strategy because the approach overlooks the fact that victory or defeat in war is first and foremost a question of whether the situation as a whole and its various stages are properly taken into account (Mao, 1963: 81-82).

Beyond the decision making process is the actual war in which the troops move into the battleground. This has been referred to as tacticisation of war, or grand tactics. Jomini (1862: 69-70) defines grand tactics as "... the art of posting troops upon the battlefield according to the accidents of the ground, or bringing them into action, and the art of fighting upon the ground in contradistinction to planning upon a map." The tactics applied naturally depend on the situation of the war at any given moment. The two main situations are offensive and defensive.

An offensive situation is one in which it is easier to destroy the other's army and take its territory than it is to defend one's own. A defense situation refers to a condition in which it is easier to protect and to hold than it is to move forward, destroy and take territory (Jervis, 1989: 3-51). The Coptic Church states that defensive warfare entails defending one's territory - it is a forced battle launched in response to an attack from an opponent and a defensive decision made based on an offensive one. This type of warfare does not require the defensive party to advance into the enemy's territory. On the other hand, offensive warfare is an aggressive warfare against the enemy,

characterized by a dynamic nature of not waiting for the enemy to launch his attack, but going to the enemy in his territory and gaining rather than losing territory. In offensive warfare, the enemy is identified, his strategies recognized, and the attack is a decision the offender makes based on this knowledge (Coptic Orthodox, 2008: 1).

There are two main variables that influence the offense-defense choices – geography and technology. Geographical factors such as buffer zones or natural barriers like mountain ranges, large rivers, or oceans make successful offensives less feasible because under these conditions both sides can have sufficient defensive capabilities without threatening the other. On the other hand, when it is easy to attack across borders, frequent wars are much more likely (Lynn-Jones, 2008: xvii-xviii).

Technology refers to existing weaponry and the mobility of forces Waltz (1993) and Keohane and Martin (1995) note that highly mobile forces give offensive an advantage, and that when weapons are highly vulnerable they must be used first, making more desirable and with higher chances of being successful. But Jervis (1989: 25) points out that whether a weapon is offensive or defensive often depends on the situation in which it is used. To the geography-technology equation on offensive-defensive approach, Van Evera (1999: 117-192: 122) has added diplomatic factors and existence of collective security systems and defensive alliances. It is a mix of all these that would lead to victory. Those who engage in any war always seek victory. The starting point is to gain tactical victory on the battleground. The levels of conflict are tactical (also known as operational or campaign) level of war, strategic and grand strategic. Tactical victory is often short term and confined to the battle space. On the other hand, strategic victory is long-term victory and embodies decisive political consequences such as long-term peace. Grand strategic victory has a far-reaching global impact such as reorganization of the international system. Examples include the demise of Nazism in 1945, the end of the Cold War and the breakup of the Soviet Union.

It is therefore important to maintain the distinction between tactical and strategic victory. Tactical victory on the battlefield is not the end of war, but rather, the transformation of that tactical victory into strategic victory (also referred to as long

term peace or strategic peace) in fulfillment of the political objectives of the war. This is what constitutes a sustainable ending to a war.

2.2 The concept of victory in war

Clausewitz, in his discourses on victory, he appears he appears more interested in tactical victory and hence the focus on how this can be achieved. He points out that the best way to start a military campaign is to attack the enemy's centre of gravity, which is usually the hub of power and movement, upon which everything depends. He identified three centres, which should be targeted. First, it would be an attack on the enemy's army, followed by seizing his capital and finally attacking his alliances (Garstka, 2004: 2). Clausewitz also emphasised the importance of attaining tactical victory by stating that at that level, the means are the fighting forces trained for combat, while the end is victory. However, he concludes that victories are meaningless unless they translate into a political end. Victory must therefore be seen within the long-term political objectives. This means that tactical victory must be translated into strategic victory (Tuck, 2010: 109-110). The author concludes that a military victory that does not contribute to the long term political goals, is not a victory at all, and is not, therefore, an exercise in effective strategy.

Similarly, Bond (1998, 2nd ed.: 202) states that the concept of "victory" in its true sense must be thought of in terms that are wider than operational military success. Military power should relate meaningfully to a valid higher political objective, in order not to rob military operations of their long-term utility. In the same vein, Gray (2002: 11) observes that a decisive victory should be one that enables achievement of a favourable post-war settlement. Summers (1994) and William (2011) further emphasise the fact that victory is attained only when the state achieves its objective. On the other hand, if the political leaders are unclear about what victory means, they are less likely to achieve it (William, 2011: 518).

According to Keegan (1984), Kober (2003) and William (2007), tactical victory has the potential of yielding decisive victory if it achieves the objective of dealing the enemy a blow by killing some of its men and dissuading the rest from continuing the fight. This, according to Keegan (1984: 340-345), is the essence of tactical victory,

which is what every commander seeks, and is based on seizing every opportunity to defeat the enemy, and hence the exhortation by Sun Tzu, Clausewitz and Mao.

Tactical victory alone is not sufficient in assuring strategic victory and stable equilibrium. To attain victory in war, one needs a military strategy. An effective military strategy is one that takes into consideration the primacy of politics and strategic victory. The starting point for a military strategy is therefore to identify/formulate the political objective of war. These political objectives are then transformed into policy (or locus) that is implemented through a decision-making process, whose purpose is to identify the best tactics to be used in war (tacticisation of war) to achieve victory (such as the use of deception/surprise, concentration and flexibility). It is the political objectives that determine the course of a war (or strategy). The duty of the strategist is to define an aim for the entire operational side of the war that will be in line with the purpose of that war (the political objective). It is for this reason that Beaufré defines strategy as the art of applying force so that it makes the most effective contribution towards achieving the ends set by the political leadership. This is done through the use of tactics and logistics (Beaufré, 1965a: 22).

In short therefore, the fulfilment of objectives entails making use of the best resources available. The objectives may be offensive in character (for instance conquering an enemy in order to impose certain terms); it may be defensive (such as the protection of certain areas of interest); or it may merely be the maintenance of the political status quo (Beaufré, 1965a: 23). But without clear political objectives, war becomes no more than a mindless exercise in violence (Ionut, 2009, Strachan, 2005). It is for this reason that these authors argue that success in war should be measured in the extent to which the political objectives that justified the recourse to war are achieved.

While tactical military victories remain an important part of the overall objective in war, they are, in their own far from sufficient in assuring the ultimate political goals of the missions, and implicitly winning the wars in any real sense (Ionut, 2009: 03). Military strategy should then be conceived as an overall plan for utilising the capacity for armed coercion – in conjunction with economic, diplomatic and psychological

instruments of power – to support foreign policy most effectively by overt, covert and tacit means (Osgood, 1962: 5).

When political objectives are not clear and strategies not suitable, a war may become one of attrition, which is a long campaign or series of campaigns that eventually erodes the will and resources of the belligerents, without a decisive offensive from either side. According to Alan and Murray (quoted in Tuck, 2010: 123) mistakes in operations and tactics can be corrected, but political and strategic mistakes live forever. It is in deed the political objectives that dictate the tactics employed to pursue the war.

2.2.1 Tactics

According to Clausewitz (1943: 51) tactics is simply the art of using troops in battle. It is how men, weapons and the command structures are coordinated in the process of exerting violence between two or more opposing forces. According to classical theorists a quick and decisive victory is subject to effective use of tactics, among them deterrence, maneuver, deception, force concentration and flexibility and counter-insurgency.

Deterrence refers to a situation in which a putative aggressor is deterred from military attack by fear of the consequences, not just for his own military forces, but also for his society as a whole. This works when the threat of military retaliation is credible, and when there is the political will to use it (Overy, 2008:135). This happens when both parties have expressed a clear willingness and ability to resort to violence if deterrence breaks down, creating the central paradox of “reducing the probability of war by increasing its apparent probability” (Byers, 1985: 18). Deterrence tactics have focused more on concentrated on nuclear weaponry because of their potential to cause mass fatalities compared to other forms of weapons. (Brodie, 1946: 69). Nuclear deterrence has been classified into three categories: deterrence of direct attack on a state; using strategic threats to deter an enemy from engaging in very provocative acts other than direct attack; and graduated deterrence of lesser provocations. This third type refers to acts that are deterred because the potential aggressor is afraid that the

defender will take limited actions, military or non-military, that will make the aggression unprofitable (Kahn, 1994: 126-162).

Maneuver refers to struggle or contest of the armies as each strives to gain an advantageous position (Sun Tzu, 1971: 72). This involves among other things, choosing a situation that will permit the available forces to exert their maximum effect on the enemy. It also involves the use of surprise, with the intention of throwing the enemy off balance, disorient him and deceive him. The aim is often to disperse one's forces in order induce to do likewise, and then surprise the enemy by attacking his weak points. This is the point that Machiavelli (1965: 357) has emphasised.

This is also consistent with the principle of continuity, in which the strategists call upon the commander to ensure that their forces feign weakness so as to lure the enemy into battle. It is a surprise tactic that has at the core of its success the concentration of forces and their flexibility. Sun Tzu, Clausewitz and Jomini recommend that the concentration of forces and flexibility are also key to winning decisively and overthrowing the enemy, adding that, "...As many troops as possible should be brought into the engagement at the decisive point..." (Clausewitz et. al. quoted in Handel, 2005: 279). Concentration of force (also known as the principle of destruction of the principle of continuity), hinges on a strenuous and persistent effort of pressing the enemy without pause or rest till he is utterly overthrown (Corbett, 1911: 157-176). It entails the concentrating one's forces at the most sensitive or weakest point of the enemy's defense so as to defeat him quickly and decisively

The critical element in maneuver is not so much the speed of movement, but the rapidity of decision-making in the field, and the ability of the field commander to take advantage of the existing situation in the field. It is for this reason that MacNelly (2007: 3) recommends that the decision making process should be decentralized so as to make the movement of forces in the field less pronounced. However, for decentralization to work, the senior commanders have to articulate their intentions to their subordinates. In turn, the subordinates should have the intelligence and confidence to make use of this freedom and trust (Davidson, 2002: 147).

Deception has remained a central aspect of war to which all classical theorists have paid attention (Thucydides, 1950; Machiavelli, 1965). In fact for Sun Tzu and Machiavelli, all warfare is based on deception, and it must be employed all the time (before and during the war), and at all levels, whether diplomatic (to drive a wedge between enemies) or political (to sow the seeds of discord and suspicion through political subversion), or military (Handel, 2005: 217). At the military level, deception is understood as the principle method of concentrating one's troops while tricking the enemy to disperse his. It is within this broad understanding of deception that the concept of force concentration and flexibility should be understood.

Firstly, the maximum concentration of forces is seen as key to winning decisively. It however entails a strenuous and persistent effort of pressurizing the enemy without pause or rest until he is utterly overthrown (Corbett, 1911: 157-176). Secondly, concentration of force and its flexibility is also key to a successful deceptive tactic. This tactic comprises a deceptive approach in which troops are initially dispersed (or pretend to do so), with the aim of feigning weakness so as to lure the enemy into battle. Concentration, however, has its own weaknesses because the greater the concentration, the lesser the possibility of concealment and flexibility at the end (Corbett, 1911: 137-138). It is for this reason that Sun Tzu advises on the need to keep one's own dispositions shapeless in order to conceal one's intentions (Handel, 2005: 281). Calculated disposition and shapelessness bring unexpected combinations and surprises that lead to victory. The important element therefore is to maintain flexibility during concentration in such a way that the different parts can freely cohere (Corbett, 1911: 206).

While the above apply to conventional warfare and to inter-state war in particular, civil wars as noted above represent a confrontation between the government and those groups that are opposed to it. This has been referred to as insurgency. Snow (1996) refers to insurgency as a poor man's war a unique breed of fighting, the purpose of which is to negate the advantages of a militarily superior opponent. It is an unconventional warfare waged for the purpose of overthrowing an existing regime or seceding from an existing state (Snow, 1996: 65). Closely related to Snow's observation is Boyle's definition of insurgency as a form of asymmetrical warfare,

owing to the fact that insurgent forces are generally weaker than the government or occupying army, which has the coercive power of the police and the military at its disposal (Boyle, 2008: 183). He adds that insurgency is the strategic use of violence by armed factions against a state or occupying force for the purpose of overthrowing the existing political order.

Boyle presents four conceptual attributes of insurgencies: Firstly, insurgent warfare is operationally closer to harassment of the opposing force, than to open warfare, with its focus being denial (stopping the government or opposing force from establishing functional control over a contested territory). Secondly, insurgents typically have inferior technology to their opponents. Thirdly, they have a greater flexibility in launching operations, and mobility for adjusting to circumstances than conventional armies, owing to their small units or cells of fighters. Fourthly, the insurgent force generally capitalises on its superior knowledge of the terrain for concealment and surprise. Finally, they seek to create networks of information among the local population in order to facilitate their operations and to provide a ready base of support should it be successful against its enemy (Boyle, 2008: 184).

Zawodny (1968: 499) defines insurgency as a struggle between a non-ruling group and the ruling authorities in which the non-ruling group consciously uses political resources (such as organisational expertise, propaganda and demonstrations) and violence to destroy, reformulate, or sustain the basis of legitimacy of one or more aspects of politics.

In most cases insurgency warfare is characterised by the absence of fixed battle lines, by the use of secrecy and ambush and by competition for the support of the population between the insurgents and their opponents, also called incumbents (Snyder, 2008:183). The essential idea behind insurgencies (also referred to as small wars, guerrilla wars, people's wars, partisan wars or wars of national liberation) is that they hope to overcome their weakness against the conventional foe with stealth, mobility and ruthlessness.

Mao Tse-tung (1966: 910-919) a classical strategic theorist of guerrilla warfare, instructs that in insurgency warfare the guerrilla must move among the people as a fish swims in the sea, adding that patience and a keenness awareness were essential attributes of a successful guerrilla campaign Mao identifies three stages of insurgency.

The first stage is strategic defensive: This is characterised by the avoidance of pitched battles with government forces. At this stage the aim of insurgents is to establish moral superiority with the local population, carry out political indoctrination and train new recruits to fight as irregulars in remote bases. The second stage is the stalemate. This is marked by the beginning of a prolonged battle to reduce the government's physical and moral strength and assume *de facto* control over a large segment of the population. The government shifts to the defensive due to killing of its officials, and the insurgents exploit this advantage to force government troops from the countryside into towns and cities. At this stage the guerrillas must reject peace proposals and counter government efforts to divide or co-opt the guerrilla movement. The third stage is the strategic offensive. This marks the endgame of the conflict, when insurgents employ overwhelming force to destroy weakened government forces occupying defensive positions.

One therefore requires a well-defined counter-insurgency strategy to combat insurgency. Surprisingly, it is the main theoretician of insurgency – Mao – that also instructs on how an effective counter-insurgency strategy should operate. He provides a three point summary of an effective counter-insurgency operation which, when well implemented would lead to positive results. Mao Tse-tung, in his book, *Yu Chi Chan* (Baylis et. al., 2005: 220) points out the three points:

- *Location*: That is the need to recognise that the threat exists. It is necessary to defeat insurgents in both space and time, by first of all distinguishing between lawful and unlawful forms of discontent, because waiting too long to uphold the rule of law will give the insurgents the necessary time to build a robust organisational infrastructure that only the most dedicated efforts might hope to defeat. Once an irregular threat has been identified, various civil and military

agencies must localise the threat while co-ordinating their response through identifying safe houses, group members and sources of supply.

- *Isolation*: This can take place in two forms. One form is physical separation, in which villagers are moved into easily defended compounds called strategic hamlets, and the second form is political alienation, where the state aims at diffusing widely-held grievances that foster a potent source of recruitment and support. It is considered to be the most important element of successful campaigns against insurgents.
- *Eradication*: That is the physical destruction of insurgents or terrorists who would not surrender. This effectively means extermination. There are, however, according to Kiras (2005: 224-225), passive ways in which the number of guerrillas or terrorists can be diminished without extermination. These include psychological warfare techniques, promises of amnesty and cash incentives for weapons and information that would assist in convincing insurgents and terrorists that their struggle is in vain.

Insurgency in the context of conflicts in Africa has often been the start of civil wars. This is in part because African governments have failed to effectively deal with the situation. Oftentimes they have responded with an incompetent counter-insurgency campaign (Collier, 2000a: 23). The most obvious difficulty for governments, according to Collier, is getting its army to fight. Because of the involvement of militaries from neighbouring countries (by sometimes armed proxy groups), some African militaries shun insurgents because often insurgents are just a façade of foreign militaries. Collier adds that in one of Africa's conflicts the government decided to pay its soldiers a premium if they were in a combat zone. Shortly after this incentive was introduced, the war appeared to spread alarmingly, meaning that even after incentivizing them, the military was not motivated enough to fight. However, the more serious problems occur where the government succeeds in persuading its army to fight, but then lacks the means to control the behavior of soldiers on the ground. This leads to looting of civilian property, rape and other forms of human rights abuses, thereby fanning the conflict.

Although the use of superior tactics should yield a corresponding positive outcome in a war that would lead to a successful termination of the war, this is not always the case because even the weaker or smaller party in a war can equally win depending on how he employs his strategy. Classical military theorists were cognisant of this reality, hence the caution that it is not possible for all the participants in war to succeed simultaneously, and certainly not in the long run, even if they all know the principles of war and the essence of good strategy (Handel, 2005: 41-42). This point is emphasized further by Mao Tse-tung, who states that, “The concentration of troops seems easy, but is quite hard in practice. Everybody knows that the best way is to use a large force to defeat a small one, and yet many people fail to do so...” (Mao, 1963: 131-132). This statement borders on the question of how wars terminate.

Civil wars or internal wars as discussed in chapter one have become the dominant form of war in the post-Cold War world, and have sometimes become genocidal. Rwanda, and Bosnia are examples of this. Snow (1996) emphasises that situations that are prone to insurgency-like conflicts are unlikely to disappear, especially in those parts of the world excluded from the global economy. In this regard he links the predominance of internal wars to a state’s economic weakness that contributes to insurgency.

Harbom and Wallensteen (2004: 2) point out the fact that between the end of the World War II and 2004, 228 armed conflicts were recorded across the world, which demonstrated a considerable sharp increase in armed conflicts. The vast majority of these conflicts were fought within states. At least a fifth of these internal conflicts are internationalised in the sense that outside states contribute troops to the conflict or act less overtly by offering financial and logistic assistance. They conclude that this type of support led to an increase in civil wars, making them the most predominant form of armed conflicts after the end of the Cold War in which both governments and rebels faced each other.

This new trend in wars prompted van Crenveld, (1991) and Kaldor (1999) to question whether war had become something else than what was envisaged by classical

theorists who regarded war as a political instrument and a tool of statecraft. The emerging consensus is that despite the change in how war is waged, war remains a tool of statecraft, just as was the case in classical times (Gow, 2006: 1151-1170). Classical theorists make the case that while old wars had limited issues and only armies were involved, modern wars (which are predominantly of a civil type) involve a host of issues and the participation of non-military actors. This makes the ending of modern wars a complex business. Clausewitz presents this contrast in *On War*, when he writes,

“War...became solely the concern of government...The means they had available were fairly well defined, and each could gauge the other side’s potential in terms both of numbers and of time...No great expansion of the armed forces was feasible at the outbreak of the war. Knowing the limits of the enemy’s strength, men knew they were reasonably safe from total ruin; and being aware of their own limitations, they were compelled to restrict their own aims in turn...In its effect, it was a somewhat stronger form of diplomacy, a more forceful method of negotiating in which battles and sieges were the principal notes exchanged. Even the most ambitious ruler had no greater aims than to gain a number of advantages that could be exploited at the peace conference...” (Clausewitz, 1976: 589-591).

The above procedures and formalities in which war was governed by rules, and was limited to national armies, has been subsumed in modern days by the involvement of non-state actors. These are the new, harsh realities of war governed by the passions of the people, which have made unconventional warfare the norm (Handel, 2005: 201). This is the character of the contemporary war, which indiscriminately involves both armies and civilians. Clausewitz equally captures the phenomenon of civil wars by arguing that wars have become the business of the people, and not just of governments and armies. He notes that as heretofore, the resources and efforts being used in wars have surpassed all conventional limits (Clausewitz, 1976: 592-593). The increase in intra-state conflicts raised the question of whether decisive military victory would be able to sustainably end intra-state wars because this nature of war now involved civilians (as rebels and militias) taking up arms against their own

government militaries. Decisive military victory is most achievable in conventional wars, but is difficult to attain in civil wars, which are mostly characterized by irregular combat. This makes a military solution (in an irregular war) rather difficult (Angstrom, 2008: 300).

Clausewitz and Handel concur that the involvement of civilians in wars makes it difficult to settle such wars because they involve states against their own subjects, as opposed to conventional wars, which involved states alone, and with limited objectives. The situation is further worsened by ethnicity and availability of lootable natural resources.

2.3 Conclusion

The basic change in the conduct of warfare has been the shift from direct fighting between national armies to the engagement of civilians: war has thus shifted from being limited to strict rules of engagement and turned into a passionate affair. This has also changed both the political objective as well as the tactics of engagement. What has remained constant is the fact that war remains a means of attaining political objectives and that the search for victory remains the concern of today's wars just as it was in the classical time. From the discussion, it is clear that any successful war has to be guided by a political objective. As such the formulation of political objectives should ensure the advancement of the interests of a state or a group. Wars should therefore be pursued on the basis of clear goals (quickly and at the lowest possible cost).

The primary lesson emerging from the discussion is that tactical victory is an important factor in the process of achieving the political objective of a war because it breaks the enemy's will to fight. This creates the opportunity for the victor to present the vanquished with the terms of peace upon which both sides can now negotiate future peace. In other words, tactical victory presents an opportunity for the victor to move the process to the next stage - that of strategic peace (or long-term peace). This is the ultimate objective of war. Stopping at the tactical victory level alone cannot bring about strategic peace, as the vanquished party is bound to rebel sooner than later. Negotiating the terms of peace is thus the essence of peace agreements and the

best way to achieve strategic peace. This is discussed in depth in chapter six, with respect to the wars in the DRC.

The discussion contents that today's wars have become difficult to terminate because, unlike the wars of *ancient régime* which were limited to national armies therefore making it easy to negotiate an agreement when they ended, today's wars involve states against the people they govern, making the war unconventional, hence difficult to end. Similarly, negotiations to end such wars are bound to deal with both civilian and military interests simultaneously, which often present a bigger challenge to resolve. This has made civil wars difficult to terminate.

CHAPTER THREE

CAUSES OF CIVIL WARS AND THEIR TERMINATION

3. Introduction

It was noted in the preceding chapters that civil wars or internal wars (intra-state wars) have become the most predominant form of warfare globally. Africa has had a bigger share of these wars than any other continent. These wars have not only been longer in duration, but have also been recurrent. It has become important therefore to have a much broader understanding of their causes and how they can be effectively terminated. These are discussed in detail below.

3.1 Causes of civil wars

Brown et. al. (1996) argue that one cannot practically delink the causes of territorial (inter-state) wars from those of intra-state (internal/civil) wars, as, even civil wars have the potential of degenerating into inter-state wars. Brown et. al. further classify the causes of internal conflict into two main categories: (i) underlying (or core/root) causes and (ii) Proximate causes. Moller (2003: 10) examined these two categories of causes of civil war to reach the conclusion that conflicts bear both structural (core/root) causes as well as proximate (trigger) causes. The former refers to underlying problems while the latter refers to exogenous factors that transform the core issues into active conflict. According to Moller, conflicts do not reach a full-fledged level without the combination of core and proximate causes. In other words, a single event cannot lead to an open conflict unless there are underlying structural reasons. In the same measure, structural reasons alone cannot lead to an open conflict in the absence of a triggering factor.

This broad distinction helps to accommodate the reality that the effect of instability in one country or society can spread contagiously across the border and catalyse events in the neighbourhood into an active conflict. In this context, the effect that spreads across the border becomes a proximate cause of the conflict in the neighbouring country (Homer-Dixon, 1991: 76-116).

Core or root causes of a war are those that have a direct bearing in the triggering of the conflict such ethnicity, natural resource factors and regime-type. They may manifest themselves through poverty, political repression and (ethnic) marginalisation, prolonged failure of state functions and unequal distribution of resource benefits. A combination of these factors, according to the UN Secretary General's Millennium Report, provides the seedbed of internal conflict (United Nations Millennium Report, 2000: 44-45). The report also underscores that the majority of wars today are wars among the poor, especially where the condition of poverty is coupled with sharp ethnic or religious cleavages leading to insufficient respect for the rights of subordinate (minority) groups. The situation is further worsened by insufficient inclusiveness of government institutions and where the allocation of society's resources favours a dominant faction over others.

The 2001 report of the UN Secretary General on the Prevention of armed conflict provided further clarification on the "root and proximate" causes of conflict and why it is important to mitigate these two in prevention of conflicts. The report states that,

"...The proximate cause of conflict may be an outbreak of public disorder or a protest over a particular incident, but the root cause may be, for example, socio-economic inequities and inequalities, systematic ethnic discrimination, denial of human rights, disputes over political participation or long-standing grievances over land and other resource allocation." (UN Security Council Report, A /55/985-S /2001/574).

Most internal conflicts contain at least more than one of the above causative factors mentioned in the UN Security Council Report, confirming the fact that the outbreak of a conflict is often due to a combination of core and proximate causes. For instance poverty on its own is unlikely to generate grievances unless it is compounded with the drivers of inequality such as entitlements and income building that consolidate and expand elite privileges over the rest of the population (Alley, 2004: 17). Berdal (1996: 5) and Atlas and Licklider (1999: 51) warn that failure to tackle the drivers of inequality especially in post-conflict societies contribute to the resurfacing of conflict as former allies fall out, especially in cases where there are no parallel efforts towards

political and economic reconstruction of a comprehensive nature. Such conflicts become cyclic.

The basic understanding is therefore that proximate causes emerge mainly from the impact of root causes (for instance changes in strategic environment, refugee movements and ideology). Similarly, proximate causes of civil wars, like in all conflicts, are catalysts that fasten upon breakdowns of root causes (Brown, 1996: 12-33). These are factors that trigger rapid degeneration of root causes into conflict.

Anderson builds on Brown's argument by observing that wars today are rarely started by poor and marginalised people united in battle as an expression of their deep-seated strive for a just society, but by proximate factors such as widening of disparities in income and wealth, and weakening of state capacity to provide public goods (Anderson, 1999: 9). These situations polarise further the people affected, who in many cases are young, unskilled and available as potential combatants. Proximate factors can also be referred to as peripheral causes because they are as a result of the effect of core causes. In the context of civil wars, they include the nature of the strategic environment in which the rebels find themselves; ideology; population growth and the ability for groups to govern themselves. A detailed analysis of these factors with regard to civil wars is presented below.

3.1.1 Core causes

The three core causes relevant to civil wars are ethnicity, economic deprivation (conditions resulting from poverty and exclusion) and regime weaknesses.

i) Ethnic and religious divisions

The ethnic and religious composition of a country has a strong influence on occurrence of civil war. Collier (2000a: 7) argues that if there is one dominant ethnic group that constitutes between 45% and 90% of the population, then there is an elevated risk of conflict. Such a trend gives the majority ethnic group enough power to control as well as discriminate the minority at will. Collier adds that such is the situation prevailing in Rwanda where the Tutsi, a strong minority ethnic group, are between 10% and 15% of the country's population. The contrary is however true in

the case of Sri Lanka where the Tamils are a minority of less than 12%, making them a weak minority. A similar situation applies to religious diversity. Collier concludes in his assessment that whereas ethnic dominance is a problem, ethnic and religious diversity (where there is no particular dominant ethnic or religious group) make a society less vulnerable to conflict. This is because ethnic cleavages tend to be less pronounced in multi-ethnic/multi-religious societies as opposed to societies with just two ethnic/religious factions. As of 1995, the country with the highest risk of civil conflict, according to Collier, was Zaire, with a three-in-four chance of conflict within the ensuing five years.

Kaufmann (1996: 138) contends that identity-based groups are cohesive, determined and unified, and that the key difference between ethnic civil wars and those based upon political ideology is the flexibility of individual loyalties, which are quite fluid in ideological conflicts, but almost completely rigid in ethnic wars. Similarly, Saideman (2001: 23) maintains that ethnic identity, by its nature, creates feelings of loyalty, interest and fears of extinction that distinguish ethnic identities and conflicts from those based on other identities. He adds that identities are neither fixed nor fundamental, varying instead over time by circumstance, and even within a given individual. The authors conclude that class, religion, culture, language, geography or other sources of identity, typically divide even homogeneous ethnic groups, while multiplicity of identities contributes to the patchwork effect.

Korostelina (2007, 145-180) in a discussion on social identity and conflict, posits that once a society becomes divided into antagonistic groups, social identities become a cause of confrontation among groups competing not just for material advantage, but also for the defense of their security, beliefs, values and worldviews that serve as the basis of intra-group identity, leading to power relations between contesting groups and their readiness to fight in a bid to protect their identity. Similarly, Turton (1997: 11) views ethnicity as an effective way of mobilising groups around common material interests, an aspect he considers as making ethnicity more salient than class because of its ability to mobilise, sometimes beyond a country's borders. He advises that an analysis of causes of ethnic conflicts should therefore take account of both its "instrumental" or material aspects and its "primordial" or cultural aspects, since the

effectiveness of ethnicity as a means of advancing group interests depends on it being seen as “primordial” by those who make claims in its name.

Both George Bush and Bill Clinton, the two former presidents of the United States, posit that the core driving forces behind violent conflicts are the ancient hatreds that many ethnic and religious groups have for each other. For instance Bush maintains that the war in Bosnia between Serbs, Croats and Muslims grew out of age-old animosities (Snyder, 1993: 79), while Clinton argues that the end of the Cold-War lifted the lid from a cauldron of long-simmering hatreds, thereby littering the entire global terrain with bloody conflicts (Devroy, 1994: 31). Economic imbalances resulting from exploitation of the poor is another core cause of conflict. The second set of causes is economic in nature.

ii) Economic causes

The presence of natural resources can have either a unifying or fragmenting effect on a country. These can therefore be either a boon or a curse for the possessor. Many wars in Africa have been linked to the exploitation of natural resources. Soysa (2000: 114) argues that the resource endowment of a state can be linked directly to its propensity for causing armed conflict. His proposition is that criminal agendas are the primary driving force of civil conflict, where the availability of natural resources acts as a catalyst for violence. Those who support this view, according to Soysa, hold that rebellion is driven by the desire for loot; thus violence is motivated by rapacity. This position is also supported by Collier (2000b: 2) who argues that whereas the popular perception is that a rebellion is a protest motivated by genuine and extreme grievance, this is not the case - the goal of rebels is not a public fight against injustice and issues of social grievance such as inequality, a lack of democracy, ethnic and religious divisions. Rather, it is based on the fact that rebels would only survive through predatory tactics because the circumstances in which they operate cannot enable them to finance an army. This is why the slightest chance of survival for rebels would only be where they can sustain themselves financially through pillaging. This predatory character of rebels makes Grossman (1999: 268-269) define them not as protest movements, but rather as large-scale predators of productive economic activities, which distinguishes them from bandits or pirates.

Collier, in his research on civil wars in Africa in which he dwells more on microeconomic environmental factors, provides an empirical support for the proposition that natural resources motivate rapacious behaviour, thereby causing civil war. Collier supports this argument by the notion of what he calls an economic agenda, whose most important aspect is primary commodity exports. He contends that primary commodity exports are likely to be a good proxy for the availability of “lootable” resources because their production does not depend upon complex and delicate networks of information and transactions, as with manufacturing (Collier, 2000b: 93).

Soysa qualifies Collier’s point of view by stating that the thesis is based on the premise that the availability of natural resources (exported as primary commodities) spawns violent conflict because it provides incentives for rebel groups to form on the basis of capturing loot, which also sustains the activities of these groups. (Soysa, 2000: 115). Reno (1999: 15-20) adds that wars in Angola, Liberia, the DRC and Sierra Leone arise from the struggle for control of oil, diamond mines, timber and other resources.

At a national level, it has been argued that a country whose substantial share of the Gross Domestic Product (GDP) comes from the extractive industry stands the highest risk of a civil war. Collier and Hoeffler (2000: 14-15) argue that a country is at the highest risk of conflict when its level of primary commodity dependence is 26% of the GDP. They add that by contrast, if a country had no primary commodity exports (but was otherwise the same in other aspects), its risk would fall to only one half percentage. They conclude that without primary commodity exports, ordinary countries are relatively safe from internal conflict, while when such exports are substantial the society is highly dangerous.

A number of other authors such as Le Billon (2001a), Ross (2004) and Ballentine and Nitzschke (2005) among others, in an attempt to draw close linkages between exploitation and trade in natural resources and civil wars, describe four modalities through which natural resources are linked to conflict, namely rent (profit) seeking;

mal-distribution of natural resources; conflict financing; and competition over resources and markets. Below is a discussion of each of these.

- *Rent (profit) seeking*: This arises because natural resource wealth results into the availability of profits, commonly referred to in economic terms as rents (Khemani and Shapiro, 1993: 29). These rents can be easily monopolized by national elites, leading to three distinct types of conflict risks, according to Ballentine and Nitzschke (2005: 27). The first risk is that a high concentration of resource wealth could easily induce rebels to use violence to gain control over the state in order to capture the rents. Laitin and Fearon (2003: 75-91) provide examples of Sierra Leone, the Republic of Congo and Angola as cases where the availability of natural resource rents in the form of income from diamonds and oil worsened the risk of conflict by increasing the “prize” value of capturing the state. Similarly, the struggle to control oil revenue in Chad led to the assassination of President Tombalbaye in 1975, the rise of Hisene Habre in the 1980s and the coup d’état against him by President Deby in 1990 (Verschave, 2000).

Secondly, natural resource income is commonly associated with perceptions of corruption, hence providing the would-be rebels and plotters of coup d’états with the legitimacy required for undertaking actions against the state. According to Le Billon (2003: 413-426), even if the elites do not monopolise rents, their usage of natural resource wealth may be readily perceived as corrupt, since natural resource wealth is easily viewed as “unearned” and easy to embezzle.

Thirdly, states that have large sources of income from external sources often have weak governance structures compared to states that largely depend on income and corporate taxation for their revenues. According to Ross (2004) this is because states that rely on income and corporate revenues are compelled to respond to the demands of their citizens, while those that depend on “unearned income” such as natural resources may fail to develop stronger institutional structures hence becoming more exposed to citizen alienation that could easily lead to violent protests.

- *Grievance as a result of (mal) distribution of natural resources*: This can also result in civil wars. Examples from across Africa demonstrate that the distribution of natural

resources has often been perceived as unjust amongst inhabitants of the areas closest to the resource deposits and in many cases deadly conflicts have erupted. For instance the conflict between the Ogoni ethnic minority group in Nigeria's Niger Delta and the government of Nigeria led the Nigerian military government of General Sani Abacha to execute eight Ogoni leaders including Ken Saro-Wiwa, president of the Movement for the Survival of the Ogoni People (MOSOP), in 1995. The execution provoked immediate suspension of Nigeria from the Commonwealth of Nations (Boyle, 2009: 1).

Bellantine and Nitzschke (2005: 31) posit that grievance may also ensue as a result of perceived inequity in the distribution of extraction and transport-related jobs as well as from the production process, for instance if it leads to forced migrations from a producing region, or new inflow of immigrants into the region. They further add that grievance may also be provoked by the ways that security is provided for on the ground. The authors state that in Sierra Leone, both extractive companies and the government used unaccountable security forces that were later implicated in human rights abuses that included assaults on civilians. Economies that are dependent on natural resources are also more vulnerable to fluctuation in levels of trade, and unless the citizens understand the source of such fluctuations when they occur, high levels of dissatisfaction within groups that suffer can lead to violent opposition to government.

Even in situations where conflicts are initiated due to other reasons, access to natural resources by either side of combatants helps to fund and sustain the conflict. Le Billon (2001a), when discussing the role that oil and diamond played in fanning the Angolan conflict, underscores that a conflict may turn severe when both sides benefit from resources. The Angolan conflict persisted because both the government and the rebels had enough natural resources to finance their combatants.

A similar case is that of Chad in which, in October 2005, President Idriss Deby initiated a process to draft a new law aimed at redistributing oil revenues in which he sought to change an agreement on revenue distribution from the Chad-Cameroon pipeline so that Chad could extract greater profit for itself and meet budgetary demands. The law was intended to abolish a provision on the amount of money

reserved for future generations. Observers criticised Deby's policies, noting that his government, being under rebel siege at the time, was more likely to use the money to buy arms in order to defend his floundering regime (Alusala, 2007: 57-67). According to Inter Press (2005), Deby was interested in the fresh source of cash as a way of ensuring the survival of his regime. At the time Deby was confronted with frequent strikes coupled with the defection of his closest and most loyal associates as well as the rebellion that was ongoing in the east of the country.

- *Competition over resources and markets*: This has also been a source of conflict. Rotberg (2003) and Williams and Picarelli (2005) observe that in weak states, there is a strong relationship between the likelihood of occurrence of civil wars and competition for resources and markets. They argue that disputes over both legal and illegal resources and markets are sometimes an immediate cause of intra-state war, triggering historical hatreds, ethnic tensions and tribal rivalries (Williams and Picarelli, 2005: 124). The authors go on to elaborate that in the course of the conflict, transnational linkages, black market economic activities and organized crime help to fund belligerents and help them to sustain the conflict even in the face of international isolation and embargoes. Looting and plundering also often present the warring factions with opportunities they would not be able to undertake during peacetime because such activities would be illegal. The third set of causes relates to the type of regime and the use of proxies.

iii) Regime type

Goodwin and Skocpol (1997), Goldstone (1991), and Wickham-Crowley (1992) define regime type as a syndrome of state characteristics including its institutional configuration, the pattern of intra-elite politics, and the resulting pattern of state society relations that makes a state more or less prone to civil war. By empirically analysing proxy measures of state weakness such as GDP, landscape (such as a mountainous terrain) and population, they present a theoretical argument that delineates what regime types are more or less prone to civil war (and why). State weakness depends largely on the nature of regime type and how that contributes to civil war or otherwise. For instance GDP per capita, which is a measure of poverty, is interpreted not as an indicator of state weakness but as a measure of the extent and

depth of grievances against the state. As such, low income per capita is considered as a measure of the opportunity costs for participation in a rebellion: the lower one's income, the less one has to lose by participating in an armed rebellion and, therefore, the more likely one is to choose to participate in an armed rebellion (Collier and Hoeffler, 2004, 563-595).

Although the nature of terrain and size of population also have a bearing on the policing capacity of the state by making it easier or difficult for rebels to set up bases from which to organize insurgence, the type of regime weighs heavily on this course. Thus, for a given degree of mountainous terrain or a given population size, a weak state would be less able than a strong state to preempt civil war by policing its territory effectively (Gurses and Mason, 2010: 140). Population explosion is increasingly becoming a major root cause of civil wars in Africa. Du Plessis (2000: 338) argues that one of the most underestimated factors is that Africa has the highest population growth rate in the world, an aspect that exacerbates instability and competition for scarce resources. He adds that the situation is aggravated by the parasitical authoritarianism of political leaders and the centralisation of the few assets that are available.

It is therefore important to note that neither mountainous terrain nor population size present a measure of state strength on their own. There are a number of nations with large populations and/or vast mountainous terrain but which remain immune to civil war due to the strength of their regimes. This points to the fact that the type of regime bears heavily on the stability of a country. In their analysis of regime types, Goodwin and Skocpol (1989: 495) agree unanimously that democracies are relatively immune to revolution, underscoring that "the ballot box...has proven to be the coffin of revolutionary movements." This is founded in the logic of "democratic peace," which holds that just as democracies rarely if ever go to war with other democracies, so they are relatively immune to civil war as well (Krain and Myers, 1997: 109-118). This is because democracies allow non-violent forms of protest, while at the same time facilitating peaceful resolution of conflict through bargaining. In democracies, therefore, grievances that might fuel revolution are addressed through non-violent means and through the discipline of the ballot box.

Hegre et. al. (2001: 34-48) caution that democracies that have only recently gone through the transition from authoritarianism to democracy (i.e. new democracies) are susceptible to civil war, just as they are susceptible to authoritarian relapse. The risk of a country emerging from a civil war to relapse into conflict has been found to be much higher than that of a relatively peaceful country. Collier et. al. (2000: 6-7) posit that there are 40% chances of renewed conflict immediately after the end of hostilities, and that the risk starts falling at one percentage point for each year of peace. Collier also raises the role played by a country's diaspora especially in the USA when he points out that if a country has an unusually large American diaspora its chances of conflict are 36%, while if it has a smaller diaspora its chances of conflict are only 6%, concluding that diasporas appear to make life for those left behind much more dangerous in post-conflict situations

Geddes (2003: 71-77) distinguishes four sub-types of non-democratic third world regimes, which, if combined with measures of GDP per capita, landscape and population) have the potential of fueling a civil war. The first is the single party regime. In this kind of regime the party has some influence over policy, controls most access to political power and government jobs, and has functioning local-level organizations. The second regime-type is the personalist regime. This is a regime in which the leader assumes power through a military coup or as the leader of a single-party government. Such a leader controls policy and instruments of recruitment, which he uses to marginalise other officers' influence over the functioning of the party. The third type is the military regime. This is when a state is governed by an officer or retired officer, with the support of the military establishment and some routine mechanism for high-level officers to influence policy choice and appointments. The fourth type comprises hybrid regimes. These are regimes that mirror aspects of all the other three regimes (single party military, single party personalist, military personalist) – they are military/personalist/single party amalgam regimes.

In addition to the above classification, Gurses and Mason (2010: 147) present monarchies as a separate category of regime. They argue that monarchies differ from

other regime types mainly on the basis of there being an institutionalised (hereditary) mechanism for leadership succession (Wright, 2008: 322-343). Mason and Krane, (1978: 175-98) argue that a comparison of the four sub-types of regimes indicates that personalist regimes lower the risk of civil war onset, thereby making them the most susceptible to civil wars. They add that repression or raw force, a characteristic that distinguishes personalist regimes from democracies and single party regimes, often does not deter political entrepreneurs from mobilizing social dissent. Fearon and Laitin (2003: 75-90) concur with Mason and Krane by observing that regimes that use repression as their primary response to challenges by social groups make civil war more likely by leaving those groups with few choices other than suffering in silence, which makes them escalate the challenge into a civil war.

Brett (1994: 20-33) agrees with the above arguments and points out that civil wars arise on the basis of who rules (or regime type). According to him, one of the solutions to the security dilemma is to answer that question of “who rules?” quickly and decisively. Along the same logic, Hironoka (2005: 47) projects further arguments in reference to the longevity of civil wars. For instance he promotes the view that the preponderance of civil wars is attributable to a number of factors, primary among them being the weakness of the state to effectively take charge of its entire territory. He argues that the dynamics and length of contemporary civil wars are due mainly to the weakness of the state, rather than to ethnic ties of the group prosecuting the war. He concludes that although ethnic groups are often participants in such wars, the causal factors generating intractable wars tend to be structurally located within the State.

In conclusion, it emerges from the above discussion of core causes that there are other conflict risk factors salient in African societies that contribute to further weakening of regimes. Most African states have intrinsic weaknesses, many of which manifested openly after the Cold War in the form of corruption, lack of efficient administration, poor infrastructure and weak national coherence caused by ethnic divisions. These made governance both difficult and costly. A combination of weak states and abundance of natural resources exacerbate the potential risk of structural and resource based conflicts. A country with abundant natural resources but with weak political

administration will provide incentive to neighbouring countries, which will tend to take advantage of the situation to pillage resources. There is also the risk of insurgents from neighbouring countries taking advantage of the ungoverned spaces and resources to create their rear bases from which they orchestrate their insurgency activities against their country of origin. An example is the resource-rich but poorly governed region of eastern DRC which has attracted a plethora of armed groups from the neighbouring countries, as discussed in chapters five and six. When this happens, the foreign insurgent groups and their activities become a proximate cause, or trigger of the conflict in the neighbouring country they operate from. The main proximate causes related to this phenomenon are discussed below.

3.1.2 Proximate causes

Although proximate causes are often exogenous to the environment of the conflict, once present in an environment of conflict, they often come to bear heavily on the occurrence of the war, acting as a trigger or catalyst of the conflict. In some cases proximate causes are usually present within the environment with sharpened core causes of conflict and it therefore takes only a little effort for somebody to manipulate the situation and transform it into an active conflict. Examples of proximate causes discussed here include changes in the strategic environment, ideological influence, levels of literacy, negative interaction and power imbalance; and contagion and diffusion.

i) The strategic environment

The changes in the domestic and/or international social, economic or political environment tend to lead to conflict. The changes generate uncertainty and fear that render groups nervous and insecure about the future. This has led Walter and Snyder (1999) to challenge this thought by observing that internal wars are not always premeditated, deliberate efforts to overthrow an unwanted system of government or the result of purely aggressive aims, but they can also erupt inadvertently due to exogenous factors.

The escalation of civil wars in Africa in the post-Cold War period is partly a manifestation of the continent's response to a change in the strategic environment

brought about by increased pressure for third world countries to adopt democratic reforms. Mapping out ways in which African countries responded to this new pressure, Brown (1996: 243) states that three problematic categories of states emerged. The first one comprised countries such as Liberia and Somalia, in which dictators refused to give up political power in the face of armed challenges. This, according to Brown, led to protracted wars, and when no quick victory seemed in sight for the belligerents, the armed factions splintered into smaller groups that perpetuated civil wars.

The second category comprised countries such as Kenya, Cameroon, Nigeria, Togo and the DRC where the ruling elite initially conceded to the demands for democratic participation but then manipulated the process to retain power through corruption, coercion, ethnic mobilization and other divisive tactics. Leaders in these countries concentrated their patronage on smaller segments of society, mainly their ethnic groups as a means of maintaining their hold on power.

In the third category were countries such as Uganda and Ghana, where authoritarian leaders tried to build regime legitimacy from the top down, insisting that since their countries were in chaos, the citizens needed to implement structural reforms mandated by international financial institutions. They therefore legitimized the use of force against internal dissidents, thereby polarizing disenchanting groups. This in turn led to outbreaks of civil wars. However, a civil war in one African country has the tendency of spreading to neighbouring countries.

From the foregoing discussion, it is conclusive to state that a groups' decision to fight, to negotiate or to remain at peace stems not only from that group's desire to control government or territory, but also as a response to changes in the tactical or strategic environment. Walter and Snyder (1999: 2) advise that while it is right to pay careful attention to the underlying aims of the actors making decisions, a comprehensive discussion of civil wars must consider how the strategic environment in which competing groups find themselves shapes their expectations of each other's future behaviour and factors into their decisions to fight, negotiate or surrender. They conclude that it is necessary to figure out what part of the decision to go to war or to

reject a negotiated settlement is the result of purely aggressive or predatory aims and what part is the result of the strategic environment. According to the authors, conflict-generating environments arise when a government breaks down or collapses; a minority group becomes geographically isolated within a larger ethnic community; the political balance of power shifts from one group to another; economic resources rapidly change hands; or groups are asked to demobilise partisan armies.

ii) Ideological issues

This also has an important role in the propagation of civil wars. The findings indicate that in times of war social behavior undergoes dramatic change as a result of actual or perceived threats (Malesevic, 2010: 142). The ensuing change in behaviour has a direct impact on existing social relationships with the escalation of violence polarizing groups involved in the conflict. The underlying logic according to Malesevic is that warfare inevitably fosters the emergence of strong national identities that also entail a lack of solidarity towards those who find themselves on the other side of the conflict line. The main argument is that war divides a society either through ideology or nationalism. It is therefore not by chance that there are opposing factions in a war. The opposing sides could be motivated by either ideology and/or by nationalism. To emphasise this, Malesevic (2010) and Collins (2008) state that war is nothing like a personal vendetta or a violent aggressive quarrel between two wolves but rather, it is a highly complex, historically contingent and socially embedded process that requires organizational and ideological reinforcement. Recurrent civil wars create a systematic ideological orientation in a group of people.

Studies of armed groups in civil wars have established that ideology plays a central role in determining the character of organizations and how they wage war (Kalyvas and Balcells, 2010: 415-429). For instance, when an armed group is built around an overarching ideology, it may be influenced in terms of the patterns of violence in which it engages, especially with regard to civilians, while in some cases, ideology may cause a group to be more selective and restrained in its targeting of civilians (Thaler, 2012: 548). Fine and Sandstrom (1993) argue that in most cases, ideological commitment is strongest among elites in a group, whereas non-elite members only follow the instructions of the elite. It is on this basis that the political and military

leadership of a group normally instill ideological commitment on their lower level forces (or foot soldiers) through a process of indoctrination and training, or military socialisation (Wood, 2008: 546-547).

iii) The levels of literacy

The literacy level in a given country has also been seen as one of the causes of conflict. A study by Collier and Hoeffler on the relationship between illiteracy and occurrence of civil war reveals a direct correlation between the two. Their analysis of the pattern of conflicts between 1965-1999 demonstrates the contribution of high levels of illiteracy towards occurrence of civil wars. The average country in the sample had only 45% of its young males in secondary education, while a country which had ten percentage points more of its youths in schools - say 55% instead of 45% - cuts its risk of conflict from 14% to around 10%. The authors noted further that conflict was more likely in countries with fast population growth, with each percentage point on the rate of population growth raising the risk of conflict by around 2.5 percentage points, and each percentage point off the growth rate of per capita income raising the risk of conflict by around one percentage point (Collier, 2000a: 7).

Collier has also presented a comparative study of the levels of literacy, gender, ethnicity and natural resources. In this regard he concludes that exports of primary goods and average years of schooling in the male population are strongly related to conflict as opposed to ethnic heterogeneity and income inequality. Collier stresses that the higher the level of education among males, the less likely they are to engage in risky endeavours such as armed conflict. Consequently, a country whose more than one-fourth of its GDP is dependent on primary commodity exports is four times more likely to engage in a conflict than one that is not. By implication, a country with large natural resources, many young men, and little education is very much more at risk of conflict than one with opposite characteristics (Collier, 2000b: 116).

Duffield (2000: 84) supports Collier's position but adds an international dimension to the argument when he indicates that economically, there is a growing symbiotic relationship between zones of stability and zones of instability within the global

political economy, as was witnessed in early 1990s when the Liberian warlord, Charles Taylor was supplying, among other things, a third of France's tropical hardwood requirements through French companies.

iv) Negative interaction and power imbalance

This is another cause of civil war within the society. Negative interaction refers to the exclusion of a group of people (mostly minorities), economically, socially or politically. This can be in the form of economic exploitation of natural resources through use of cheap labour especially in minority areas. Culturally, it can take the form of discrimination such as in cases where states engage in racist repression, religious persecution and genocide (Scherrer 2003: 100). Politically, negative interaction may occur when a regime alienates a certain group, resulting in mass poverty or torture. The disenfranchised group may decide to challenge the legitimacy of such a regime, thereby increasing the propensity for violence.

O'Neill (2006: 81) states that often once the disenfranchised group gets sensitized about the abuse, its members mobilise and mount a resistance. In an assessment of factors that cause insurrectionary violence, O'Neill adds that numerous past and current cases provide ample evidence that economic inequities that create a perception of relative deprivation are a major cause of insurrectionary violence; while in some situations, such as El Salvador in the 1980s, in Nicaragua under the Somoza regime, and in Philippines and Nepal, where small ruling elite and capitalist classes deny the peasant and the working classes a fair share of the wealth, economic considerations are a primary motive for violence.

Negative interaction can also be in the form of disproportionate distribution of political power, also known as power imbalance (Arreguin-Toft, 2005: xi). Weinstein (cited in Mazrui, 1977: 48-66) writes that since 1960, of the 190 African heads of state, only twenty voluntarily gave up power. This partly explains the gradual increase in intrastate conflicts in Africa in the post-Cold War era. In Africa, power imbalance is often characterized by authoritarianism and exclusion of some ethnic groups from political leadership. This causes those excluded to wage war against such regimes.

Arraguin-Toft (2005: 6) posits that those disenfranchised sometimes seek to overturn the status quo through insurrection. Such a conflict is asymmetric due to power differences between the groups. However, the author points out that sometimes weaker parties win such wars. He argues that although more power means winning wars and less power means losing them, raw material power is not the only thing that explains who wins or loses a battle, campaign or war. He states that many things, ranging from resolve, technology, strategy, luck, leadership, and even heroism or cowardice can lead to unexpected outcome. In totality, according to Arraguin-Toft the interaction of the strategies actors use matters more than how much power they have during a conflict, determines its outcome.

v) *Contagion and diffusion*

A growing cause of civil war is the spread of conflict from one country to another, generally referred to as contagion and diffusion. Civil war within a state can significantly influence the risk of civil or interstate conflict onset in its neighbourhood. Gurr (2000) and Fox (2004) state that the spread of conflict across borders is a phenomenon that is unique to neither ethnic nor religious conflicts. They divide the spread of conflict across borders into two processes, contagion and diffusion. Contagion is when a conflict spreads through a region for example due to movement of refugees across borders, while diffusion occurs when a conflict crosses border due to cross-border ethnic linkages. It is the demonstration effect that anti-regime activity can have for ethnic kindred living elsewhere, whether they live in bordering states or on the other side of the world (Fox, 2004: 90). In most cases this is catalyzed by spanning of identity or ethnic groups across borders, for example through kin groups providing safe havens and resources; and movement of refugees or by emigrants financing insurgency back home (Peksen and Lounsbury, 2012: 351).

Midlarsky (1992), Brown (1996) and Lake and Rothchild (1998) have identified factors that contribute to the cross-border spread of violence and refugee movements have figured prominently in their analyses, as one of the major causes of internationalization of conflict in the GLR. They emphasise that refugee flows can contribute to the spread of conflict in two main ways. The first way is through *diffusion*. This occurs when the influx refugees alters the balance of power in the host

state through transforming the ethnic composition, or impacting on the access to resources. The ensuing competition can generate violence in the host country. If the process is left unchecked, the conflict can eventually engulf an entire region. Fearon (1998: 12) underscores this view by observing that a possible chain reaction may result in which ethnic war causes refugees, who de-stabilize a new place, causing more war, causing more refugees, and so on. However, Premdas (1991: 16) goes beyond the refugee diffusion approach to the spread of conflict, by arguing that even migration in its usual form can spread ethnic conflict across borders, creating an uncontrollable chain of ever-widening involvement of host communities.

Secondly, refugee flows can contribute to the spread of conflict through *escalation*. This occurs when the arrival of refugees in a host country propels the host to intervene in the conflict. This is most likely to arise when; among the refugees are former combatants who, by masquerading as refugees, use the opportunity to launch cross-border attacks back into their home country. Lake and Rothchild add that the “...spillover can lead to recriminations between the two affected states and, in cases of “hot pursuit,” direct border clashes that may spiral out of control” (Lake and Rothchild, 1998: 30). Zolberg et. al, (1989) refer to this situation as “refugee warriors” underscoring that for years, refugees have conducted military training and launched incursions across the border from bases in host countries. This situation, concludes Zoberg et. al., became more pronounced at the end of the Cold War with the decline of external support. The refugee warriors therefore attain their goal by integrating themselves among civilian refugees and exploiting humanitarian aid to further their military causes.

Other studies have gone further to analyse the relationship between refugees and the diffusion and escalation of conflict. For instance Lischer (2002: 15-17), in comparing violent and non-violent refugee situations amongst Rwandan refugees in Zaire and Tanzania, Afghan refugees in Pakistan and Iran, and Bosnian refugees in Croatia, identifies three factors that determine the likelihood of war spreading across borders. The author argues that the first factor is the level of political cohesion and militancy among the refugees; second is the capacity and will of the host country government to demilitarize camps; and third is the extent to which third parties provide resources to

militant refugee groups. These factors are revisited in this chapter four, with respect to the diffusion of the Rwandan civil war into Zaire.

Refugees also tend to pose a security challenge both to the host country as well as to their countries of origin firstly because refugee camps act as a pool for re-grouping of rebels planning revenge attacks. Often home governments, fearing such hostile approaches respond with direct attacks against camps in host countries. Secondly, refugees tend to overwhelm their receiving communities, increasing competition, and hence conflict over basic facilities such as food, water and shelter. In instances where host governments are ill equipped to cope with the situation, their own legitimacy can be weakened, thereby provoking resentment from its own citizens. Ward and Gleditsch (2002) and Buhaug and Gleditsch (2008) conclude that civil war can easily spillover into neighbouring territories and can easily merge with civil wars in other countries or with other interstate conflicts.

Rothchild and Lake (1998) and Touval and Zartman (2001) are among those who interrogate the impact of two opposing military interventions on the spread of civil wars. In the first scenario they examine the influence that a hostile military intervention has on the regime of a target state, while in the second scenario they analyse the impact that supportive interventions have on a target regime.

Regarding the first scenario, they argue that hostile interventions (interventions that oppose the target government and/or support rival groups) tend to weaken the target state's ability to maintain full control over its sovereign territory. Such intervention, they add, reduces the state's governing capacity, thereby allowing the incursion of armed belligerents. This forces the government to divert its military and other resources toward defending the external military threat at the expense of internal conflict. Peksen and Lounsbury (2012: 352) concur with this argument, but add that in some cases, major external armed interventions might result in complete collapse of the central government, resulting in a power vacuum and state instability, thus worsening internal conflict. Examples, according to Peksen and Lounsbury, include the multilateral intervention in 1994 in Haiti that led to the overthrow of the military regime and the Rwandan/Ugandan military invasion of Zaire (DRC) in 1996. In both cases, the targeted regimes were considerably weakened by the external military

challenges, leading to a reduction in those governments' ability to exercise power over their entire state territory.

The overall strategic effect of a hostile military intervention is that the target state's inability to maintain full control over its territory may provide a safe haven for rebel groups from neighbouring countries. It may also avail them access to training grounds and an environment for trafficking of arms, drugs, natural resources and other materials, including money laundering channels for neighboring rebel groups and opposition (Sislin and Pearson, 2001 and (Dorrf 2005). In addition to these incentives, groups receiving external military support have the potential of also supplying weapons and ammunition to insurgent movements in neighbouring states due to political, ethnic or religious affinity. Thus, as hostile interventions facilitate the greater access of arms and other material needs for neighboring insurgent groups, the risk of civil conflict onset becomes greater in the surrounding environs. In retrospect, the weakened target government suffers insufficient bureaucratic control of its own society and efficient institutions of coercion such as the police and military forces. This makes it difficult for the target government to secure its territory from acting as sanctuary for neighboring rebel groups and insurgents. The end result, according to Dorrf (2005) and Rotberg (2002), is a government with a tenuous hold over its territory with a base for neighboring factions with grievances against their home governments.

In the second scenario, the authors examine the case of supportive interventions (military interferences on behalf of the target government). Regan (2000) and Touval and Zartman (2001) emphasise that supportive interventions have the effect of bolstering the coercive capacity and political legitimacy of the government. They (interventions) do this by enhancing the military capacity of the regime in power and shifting the balance of power in the regime's favour over key rival groups. In a similar vein, supportive foreign armed intervention that commands approval of the political leadership by the international community also boosts the political legitimacy of the leadership in domestic politics. Such leadership, according to Gurr (1988), Eckstein (1971) and Nordlinger, 1987), induce compliance of the populace, with the net effect of higher chances of the regime boosting the state political order by

marshaling support from societal actors and designated officials. Clinton, the former US President underscored this concern in justifying the US intervention in Bosnia when he argued that without such intervention, the conflict that had already claimed so many people could have spread like poison throughout the entire region (US Department of State, 1995).

Sometimes rebel groups establish rare bases in neighbouring states purely for strategic reasons, but again this is only most effective where there are ethnic or ideological linkages. For instance ideology of anti-colonialism and anti-apartheid guided Mozambique and Tanzania to provide bases and supplies to Zimbabwean guerillas in the 1970s, while Angola and Tanzania hosted the African National Congress (ANC) guerillas respectively. Similarly, on the account of cross border ethnic linkages, Uganda offered rare bases to the Rwandan Patriotic Front (RPF) rebels, while in 1991. The need for sanctuary and natural resources to fund the civil war in Liberia made the Liberian soldiers led by Charles Taylor to invade Sierra Leone. They plundered diamond mines with the support of local ethnic groups, in order to fund their war in Liberia (Stedman, 1996a: 245).

Further more, the porosity of African borders provides a situation where rebel groups or insurgents may establish bases or seize territory across borders in order to gain access to resources or sanctuary from the host state security forces. As Lyons points out, the existence of rebel bases in neighboring countries has the potential of prompting aggrieved countries to cross borders when carrying out search-and-destroy missions (Lyons, 1996: 145-70). In this way the conflict gets internationalized, sometimes putting countries at loggerheads. Hill and Rothchild (1986: 25) add that in situations of ethnic imbalance such as that pertaining in Rwanda and Burundi in which Hutu ethnic group constitutes about eighty-five percent of the population and Tutsi constitute about fifteen percent, whenever there is a change in the political setting in either country, the neighbouring country is directly affected. For example a successful election in Burundi in 1993 led to a change of government there, which encouraged Rwanda to negotiate a settlement to their civil war. However, when in October 1993 Tutsi military extremists in Burundi assassinated the Hutu president, the Rwandan military concluded that accommodation between the two ethnic groups

was impossible. These lessons, according to Brown (1996: 249), galvanized the Rwandan Presidential Guard, which organized and directed the 1994 genocide that claimed close to one million Tutsi and moderate Hutu.

3.2 Approaches to ending of civil wars

As discussed in chapter two, wars, including civil war can end either in total military victory or through a negotiated settlement. The most traditional mode of, however, has been through military victory (Marley, 1997: 109), with the losing side submitting to the terms that the victor imposes upon it. Marley argues that in Africa, only a handful of wars have ended in this traditional way, pointing out the case of Zaire in the early 1960s when a UN-backed government forces defeated secessionist rebels in Katanga with a lot of difficulty; and the case of the Biafra civil war in Nigerian. In these two cases the victory favoured national forces. However, in the case of Ethiopia and Eritrea, the Eritrean Peoples Liberation Front (EPLF) and the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) achieved a decisive victory against the Ethiopian armed forces of Mengistu, leading to the independence of Eritrea.

Marley argues further that beyond the three cases above, total victory has eluded numerous conflicts across Africa, and continues to do so. For instance in Chad, a series of insurrections have resulted in coups d'états that have only succeed in leading to other coups; the same case with Somalia, Niger, Mali and the DRC. According to Marley, some of these wars have only attained tactical victory only to simmer underneath. A case in point is Rwanda, where the seeming July 1994 victory by the Rwandan Patriotic Front against the ex-government forces appeared merely ended the war campaign, but not the war itself (Marley, 1997: 119-121). This observation affirms the fact that some civil wars are harder to end than others, as posited by Balch-Lindsay and Enterline (2000), and Fearon (2004) who link the resilient of wars to terminate to natural resources when they state that civil wars fought about land conflicts and those where rebel groups finance themselves by controlling contraband trade have a longer life span than others.

The resilience of wars in Africa is because they are predominantly civil wars. As discussed in chapter two, classical theorists such as Clausewitz identified this

challenge immediately war started ceasing to be solely a military affair by involving a host of issues and participation of non-military actors, thereby making war a complex business to end. Civil wars are specifically difficult to resolve for various reasons. First is because they involve the state against its own people, whose interests and alliances keep shifting. The use of irregular warfare tactics in civil wars for instance, makes it difficult for state armies to identify belligerents among the population. This makes it difficult to thwart, especially at its inception. Civil wars are therefore unlike wars of *ancient régime* (State-to-State wars), which were conducted between professional armies of limited size for limited interests (Clausewitz, 1976: 589-591). Ghosn (2010: 1057) cautions that even where the process of ending a civil war is at the negotiating table, the temporary successes of negotiations can easily be followed by a failure of ceasefires.

Second, the termination of civil wars can be elusive if military issues are not handled conclusively, or if they are overshadowed by political interests such as power-sharing and third party interests during negotiations. Several scholars have blamed the failure of peace agreements to the hurried nature in which they are concluded without tackling underlying military issues, primary of which are:

3.2.1 The transformation of tactical victory into strategic peace

In situations where one group has attained tactical victory, the termination of the war, or the attainment of strategic peace is dependent upon the terms of peace that the victor offers the vanquished. This entails the parties emerging from the conflict entering into a mutual and binding peace agreement on all matters of concern. Thucydides, one of the classical military theorists, refers to the lessons drawn from the Athenian wars to advise that if great enmities are ever to be really settled, "...we think it will be, not by the system of revenge and military success, and by forcing an opponent to swear to a treaty to his disadvantage, but when the more fortunate combatant waives his privileges, to be guided by gentler feelings, conquers his rival in generosity, and accords peace on more moderate conditions than he expected. From that moment, instead of the debt of revenge which violence must entail, his adversary owes a debt of generosity to be paid in kind, and is inclined by honour to stand to his agreement" (Thucydides, 1950: 233).

Generous terms of peace could also include reconstruction and empowerment of local institutions and/or improvements of the society's welfare. All these activities should be aimed at winning the minds and souls of those conquered. Alexander and Keiger (2006: 182) concur with this argument when they observe that winning a war is easier than winning the subsequent peace, and that the problems of enforcing post-war peace settlements have a habit of appearing alarmingly quickly. This is a reiterated version of Clausewitz's views on how difficult it is to end a war completely even in cases where one party wins (see chapter two).

According to Clausewitz, the most important aspect of terminating a war is to break the enemy's will to fight. He cautions that by gaining tactical victory over an enemy's army, even if this is followed by the occupation of his country, will not result in a final peace agreement as long as the enemy's government and population have the will to go on fighting. Under most circumstances, however, the destruction of the enemy's army and the occupation of his country should be able to bring the enemy to the negotiation table in search of strategic (long-term) peace. It is at this moment that the victor needs to offer generous/agreeable terms of peace. In the case of civil wars especially in Africa, the will to fight is often defined along ethnic lines. Once a leader of a particular ethnic group ascends to the president, one surrounds oneself with cronies from one's own ethnic group to the near total exclusion of others. This in a large part contributes to the ethno-political phase of Africa's civil war.

3.2.2 Dealing with the military and political interests of parties

A very critical element in negotiating the terms of peace the terms of peace in civil war situations is how to deal with military formations. Usually defeated civilian leaders form political parties. Military leaders and foot soldiers have to integrate into the national force or disband and return to civilian life. This is normally a very challenging situation as it entails changing the status of the former combatants. Cessation of hostilities and attainment of strategic peace depends on how the interests of civilians and military groups are catered for. Walter (2009) and Kirschner (2011) contend that this is the chief dilemma that combatants in civil wars face – the fact that one group of combatants eventually must submit to the other (by disarmament or

integration) and live alongside the other group defenselessly. Failure to address the military concerns of the losing party may result into revenge and possible renegeing of the peace deal.

In order for the parties to reach a consensus on the above issues, they have to engage in negotiations as equal parties. The most significant and yet most challenging aspect of such negotiations is getting the two parties to agree to negotiate as equals and implementing its outcomes objectively. This difficulty is because in most cases one of the parties would be a government while the other would be a rebel group, thereby raising questions of legitimacy. There is also often the tendency of the victor to want to dominate strategic affairs of the deal, even though this may be in violation of the peace agreement. It is therefore clear that the main constraint in ending civil wars is how the military issues are handled in the negotiations and how they are implemented towards the termination of a war.

In Africa conflicts, negotiated settlements have not been easier to achieve because states have not understood how to tackle military issues at the heart of a war in which civilians are also involved. This study contend that because the nature of wars has changed since World War II from inter-state to predominantly intra-state, this change has also defined the resilience of wars to termination. In inter-state wars the laws of engagement are often clear and well defined. The conflict is guided by states with clear political objectives, and with less or no civilian involvement. On the contrary, intra-state wars such as civil wars, often involves civilians (as rebels), making it more difficult to define and respond satisfactorily to the objectives of all the actors, which keep changing as the conflict evolves. As such, civil wars have proven to be lengthy and resilient to termination, making them cyclic in nature.

Marley (1997: 121-124), points out four drawbacks in this regard. First is the view that rebel leaders hardly have a clear political ideology, as such, they hardly envisage negotiations as a way out of the conflict, simply because they lack fixed objectives to negotiate about. The driving force behind most insurgencies are personal or ethnic interests, of who will rule the state if the war is won, and often these interests change as the conflict evolves ending into rent-seeking situations as opposed to liberation

objectives. As such, the war is initiated and driven with maximalist goals, and with little thought for the possibility of a long-term negotiated outcome. Second, and related to point one above is that the failure to have fixed negotiable (political) objectives make African wars lengthy, leading to proliferation of factions, including attracting new players that sometimes come from neighbouring countries to take advantage of the chaotic situation in the affected country. This crowds the field of war, making it impossible to negotiate the interests of every actor satisfactorily.

Third, the parties, often the government side of the belligerents, are often reluctant to recognize the rebel parties at the negotiation table, viewing it as belittling their stature as governments. In the same measure, insurgents would tend to exclude their breakaway factions for the same reasons. Fourth is the lack of technical capacity to negotiate, especially on the side of rebels. Because the government side often enjoys international recognition, it is better placed to source for skilled representatives to the negotiations. Sometimes rebel negotiators have had to be trained before the negotiations start. Preliminary training of this kind occurred in the cases of Renamo in Mozambique, with the EPRDF coalition in Ethiopia, and with the RPF in Rwanda. (Marley, 1997: 113).

The above challenges facing the termination of wars in Africa contribute directly to other processes that accompany peace processes. An important part of the process is usually the ceasefire, which ideally if observed by all parties, should lead to cessation of hostilities so as to give negotiations a chance. However, parties have often abused ceasefires, long before an agreement could be reached. A reflection on the role of ceasefires points out their importance as a step towards termination of war.

A ceasefire is an implemented agreement between belligerents (either explicit or implicit), involving all or the greater part of their military forces to, at a minimum, abjure the use of violent force with regard to each other, for a period of time (not necessarily specified) regardless of the intention for doing so, and regardless of the eventual outcome of such agreement (Smith, 1995: 266). According to Daley (2006), Clapham (1998) and Kolas (2011) a ceasefire is a basic step in peace building trajectory, or simply a measure to end violence and pave way for substantive

negotiations to begin. On the other hand, the Uppsala Conflict Data Programme (UCDP) defines a ceasefire as an agreement between the main actors in a conflict that terminates military operations. It goes further to contrast ceasefires (including truces or armistices) and peace agreements by stating that unlike the rest, ceasefires do not deal with the incompatibility, but mainly focus on a mutual cessation of hostilities (Kreutz, 2010: 245). The common narrative among all these definitions is that ceasefires simply stop the troops from firing at each other in order to give other processes (such as negotiations) a chance.

Scholars such as Baruah (2005) and Lucina & Gleditsch (2005) support this argument, and further point to the increasing use of ceasefires as the starting point in conflict resolution models and peace building processes. Kolas (2011: 781) adds that ceasefires may either consist of a pledge to stop attacks, or they may include additional measures such as demobilization or withdrawal of forces. Smith (1995: 5) however notes that ceasefires are usually fragile during negotiation processes in stalemated wars than in wars where there is a clear victor. He points out that in a situation where neither belligerent party is able to achieve a decisive victory, nor be able to exhaust their opponent to a state of financial or military collapse, negotiations tend to be much more laborious and intricate since the “winner” may be unclear and the belligerents may overestimate their own bargaining power.

The above argument by Smith infers therefore that a conflict in which none of the belligerents emerges a victor is more difficult to resolve than one in which there is an outright victor. This description fits the DRC wars as discussed in chapters five and six. Kreutz (2010), Mack (2008) and Fortna (2005) have reviewed why stalemates have tended to be on the increase in the post Cold-War period leading to negotiated agreements has revealed an outcome similar to the foregoing arguments, and arrived at two conclusions in this regard. Firstly that fewer wars tend to end in an outright victory in the battlefield due to early peacekeeping intervention, which more often encourages a negotiated settlement by disrupting the war which, if left may lead to an outright victor. Secondly, the international community has become more competent and willing to mediate in conflicts, leading to higher chances of these negotiated settlements succeeding, and therefore being a better option to terminating the conflict,

than continued war. This confirms Kreutz's (2010: 246) argument that victories are less common in interstate conflicts than in intrastate conflicts, as only about one-fifth of interstate conflicts end with a victory compared with more than one-third of intrastate conflicts. This would confirm that victory is even much more elusive for parties involved in a war with both conventional and non-conventional characteristics, such as the DRC one.

Walter (2004: 372) and Quinn, Mason and Gurses (2007: 175) that have analysed this phenomenon of conflict conclude that its successful ending depends on four variables:

- a) The first is whether the negotiations leading to its termination are as a result of one of the parties gaining tactical victory or through an intervention by a peacekeeping mission after a stalemate;
- b) The second is whether the belligerents were mobilized alongside ethnic issues. If so, the conflict becomes more intricate to settle because this forms part of the core causes of the conflict (see chapter three), which often leads to recurrence of the conflict;
- c) The third is the duration, cost and destruction of the conflict. According to a study by UCPD, a sustainable settlement of a conflict is likely when the agreement is signed either in the last year of fighting or the first year of inactivity that follows. Otherwise a conflict would not be considered as terminated through a peace agreement if, warring parties conclude it outside this timeframe. The longer the conflict, the more costly the damage it causes to the community as well as the combatants, and the more complicated the contested issues become;
- d) Fourth is the willingness of the population to rejoin the conflict. The factors that would make this easier include the proliferation of arms among civilians and influence from external actors.

From the foregoing discourse it emerges that that the question of when and how civil

wars terminate is an on-going research question. Wright (1970: 61) affirms this by adding that it is precisely difficult to say when a civil war ends, because the word “permanent” in peace treaties is in actual sense a temporary phenomenon, usually covering at most twenty years. Wright bases his argument on several examples such as in Colombia where the widespread violence that began in the late 1940s decreased significantly with the conclusion of a power-sharing arrangement between the rival Liberal and Conservative parties in 1958, but because the social distrust remained and the leftist factions were left out of the power-sharing framework, large-scale violence resumed in the late 1970s.

In view of the diverse causes of civil wars, Stedman explores the complexity inherent in generalizing the ending of civil wars and goes on to caution that the ways in which civil wars have moved towards a conclusion have been so varied that determining either the necessary or sufficient conditions for war termination seems nearly impossible. For example while ceasefires were a crucial first step towards negotiations in Cambodia, in Angola, El Salvador and Nicaragua, talks on ending the war began long before cease-fires were agreed. In the same manner a constitutional formula for power-sharing was critical to ending the violence in South Africa, while such a framework was rejected in El Salvador, Mozambique, Namibia, Nicaragua and Zimbabwe (Stedman, 1996a: 354-355).

Similarly, King (1997: 21) acknowledges that despite the many books and articles on the management of both inter-state and intra-state conflicts, there has been little agreement on precisely when a conflict terminates, or on how to determine when a large-scale armed conflict - whether within or between states - has come to a definitive end. He concludes that it is impossible to point to any objective and universal criteria for what hasten its ending.

In a study of why lasting peace is elusive, Galtung (1969: 167-191) describes peace in two ways, “positive” peace and “negative” peace. He views “positive” peace as correlating with an ending of “structural violence” (an indirect forms of violence stemming from exposure to conditions of poverty and powerlessness), while “negative” peace corresponds with the ending of direct violence (fighting), adding

that “positive” peace is difficult to achieve because it relies on ending social injustices such as poverty. Daley (2007: 335), in his studies on the persistence of direct violence after the signing of peace agreements and holding of democratic elections to end political differences, especially in African conflicts has challenged Galtung’s explanation. He concludes that even just “Negative peace” seems far from being achieved in many post-conflict countries in Africa. In the same vein Steans (1998) bases his arguments on classical wars and classic realism to show that in today’s international politics hegemonic states “manage” international security through ensuring that although war and peace have different meanings, weak states can achieve “negative peace” and at the same time address social injustice to an extent. If this is so, wonders Steans, why is contemporary Africa resilient to this phenomenon, such that countries keep relapsing into war? (Steans, 1998: 106-107).

In order to understand why civil wars persist for a long time, one needs to analyse the factors affecting the termination of most conflicts. As explained above, wars can end in two major ways: through military victory or negotiated settlement. However, Cunningham goes further to explore the impact of external intervention on the duration of civil wars, and concludes that “...The duration of civil war is affected both by factors that make military victory easier (or harder) and by factors that make negotiated settlement easier (or harder),” adding that these two strategies are linked because parties use the battlefield to strengthen their position at the negotiating table (Cunningham, 2010: 3). Since war is costly, parties seek constantly to find a negotiated settlement that gives them higher expected utility than continued warfare. Scholars of civil war continue to search for ways in which civil wars can be brought to a successful ending despite attending challenges. Some of the approaches they propose include external military intervention, negotiation and mediation, co-opting or neutralizing militants, by outright military victory, neutralizing hate mongers and by use of small wars approach. These are discussed at length below.

3.2.3 External intervention

This takes place when one power singly, or several powers jointly, act without the express consent or invitation of the state invaded (Coady, 2005: 15). This definition, however, excludes those instances where the target state has invited an outside force

to intervene, such as Australia's 2006 military assistance to East Timor and the Solomon Islands, or the 1999 Australian-led *International Force for East Timor* (InterFET) mission in East Timor because these interventions, according to Arnold, received approval from the host governments (Arnold, 2008: 193).

A broader definition is that provided by Haass (1999: 20), in which he encompasses an array of classic military activities such as wars of aggression as well as those circumstances where the aim of the intervention is benign and the target state's consent is given. This would include peacekeeping, humanitarian assistance and stabilization missions such as East Timor and the Solomon Islands mentioned above. Military intervention involves a wide range preparation, at the core of which are military troops, supplies, intelligence or aid that serve to support existing forces of either government or the opposition (Regan, 2003:1-17). In general, therefore interventions involve both direct and indirect use of force. In most cases the use of force is usually deadly, thereby putting the lives of all those involved at risk, including the lives of citizens of the state subject to the intervention, whether they are members of groups hostile to the intervention or non-combatants (Hass, 1999: 2).

In a discussion on military intervention in Sub-Saharan Africa, Hough (2000: 167) states that the most common form of intervention in African conflicts has been by superpowers and regional hegemonies. These interventions have mainly occurred in internal conflicts either in the form of conventional war or low intensity conflicts, and have contributed, in some cases to de-escalation of conflict and in certain cases to the expansion of scope and intensity of the conflict.

Writing on how external states can prolong civil wars, Cunningham (2010), Balch-Lindsay and Enterline (2000), Tsebelis (2002), and Cox and McCubbins (2001) clarify how external intervention contributes directly to the prolongation of civil war. For instance Cunningham stresses that external states become involved in civil war to pursue an agenda that is often separate from the goals of the internal combatants, making the war more difficult to resolve for two reasons. Firstly, the entry of a third party means an extra actor whose approval has to be sought before any settlement to end the war can be agreed. This lengthens the process. Secondly, external states tend

to generally have less incentive to negotiate than internal actors because they bear lower costs of fighting and they can anticipate gaining less benefit from negotiation than domestic insurgents (Cunningham, 2010: 3-4). Because more often intervening states harbour independent agenda, they make wars substantially longer.

However, other scholars have argued to the contrary. For example Walter (2002: 25-30) posits that external actors can affect the ability of parties to negotiate, and as such they hold a vital position in influencing the termination of a civil war. This is because it is nearly impossible for parties to commit credibly to stop fighting without an international guarantee to enforce the peace. In the same vein, Doyle and Sambanis (2000: 779-801) argue that certain strategies used by international actors are more effective at reducing hostilities in a civil war environment and helping to build peace.

The most common military intervention approach in civil wars takes the form of peace enforcement. This entails the use of military force to end or reverse aggression. However, as Brown cautions, peace enforcement operations are most likely to succeed only when they have clear mandates and when they represent the will of the great powers and are backed up with sufficient forces. For example, in the Korean and Gulf enforcement actions, the missions were clear, the interveners were determined and forces were robust. However, if missions are limited and lack clear political goals and clear mandates they face serious problems. This was the case in Somalia, where the scope and character of the mission changed over time, becoming more coercive even as forces grew smaller (Brown, 1996: 551). Brown concludes that muddled thinking is especially costly when military force is being used because it leads to operational confusion, death and defeat.

The African continent has experienced a number of other military interventions in civil war, worth reviewing as a precursor to understanding the case of the DRC case. That the centrality of military issues in the ending of armed conflicts is one of the least understood aspects of Africa's civil wars has been demonstrated by several examples across the continent. It is often thought that once political, economic and social grievances are addressed in a peace agreement, rebels would sustainably integrate into the mainstream military and/or disarm and demobilize. Most of the

literature on the ending of civil war recognizes these as the core issues in peace settlement. On the contrary, the fear of losing the power to fight in case one of the parties does not honour the terms of the agreement remains the unspoken words that determine the duration of peace after a war. This is a common phenomenon in conflicts between majority and minority (ethnic) groups, where the rebelling group perceives itself to have been socially and or politically disenfranchised in the past (Derouen et. al. 2009: 369). Studies indicate that even in situations where military issues are considered within a power-sharing arrangement, it is still important that clear signals are projected to reassure and build trust in both parties to the conflict that their vital concerns will not be ignored or attacked following the establishment of peace and a new government (Hoddie and Hartzell, 2005: 84).

The importance of military issues in determining the success of a peace agreement is evident in the fact that of 140 civil wars since 1945, just 18% ended with a settlement by the end of 1999. This means that the remaining 82% of the wars were never settled because the belligerents were not willing to negotiate the terms of peace agreeable to both, or one of the belligerents reneged on agreed terms. This percentage is therefore an indication of the number of civil wars that recur because they never terminated sustainably. According to this study, the risk of countries emerging from a civil war relapsing into conflict is at all times high as a result of the conviction by rebels that if they demobilize, they lose the leverage to fight and hence their bargaining power in the likelihood that the government renege on the terms of the agreement. Under such circumstances, rebel/armed groups will tend to hesitate to agree to or implement a peace agreement unless they are given credible security guarantees, affirm Glassmyer and Sambanis (2008: 364-365).

The danger that the government, which retains control of the military in the post-conflict arrangement, can renege on its promises and punish the rebels after they disarm, exposes peace agreements to “commitment problems” – that is, the inability by one of the parties to commit to an agreement because of expected power shifts in the future and the danger that one party has incentives to renege on the agreement (Metternich, 2011: 4). To mitigate this challenge, negotiators of peace settlements ought to give rebels some control over the state’s coercive capacity (an aspect that

most governments would be reluctant to agree to, especially in civil wars involving external support for rebels as will be discussed later, in the case of the DRC civil wars) besides reintegrating into a new national military.

Secondly, as discussed in chapter one regarding the cases of Angola, Guinea Bissau and Sierra Leone, past agreements in Africa were often concluded at the exclusion of some of the actors to the conflict reduce the overall prospects for peace (Rubin, 2002: 97-109). Hampson (1996: 217) underscores this fact further when he states, "...A "good" agreement is one that has been crafted by all parties to the conflict. If parties are excluded from these negotiations, or if their interests are not represented at the bargaining table, they will have a much stronger incentive to defect from the peace process and resort to violence to achieve their aims."

Another challenge that impacts on the outcome of negotiations is the external interveners' interests in conflicts, In an analysis of the effects of intervention in civil wars, Cunningham (2010: 116-117) cautions against assuming that external actors intervene with the aim of either wanting to help one side win militarily or to contribute to the resolution of the conflict through negotiated settlement. On the contrary, external states may also intervene to pursue independent objectives in the war outside of the goals of the domestic combatants. When bent on advancing their agenda, the intervening states fight to advance those objectives, and not necessarily to help one side win or to help resolve the conflict. For instance during the Cold War, South Africa provided military support to its neighbouring states and insurgents that supported its apartheid ideological so as to keep anti-apartheid governments out of the region (Crocker, 1999: 207-210). A similar example involved Libya's intervention in Chad in 1970. In this case, Libya sent its forces into Chad to support an Arab insurgent group against the government. In the process Libya annexed the Aouzou Strip in northern Chad. Despite reports of the presence of mineral deposits such as uranium in Aouzou, it emerged that the real reason for Libya's claim over the area was for it to establish military bases in northern Chad. Subsequently Libya then sought to annex Chad altogether in the name of "unity." However, in 1994 the International Court of Justice rejected Libya's claims on Aouzou in favour of Chad's sovereignty over the strip (Waal, 2006: 59). These two are part of many examples in

which interveners conceal their own interests in a conflict, and such interests permeated the Congo civil war, as expounded in chapter four.

3.2.4 Negotiation and mediation

This has been the most successful form of ending civil wars whenever it has been applied and yet less utilised. Policymakers continue to engage in the debate as to whether, in order to terminate civil wars, negotiation and mediation are preferable to military victory by one side. Because of the wish by each party to win the war in the shortest time possible, each party compares the expected utility of continuing the war from three options: ceasing the armed struggle, agreeing to some negotiated settlement, or continuing fighting (Cunningham, 2010: 3).

Once fighting has begun, it becomes difficult for a party to readily surrender or concede the conflict without receiving any benefit unless they are wiped out militarily. This is contrary to the assumption that civil wars are negotiable; that solutions can be found to address the needs of all warring parties; and that leaders in civil wars are rational decision-makers who can be swayed by reason (Etzioni, 1995: 75-87). Betts (1994: 20-30) challenges Etzioni's view by arguing that mediation can prolong civil wars because it insists on even-handed treatment of warring parties and interfering with the quest for unilateral victory. According to Betts, civil wars are therefore immune to negotiation because the high stakes drive parties to fight to the end, such that political negotiations leading to peace agreements only become possible after the parties exhaust themselves militarily – a process that takes years. This explains in part the lengthy duration of civil wars.

Stedman (1996b: 342) and Pillar (1983: 24) provide a different perspective. They argue that mediation, as a means of ending a civil war is weak and equivocating in comparison to military intervention. They opine that where possible, prevention of a civil war is better than negotiating its end, since once it has already erupted it becomes tedious to end. However, the authors underscore that where possible military intervention should be the most preferred way of ending a civil war, and mediation should only be sought where military intervention is not forthcoming or ideal.

Stedman (1996b: 342-345) acknowledges that the dynamics of civil war pose special challenges to those who would mediate and impose negotiated settlements due to the fact that civil wars tend to escalate into total wars, where the parties believe that only a complete victory will allow them to survive. In this respect, it is advisable that mediators and implementers of peace agreements distinguish between leaders who can be persuaded to make peace and those who cannot. Like Betts (1994), Stedman and Pillar arrive at the conclusion that successfully negotiated settlements are much rarer in civil wars than in inter-state wars, noting that between 1900 and 1980, only fifteen percent of civil wars ended through negotiation while the remaining eighty-five percent were terminated with one side winning.

Walter (2009: 344-348) and Kirschner (2010: 746) take the same stance when they emphasize that the dilemma facing termination of civil wars by mediation is that adversaries are unlikely to implement a peace settlement when one side of combatants in a civil war sees itself as vulnerable. This is so because for war to end, one group of combatants must eventually disarm and live alongside the other group. The fear that those disarmed will be defenseless and easily exploited or even wiped out in case their former adversary reneges on a peace deal intensifies commitment problems.

Kirschner and Stein (2009: 279), in their study of implementation of civil war settlements have widened the scope of assessing the challenge of ending civil wars and reached several conclusions. Firstly that implementation of a peace agreement is more likely to succeed with increasing international support in terms of aid for implementation. Secondly, the balance of capabilities between the government and former rebels has a significant domestic influence on the implementation of a peace agreement. Parties are most prone to abide when the government is militarily superior, but the former rebels are powerful enough to meaningfully check government action. On the contrary, implementation is less successful when government capabilities far exceed those of the rebels or when the rebels are particularly strong. These conclusions were drawn from a study of the degree to which parties abide by their commitments; that is, why some parties execute the provisions of peace agreements fairly extensively, whereas others abide only by a few dimensions.

Licklider (1995), Zartman (1995) and Walter (2002) provide another perspective of why civil wars are more difficult to end than inter-state wars. They posit that it is more difficult to formulate an agreement that can effectively end a civil war, than it is the case with inter-state conflicts. They, however agree that negotiation is rationally the best way out of conflict to both government and rebels save for the challenge of the credible commitment to the process. With respect to inter-state wars, they go on to affirm that the situation is comparatively easier because one of the quick exit options is for the armies to retreat to the *status quo ante* (their previous positions) and leave the international border as it was. This option is often not available in civil wars (Hartzell and Hoddie, 2003: 318-332).

The stability of a country after a civil war depends on whether the conflict was ended through a one-sided victory or through an agreement. As elaborated in chapter two and reviewed above, a decisive military victory makes it impossible for the losing party to remobilise and renew the war, although the greed or grievances that led to the conflict may still remain unresolved. However, if the war ends in an agreement, it would leave both sides with the ability to fight again, but if the agreement takes into consideration the wishes of all parties involved, including their grievances that may include ethnic discrimination and political repression, chances of the society relapsing into conflict are drastically reduced (Gurses et. al., 2008: 134).

Berdal and Malone (2000), Kaldor (2001) and Daley (2007) write that the end of the Cold War and the rise of economic liberalism have led to new ways of understanding and analyzing frameworks for warfare and peace. They posit that predominant conflict resolution models have the tendency to popularly portray African wars as primordial, often arising from age-old innate and irrational enmities. These models are hinged on two prevailing academic discourses. The first links ethnicity with notions of greed or grievance while the second views war in the post-Cold war period as non-ideological and fuelled by the avariciousness of tribal warlords and rebel leaders with the intention of amassing state resources for private gain. Such wars, commonly referred to as “New wars,” are viewed to be of greater complexity and in need of multifaceted solutions (Daley, 2007: 335-334). This narrow interpretation, according to Duffield (2001) and Richards (2005), regards war and peace as being

confined within the boundaries of the nation-state, and therefore ignores the fact that global geo-politics and market-based economic systems also exacerbate the conditions for war by influencing local and regional politics. This being the case, the successful ending of civil wars is influenced by both endogenous (such as greed and grievance) and exogenous (such as external mediators) factors.

Collier raises issues of rebel military importance that ought to be taken into consideration when attempting to terminate a civil war. Firstly, there is the need to realise that a rebel organisation is neither a mafia nor a protest movement; it is an army. All armies face the challenge of organizational cohesion and motivation, and rebel groups are no exception. The difference is that while the government army enjoys the advantage of time, space and freedom to organize itself against rebels, the latter must recruit from scratch and rapidly start fighting. To attain cohesion and motivation in the shortest time possible, rebels strive to achieve homogeneity by recruiting from the same ethnic group or religion. A peace agreement involving this kind of a rebel group would have to target the rebel's "social capital." The more social ties there are within the organization, - the same kin group, or at least same ethnic group, language group, and religion, - the easier will it be to build a fighting force (Collier, 2000a: 11).

Secondly, Collier urges interveners in civil wars to recognise that a rebel organization will seek to inculcate a subjective sense of injustice in its followers (it will influence its followers to feel that they are wringed by governing authorities), whether or not this is objectively justified. Where such a grievance is difficult to achieve, the rebels will work to create it. Rebels apply this strategy in ethnically diverse societies, as a way of creating a common grievance that would rally the masses around them. This is a Leninist theory of the rebel organization, which many rebel movements adopt even if they do not adopt Marxist ideology because it makes people feel that they are the victims of injustice whether or not this is objectively justified (Collier, 2000b: 12). It therefore begs that negotiators seek to go beyond ethnic identities of civil wars to extraneous issues such as perceived group injustices.

The success or failure of a peace agreement therefore rests on the ability of the

agreement to dissuade rebels from reverting to armed activities. Group or ethnic grievances are but catalysts of rebel military activities. How these issues are handled within the agreement and its implementation will determine the durability of the agreement. Research on how civil war conflict between governments and rebels terminate indicates that negotiating an end to such a war is a political act that inherently embodies disagreement and struggle, and that the success or failure of conflict resolution efforts is closely related factors that make military victory easier (or harder) and to factors that make negotiated settlement easier (or harder) (Cunningham, 2010: 116). Chapter five underscores the importance of all actors and factors necessary in negotiating an end to a civil war.

3.2.5 Co-opting or neutralising militants

Tied to the process of negotiations are the actions of co-opting and/or neutralising of militants. One of the serious challenges that negotiation, as an approach to ending civil war faces is the intransigence of militants and radicals that may be unwilling to compromise and settle for anything less than total victory. According to Brown (1996: 622), this phenomenon is particularly acute (but not unique) in the Middle East, where extremists in both Israeli and Palestinian communities bitterly oppose the peace process; in Sri Lanka where Tamil and Sinhalese radicals have rejected proposals for the establishment of a federal system; and in Northern Ireland where catholic and Protestant extremists are wary of peace initiatives. In these instances, Brown suggests a two-track strategy that entails either co-optation or neutralization.

Co-optation involves undercutting popular support for militants by implementing political and economic reforms that address broad-based societal problems. This would marginalise militants by bringing more fringe elements into the political and economic mainstream, thereby subverting militant movements by offering political and economic inducements to group leaders. Neutralisation, on the other hand, entails an aggressive campaign aimed at cutting off the supply of arms and logistics from neighbouring states and search-and-capture or search-and-destroy missions.

3.2.6 Neutralising hatemongers

It is not only the neutralization of militants and radicals that should be attended to, but also the hate mongers. Hatemongering is usually carried out by elites determined to

maintain or elevate their political positions. It tends to be most effective when a country has a history of ethnic conflict, or when it is experiencing political or economic turmoil. Ethno-nationalist leaders (and revolutionaries) recognize the importance of the media; hence quickly seize control of media outlets when they come to power.

Frye underscores the need to control effects of hatemongers by stating that compared to fixing an economy or partitioning large intermingled populations, it is easy to provide information that can counter ethnic propaganda emanating from hatemongers (Frye, 1992: 599-623). For instance Maynes (1993: 3) notes that in Cambodia and Namibia, the UN not only explained to the masses why they should vote, but also let its staff take to the press and airwaves, thereby promoting elections on radio, televisions, as well as through poster, stickers, leaflets, cartoons and videotapes.

3.2.7 Small wars approach

As a form of terminating civil wars, small war situations are usually a phase of, or an operation, taking place concurrently with diplomatic effort. The process is such that the political authorities do not relinquish active participation in the negotiations and they ordinarily continue to exert considerable influence on the military campaign (Small Wars Manual, 1940: 1-7). Small war situations ensue from the recognition that the application of purely military measures may not be sufficient to restore peace without addressing the fundamental economic, political or social causes of the conflict. The British counter-insurgency doctrine has been shaped by such experiences and now recognises that there will never be a purely military solution to an insurgency, as defeating insurgency requires a mixture of political, economic, diplomatic, psychological and military means. These factors, according to Kitsen (1977: 281-98), when taken together provide a wider scope within which the parties act in their best calculations to end the war. Negotiations therefore becomes an integral means of ending the conflict, whether it led to a tactical military victory by one of the parties, or it led to a stalemate.

The goal in small wars is therefore to gain decisive results with the least application of force and the consequent minimum loss. This type of successful approach,

according to Kassimeris (2006: 133), recognises that insurgencies are defeated not necessarily by killing all of the insurgents, but by persuading enough of the population that they do not need to support the insurgents. This denies the insurgents legitimacy while increasing your own, hence depriving the insurgents the ability to be able to move among the people as naturally as fish in water (Snyder, 2008: 185).

3.3 Conclusion

It has been argued that causes of civil wars are similar to the causes of all other wars. Broadly, these causes are divided into two: core (or direct/root) causes and proximate (or indirect) causes. While root causes are those that have the ability to lead to war directly (such as ethnicity, natural resources and regime-type), proximate causes, on the other hand, are secondary causes that act as a catalyst to a conflict.

Although the most sustainable way of ending a civil war is by both parties negotiating agreeable terms of peace, the mistrust that belligerents bear against each other during the war often prevents the parties from acknowledging the usefulness of negotiating an end to a conflict. This, especially in Africa, is one of the main factors that make civil wars last long. More often the political leadership of most African countries is influenced by ethnicity, further making it difficult for other communities to contend with the situation. This results in ethnopolitical strife that easily manifests itself in the form of a civil war.

The fact that one of the parties to a civil war is often a non-state actor, the tactics used are usually unconventional, making it difficult for a regular state army (trained for conventional combat) to deal with insurgents. This has also contributed to making the wars lengthy and elusive. It also makes the attainment of outright military victory very difficult to achieve, and end up attracting a plethora of actors and objectives, all which complicate the process of negotiating their termination. These effects of civil war manifested themselves in the two civil wars that ravaged the DRC as presented in chapter four.

CHAPTER FOUR

UNDERSTANDING THE CAUSES OF THE WAR IN THE DRC

4. Introduction

This chapter applies to the civil wars in the DRC. It analyses how the core and proximate causes of civil wars discussed in chapter three influenced the war. The changes in the strategic environment brought about by the Cold War; the global democratization demands that emerged in early 1990s and called for multi-party politics; and the use of ethnicity as a political tool. The trigger factor for the war in the DRC was the Rwandan conflict and the genocide. As the RPA advanced into Rwanda from Uganda, they pushed Rwandan refugees and the defeated Rwandan government into eastern DRC. This, and the conflict in Burundi, had a contagion effect on the DRC. To grasp this factor one needs to place the DRC into its broad regional context – the Great Lakes Region (GLR).

4.1 Defining the Great Lakes Region (GLR)

The GLR of Africa is a confined geographical area with peculiar characteristics that range from highly tenuous inter-ethnic relations with strong regional dynamics, to a region rich in natural resources that are unevenly distributed across the countries. The countries forming the GLR can be classified into two layers: those in the periphery and those at the core, depending on their geographical location and their role in the conflict system that has characterized the region.

The peripheral cluster includes countries that geographically share the waters of the two big lakes - Lake Victoria and Lake Tanganyika. These countries are the six East and Central African countries of Tanzania, Kenya, Uganda, Rwanda, Burundi, and the DRC (Mutta, 2004: 1). At a conflict management level, the peripheral members of the GLR would encompass all the member states of the International Conference on the Great Lakes Conference (ICGLR) that are also signatory to the Great Lakes Peace and Security Framework of 2013. These countries are Angola, Burundi, Central African Republic (CAR), Republic of Congo, the DRC, Kenya, Rwanda, Sudan, South Sudan, Tanzania, Uganda and Zambia (See the Declaration of the Heads of State and

Government of the Member States of the ICGLR on the Security Situation in the East of the DRC, September 2013).

On the other hand, the core countries are those at the heart of the conflict in the region. These are the DRC, Rwanda and Burundi. According to Mutta (2004) and Edmonds et. al (2009) these three countries are linked through historical and social backgrounds before, during, and after the Belgian colonial rule, and by the subsequent conflicts that have raged in and across their borders since independence. As such, these countries bear certain characteristics such as a common colonial past, ethnic identity, internecine conflicts, regime weakness and economic decay, as discussed below.

4.1.1 A Common colonial past

Walter (1998), Prunier (1995), Reyntjens (1996) and Collins (2008) point to the existence of common characteristics in the three core countries (Rwanda, Burundi and the DRC). The most disturbing common reality among them is their conflict-laden instability both in the past and in the present. The three countries have known little peace and tranquility since their respective independences in the 1960s. Other common attributes of all the three states are that they share a common colonial experience in having been governed by Belgium for several generations; have been the scenes of particularly vicious ethnic conflicts; there is chronic disaffiliation of substantial portions of their populations from national political structures; and that the three are geographically contiguous, with ethnic associations transcending the political frontiers (Walter, 1998: 75-76), making any conflict to spread easily across borders through contagion and diffusion.

The blame for the three countries' intractable conflicts can also be attributed partly to Belgium, the colonial power. Belgium is blamed for withdrawing hurriedly and recklessly in 1960, leaving behind three grossly unprepared, newly independent states. In all three states (though in the case of the DRC this applied largely to its eastern provinces) the Belgians governed in an alliance principally with and through one minority ethnic group, the Tutsi, whose approach to power was worsened by lack of education (Edmonds et. al., 2009: 8).

4.1.2 A Common ethnic identity

Ethnicity is one of the major characteristics of the conflict in the three countries. The origin of the ethnic identity crisis of the 1990s in Rwanda and Burundi goes back to 1950s. Of the three countries, Rwanda and Burundi share a closer common demographic setting in which a predominant ethnic group, the Hutu (Bahutu), comprise about 85 per cent of the population followed by the Tutsi (Batutsi) at about 14 per cent of the population, and the Twa (Batwa), a pygmy forest group comprising less than one per cent of the total (Prunier, 1995: 389). On the other hand, approximately half of the populations of the Kivu provinces of eastern DRC owe their origins to Hutu and Tutsi family groups who immigrated from Rwanda and Burundi over the past 400 years. In 1959, the Belgian trusteeship administration supported a Hutu revolution in Rwanda, which led immediately to widespread killing of Tutsi and the departure of substantial refugees into Uganda and other surrounding states (Reyntjens, 1996: 240-251 and Walter, 1998: 78-79).

By the 1980s, some 480,000 Rwandan Tutsi had taken refuge in neighbouring countries, and by 1991, 240,000 Hutus had fled from Burundi (Lemarchand, 1996: 63). In describing the evolution of events in Burundi, Chrétien notes that about four decades after independence, the situation in Burundi had completely changed, to resemble Rwanda's Hutu/Tutsi cleavage that had, from historical times permeated the central logic of political and military arrangements, engendering violence, fear and hate (Chrétien, 2002: 23). He adds that the assassination of President Ndadaye of Burundi in 1993 marked the failure of the democratic experiment in the country, and the heightening of ethnic tensions that later exploded in the GLR as a whole.

The ethnic violence that occurred in Burundi and Rwanda between 1993 and 1994 and the subsequent assassination in October 1993, of Malchior Ndadaye, Burundi's first elected Hutu President triggered the flow of Hutu refugees into Zaire's South Kivu province, thereby putting them in collision with the Banyamulenge, who already considered Hutus as a threat to their domination in the area, especially with regard to land and access to other exploitable natural resources. This reinforced pre-existing low intensity conflicts in eastern Zaire, thereby regionalising them. The consequent

outbreak of the genocide in Rwanda in 1994 heightened the tension further with the arrival of génocidaires from Rwanda.

The relationship between the civil war that occurred in Rwanda in the early 1990s and the civil war that broke out in Zaire in 1996 is a linear one. The former was basically a continuation of the latter, having spread by diffusion and contagion. A large number of high-ranking military officers, as well as thousands of heavily armed Interahamwe and the majority of the Rwandan forces (now known as ex-FAR) managed to escape the inexorable Rwandan Patriotic Front (RPF) advance by retreating to the convenience of the safe zone. In support of this move, France is said to have declared that it would use force against RPF encroachment on the zone. Once it was clear the RPF could not be halted, France facilitated the escape of much of the Hutu power leadership into Zaire (Bonner, 1994). The spillover and entwinement of national conflicts - especially between Rwanda, Burundi and the DRC has created a web of ethno-political conflict within and across the borders of these countries, leaving an indelible mark on the peoples of the region and their view of governments and their militaries.

From the above discussion, the cyclic occurrence of civil wars in Rwanda and Burundi from historical times continued to spew waves of refugees in the region, with the most of them entering the vast and fertile eastern Zaire where, after several centuries, they called home. However, the fact that these Kinyarwanda-speaking communities (or Rwandaphones) maintained their language and their ethnic affiliations to Rwanda, they encountered gradual resistance from other Zairian tribes such as the Hunde, Nyanga and others, who considered them “outsiders.” This was partly the driving force behind the RPF ideology to overthrow the Hutu power in Rwanda so as to pave way for the return of exiled and alienated Tutsi from neighbouring countries back to Rwanda (Chrétien, 1995: 207). The cross-border inter-relationship among various ethnic communities in Rwanda, the DRC and Burundi is such that one cannot discuss the issue devoid of linking it to the neighbouring states. Lake and Rothchild, (1996: 41-75) observe that in the three countries, the ethnic card has been played over time by politicians with the aim of instigating inter-ethnic violence and to mobilise support. As such, every fresh episode of Hutu-Tutsi violence

in Rwanda or Burundi provoked an outflow of refugees to neighbouring countries, especially into eastern DRC.

For instance, Evans (1997), Chrétien and Benégas (2008) argue that the murder of President Ndadaye and the subsequent end of the democratic experience in Burundi in 1993 led to an outflow of thousands of refugees into eastern DRC, thereby intensifying ethnic tensions there and in the region as a whole. They add that although this conflict, which later extended into Zaire provoked a major international concern, it remained difficult for outsiders to understand, and even more difficult for them to deal with, as ethnic, political, economic, military and humanitarian facets folded into one another in kaleidoscopic fashion.

The genocide that followed in Rwanda and the killings in Burundi are said to have exceeded the mortality rate of any other conflict (except Cambodia) since the Second World War. McGreal (1996:11) records that in Rwanda, an estimated 500,000-800,000 deaths occurred in 1994, while in Burundi the accumulated death toll in successive violent episodes between 1993 and 1997 was at least 150,000 people. This depicts the extent to which ethnicity can be manipulated into an all out civil war. At the continental level, the situation is not much different from that pertaining in the GLR, as most of the factors such as refugee movement and cross-border ethnic linkages enhance the diffusion and contagion of conflicts.

For instance, Harff and Gurr (2004) promote the argument that social classes and distribution of resources are the sole issues at the heart of international relations, affirming that the state remains the main actor in international relations, and should therefore be better thought of as a recognised territorial entity in flux and not a monolithic enterprise because ethnic groups forming a state are rarely equal in power, legitimacy or with regard to how they access economic resources. Harff and Gurr go further to question whether the institutionalised state has a future, given the many ethnic groups that clamour for independence. They concur that since ethnic groups are in search of the right to govern their own territory which they hope will become a sovereign, internationally recognised state, the current international system may

fragment into hundreds of mini-states unless ethnic demands can be satisfied within existing states.

Sambanis (2003) and Kalron (2010) argue that ethnicity is a major factor in occurrence of civil wars as exemplified by the civil wars in the GLR. The core of these wars, argues Kalron (2010: 25-37) has its base in the activities of ethnic groupings inhabiting the DRC, Rwanda, Burundi and Uganda. The author affirms that ethnic sentiments in the region go back to pre-colonial times (discussed at length in chapter four). The web of relationships is both by diffusion and contagion, as elaborated under proximate causes of civil war, later.

4.1.3 Internecine conflicts

The endemic nature of the conflicts in the three countries of the GLR is captured by Daley (2006: 303) who writes that since 1960 there have been 11 outright wars in the DRC, five in Burundi and two in Rwanda, while low-intensity warfare has existed at all times. As such, more than four million people have lost their lives as a direct result of these conflicts, while a further four million have been rendered refugees and internally displaced persons (IDPs). The 1994 genocide in Rwanda marked a decisive moment in the history of the region's conflict, while the involvement of seven African nations in the DRC war of 1998 – 2004 (also referred to as Africa's First World War), escalated what had started in Rwanda as a civil war, into a near-continental conflict.

In his discourse on war, violence and political re-composition in Africa, Banégas (2008:1) contends that the African GLR has been the theatre of traumas that have adversely disrupted the geographical, economic, social and demographic stability of the region, ranging from the civil war in Rwanda in the 1990s and the massacres that followed; the assassination of President Ndadaye of Burundi in 1993; the two Congo wars of 1996 and 1998 that led to the fall of Mobutu and later Laurent Kabila, and the fragmentation of the DRC; the proliferation of rebellions and armed movements within Congo and the installation by armed men, of economies of predation throughout the region.

4.1.4 Regime weakness and economic interests

These two have been the major contributors to the continuous warfare in the region. The consequences of the fragility of nation states in the Great Lakes exhibited from the early 90s coincided with the end of the Cold War, which exposed manifestations of strife previously concealed by the Cold War politics. This became more evident as a result of the unraveling of aspects such as the authoritarian political regimes, the economic decay of the 1980s, and the renewed communal contests for power and resources.

Ewald (2004: 26) argues that, "...unlike previous periods, these conflicts became regionalised, transforming the Great Lakes into a trans-African belt of conflict and discord. The collapse of the predatory Idi Amin regime in Uganda in 1979 set the pace for the convulsions that were to engulf the region through contagion, subsequently embroiling the equally weak, but authoritarian governments in Rwanda and Zaire." The author concludes that in Uganda the changes were instructive to Rwanda's Hutu-Tutsi divide, when Yoweri Museveni's National Resistance Movement (NRM) restored stability after a devastating conflict. The large population of Rwanda's Tutsi refugees that had survived the Hutu Revolution of 1959 quickly copied the NRM experience. The rise of Museveni from 1986 produced two outcomes of significant consequences to the region. Firstly, it rejuvenated the national institutions in Uganda, and secondly it led to the resurgence of the national question between Hutu and Tutsi that quickly spread within and outside Uganda's borders, thereby sharpening ethnic identities in Rwanda and Burundi.

This situation played a significant role in setting the platform upon which the occurrence of events from 1990 to the first Congolese war (1996-1997) and the second Congolese war (1998-2004) sprung. Three major factors helped to weaken the political regimes in the three countries. Firstly the colonial period, particularly that under Belgium instrumentalised identity issues, thereby putting at loggerheads the Hutu and Tutsi groups that shared the same language, culture, history, social organization and territory. Secondly, Mobutu's long patrimonial rule and the manipulation of ethnic identities sharpened the already sensitive issue of ethnicity,

especially in the eastern region of Zaire. Thirdly, the civil wars that occurred in Uganda, Burundi and Rwanda spilt into eastern Zaire, whose governance structures remained weak. The already illegal exploitation of natural resources that was ongoing in the east attracted belligerents from the neighbouring countries, who saw an easy opportunity for building an economic base to finance their wars back home. These issues will be analysed in chapter five in the context of the two Congolese wars that in the real sense became regional in nature.

4.1.5 Economic decay

A combined effect of internecine violence and weak and corrupt regimes have led to crushing levels of poverty in the three core countries of the GLR. According to Hochschild (1998:32 - 40), the economies of these countries are dependent on resource extraction under conditions of endemic structural violence, and as such they continue to record low economic growth, a situation that Harvey (2004) refers to as “accumulation by dispossession.” This is reflected in the troubled nature of politics from independence to present - characterized by genocide, forced labour and displacement - making their incorporation in the global economy difficult. The masses in these countries have reaped no benefits from the vast natural resources that their countries own, leading to low life expectancy and disruption of livelihood strategies.

The situation in these countries fit into what theorists of peace such as Galtung (1969:167-191) who has analysed the relationship between the distribution of resources and conflict refer to as structural violence – an endemic situation in which poverty and powerlessness constitute an indirect form of violence, which can lead to outright violence, as in civil wars. Positive peace can only result if these conditions are reversed and social justice allowed to prevail.

Other scholars of the GLR have attributed the Hutu-Tutsi conflict to various causes, ranging from environmental, to ethnicity and population density. Braeckman (1994) and Uvin (1998) argue that Rwanda’s Hutu-Tutsi rivalry, whose effects have spread into the DRC and Burundi, stems from frustrations inherited from a socially and culturally oppressive environment that goes back to the colonial administration, and

reinforced by the genocidal ideology developed after the revolution of 1959-1961. Marysse, De Herdt and Ndayambaje (1994) and Willame (1995) on the other hand, posit that the economy of Rwanda has deteriorated steadily especially from the 1980s thereby sharpening further inter-group inequalities that underlie the rivalry between the two groups that spread in the region. They add that the country's high population density has also contributed to inter-group tensions.

Reyntjens (2006: 15-18) makes the case that there are multiple causal factors that explain the ethno-political conflict in the region. He argues that democratization and control of state are proximate causes common to these three countries as well as other African countries. The state in Africa is therefore an important instrument of wealth accumulation and reproduction of a ruling elite. As such, in most cases political transitions involve violence (Huntington, 1993). Kabanda (2008) reinforces Reyntjens' discourse on ethnicity by adding that the epicentre of the GLR conflict lies in the inter-group differences between Hutu and Tutsi in Rwanda and Burundi. He maintains that although the circumstances in each country determine the course the conflict takes, the civil wars that have occurred in Rwanda and Burundi, and spread into the DRC stemmed from the historical hatred for the "other." Kabanda links the Rwandan scenario to the Burundian by arguing that the phenomenon of hatred for the "other" goes back to 1959 in Rwanda, the time when the Burundian party's ideology was imported from the Rwandan Palipehutu. From then the violence in Burundi has been either as a result of subsequent efforts to import the Rwandan model or as a fearful reaction to it. He concludes that the Hutu-Tutsi conflict in the Kivus in eastern DRC is attributable to the ideological contagion emanating from the 1959 Rwandan revolution.

It is within the broader context of the GLR that one needs to understand and disaggregate the causes of the war in the DRC. What were the core and proximate causes of the war in the country?

4.2 Causes of the civil wars in the DRC

The same core and proximate causes of civil wars discussed in chapter three apply the conflict in the DRC. These causes are as analysed below, with respect to the DRC.

4.2.1 The core causes

The civil wars in the DRC were influenced by changes in the strategic environment and regime change, global democratisation demands as well as the role of ethnicity as a political tool.

i) The changes in the strategic global environment

This contributed a great deal to the weakening of the political regime in Zaire. The main changes were the ending of the Cold War and the democratic demands that accompanied it. Although this was largely a proximate (external) cause, its impact was much more intensive on the internal structures of Zaire which were already faced with similar (democratization demands owing to the lengthy dictatorial regime of Mobutu). It is therefore instructive to trace the major events that marked Congo's political regime during the Cold War, as the basis for understanding how the end of the Cold War impacted on the country's regime (Arnold, 2006: 767-771). The civil war and the successive coup of 24 November 1965 that brought Mobutu Sese Seko to power, ousting Kasavubu and Tshombe was backed, if not engineered entirely by America's Central Intelligence Agency (CIA). The aim was to ensure a Congo leader who would safeguard Western interests (Nzongola-Ntalaja, 2002: 20-23).

The Mobutu regime was therefore entirely a product of the Cold War. Hochschild (1998) and Baregu (2006) trace the beginning of Zaire's troubles to this period. They contend that in addition to ethnicity and conflicts that were taking place at the same time in Rwanda and Burundi, the interplay among the seemingly endless supply of mineral resources, the greed of multinational corporations desperate to cash in on the DRC's wealth raged on.

The fact that African political regimes were controlled by Western powers even during the Cold War was in itself a pointer to the weakness of these regimes at the time. The subordinate position of Africa's weak states in the Cold War global political economy, according to Reno (1998: 18) did not restrict African rulers to a single code of behaviour because, unlike classic state-building rulers elsewhere, the

decisions in these states were made by external (foreign) powers, who regarded African rulers as quasi-state rulers that did not hold power by virtue of lack of internal control and capacity to mobilise citizens. Rather, these African leaders depended heavily on external (Western) backing. Arnold qualifies this argument by stating that as an externally-backed autocracy, the Mobutu regime was a pure product of the Cold War, based on the strategic calculation of Western powers that leaders with no social or political base were preferable to those with strong national constituencies, to which they were accountable (Arnold, 2006: 770-771).

During the Cold War, the global society tolerated a behaviour that did not conform to conventional notions of sovereignty, hence accepting deviations from conventional rules such as maintaining enough administrative capacity to control all territory within a state's borders or to force (or convince) substantial portions of a population to accept their citizenship in a particular state (Reno, 1998: 20). This was one way in which the Cold War powers sought to ensure considerable influence on the African leadership. Mobutu did not therefore strive to popularise and consolidate his leadership across Congo because after all he had the backing of the West. This was one of Mobutu's biggest miscalculation that later led to his gradual alienation from the rest of the country and the crumbling of his regime in early 1990s when the Cold War ended.

Whitaker (2003: 10) stresses that Mobutu's downfall, which also increased the vulnerability of Zaire's state security, was as a result of the changes in both political and economic environments that started in the 1980s, and which was marked by the regime's unaccountable misappropriation of as national resources. Mobutu's actions eroded the country's economy, causing churches and civil society groups to increase their pressure for political reform. As was the situation elsewhere in Africa, the West no longer needed Mobutu's allegiance and therefore they cut off the support that he had enjoyed during the Cold War era. According to Prunier (1997: 376), Mobutu was "harassed for human rights violations, denounced by the media for his corruption, marginalized by the International Monetary Fund (IMF) for non-repayment of loans and even at one point banned from Europe when his old ally France refused him an entry visa." In this context, the situation in Zaire blended with the ending the Cold

War in the early 1990s, the period when the Rwandan civil war was erupting (see proximate causes of the war). The early 1990s was also marked by a wave of democratization and multi-party politics. This fused with the existing challenges to Mobutu, who instead of building a national consensus around the process, attempted to manipulate the process through dishonesty, thereby aggravating the situation.

ii) Global democratisation demands

Faced with the domestic and foreign political pressure of the early 1990s, coupled with a rapid decline in Zaire's domestic economy, Mobutu reluctantly moved towards democratisation and liberalization. In April 1990, the prevailing conditions compelled him to make political concessions. He legalized independent opposition political parties, thereby putting in place a multi-party democracy (Clark, 1998: 25-32).

A national multi-party conference (Sovereign National Conference –SNC) was convened in August 1991 with the objective of drafting a new constitution and prepare for elections. However, the conference turned chaotic and disintegrated after only a week due to ethnic and political rivalries. A month later Mobutu agreed to form a coalition government with Union pour la démocratie et le progrès social (UDPS) leader Etienne Tshisekedi (Mobutu's opposition since 1981), as prime minister. However, Tshisekedi was later sacked after only month in office (October 1991). Another attempt at holding the conference in January 1992 failed when Mobutu's handpicked prime minister, Nguza Karl-I-Bond dissolved it unexpectedly (Clark, 2007: 44-45). The mandate of the Conference was to chart a new (multi-party) structure. Eventually the SNC was convened in August 1991, and dragged on for 18 months due to Mobutu's reluctance to share power. In August 1992, the SNC drafted the Transition Charter (La Chatre de la Transition) to replace the constitution.

According to the Charter, Mobutu was supposed to share certain ministerial positions with the opposition, such as finance, foreign affairs and defense. In addition, the Conference had voted to reinstate Tshisekedi to the position of prime minister. The struggle for power took an ethnic angle when the Lunda tribe of Shaba (supporters of Nguza), clashed with the Luba of Kasai (Tshisekedi's tribe). Each ethnic group mobilised against the other and soon the Shaba announced that they would not

recognise Tshisekedi's authority. This resuscitated the memories of Katangese secession claims of the 1960s when they demanded for independence from Kinshasa (Leslie, 1993: 174). Clark (1995: 25-30) writes that at the same time as the Luba of Shaba were being deported to Kasai from Shaba where they had lived for ages and their property sequestered, in North Kivu the Tutsi were being attacked by the autochthons due to ethno regional contestation as a result of the spillover effect of the Rwandan civil war and the genocide.

Mobutu's final attempt to salvage the collapse of Zaire came in 1994 when he named Kengo wa Ndongu as prime minister. As this was happening, the contagious effect of thousands of refugees fleeing the genocide in Rwanda started to be felt in the Kivus. In a move meant to salvage his political limelight, Mobutu instituted a policy to expel the Banyamulenge (Congolese Tutsis inhabiting Mulenge Mountains in South Kivu Province), as a move to avert the potential danger of the Banyamulenge offering support to the RPF in revenge for the support that Mobutu had provided President Habyarimana. The Banyamulenge's concerns are linked to Rwanda's invasion of Zaire in 1996, as discussed in chapter five. However, the ethnic tensions that surrounded Mobutu's decision to expel the Banyamulenge comprise the very core of ethno-politics that characterized the conflict, as discussed below.

iii) Ethnicity as a political tool

Although the war in the DRC is directly linked to the contagion of the Rwandan civil war, the latter could be best described as a trigger, much as it is a proximate cause. The ethnic communities inhabiting the north and south Kivu provinces of eastern DRC, like their counterparts in Rwanda and Burundi, have experienced inter-ethnic conflicts from historical times. Long before the Rwandan civil war of 1990 broke out, ethnic conflicts were already raging in (eastern) Zaire. For instance in 1989, Mobutu's regime yielded to the historical pressure to undertake an exercise aimed at identifying "foreigners" among the Congolese in North and South Kivu. The Rwandaphones in North Kivu are referred to as Banyarwanda, while in the South Kivu they are called Banyamulenge.

The process of identifying “foreigners” was called Mission d’Identification des Zairois au Kivu. It entailed carrying out a physical verification of the nationality rights of all Kinyarwanda-speakers as a way of authenticating the “reality” (Koen, 2002: 8-9). The mission, which started in 1991, was manipulated by local members of the smaller autochthonous ethnic groups in an attempt to disenfranchise the Banyarwanda and Banyamulenge of their accession to national citizenship (Koen, 2002: 506). According to the Rwandaphones, the denial of citizenship meant Kinshasa’s abrogation of the nationality law of 1981, which, according to them, had bestowed on them full political rights because they had settled in Zaire before 1885 (Koen, 2000; Ruhimbika, 2001 and Van Hoyweghen and Koen, 2000).

In retrospect, the autochthonous insisted that the Banyamulenge could not claim any citizenship rights because in 1885 there was no ethnic community called “Banyamulenge” living in Zaire. This was an unfortunate turn of events for the “Banyamulenge,” a name they had adopted in the 1960s for two reasons. First, they aimed to shade off the name “Banyarwanda” which had a “Rwanda” connotation. Secondly, they sought for a name that would give them solely a Congolese image. In this case, “Banyamulenge” suited them best - “those coming from the Mulenge mountains of eastern Zaire” because it differentiated them from the more recent Tutsi arrivals in the Kivus, particularly during the 1959 civil war in Rwanda. This was in an effort by the Banyamulenge to claim their local social and political rights. As Koen concludes, “The term in use before (Banyarwanda) connected them with Rwanda and expressed the foreign nature of their origins. The term Banyamulenge, on the contrary, linked them to the place where they first settled and offered them an indigenous identity. Yet, this attempt to distance themselves from Rwanda was viewed by the rest of the population as an attempt to camouflage their real identity” (Koen, 2002: 501).

When the policy of Mission d’Identification des Zairois au Kivu (MIZK) of 1991 failed to resolve the issue of Banyamulenge citizenship, the disgruntled youth among them sought an alternative to fight for their marginalised position in South Kivu. This was the time when the RPF recruitment and insurgency against the regime of Habyarimana was intensifying. The apathy created by abrogation of their nationality

drove some of the Banyamulenge youth to sympathise with the situation of their Tutsi RPF brothers in Rwanda, thereby opting to join the RPF as early as 1991 (Koen, 2002: 508). This recruitment increased after the Rwandan genocide and the subsequent refugee crisis as the RPF prepared to attack the ex-FAR and Interahamwe in refugee camps in Zaire, after the latter declared the “Government of Rwanda” in exile in 1995. From these old rivalries emerged the ethnic factor that characterized the two Congolese wars (1996-1997 and 1998-2004), as elaborated in chapter five.

The spread of the Rwandan civil war (between the Hutu and Tutsi) into Zaire brought to the fore the historical hatred of these two Rwandophone groups by other Congolese tribes. The understanding of this historical relationship is central to understanding the diffusion and contagion of the Rwandan civil war into Zaire. Without going into the ethnology of Congolese tribes, it suffices to point out that the history of the Banyarwanda in the Kivus is a complex one. Several waves of Banyarwanda people arrived at different times in history. The oldest group of the Banyarwanda families, both Hutu and Tutsi, had been living in the Congo for centuries before the arrival of Europeans. This was followed by a later arrival of mostly Hutu from Rwanda, brought in by the colonial authorities in the 1920s and 1930s to supply manpower for the under populated Belgian Congo. Willame (1997: 39) points out that even though the Kivus (North and South), which is a region about four times the size of Rwanda is less densely populated than Rwanda, it is far from empty due to its close links by demographic and political patterns, to the situation in Rwanda.

In the North Kivu Province, the local population is composed of the autochthons (Bahunde, Banyanga Banande, etc) and Kinyarwanda speakers divided up into smaller communities that included the Bahutu, Batutsi as well as Banyabwisha and Bafumbira (originally from Uganda). The situation was calmer until in 1937 when the Mission d’Immigration des Banyarwanda (MIB) created by Belgians, brought agricultural workers from Rwanda into the Kivus. It is estimated that during its eighteen years of existence, MIB imported about eighty-five thousand Banyarwanda from Rwanda mostly into North Kivu, although some were sent to Katanga to work in the mines (Pourtier, 1996: 20). These were followed by amore recent wave of immigrants, exclusively Tutsi, who had fled the 1959-1963 ethnic hostilities in

Rwanda. Together, the North Kivu Banyarwanda formed a tightly knit, mutually supportive community without distinction between Tutsi and Hutu. They preferred to settle in Masisi and Walikale zones. Today they are said to represent about 40 per cent of the North Kivu province.

The thriving nature of the economy of Banyarwanda community in the Kivus, coupled with their feeling of exclusivity created resentment among autochthons, especially with smaller tribes such as the Hunde and Nyanga, who already felt marginalised by the majority Nande. Pottier and Fairhead (1991: 444) argue that the Nande were less threatened by Banyarwanda because they controlled a fair quantity of the territory due to their big numbers.

The general perception in the Kivus has therefore been that the presence of Banyarwanda was partly as a result of Belgian colonial policies hence the Banyarwanda landholding concepts did not get the approval of the locals. The social transformation introduced by colonial administration, in which land was buyable, clashed with the local lineage of chiefs over land distribution. The Banyarwanda were viewed as taking advantage to turn their “acquired customary land rights” into permanent ownership. Between 1960 and 1965 a civil war broke out between the Nande and Banyarwanda (popularly referred to as the Kanyarwanda Rebellion) in South Kivu, in which the local administrators sought to persecute the Banyarwanda and reclaim their land. Within the same period back in Rwanda, the Hutu-Tutsi ethnic wars continued to force more people into Zaire as refugees. For instance the Tutsi massacres in Rwanda between December 1963 and January 1964 led to fresh arrivals into the Kivus, worsening the situation through contagion (Keane, 1995: 193-198). Mobutu’s administration preyed on the plight of the Banyarwanda in the Kivus.

The situation was such that whereas autochthon tribes had local (customary) power bases commonly referred to as *chefferies* or chiefdoms, Rwandaphones could not get a local power base except from the central government. Mobutu capitalised on this weakness to whip the support of the Banyarwanda at a time when his regime was faced with the challenges on his leadership by naming one of them, Barthelemy Bisengimana, a Tutsi refugee from Rwanda, as *chef du bureau* of the presidential

office. With Bisengimana's support, Tutsis went into lucrative businesses and acquired more land, especially that abandoned by Belgian farmers or forcefully taken from them in the 1973 "Zairianisation" exercise. It is recorded that the land grabbing by Banyarwanda reached such an alarming proportion that in 1980, the ministry of lands in Kinshasa had to cancel an allocation of 575,000 acres to the notorious Cyprien Rwakabuba, a Mnyarwanda (Willame, 1997: 44).

In addition to the land issue, was the question of citizenship for the Rwandaphones. When Bisengimana rose to power, he influenced the political bureau of the Movement Populaire de la Révolution (MPR), Mobutu's political party (the only one that had existed since he took over power) to issue a decree on citizenship that declared persons of Rwandan and Burundian origin and residing on the Belgian Congolese territory in or before January 1950 automatically Zairian citizens (Nndeshyo-Rurihoze, 1992). When Bisengimana lost power in 1977, the law was reversed, and a new one was passed in June 1981, abrogating the famous Article 15 that Bisengimana had invoked while declaring the citizenship of Rwandans and Burundians living in Zaire. The ensuing confusion was such that the 1987 elections could not be held in North Kivu because there was no clear definition of who was a Congolese and who wasn't, in order to draw a poll list. This coincided with the period when Mobutu's regime was faced with internal opposition to his leadership and a waning Western support in the face of the end of the Cold War.

Faced with increased political pressure, Mobutu called a Sovereign National Conference (Conférence Nationale Soveraine - CNC) in 1991. One of the results of the conference was the exposure of the tensions in the country resulting from ethnicity and social identity. At the conference, the group of autochthons from North and South Kivu sought to rescind the citizenship of Banyarwanda under the 1981 citizenship act, and force them to return to Rwanda and Burundi. At the CNC, the autochthons managed to lobby for the barring of Banyarwanda from taking their seats at the Assembly under the pretext that they were not Zairians. They further invoked the CNC decisions to overhaul the local administration in North Kivu by installing new judges and police from the Hunde, Nande and Nyanga communities (Prunier, 1997a: 195). As this was happening in the Kivus, in Rwanda a civil war that had broken out

between Hutu and Tutsi when the RPF invaded Rwanda from Uganda in 1990, worsened. However, it suffices to mention that following the RPF attacks, President Habyarimana and his followers organised a pro-Kigali syndicate under the cover of a peasant network known as the Mutuelle des Agriculteurs de Virunga (MAGRIVI) to recruit young Hutu fighters (Chajmowicz, 1996: 115 -120). This had a contagious effect on the activities of the RPF, who, in return also embarked on recruiting young Zairian Tutsi into its force, as mentioned earlier. This Hutu-Tutsi ethnic focused recruitment in eastern DRC drove a wedge between the two ethnic Banyarwanda groups, thereby weakening their unity in Zaire, at a time when they both faced an assault from the other ethnic groups in the Kivu, who viewed the Rwandaphones as intruders (Prunier, 2009: 50).

With eastern Zaire and Rwanda gripped in the above-cited tensions, the spread of the Rwandan civil war into Zaire became inevitable. In Zaire, a low intensity conflict broke out in 1992 between Hutu and Hunde. The war soon escalated when Hunde militias in Ntoto market near Walikale killed a number of Hutus in March 1993. This was soon followed by the killing of Banyarwanda in thousands (about 20,000 by August 1993) and displacing about 250,000 people from different tribes (Tegera, 1995: 395-402). In response to this, Mobutu came to North Kivu to oversee the deployment of his famed elite Division Spéciale Présidentielle (DSP) in 1993, leading to an abatement of the violence and opening room for negotiations in November amongst local leaders. By February 1994, some semblance of peace had been restored in the Kivus, only to be reversed by the arrival of an estimated 850,000 Hutu refugees from Rwanda in the aftermath of the 1994 genocide. From the foregoing discussion, it emerges that long before the Rwandan civil war of 1990 broke out, ethnic conflicts were already raging in (eastern) Zaire.

The contentious issue of the Banyamulenge nationality reached a climax at the height of the Rwandan refugee flows into Zaire, in 1996 when the governor of South Kivu at the time sought to expel them out of Zaire due their (perceived) complicity and sympathy for the RPF. In his analysis of the situation in eastern Zaire at the height of ex-FAR activities Walter points out that,

“...The already desperate refugee situation in Zaire became supercharged on 7 October 1996, when the deputy governor for the Southern Kivu declared that the substantial (300,000) native Banyarwanda population of the Kivu would be expelled forthwith from the country, or be “hunted down as rebels” (Walter, 1998:9).

The above statement reinforced the Banyamulenge adherence to RPF, whom they saw as the only possible saviour of their plight in Zaire – if the RPF could conquer Zaire and replace the Mobutu regime; then perhaps their nationality issue would be solved. However, as will be demonstrated in chapter five, the nationality question for the Banyamulenge still remained a pernicious and divisive element of the Congolese politics.

The policy to expel Banyamulenge worsened the situation by sharpening and spreading ethnic animosity in the entire east of the DRC (Clark, 2007: 46). By July 1994, at the height of the arrival of Rwandan refugees into Zaire, Mobutu was still grappling with increasing defragmentation of his authority and the mounting resistance from Banyamulenge over the quest for their Congolese nationality. There was already an emerging power vacuum in Zaire, and, as Clark puts it, Zaire “...had a hard outer layer but a fragile inner core; the core of support for Mobutu had long eroded . The periphery, although not having total autonomy from the centre, was not effectively under its control either” (Clark, 2007: 46). Mobutu’s political maneuvers had almost reached an end, and his regime had weakened considerably. The arrival of Hutu génocidaires including Interahamwe and ex-FAR into eastern Zaire added more tension to the already tense environment in eastern Zaire.

From the foregoing, it is conclusive that the inter-ethnic conflicts that characterized Zaire during the forty-two-years of Mobutu regime helped to define the kind of leadership he presented; one which was characterized by divisiveness, patriotism, cronyism, economic, and political crises and exclusion of ethnic groups, especially in the eastern region of the Congo (Baregu, 2006: 60). Mobutu’s kind of leadership was therefore to a large extent the cause of the instability that has affected the DRC, particularly the eastern region. This is because the political decay that marked his

leadership led to the rise of political movements that sought to “liberate” the country. However, the military and political backing from Western countries during the Cold War sustained Mobutu’s reign and protected him from several armed insurgencies that tried to topple him. These insurgent movements included Laurent Désiré-Kabila, under his *Partie de la Révolution Populaire* (PRP). As discussed in chapter five, during the first Zaire war, Rwanda and Uganda picked on Kabila (as proxy) to lead the AFDL so as to give the movement a Congolese face. The planners of the rebellion chose to start it in South Kivu by preying on the plight of the Banyamulenge’s citizenship issue as a wider concern for the Kinyawanda speakers in the GLR. In this discussion the regional complexity of ethnicity and its cross-border effect reveals itself. The aggression with which other Congolese tribes relate with the Rwandaphones exhibit mistrust and betrayal, aspects that are better understood by looking at how the civil war in Rwanda turned out to be a proximate cause of the war in the DRC. While the above represent the core causes of the war, it was the proximate (external) causes that triggered the civil wars in the DRC.

4.2.2 The proximate (external) causes of the DRC civil wars

The first DRC war (1996-1997) was an extension of the Rwanda civil war into the DRC. When Rwanda first invaded the DRC in 1996, the reason given was to safeguard Rwanda’s territorial security against the spill off effect of the war resulting from the regime change in Kinshasa. A similar reason was again used to justify the invasion of the DRC by Rwanda and Uganda in 1998, although behind this façade was, as Reyntjens (2011: 132) explains, a logic of exploitation of natural resources and a larger geographical design aimed at establishing a Rwandan space of political and military control in eastern DRC.

The actions of Rwanda and its ally Uganda in eastern DRC put all the actors in a war-like situation, in other words, it escalated the tension especially among the former genocidaires and refugees inhabiting the camps located close to the Rwandan border. The actions of Rwanda and Uganda put the Interahamwe and ex-FAR militias on the defensive triggering insurgency actions against Kigali. This ended up flaring up the conflict and entrenching it in the DRC. Although the FAR and Interahamwe militias had been partly disarmed as they entered Congo, they immediately found the urgency

to rearm due RPF operations against them. Some of the weapons and ammunition were sold to them by the Forces Armées Zairoises (FAZ). The pains of being pursued into their hiding in the DRC developed in them the ambition of revenge. They vowed to one day claim their return to Rwanda by capturing power by all means (Rufin, 1996: 27). This, according to Rufin would entail finishing the unfinished job of genocide. Thus the first war in the DRC was a direct invasion by Rwanda and its allies (Uganda and Burundi – also referred to as the Rwandan alliance) of Zaire.

i) The invasion of Zaire

In a normal circumstance, the Rwandan civil war of the 1990s would have had no direct impact on the stability of Zaire, even less so lead to a change in Zaire's political regime. It was unexpected that an extraneous occurrence of such a proximate nature would be central to the eventual collapse of the Mobutu regime and lead to cycles of wars in the DRC. The DRC wars affirm an important but often less expected lesson in wars: that although a war in one neighbouring country may be expected to have only secondary effects in the neighbouring countries, such war can sometimes amply itself into a direct (core) cause of instability in the neighbouring country. In this respect, the events in Rwanda exacerbated the civil war in the Zaire in two ways.

Firstly, the failure of the RPF to transform their tactical victory (against FAR) into strategic peace led to a protraction of the Rwandan conflict into Zaire, as the RPF pursued the FAR and Interahamwe into eastern Zaire in pursuit of total victory. Secondly, once in Zaire, the political objectives of the RPF evolved from extermination for the FAR/Interahamwe, to the overthrow of Mobutu essentially for his support of the Habyarimana regime. Furthermore, Rwanda and its ally, Uganda, also evolved economic interests (in natural resources), thereby losing focus of their original political aim. Both these factors are detailed below, including the differences upon which the Hutu-Tutsi ethno-political and religious relations are based.

It is arguable therefore that the failure by the RPF to transform its tactical victory into strategic victory within Rwanda had a direct negative bearing on the resilience of the ex-FAR, Interahamwe and Rwandan civilian refugees in the DRC to return to Rwanda. If the RPF had adopted a reconciliatory approach in its leadership from the

initial stages, a number of the Hutu refugees, including génocidaires would perhaps have embraced the spirit of reconciliation and returned to Rwanda, thereby diffusing the tension in eastern DRC.

The uncertainty brought about by the failure of the RPF to establish strategic victory manifested itself further in August 1995 when the Prime Minister, Twagiramungu and the interior minister, Seth Sendashonga, a Hutu but RPF follower resigned due to fear of retribution, and immediately fled into exile. In the same month the minister for justice, Alphonse Nkubito resigned and died two years later (Reyntjens, 2004: 180). Sendashonga was later assassinated in Nairobi. Several government ministers, high-ranking civil servants, judges, army officers, journalists and civil society activists left Rwanda in a continuous stream, as described by Reyntjens (2004: 182-187). These internal occurrences seemed to worsen the tension that the ex-FAR/Interahamwe was exerting on the RPF. In retaliation, the RPF evolve their strategy to encompass the overthrow of Mobutu not only for having supported Habyarimana, but also for the support that Mobutu had extended to the ex-FAR/Interahamwe.

The abrogation of the Arusha Accords⁴ ended with a tactical victory by RPF, but which fell so much short of transforming its success into sustainable peace. As the RPF regime grappled with this challenge, the Interahamwe and the ex-FAR inhabiting the refugee camps re-organised themselves to mount a revenge by recapturing power in Kigali, with the support of Mobutu. Whitaker writes that as a close ally of former Rwandan president Juvenal Habyarimana, Mobutu, whose regime had been weakened considerably due to his loss of Cold War Western allies and increased internal pressure from opposition parties clamouring for democratization, took advantage of the failure by Rwanda to acknowledge the need to negotiate and reconcile with the former regime, including the return of refugees. He sought the support of Rwandan refugees, the ex-FAR and Interahamwe to fight against the new RPF regime in Kigali. He also offered shelter and protection to officials of the former Rwandan government. Mobutu's government allowed the Interahamwe and ex-FAR to train near the refugee

⁴ Both Rwanda Patriotic Front (RPF) and the Movement Révolutionnaire National pour le Développement (MRND) violated the 1993 Arusha Accords that they had both signed. Both sides rearmed discretely and engaged in subversive activities and killings against each other. Eventually President Habyarimana was assassinated and the civil war that ensued between the Hutu and Tutsi turned led to the 1994 genocide (Jones, 1999: 141).

camps for an eventual return by force to their home country, while at the same time facilitating the acquisition of arms for them as well as permitting the use of Goma airport for delivery of weapons destined to the remnants of FAR that were still in Rwanda (Saint-Exupery (1998: 4).

To put their threats into practice, the ex-FAR/Interahamwe adopted an insurgency strategy that entailed recruiting and re-arming, such that by 1995 the group established what it called “Government of Rwanda” in exile (Koen, 2002: 11). From the refugee camps the extremists launched small-scale insurgency into Rwanda with the tacit support of Mobutu’s regime. Orth (2001: 76) depicts the ex-FAR insurgency as a case of reversed roles, “...This action signified a juxtaposition of roles: the counterinsurgent Hutu-dominated government and its military, the FAR, becoming insurgents; and the guerrilla RPF leading a broad-based government of national unity and its military, RPA, becoming the counterinsurgents.” Noticing this, the RPF intensified its counter-insurgency operations that they had started immediately after the genocide stopped.

The RPF covertly infiltrated refugee camps in Zaire, in which it identified and killed those it targeted. In retrospect, the ex-FAR and Interahamwe intensified insurgency activities in Rwanda. They infiltrated the western préfectures (provinces) of Cyangugu, Kibuye and Gisenyi from early 1995 (Reyntjens, 2011: 133) and terrorized villagers. This worsened the situation beyond the expectations of the RPF, prompting the-then vice-president Paul Kagame to openly make known his strategic war plan. While on a visit to the United States in August 1996, Kagame informed Americans that he was on the verge of acting against ex-FAR attacks being launched from Zaire. According to Kagame, his intelligence network had indicated that ex-FAR were planning a large-scale offensive against Rwanda from Goma and Bukavu, and the only way was to disrupt this by an immediate invasion of Zaire.

It was after Kagame’s declaration of his intentions that the RPF devised a more robust counter-insurgency strategy that would later lead to invasion of the refugee camps in Zaire and the eventual overthrow of Mobutu. In this regard, the RPF initial political objective of attaining total victory against the ex-FAR/Interahamwe evolved into the

objective of deposing Mobutu. In order to achieve this goal, the RPF had to ensure two things. First it needed to conceal its image as an aggressor by devising a plausible reason to justify its entry into Zaire. Secondly, the RPF sought to ensure that its plans to attack the refugee camps were a top secret so as not to alert the génocidaires who would otherwise escape. To achieve the latter goal, the RPF devised a strategy based on the classical strategic military element of deception and surprise. The opportune moment for the implementation of this plan came when the Governor of South Kivu called upon all the Tutsi to leave the country or face retaliation at the height of the conflict in 1996. Fearing the consequences of the warning, the Banyamulenge coalesced around the AFDL appointed, leader Laurent-Désiré Kabila, who, with the Rwandan and Ugandan support, initiated a rebellion against the Mobutu regime (Rogier, 2003: 5). As stated earlier, the loss of political and military support to Mobutu by his Western allies had further rendered him vulnerable to his erstwhile enemies such as (Baregu, 2006: 60).

With the support of Rwanda and Uganda, Kabila, marshaled the military strength under his political party, PRP to challenge Mobutu. Prunier (2009: 114-117) clarifies the regional aspects of the conflict when he writes that after creating PRP, Kabila thought of continuing a classical guerrilla struggle against the Mobutu regime, but had a limited number of weapons, and his fighters came largely from one tribe; the Bambembe. Rwanda sought the backing of Banyamulenge, in a bid to reinforce Kabila.

So when Rwanda sought for ways of neutralizing its enemies inhabiting refugee camps across in the DRC they found Laurent Desire Kabila, a Congolese from Katanga, and a former Lumumbist (a Katanga separatist group of the 1960s), who had for many years tried to topple Mobutu in vain (Schatzberg, 1997: 75). Museveni is said to have settled on Kabila as the best choice for the task. The strategy was that Kabila would champion the citizenship course for the Banyamulenge, so as to give the issue a “national” outlook. Once Kabila had been co-opted in the plot Kagame and Museveni proceeded to the next strategy: the establishment of the Alliance des Forces Démocratiques pour la Libération du Congo-Zaire (AFDL) – the rebel group that

Kabila would lead. The stage had been set for Rwanda's invasion of Zaire, and hence the extension of its civil war into Zaire, as explained in chapter five.

Beyond the core and proximate dichotomies of causes of war, the modern African politician has also contributed to these conflicts in the name of state formation. Prunier (2009: xxxii) refers to this phenomenon as “the modern state logic of the confrontation,” and further argues that behind the competing egos of politicians and trendy appetites of the new African imperialism are some things that are deeper and thicker, and that the politicians themselves are unable to either understand or control. The author argues, for example that although the Congolese war was a product of unsettled historical questions similar to those that underlay the Rwandan civil war. Because these issues are common to all African civil wars, they should be inseparable from the contemporary questions that an African politician ought to seek answers to, such as what is a country in African terms? Who should be obeyed? What is a legitimate government? Who is a citizen? Why do we live together? Who are we? Who are the “others,” and why do we deal with them?

4.3 Conclusion

The central argument of this chapter is that the spread war in the DRC was as a result of a combination of core and proximate causes. The first core cause was the change in strategic environment. The study has argued that Mobutu's overreliance on Western powers during the Cold War era was in itself a weakness, whose effects became more apparent with the demise of the Cold War which left Mobutu's regime too weak and vulnerable to both internal political opposition forces within the Congo, as well as to invasion by the RPA, who found it easy to topple him. The second core cause was the global democratization demands orchestrated by the advent of multi-party politics in the early 1990s. This wave of political change found Mobutu's regime already under pressure from the changed strategic environment.

Opposition parties sprung up within Zaire, thereby exerting more pressure to Mobutu's corrupt and ethnically divided leadership. The third cause was the ethnic divisions within amongst the Congolese tribes in the east of the country, primary among them being the politicisation of the issue of the Rwandaphone citizenship.

Rwanda exploited the cross-border ethnic ties amongst the Kinyarwanda speaking people in Rwanda, Burundi and the DRC to mobilise resistance against Mobutu in the region, while at the same time exploiting the citizenship issue of the Banyamulenge to mobilise a rebellion against Mobutu, in revenge for the latter support to President Habyarimana. The chapter concludes that the endemic hostility between Hutu and Tutsi groups spread across Rwanda Burundi and eastern Zaire to historical times, and establishes that the conflict easily spreads across the borders of the three countries owing to cross-border ethno-political ties binding the inhabitants of the three countries. It was within this context that Rwanda and its allies invaded Zaire and sparked a long-drawn war whose conduct and implications are examined in chapter five.

CHAPTER FIVE

THE WARS IN THE DRC

5. Introduction

The preceding chapter delved into the causes of the wars in the DRC and pointed to the inter-connectedness of these wars to the broader conflict in the Great Lakes Region. These wars, as discussed in chapter four, should be seen as an extension of the Rwandan civil war that led to the genocide and the flow of refugees and perpetrators of the genocide (ex-FAR and Interahamwe) into Zaire. While the Rwandan war that started in 1990 could be considered a typical civil war, the ones in the DRC are not. They are inter-state wars in which the use of proxies has taken centre stage. This presents a complex conflict that has defied efforts to bring it to a successful ending.

The first war in the DRC (1996-1997) was a direct invasion of the DRC by the Rwandan alliance. This chapter therefore discusses the political objectives of the war and how they were pursued. It argues that while the Rwandan alliance achieved its objectives and attained a tactical victory in 1997 against President Mobutu, it failed to turn this into a strategic victory or strategic peace. The main reason for this failure was a major shift in the objectives – which now became economic predation of the DRC's natural resources. This is what accounts for the second war (1998-2002). Special attention is paid to the proxies created to pursue the two wars, and their roles and interests.

5.1 Rwanda's political objectives and the first war (1996 - 1997)

The extension of the Rwandan civil war into Zaire came about because the tactical victory that the RPA achieved over the FAR (of Habyarimana's regime) at the height of the genocide did not for a number of reasons end the conflict.⁵ The RPA was not

⁵ The Rwandan Patriotic Front (RPF) and the Movement Révolutionnaire National pour le Développement (MNRD) of President Habyarimana had, since 1990 been engaged in negotiations to end the Rwandan civil war. However, the terms peace contained in the Arusha Accords signed in 1993 were abrogated when Habyarimana was killed alongside President Cyprien Ntaryamira of Burundi, in a plane crash on 6 April 1994. Despite subsequently winning the war against Habyarimana's forces (FAR), RPA did not offer the FAR and Interahamwe agreeable terms of peace, and instead pursued them into eastern DRC with the objective of revenging against the genocide.

interested in negotiating the terms of peace with their vanquished adversary, the ex-FAR. The RPA sought to avenge the defeated Hutu government of Habyarimana and his army (ex-FAR), which had been supported by Mobutu's government to cross into Zaire, with the enablement of France's Operation Tourquoise. The French operated from a base in Goma from mid-June to mid-August, 1994 (Orth, 2001: 84). The FAR were therefore not completely vanquished by the RPA, but were offered a safe passage into eastern Zaire.

It has been argued that every war has political objectives. At the core of Rwanda's invasion of Zaire in 1996, were three main political objectives. Firstly, Rwanda sought to return the Rwandan refugees harboured in camps in eastern Zaire, back home. This was to convince skeptics of RPA and the international community that the RPA was in deed consolidating peace as shown by the "return" of refugees. In reality the refugees were being forced back to put up this show. Secondly Rwanda sought to revenge the genocidaires (ex-FAR and Interahamwe) for the genocide of Rwandans during the civil war. Thirdly, the RPA had the objective of overthrowing President Mobutu for his support to Habyarimana during the war, and replacing him with a leader that would be responsive to Rwanda's interests. These interests were undeterred access to the DRC; continued exploitation of the DRC's resources and support in pursuing the remnants of ex-FAR and Interahamwe that could pose a threat to Rwanda. The fact that the international community had failed to intervene in preventing the genocide in Rwanda was an additional reason to motivate Rwanda to pursue its objectives unreservedly in Zaire.

To pursue these objectives Rwanda created an alliance with Burundi and Uganda. These were the two countries that had strongly supported the RPA civil war. In actual fact Kagame who was then a member of Museveni's government, created the RPA in Uganda. The three countries had an inter-related ethnopolitical past that transcended their territorial borders. For instance Ewald (2004: 26) points out that the collapse of the predatory Idi Amin regime in Uganda in 1979 set the pace for the convulsions that were to engulf the region, subsequently embroiling the equally weak, but authoritarian governments in Rwanda and Zaire. The author concludes that in Uganda the changes were instructive to Rwanda's Hutu-Tutsi divide, when Yoweri Museveni's National

Resistance Movement (NRM) restored stability after a devastating conflict. The large population of Rwanda's Tutsi refugees that had survived the Hutu Revolution of 1959 quickly copied the NRM experience. The rise of Museveni from 1986 produced two outcomes of significant consequences to the region. Firstly, it rejuvenated the national institutions in Uganda, and secondly it led to the resurgence of the national question between Hutu and Tutsi that quickly spread within and outside Uganda's borders, thereby sharpening ethnic identities in Rwanda and Burundi. The activities of the Rwandan alliance in the course of its pursuit of the three objectives led to a number of repercussions not only for the DRC, but also for the invaders as reviewed below.

5.1.1 Forceful return of refugees

After achieving tactical victory after the ex-FAR, the immediate concern of the nascent RPF government was not only to present to Rwandans remaining at home acceptable terms of peace, but also to endear to the international community as a government geared at rebuilding a "fresh Rwanda." This goal would not be possible to achieve with Rwandan Hutu refugees steaming out of the camps in eastern Zaire. There was every reason to force them back to Rwanda. To the RPA, the invasion of Zaire was the only way of getting (forcing) the "good Hutus" back. This would add more legitimacy to the RPF's image as having helped the refugees return home. Those that would not yield to this strategy were automatically subjected to military pressure.

In its plans to conquer and overrun the Hutu refugee camps in eastern Zaire, Rwanda and its allies employed the classical strategic tactic of deception in outwitting Mobutu's forces. The use of this tactic was facilitated by several occurrences. First, in a coincidental conjuncture of circumstances, as Rwanda, Uganda and Burundi strategized to invade Zaire having identified a proxy – Laurent Kabila, the Governor of South Kivu ordered all the Tutsi to leave the country or face retaliation at the height of increased ethnic tensions in 1996. The Rwandan alliance capitalized on this moment to roll out their plans. They mobilized the "discontented" Congolese, - the Banyamulenge into AFDL, which remained under the strict command of the RPA (Rogier, 2003: 5).

Secondly, as stated in chapter four, the political and military support that the West had been offering Mobutu was waning, therefore rendering him vulnerable to his erstwhile enemies (Baregu, 2006: 60). Thirdly in Burundi, Ntaryamira's successor, Sylvestre Ntibantunganya (Hutu), had just been deposed in 1996 by Pierre Buyoya, a Tutsi. This was partly the reason behind Buyoya's support to Kagame. The Rwandan Tutsi (Kagame) and the Burundian Tutsi (Buyoya) dynamics suited well the AFDL alliance. The invasion of Zaire became a very useful discourse for Burundi as well, which sought to return to Burundi thousands of refugees that had sought refuge in the Congo following the 1993 civil war that occurred after the assassination of President Ndadaye, a Hutu (Rogier, 2003: 3-9).

As the Rwanda-Uganda-Burundi plans unfolded in early 1996, an alliance of Mobutu's FAZ, Interahamwe and youth militia from other Zairian tribes jointly molested Banyamulenge in Uvira for clamouring for the recognition of their citizenship and for showing sympathy for the advancing AFDL. This prompted Rwanda and Uganda to instigate the initial surprise attack by AFDL.

The AFDL was merely a vessel through which the RPA operated. Whereas Kabila helped to give it a "Congolese" picture, the reality was that those behind it were not. It was therefore easy for the alliance to infiltrate South Kivu through free passage offered by Rwanda and Burundi. They then crossed into South Kivu through Burundi's Uvira border, capturing Uvira with hardly any resistance in late October 1996. In Burundi, AFDL invaded Burundian Hutu refugee camps in Uvira on 17 October, killing several and sending thousands into flight (*Le Monde*, October 1996). The choice of invading Burundian Hutu refugees was a well-calculated one. By doing so, the RPA was well aware that FAZ would not have the desire to fight for "foreigners" (i.e. Burundian refugees), and even so, the Burundian militia, the CNDD-FDD (Conseil national pour la défense de la démocratie-Forces de défense de la démocratie) were comparatively weaker to challenge the RPA. Moreover, both regimes in Rwanda and Burundi were under Tutsi-led.

In addition, Mobutu and his regime considered this as an attack by the Buyoya regime against Burundian Hutu refugees, declaring it "business as usual." The reality

however was that this attack in South Kivu was nothing more than a decoy designed to lure the FAZ from the real target: attack on Rwandan refugee camps located farther in North Kivu. By conquering the Burundian refugee camps in South Kivu, Rwanda and allies created an opportunity to position its troops inside Zairian territory, hence opening supply roots, infiltrating into North Kivu and positioning themselves strategically around the refugee camps that harboured ex-FAR and Interahamwe elements. The scene for the war was now set.

Once the RPA were well positioned inside Zaire, they now provocatively sent a limited number of troops into Uvira in a manner meant to deceive Mobutu into a war he believed he would win. As expected by the RPA and AFDL, Mobutu misinterpreted RPA's provocative move as an expansion of attacks on the rest of South Kivu. He preventively and preemptively deployed to the South several battalions of FAZ backed by the Army for the Liberation of Rwanda (ALiR) - Armée pour la Libération du Rwanda from the North, in order to counter the AFDL and RPA invasion. North Kivu was therefore left vulnerable, and without hesitation, the RPA that had already infiltrated the DRC and its AFDL proxy seized the opportunity to deal a surprise attack on the refugee camps in the North Kivu. Other RPA troops crossed into Goma from Gisenyi (Orth (2001: 8). This marked the formal escalation of what had been a Rwandan civil war, into Zaire. To achieve this goal, the RPA had used the classical war tactics of speed and deception, which classical theorists acknowledge as being the best way of surprising an enemy (Sun Tzu, 1971: 86).

The days that followed were marked by torture and murder. In an effort to conceal their actions, the RPA denied access to refugees by declaring the area around the camps military zones or by relocating refugees out of reach of assistance. For instance in November 1996 humanitarian agencies were denied access to the area around Goma because it was declared a military zone, while in Bukavu access was prohibited beyond a 20-mile radius around the town. After the fall of Goma on 1 November the Rwandan led AFDL cut off all services to Mugunga refugee camp in preparation for an attack.

Describing the onslaught on Mugunga, Walter notes that, “On 13 November, the rebel force began to shell the Mugunga camp. The fighting was intense for three days. Quite to the astonishment of the outside world, on 15 November, the ex-FAR and Interahamwe custodians of the Mugunga camp bolted toward the west, and the majority of the camp population began a silent march back to the Goma crossing point into Rwanda along the path established for it by the RPA (Walter, 1998:11).. Pro-Rwanda analysts have recorded that at least 400,000 refugees remain unaccounted for after the invasion of the refugee camps (Lemarchand, 1997: note 18). These actions prompted the UN Secretary General Boutros-Ghali to state, “...two years ago, the international community was confronted with the genocide of the Tutsi with weapons. Today we are confronted by the genocide of the Hutu by starvation” (OAU, 2000: 212).

At the end of the RPF invasion of the camps, out of over 850,000 Hutu refugees that had entered Congo in the aftermath of the 1994 genocide, between 20,000 and 25,000 were heavily armed ex-FAR soldiers, and between 30,000 to 40,000 Interahamwe militiamen as well as leaders of Habyarimana’s political party, the National Revolutionary Movement for Development (MRND) - Mouvement Républicain National pour la Démocratie et le Développement, who were responsible for organising the genocide (Havorsen, 1999: 310) While the RPF managed to force only less than a half of the total number of refugees back to Rwanda, the rest were killed in refugees camps while the majority spread across the vast forests of the DRC (Emizet, 2000: 165). In order to maximize their killing mission, the AFDL-alliance separated hundreds of thousands of Hutu refugees held hostage by Hutu militias as human shield from the militias. As they then sent the refugees back to Rwanda as a successful activity of returning the refugees home (MacKinlay, 1998), they cleared the way for accomplishing second objective, as explained below.

5.1.2 Revenge against the ex-FAR and Interahamwe

Underlying the first objective of forcing refugees back was the second objective – exacting revenge on the ex-FAR and Interahamwe for the genocide, and neutralising their new insurgent activities. As the Rwandan alliance prepared its counter-insurgency operations against the ex-FAR/Interahamwe, the latter also reorganised

and re-armed. They did so by coalescing into a newly armed movement known as the Rwandan Liberation Army (*Armée de Libération du Rwanda* - ALiR), also mentioned above.

By mid 1996 ALiR, which also included recruits from the refugee population within the camps, had become an armed group, composed mainly of anti-Rwanda reactionary Hutus (largely of recent Rwandan origin) in the Congo. ALiR's founders were Col Tharcisse Renzaho and Lt. Col. Paul Rwarakabije and their political objective was to overthrow the RPF regime in Kigali through cross-border raids and to reinstall Hutu control in Rwanda. Gradually, ALiR started staging insurgency activities against Tutsis and Hutus collaborating with the RPF in northwestern Rwanda, bordering Zaire (ICG, 2001a: 7). So when the RPA launched attacks on the refugee camps and the genocidaires (ex-FAR and Interahamwe) resisted, they became the subjects of Rwanda's second objective: revenge through extermination. Those who opted to return to Rwanda were the "good Hutus," while those who resisted were branded the "genocidaires," hence subjects of revenge.

The Rwandan alliance confronted the ex-FAR/Interahamwe militias, and the refugees that sympathised or offered shelter to them. According to Ogata (2005: 205), as the RPF forced refugees back into Rwanda, about 350,000 fled towards Lobutu and about 150,000 towards Shabunda (both areas in Congo), while a smaller group of mainly ex-FAR and Interahamwe entered Sudan.

Questions have been raised why Mobutu failed to move the refugee camps away from Rwanda's reach. Various reasons have been explored and strong ones among them being that perhaps Mobutu, who was a close friend of the former Rwandan president Habyarimana, had favoured the Hutus in the Rwandan conflict, and therefore wanted to provide the Hutu militias an opportunity to (re) organize their insurgency against Rwanda. Secondly, Mobutu did not have been interested in resolving the refugee crisis because it strengthened his position in the International Community. Thirdly, the presence of refugees in Zaire was a source of international funding to the country. Fourthly, the regime was probably not able to do anything because of the internal political opposition that Mobutu was facing at the time (Romkema, 2001:16).

The refugees who dispersed deeper into the Congo forests instead of returning to Rwanda were soon to encounter the wrath of the Rwandan alliance forces. It is documented that the refugees who settled in Lobutu and Shabunda enjoyed a few months of respite as the Rwandan alliance forces planned its military strategies after realizing that some of the fleeing ex-FAR had stuck with the refugees partly out of solidarity and partly to use them as human shields and reservoirs of humanitarian aid and partly because they wanted to keep with their constituency.

By early 1997 the alliance started to move westwards, launching their first attack against an estimated 40,000 refugees in Shabunda. They separated young males and shot them on the spot. They would then ambush refugees who came from the forests to assemble for humanitarian aid (food, medicine and water), and kill them. At one stage the Rwandan government is reported to have remarked that the international community should reward it for “repatriating” the refugees thereby saving the latter money (*Le Soir*, 1996). Critics of this operational strategy argue that the RPA indiscriminately hunted and killed several hundred thousand refugees comprising of genocidal militias and innocent refugees alike. Unsuspecting international humanitarian organizations were also used by the RPA to lure refugees out from their hideouts in the forests. The systematic nature of the killings later made a UN investigation team describe these massacres as genocide (Human Rights Watch, 1997).

Similarly, the report of the UN joint mission in 1997 documented refugee in 134 sites in eastern DRC where atrocities had been committed (UN, 1997). It was estimated, based on calculations done, that RPA and their Congolese Tutsi allies had massacred about 233,000 Hutu refugees by the end of May 1997 when AFDL took control of the whole country (Emizet, 2000: 173-179). Reyntjens has described how, for example approximately 135,000 survivors from massacres in the area called Tingi-Tingi set up camp in the villages of Biaro and Kasese between Ubundu and Kisangani, when, a month later (in April 1997), between two hundred and four hundred RPA “search and destroy” group were deployed, along with AFDL to massacre the refugees. The death squad is said to have used open-air incinerators to burn the bodies with the hope of

eliminating evidence. The RPF/AFDL death squad pursued and ambushed about 45,000 refugees that had escaped the Biaro-Kasese carnage and killed them in Boende and Mbandaka in full view of local residents of these areas (Reyntjens, 2011: 136).

Pomfret (1997), McGreal (1997) and Reyntjens (2011) have documented that most Hutu refugee massacres were committed by the RPA in collaboration with their Congolese Tutsi, but much less so by the AFDL per se. This explanation holds that Kabila's interest was to overthrow Mobutu, and therefore had no reason to exterminate Rwandan refugees (Pomfret, 1977: 2) in the same vein, Reyntjens, 2011: 138) records that in one of his interviews with an RPA colonel in Goma, the latter admitted that the Rwandan military campaign in Zaire had a dual objective: to take revenge against the Hutu and ensure the security of Rwanda.

5.1.3 Overthrow of the Mobutu regime

Kagame intended to revenge Mobutu for the support he had given to Habyarima's regime during the RPF-FAR war. The revenge necessitated the replacement of Mobutu, with a leader that would protect Rwanda's interests (Nzongola-Ntalaja, 1987: 38). In narratives by Pomfret (1977: 2) and Reyntjens (2011: 138), the two affirm that the Rwandan troops and their Congolese allies had been authorized to attack Hutu refugees, provided that they contributed to the overthrow of Mobutu. However, unlike the first two objectives, which were purely military, this third objective presented a bigger challenge to the Rwandan alliance because it needed support of the rest of the Congolese population, if it was to succeed. This is because tactical victory alone over Mobutu would not be sufficient until the terms of victory would be acceptable to the majority of the Congolese.

The Rwandan alliance used the AFDL to gain internal support and to portray Mobutu as bad. To achieve this they sought support from the Mai Mai, who were a local militia allied to indigenous tribes and who perceived AFDL as a mechanism of Rwanda's invasion of the Congo. Winning the confidence and support of the Mai Mai would provide an opportunity for the Rwandan alliance to overrun the Mobutu regime with less resistance. However, as the war progressed, the alliance experienced pockets of resistance that made their terms less appealing to the masses. For instance, when the AFDL reached Bunia on 25 December, where they encountered resistance from a

joint operation of Mobutu's FAZ and UNITA forces. The unfamiliarity of UNITA to the Congolese terrain is said to have caused a strategic setback to Mobutu's allies, when almost two thousand UNITA forces lost their lives in the jungle between Kamina and Upper Zaire. UNITA's Gen Abilio Kamalata in Bunia, and several of his officers were killed, leaving Bunia to the Rwandan alliance, but tainting the image of AFDL proxy, whom the masses now regarded as killers and less so as an alternative source of peace (Kennes, 1998: 238-240).

However, after conquering Bunia, Kabila and his allies are said to have taken stock of their achievement that far, and realised that they now controlled the 600-700kilometre-strip stretch from Uvira to Bunia, including Walikale in the western front. At this point the Rwandan alliance gained full access to the mineral resources that dotted eastern Zaire. In retrospect, the fall of Bunia and the access to natural resources that came with this victory further made AFDL proxy an attractive outfit for the locals (Jansen, 1997: 228).

In a research entitled *The Ethics of Child-Soldiering in the Congo* Hoffman (2010) writes that the Rwandan alliance sought to popularise the AFDL among the Congolese so as to provide Kabila with local legitimacy in his endeavor to depose Mobutu. A campaign to recruit from the local Congolese tribes was launched. Most of them joined either as underage youth in search of a living or due to the euphoria created around AFDL and anti-Mobutu sentiments. While some joined voluntarily, others were recruited by force. Many of them were underage thus the name *kadogos* (child soldiers). Many of them were also orphans as well (Hoffmann, 2010: 348).

However, despite the victory over Bunia, the local Mai Mai militias sought to ensure that the Rwandaphone-populated AFDL did not occupy the land they conquered in Bunia. This was manifested when a group of Mai Mai militias ambushed AFDL Banyamulenge near Butembo on 3 January 1997 and killed several of them. This was contrary to the fact that the Mai Mai had fully supported AFDL in October the previous year when the latter attacked Hutu refugee camps in the area. The Mai Mai had offered support with the intention of curtailing the armed wing of the refugees from encroaching on their land with a view of creating a Hutu rear base for launching

their war on Kigali. But now that the ex-FAR and Interahamwe threat had dissipated, the Mai Mai autochthons feared not the Hutu but the Tutsi domination, hence the attack against AFDL (Braeckman, 1999: 260-265).

With the exception of the Mai Mai militias in eastern Congo, the vast majority of the citizenry that had grown weary of Mobutu's mismanagement of the country, owing to his corrupt and ethnic-based leadership (as elaborated in chapter four) started regarding AFDL as a possible solution to Mobutu's malaise. AFDL's fame spread among Mobutu's opposition, making the AFDL and its alliance more popular.

In March 1997, when the AFDL troops reached Kisangani, the vigour and determination with which the *Kadogos* confronted FAZ drew inspiration and admiration and astonishment from the population, who in turn mobilized more youth to join the movement. FAZ's resistance crumbled, as the fame of the *Kadogos* spread. It now became apparent that the success of the Rwandan alliance was not simply the victory they were gaining against Mobutu's thirty-year regime; but they were also winning the sympathy and support of the population through the courage demonstrated by the *kadogos* (Politique Africaine, 2001). Soon they took control of the mineral-rich provinces of Shaba and Kasai by April 1997, thus denying Mobutu's regime a major source of revenue in the prosecution of the conflict. The Kisangani case demonstrated the sympathy and support that the *Kadogos* generated among the local Congolese.

As they got closer to Kinshasa, the Rwandan alliance was joined by Angolan government troops, who, cognisant of the support that the Angolan rebel group, UNITA was providing Mobutu, were bent on dislodging the relationship. As the AFDL rebels intensified their offensive to bring down the regime of Mobutu, they were boosted by the continued support from foreign allies and the internal incoherence within Mobutu's FAZ who were unpaid and ill disciplined. Facilitated by these factors, the rebels marched toward Kinshasa and a few months later in May 1997, just one day after Mobutu had fled, they captured Kinshasa and installed Laurent Kabila as president (Whitaker, 2003: 6). By 17 May 1997, Kinshasa had fallen in the hands of Kabila, who proclaimed himself the new president and named

the country the Democratic Republic of the Congo (DRC).

From the foregoing series of events that led to the toppling of President Mobutu, it is apparent that the Rwandan alliance of Uganda, Burundi, Angola and their Congolese AFDL proxy led by Laurent Kabila, had succeeded in marshaling the support of a large section of the Congolese constituency that was un-happy with Mobutu's leadership.

The overthrow of Mobutu was only a tactical victory for the alliance; the major challenge lay in transforming this tactical victory into strategic victory (or long term peace) which, in classical strategic military terms would mean that the Rwanda-led alliance present to the Congolese citizens terms of victory that they (the Congolese) would embrace. As discussed in chapter two, Handel (2005: xviii –xix), among others, cautions that military victory alone does not mean an end to a conflict; as, for such victory to be sustainable, the military achievements must be accompanied by political and diplomatic means, and sometimes both of these need to run concurrently with the war so as to make the victory achieved acceptable to the enemy in order to attain positive peace, leading to strategic peace. In the case of this first war, Rwanda evolved a set of tactics that would enable its anticipated victory to be achieved with less friction (or resistance from the regional and international actors).

5.2 Tactics used by Rwanda and its alliance

Rwanda was cognizant of the fact that once the RPA crossed the border into Zaire, the war would no longer be a Rwandan civil war, but rather an aggression against Zaire's sovereignty – an inter-state war, by definition. In order to conceal this view in the eyes of the international community, Rwanda devised tactics that would make it appear less culpable. To achieve this, the RPF had to ensure two things. First was the need to conceal its image as an aggressor, by packaging its actions in a manner justifiable to its immediate neighbours. Second, it mounted an international diplomatic offensive to ensure that there would be no immediate international intervention in its aggression of Zaire. Third, it needed to create a Congolese proxy through which it would conceal its actions in Zaire. Although the war eventually bore a number of Congolese characteristics, this was largely because of the strategies and

tactics that the invading forces applied to cover up the inter-state nature of the war, as discussed below.

5.2.1 Gaining support of regional neighbours

The RPF could not achieve these two objectives without invading the Congolese territory. By definition, this was nothing less than a conventional warfare (defined in chapter two), because Rwandan troops would have to cross into the territory of a foreign country. The easiest way for Rwanda to conceal its aggression of the Congolese sovereignty was to first ensure that Rwanda gained the support of two immediate regional neighbours. At the regional level, the easiest targets were Uganda and Burundi, both who had security concerns in the Congo.

Uganda and Burundi were a convenient choice because they both had interests in the DRC: Uganda was wary of potential attacks by the Allied Democratic Front (ADF) rebels operating from eastern Congo. Byl (1991:1) writes that the ADF intensified attacks against Uganda from Zairian territory, thereby providing Uganda with a reason to pursue them into Zaire. It was therefore no accident then that both Rwanda and Uganda, concerned about potential attacks by their national dissidents, used the pretext as an opportunity to invade Congo.

With regard to Burundi, whose president (Cyprien Ntaryamira; a Hutu), had been killed in the same plane crash with Habyarimana, the concern was about infiltration by the Front National de Libération (FNL), the oldest of the Hutu-oriented rebel groups in Burundi. Prunier (2009), Stalgren (2005), Lemarchand (1996) and Isima (2005) state that as the ex-FAR and Interahamwe fled into Congo when during the Rwandan civil war, they came into contact with the FNL and Congolese Mai Mai militias, who supported them with food and arms and temporary shelter. This collaboration worried Burundi, which vowed to disrupt such alliance due to its potential threat on the Burundian regime. This threat made Burundi easily available to Rwanda's co-optation. The success of getting Uganda and Burundi involved gave Rwanda an advantage in the region in terms of mobilising support. In this way, Rwanda's invasion of the Congo would hardly be seen as a unilateral affair, in the eyes of the international community, rather than a unilateral affair.

The regional concerns included ensuring that at regional community level, there would be equally no hindrance to Rwanda's intended invasion of Zaire. This became apparent when Rwanda refused to adhere to peace and security instruments that would have barred it from pursuing its objectives in the DRC. For instance, Rwanda refused to sign a nonaggression pact among Central African States in a summit held in Yaoundé in July 1996. According to the pact, the Economic Community of Central African States (ECCAS) members committed to ensuring that in their mutual relations they avoided the threat or use of force or aggression, either against the territorial integrity or independence of other member States; or in any other manner inconsistent with the Charter of the Organization of African Unity (OAU) or the treaty establishing the ECCAS (Mwanasali, 1999: 98). Rwanda was well aware that signing the non-aggression pact would have hindered its aggressive behaviour towards Zaire. At the United Nations level, Rwanda made a request to the UN Security Council to suspend an arms embargo imposed on it in 1994. The UN, in a resolution in August 1996 accorded Rwanda the request thereby giving the country a free hand to import arms (Mills and Norton, 2002: 3).

5.2.2 Diplomatic offensive

At the international level, Rwanda was keen in ensuring that the world's super power, the United States of America (US), would not send an international intervention force to curtail its mission in Zaire. Kagame's objective was to sway the US to support him. The US was potentially the best place for Kagame to make his position known. He did this during a visit to the US State Department in August 1996. In his speech, he outlined his imminent plans to attack the refugee camps, pointing out to the White House and State Department the potential dangers that the refugee camps posed to his government, and preemptively sought to know if the White House had a solution (Walter, 1998: 18-19).

According to strategic analysts, America's lack of immediate response for Kagame was a boost for the latter's strategy to implement its two objectives as it became apparent that there would be no immediate UN-mandated international military intervention into eastern Zaire whatsoever, which would impede Rwanda's mission.

Any multilateral intervention would have prolonged Mobutu's regime, leading perhaps to settling the conflict through mediation, in which case Rwanda would have failed to realize its second political object – the overthrow and replacement of Mobutu (Pomfret, 1997: 1). Having confirmed from Americans of no immediate international intervention, Kagame moved with speed to execute his plans of invading Zaire, but maintaining a close relations with the United States so as to ensure that the latter did not intervene in a manner that would have prematurely disrupted Rwanda's mission in Zaire.

Having gained tacit support from the US, Kagame was sure that there were less chances of potential international interference (through multilateral intervention, especially by the US) to the pursuit of his objectives in the DRC. However, he wanted to ensure that the American position remained the same even in his immediate neighbourhood (the GLR).

To affirm this support, an American diplomat, Dennis Hankins, who was then the political officer in Kinshasa visited the AFDL headquarters in Goma, soon after Kagame's visit to the White House. This was followed by several visits to Kabila in Goma by the then US ambassador in Kigali, Peter Whaley. It was in the course of these visits that AFDL's mission to overthrow Mobutu intensified (Wall Street Journal, 1997). Prunier (2009: 402, footnote 86) recounts that Whaley was the field operator of the US-AFDL cooperation, to the point that foreign Kigali residents at the time nicknamed the conflict "Whaley's war." He adds that Whaley had thirty to forty meetings with Kabila between November 1996 and April 1997, while the US Army and the CIA reportedly opened several communication-monitoring stations in Uganda's Kalangala Island in Lake Victoria, as well as Nsamizi Hill and Port Fortal. Other American officials also visited Kabila to offer him encouragement. For instance, the head of the US Committee of Refugees, Roger Winter, on one of his visits to Kabila, praised the rebels for the good reception they had been accorded by the population (Ngolet, 2000: 70).

President Kagame succeeded in ensuring that the international community would either be indifferent or would offer the RPA tacit support in its pursuit of the ex-

FAR/Interehamwe. It appeared that support for Habyarimana's regime by some members of the international community during the genocide had generated a feeling of guilt, which in retrospect provided the RPF regime with what Reyntjens (2004:199) referred to as the "genocide credit," to act with little challenges. Because no one had castigated the genocide or intervened to stop it while it took place none had the audacity to reproach the RPF for whatever actions it took to suppress those it considered perpetrators, including pursuing them into refugee camps in the DRC (Finkelstein, 2000: 3).

For instance the OAU International Panel of Eminent Personalities investigating the 1994 genocide in Rwanda concluded that until the day the genocide ended with the RPF's military victory in the civil war, the UN, the OAU, African governments as well as governments of France, Belgium and the United States of America (US) continued to recognize Habyarimana's genocidal government as legitimate official representatives of Rwanda. France even went to the extent of sending a force to Rwanda, *Opération Turquoise*, which created a safe zone in southwest Rwanda in which frightened Hutus were protected, including génocidaires, before crossing into Zaire (OAU, 2000: xv-xvi).

In justifying why *Opération Turquoise* concentrated in the southwest of Rwanda where there were relatively few Tutsi left to protect (since the public goal was to stop the genocide) the French observed that the operation's intention was to partly prevent the destabilization of northern Zaire which, the French perceived, would occur with significant refugees flows to the region (Mills and Norton, 2002: 6). However, when Amnesty International highlighted the humanitarian disaster caused by RPA's presence in the Congo in 2001, Rwanda reacted by referring to the findings as an unsupportable insult to the memory of the more than a million victims of the 1994 genocide (Dupaquier, 1995: 127-136).

The failure of the international community to intervene in the Rwandan genocide was, in the expectations of Rwanda, enough reason for any country not to impede Rwanda from pursuing the perpetrators of the genocide in Zaire.

5.2.3 *Creation of a proxy*

In order to achieve their objectives, Rwanda and its allies needed a local Congolese actor as a proxy, so as to conceal its intentions of invading the DRC. The choice was Laurent Desire Kabila, a Congolese from Katanga, and a former Lumumbist (a Katanga separatist group of the 1960s), who had for many years tried to topple Mobutu in vain. Museveni is said to have settled on Kabila as the best choice for the task due to the latter's opposition to Mobutu. The approach was that Kabila would champion the citizenship course for the Banyamulenge, so as to give the issue a "national" outlook. Once Kabila had been co-opted in the plot, Kagame and Museveni proceeded to establish AFDL – the rebel group that Kabila would lead (Schatzberg, 1997: 75) in invading Zaire. With this alliance in place, the stage had been set for the extension of Rwanda's civil war into Zaire.

While the proxy initially acted in accordance with the set objectives, once Mobutu was overthrown, Kabila retained the rank and file of the Rwandan soldiers that had propelled him to power. For instance he appointed Lt Col James Kabarebe, an RPF military commander, as Congo's chief of staff, and so was his presidential guard (Matsiko, 1998: 2). For many a Congolese, this action was nothing less than demonstrating that Kabila was a protégé of Kigali and its allies. It became apparent that Rwanda was in the forefront of the leadership in Congo.

Viewed in classical strategic terms, the position held by Kabarebe and other high-ranking Rwandans was an attempt to dictate the victor's terms to the vanquished (the Congolese citizenry). However, the approach was wrong, as it amounted to domination as opposed to cohabitation. As Kabila struggled to win the support of the masses, Etienne Tshisekedi, a popular opposition leader in Mobutu era who had publicly defended Kabila and AFDL against claims of xenophobia, withdrew their support for him. Tshisekedi, who had been elected prime minister by the SNC in early 1990s and appointed by Mobutu in 1997, expected Kabila to name him prime minister in return for his support to AFDL. Other high-ranking Congolese held similar expectations in vain (Rosenblum, 1997: 194).

Kabila under the control of the Rwandan alliance failed to capitalise on the opportunity to demonstrate to the Congolese that he was committed to reversing the years of Mobutu's dictatorship. He failed to present to the Congolese acceptable terms of peace. Instead he surrounded himself with foreigners; the leadership of the Rwandan alliance that had propelled him to power. Kabila remained unresponsive to many demands made by the Congolese. Instead he ordered troops to break up opposition demonstrations, banned political party activities and arrested Tshisekedi, thereby projecting an image worse than Mobutu's. Arbitrary arrests intensified across the country and the police and army exhibited limitless authority and little due process of the law (*The Telegraph*, 2001: 1). Although the RPA and its alliance had succeeded in their objective of deposing Mobutu, it soon became evident that their victor's terms were not acceptable to the Congolese citizenry, as Rwanda and allies had changed their objective from political to economic exploitation.

5.3 Change of objectives and the new scenario

Having gained a sense of being in control in Kinshasa, the RPA leadership established what they referred to as "Congo Desk" in Kigali under the command of Major Dan, for the purpose of coordinating the exploitation of minerals in eastern DRC. It is recorded that a company known as Tristar, which was founded by the RPF when it was still based in Uganda, became very active in Rwanda when the RPA overthrew Habyarimana. When the AFDL overthrew Mobutu, the RPA used Tristar in looting and laundering of mineral resources in the DRC. Linkages were also traced between Tristar, the BCDI (Banque de Commerce, du Développement et d'Industrie) of Kabila and the RPA (Cuvelier Raeymaekers, 2002: 17).

The UN Panel of Experts report released in April 2001 brought to the fore the involvement of Rwanda, Uganda and Burundi in mass looting of Congo's natural resources. Museveni's family was reported to own diamond mines in the DRC (Solomon, 2002: 149). In its report, for instance, the Panel demonstrated how these countries recorded exponential exports of minerals during their occupation of the Congo. For example Figures I and II below, which are excerpts from the Panel's report (sourced from the Diamond High Council), the Panel cites variations in trends in exports of diamonds by Rwanda (Figure I) and by Uganda (Figure II). In both cases

the two countries started recording high increases after deposing Mobutu in 1997. However, Rwanda's extraction was adversely disrupted in 1998 because of its concentration on controlling Kinshasa during the one year that it directed events there. On the other hand, Uganda, which had left the control of Kinshasa after the overthrow of Mobutu, concentrated on exploiting the resources with lesser disruption. This explains why in 1998 Uganda's diamond exports remained high while those of Rwanda declined. In the same year, Rwanda's exports were also adversely affected when Kabila ordered their exit from Kinshasa. However, both countries' exports rose again from 1999 after the signing of the Lusaka Ceasefire Agreement (LCA), discussed in detail in chapter six. The LCA literally froze the parties in their areas of occupation, thereby "stabilizing" their exploitation of Congo's resources. These trends were also recorded in other mineral such as gold and niobium, coltan and cassiterite (Report of the UN Panel, 2001: pars 94 – 108).

The report of the UN Panel further documented that during the second war, the MLC leader, Bemba, ordered his soldiers to loot the banks of any town they captured. As a result the MLC rebels looted the Banque Commerciale du Congo (BCC) branches in Gamena, Bumba and Lisala. He also recruited minors in Equateur province to mine gold for him and his Ugandan backers that were occupying the Ituri District. Similarly, Bemba partnered with General James Kazini of Uganda in smuggling of coffee out of the DRC (Report of the UN Panel, 2001: 8-12).

The competition for exploitation of Congo's resources caused severe split between the two allies when, they (Rwanda and Uganda) fought for four days in Kisangani over diamond mining interests barely a month after the signing of the LCA. The August 1999 fight resulted into heavy casualties on both sides, as elaborated in chapter six. Underlying this were intense competition for the same natural resources by the former proxies of these two countries, a situation that Lemarchand (2003: 342) described as "a deadly competition between rebel factions and their foreign allies over access to the Congo's mineral wealth." This kind of pillaging slowed down the political will of the invading parties to resolve the Congo crisis, as the interests of the key players had shifted to economic interests (Maindo, 2008: 108).

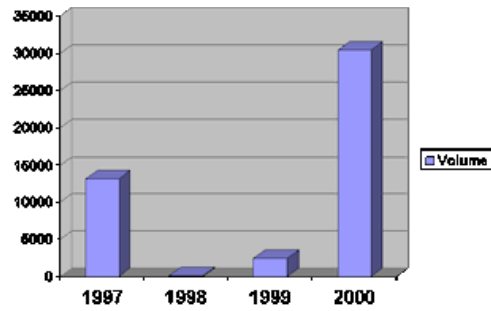


Figure I. Rwanda: rough diamond exports, by volume, 1997-October 2000

Source: Diamond High Council.

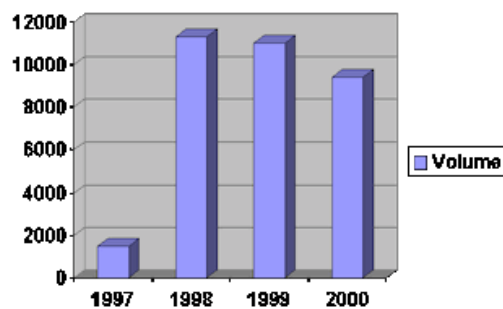


Figure II. Uganda: rough diamond exports, by volume, 1997-October 2000

Source: Diamond High Council.

The shift in the objectives of Rwanda and Uganda demonstrated that the pursuit of long-term peace in the DRC by transforming the tactical victory they had gained into strategic peace had stalled. The victors' terms of peace would no longer be acceptable to the Congolese people. Indeed, the actions of Kabila during his first year in power demonstrated to the Congolese that Kabila and his protégé were not concerned with the Congolese citizens' welfare, but rather with plundering the country's natural resources. The shift in Rwanda's objectives therefore made it difficult for the Congolese to accept their victor's terms of peace. The first year of Kabila's leadership was therefore marked with an exacerbation of ethnic tensions particularly in the North and South Kivu where anti-Tutsi sentiments seemed to escalate. Other ethnic groups viewed the Banyamulenge as those who had been at the core of the AFDL, and therefore responsible for the mess that Kabila had put the country into by allowing Rwanda to manipulate him. They interpreted it as betrayal.

Meanwhile, the Allied Democratic Forces (ADF) rebels took advantage of the chaos in the Kivus to launch new attacks in Uganda, at the same time as ALiR (a combination of the ex-FAR and Interahamwe) that had scattered in the forests regrouped and launched new attacks in Rwanda's western region. In return, Kigali and Kampala lay the blame on Kabila for what they interpreted as his unwillingness to prevent the attacks (Lemarchand, 2003: 45). Rwanda and Uganda's disappointment with Kabila was the beginning of the failure of the AFDL alliance. Beyond the GLR, Canada and the US shared in this disappointment because both had supported Kabila with the hope of gaining mining concessions.

Contrary to the expectations of both regional and international allies, once Kabila was in power, he revised and denounced some of those contracts. In other words he refused to repay the "war-loan" given by Rwanda and Uganda as well as the US\$14 billion debt contracted by the Mobutu regime, which, he said, had brought no benefits to the people (Braeckman, 2001: 145). He (Braeckman) further notes that in July and August 1998, Kabila foiled an assassination plot against him and decided to send his Tutsi advisers and military commanders back to Rwanda. Faced by increased isolation by his own people and threatened by his foreign backers, Kabila embarked on a strategy to expunge the latter; an event that triggered a new war.

5.4 The second war (1998 – 2002)

The domination of Tutsi in Kabila's government had in deed thawed the warm reception that AFDL had received upon entry into Kinshasa. Realising that his own Congolese people were becoming wary of foreigners around him, Kabila thought that by expunging his foreign backers, he would endear himself to his Congolese constituency. He wanted to project an image of a leader free from external influence. He led a campaign on national television and radio denouncing all Tutsis in general and giving his former allies, Rwanda and Uganda, 72 hours to leave the country (Lémarchand, 1999: 199-200).

Stearns (2011:1-2) comments that noticing this, the Rwandans, who had agents in place in the upper echelons of Kabila's rank and file decided to replace their unruly puppet. This led to the break out of the second war in August 1998. Lt Col James

Kabarebe, who was among those dismissed (as Kabila's chief of staff), devised a strategy in retaliation. No sooner did he get back to Kigali than he directed a commando group into Goma Airport and hijacked three of the very aircraft (Fokkers, Antonovs and an I1-76) that had transported the Rwandan troops from Kinshasa back to Kigali. Before directing the commandeered aircraft to Kitona, he flew first to Kigali to refuel and to take on a load of ammunition (French, 1998: 2). This marked the beginning of the second war, which in the actual fact was a continuation of the first war.

Soon after Kabila declared that his foreign masters leave Congo's soil, a new proxy emerged in the Kivus in the name of Rassemblement Congolais pour la Démocratie (RCD). Rwanda created it to seek revenge against Kabila. The objective of RCD was to overthrow Kabila in the same way that AFDL had overthrown Mobutu. Like with the AFDL in the former war, the RCD seized power first in Goma and declared war against Kinshasa (Rogier, 2003: 4-10).

Kabarebe's retaliation to Kabila's actions was prompt - he launched a blitzkrieg⁶ on Kitona with an estimated initial force between 500 and 600 soldiers (Danssaert and Finardi, 2011: 41-42). By applying the classical principle of speed and surprise, Kabarebe commandeered planes in Goma to fly the soldiers to Kitona military camp where he influenced the beleaguered soldiers through bribery to switch loyalty to him (De Villers, Omasombo and Kennes, 2001: 18). As this was taking place, the Rwandan and Ugandan troops that had been deployed in parts of the DRC remobilized and mutinied as a reaction to Kabila's directive to expunge them.

The choice of Kitona was strategic, as it was centrally located and close to a number of strategic installations that, when captured would later serve to reduce the powers of Kabila further. Kitona was Kinshasa's only strategic air defense installation. It was located at 1,037 nautical miles (1,920 km) west of Goma, close to the Atlantic. The location of Kitona also provided easy access to two strategic targets: the Inga Dam on the Congo River, which provided electricity to Kinshasa and Katanga; and the ports of Matadi and Boma, the DRC's only maritime gateways. From Kitona one could also

⁶ A blitzkrieg is an intense military campaign intended to bring about a swift victory.

directly access the Port of Banana on the Atlantic Ocean. Kitona therefore provided Kabarebe with a comfortable position to capture the dam, the two ports and eventually Kinshasa. As may have been expected, Kabarebe captured Inga dam on 13 August and cut off the electricity supply to Kinshasa (Prunier, 2009: 183). Soon he started moving his troops, numbering about eight thousand, towards Kinshasa.

The use of planes in the surprise capture of Kitona was a move that Kabila least expected. Kabarebe's operations mirrored Sun Tzu's advice on the use of speed to surprise an enemy when he advised, "...Therefore, to estimate the enemy situation and to calculate distances and the degree of difficulty of the terrain so as to control victory are virtues of the superior general" (Sun Tzu, 1971: 128). Kabarebe, in Sun Tzu's terms was the superior general who, based on his knowledge of the DRC, wasted no time in using the quickest means (planes) to cover the vast terrain that is the DRC.

In the ensuing military strike, Kabarebe and his troops landed in Kitona, Bas-Congo on 4 August 1998 with the intention of rapidly extending the assault to Kinshasa to oust Laurent Kabila, and replace him with the newly formed Rwandan-backed rebel group; the RCD. Besieged, Kabila quickly evolved a strategy to counter Rwanda's advance on Kinshasa. Coincidentally this happened at the time the DRC had just been admitted to the Southern Africa Development Community (SADC). Kabila took this advantage to appeal to fellow member states for assistance.

At a SADC summit held on 18 August 1998, diplomatic support was granted to the Congolese government in the name of safeguarding Congo's sovereignty and territorial integrity. However, only Zimbabwe, Angola and Namibia agreed to offer military support to Kabila. This prompted the Rwandans and their RCD proxy to withdraw tactically to the Kivus, where they established a de facto control over portions of eastern DRC from where they re-launched their fight against Kabila and his new allies. The entry of Angola, Namibia and Zimbabwe in defence of Kabila transformed the war into an interstate conflict. As is always with this kind of intervention, the interveners brought with them their own interests.

In the above scenario, both parties (Rwanda and the DRC) exploited the principle of surprise in trying to outwit each other. As Rwanda moved with speed in targeting strategic installations in the DRC, with the hope of dealing a blow to Kabila's government, the latter applied similar speed in securing the support of Zimbabwe, Namibia and Angola. In this scenario, Rwanda's strategy (of wanting to gain victory in a decisively short period) was disrupted by the multiplicity of enemies resulting from Kabila's allies (Dunn, 2007: 62-65). This turn of events thwarted Rwanda's second attempt to terminate conflict through a decisive victor leading to a stalemate whose consequences were the fragmentation of the country and further plundering of its resources, with the new actors entering the conflict with new objectives, as discussed below.

5.4.1 New actors, new objectives

Every war serves national interests. As such, the entry of new actors in the Congolese war was nothing less than out of these countries' national interests. Zimbabwe, Angola and Namibia justified their intervention as defending Congo's sovereignty, while in reality they had other motives that ranged from security concerns to economic interests and political power play. For example, besides the fact that Zimbabwe had supported Kabila since 1996, President Mugabe may have underestimated the intricate nature of the conflict, by narrowly seeing the opportunity to kill several birds with one stone. Firstly, President Mugabe might have sought to assert his role within SADC and to be recognized as one of sub-Saharan Africa's great leaders, and secondly, Mugabe might have wanted to divert Zimbabweans' attention from the domestic economic woes by using the military campaign in the DRC as a means of rallying public support at home (Report of the UN Panel of Experts, 2001: Addendum).

Angola intervened due to more strategic reasons, the main objective being to deny the National Union for the Total Independence of Angola (UNITA) the use of supply routes and the rear bases they had enjoyed in the DRC under Mobutu. Unlike Namibia and Zimbabwe which sent a higher number of troops, Angola's military involvement in the DRC was limited to around 2000 troops, and after clashing with Ugandan units in northern Equateur later in 1998, Angolan forces withdrew from the frontline and

maintained watch on the country's border with the DRC (Rogier, 2003: 7). Namibia's interest was not well defined. It may be that it was simply interested in honouring its friendship with Angola, and the fear that the potential destabilizing action of UNITA in the Caprivi Strip where a secessionist movement was also developing. The Namibian forces ranged between 1,600 and 2,000 (ICG, Africa Report No 26, 2000: 4). The territory of the DRC would soon be fragmented, as the stalemate took effect.

5.4.2 Fragmentation of the proxy and the division of the DRC

The start of the second war meant the end of the AFDL and its operation as a proxy of Rwanda, Burundi and Uganda. The entry of new states into the war led to a stalemate, which saw each actor concentrate on controlling the region within its confines. The configuration was such that Uganda and Rwanda, and to a lesser extent Burundi, controlled the eastern region in shifting alliances with each actor forging a new Congolese armed group as proxy. The Congolese territory was eventually divided up into regions controlled by various factions to the conflict. Until the withdrawals of Rwandese and Burundian government forces in late 2002, the Rwandese Patriotic Army (RPA) and their ally, the Goma-based faction of the armed political group the Rassemblement Congolais pour la Démocratie (RCD-Goma) controlled the greater part of North-Kivu province, all of South-Kivu and Maniema provinces, and a large part of the province of Kasai Oriental and Oriental province, including Kisangani, the DRC's third largest city.

Burundian forces controlled a relatively slender zone along the western shore of Lake Tanganyika with a focus on preventing the infiltration of the FNL rebels. They did so with the support of the RCD-Goma, which claimed to be the true political and military authority in both North and South Kivu provinces. However, RCD-Goma was militarily weak and relied heavily on the numerically and militarily superior forces of the Rwandese army, especially in the interior. Behind the scenes, Rwandese officials exercise administrative, political, military and economic power in the region. Policies implemented were decided and approved in Kigali.

In a similar manner, the Ugandan People's Defence Forces (UPDF) and the Ugandan government provided political and military backing to four armed political groups

acting in differing capacities and with varying strengths in North Kivu. These were the RCD-Mouvement de liberation (RCD-ML), Mouvement de libération du Congo (MLC), RCD-National (RCD-N) and another new group, the Union des Patriotes Congolais (UPC), RCD-ML and RCD-N were breakaway factions of RCD-Goma. These groups controlled much of northern and northeastern DRC, including parts of North-Kivu province, Ituri province and large portions of Oriental and Equateur provinces (Amnesty International Report, 2003).

From the foregoing, it is noticeable that all the intervening countries, once in the Congo, concentrated their activities not far away from its border with the Congo for two reasons; one was for reasons of the ease of exit when necessary and two was to secure their borders from being exploited by insurgent groups targeting their own regimes at home. Related to this is the fact that since most ethnic communities span across international borders in Africa, not least the GLR, deploying troops close to each country's borders would help in monitoring the contagious spread of conflict across those borders though the activities of insurgents. The fact that Uganda occupied the northeastern region of north Kivu near its borders with the DRC was not, therefore by chance. So was Rwanda's occupation of the southeastern part of North Kivu. Kabila and his allies, Angola, Namibia and Zimbabwe, controlled the western region of the country.

Of all the countries that occupied various parts of the Congo, Rwanda's concerns and activities were most profound due to its continued search for vanquishing the genocidaires. The two occasions in which Rwanda had failed to attain the victory it sought against the ex-FAR and Interahamwe did not deter it from pursuing the same goal for the third time. Once again, it (Rwanda) exploited the grievances of Banyamulenge's identity to create and sustain a new proxy in the Congo. However, beneath this façade was Rwanda's real motive – continuing to plunder Congo's natural resources. Having created the new proxy (RCD-Goma), Rwanda was sure of pursuing its objectives in the DRC undeterred.

Rwanda's interest in this part of the Kivu is better understood if reviewed through the prism of Clausewitz and Sun Tzu's wisdom that a good strategy is one which "targets

the opponent's centre of gravity" (i.e. a sensitive issue). Rwanda knew that the Banyamulenge community had been disappointed by successive regimes in Kinshasa, which had denied them citizenship. It (Rwanda) therefore used this plight as a centre of gravity (i.e. a rallying point or central issue) in which it sought to mobilise the Banyamulenge in its favour. That is; the plight of the Banyamulenge became the rallying point (centre of gravity) through which Rwanda would gain the support of the Banyamulenge so as to maintain its foot in the DRC.

Although the Banyamulenge may have realized that their earlier association with the RPA had been an erroneous strategy that alienated them from other local tribes, the fact that the Banyamulenge had lost many of their youths in the first war nevertheless contributed to the growing sense of susceptibility such that when Rwanda proposed a new alliance against Kabila, they readily accepted (Koen, 2002: 12-14). This was because despite the support they had given to Kabila in the first civil war, their situation had not granted them the citizenship they had expected and therefore they thought it worthy trying again to support the RPA, this time against Kabila just in case the next leader on line recognized their plight. When Kabila expelled his foreign masters from Congo in July 1998, this enough reason to propel the Banyamulenge into joining the anti-Kabila group (Koen, 2002: 14).

The above scenario demonstrates how the RPA found Banyamulenge an easy target to convert into their centre of gravity without much ado, more especially so because they (Banyamulenge) are also Kinyarwanda speakers of Tutsi origin. Rwanda's success in winning the Banyamulenge support also underscores its skillful adaptation to the ever-changing war environment in the GLR, and their chance to take calculated high risks as underscored by Clausewitz et. al. From this case, it is worth concluding that in one way or another, Kagame's long term military strategy in Zaire since the entry of the ex-FAR and Interahamwe in that country was to overthrow and replace the Mobutu regime with a leader that would be responsive to Rwanda's continued occupation and exploitation of eastern Zaire.

As such, the former allies (Rwanda, Uganda and Burundi), who had for the second time failed to transform their tactical victory into strategic peace in the DRC (first

against Mobutu and second against Kabila), each concentrated on pursuing their hidden objectives, which now manifested itself as a new objective – exploitation of Congo’s natural resources. This makes it necessary to reflect on this important catalyst of the Congo conflict, and how it led to the division of the country into sectors controlled by the foreign actors.

5.4.3 Natural resources as an economic motive

This was one of the ways of self-financing the war, and which contributed to the prolongation of its termination, as discussed in chapter six. Studies show that in civil wars, both rebels and governments seek a variety of revenue sources to sustain their military campaigns, especially in the post-Cold War era effect of declining super power support (Ballentine and Sherman, 2003: 25-60).

Lamont and Peel (2002) observe that the significance of natural resources in influencing wars is largely rooted in the political and economic vulnerabilities of resource dependent states. For instance economically motivated violence among rebels will be more likely when the potential rewards are greater than the perceived dividends of ending the war; and when natural resources can be exploited with minimal technology and without the need to control the capital and machinery of the state. In other words, the easier it is to loot natural resources, the more attractive they will be to rebels, and the more strengthened the rebel’s armed resistance will be against the state. This is true for the DRC’s minerals, most of which are alluvial, hence easily mined by rebels.

Natural resources in the DRC also bear other characteristics that make them easily available, hence a major source of attraction to the neighbouring countries which, where possible would choose to elongate their presence in the DRC at all bearable costs. Le Billon affirms this by arguing that the geographical location, concentration and the mode of exploitation influence how easy the resources are looted, adding that in terms of location, a resource close to the capital is less likely to be captured by rebels than a resource close to a border inhabited by a group lacking official political representation (Le Billon, 2005: 8). Kinshasa, the DRC’s capital, is located in the western fringes of the countries, while the natural resources are in the east. This

makes the government control over the resources a difficult act, as affirmed by Le Billon.

In a similar argument, Auty, when referring to the geopolitics of natural resources, posits that resources are also likely to be looted if they are spread over a larger territory than a small area that can be more easily defended. He classifies natural resources into two geographical terms – *point resources* and *diffuse resources*. *Point resources* are those that are spatially concentrated in small areas and include mainly resources that can be exploited by capital-intensive extractive industries such as deep-shaft mining or oil exploitation. On the other hand, *diffuse resources* are spatially spread over vast areas and often exploited by less capital-intensive industries, and they include alluvial gems and minerals, timber, agricultural products and fish (Auty, 2001, quoted in Le Billon, 2005: 5-28:8). Going by this argument, the diffuse nature of the natural resources in the DRC (most of them are located in the periphery of the country far from the political base - Kinshasa) makes them geopolitically vulnerable to extraction by rebel as well as by neighbouring countries. The vastness of the Congo and its impermeability add to the difficulty of governing the resources from Kinshasa (which is also located in the periphery of the country) practically difficult.

The above characteristics of natural resources in the Congo make their control from Kinshasa difficult. As such, neighboring countries gain easy access. For instance, during the first and the second Congolese wars, the intervening countries had interests that included plundering of the country's (ungoverned) natural resources (see also chapter six). Several rebel factions operated as intermediaries for the control of diamonds by Uganda, while the Congolese government granted the Zimbabwean military some of the best diamond concessions in return for Zimbabwe's support (Report of the Panel of Experts, 2001). This situation is not unique to the DRC alone. The control of diamond areas of Sierra Leone generated high income for the Revolutionary United Front (RUF). For instance according to a UN estimate, the UK alone bought up to \$125 million worth of diamonds per year from the RUF (Chuckie, 2009: 1).

When a culture of predation thrives uncontained, as has been the case in the DRC, it tends to intrinsically excite groups that may perceive themselves as excluded from the central authority. Often this exclusion takes an ethnic dimension where groups coalesce around those they identify with, with the aim to safeguard what they view as their resources. In the context of the DRC, land and mineral resources comprise the centre of this interest. In such a system, even the agents of state security become compromised and defragmented along ethnic interests. McAdam, Tarrow and Tilly (2001) and Azam, Berthelemy and Calipel (1996) concur that the politico-economic equilibrium of predatory systems depends on the existence of an army-like apparatus, which at times acts as a militia in the pay of the head of a state. The mission of the army in this case would consist of undertaking domestic repression to dissuade opposition than to defend the nation against foreign attackers. This phenomenon explains the weakness of the DRC's state military and the fluidity of rebel alliances that characterized the country's instability.

The impact of the DRC war on the economy of the countries involved was equally visible. For instance, it was reported that since 1997, the official Rwandan military budget had consistently exceeded US\$100 million per year, as much of the money was being diverted to the war in the Congo. Similarly, a UN expert panel report published in April 2001 on illegal exploitation and other forms of wealth accumulation in the DRC estimated that the Rwandan army was probably spending at least US\$51.6 million a year in the DRC on troops and flights to which an estimated US\$ 8.4 million annually was spent on purchasing ammunition, equipment and maintenance of troops in the DRC, totaling to US\$ 60 million annual cost of the war (Report of the UN Panel of Experts, 2001: 27).

When extrapolated, the cost of the whole war for Rwanda alone amounted to more than US\$ 400 million of which 80 percent was paid for by the plundering of the Congo's natural resources by the Rwandan army. Noting this, the UN Panel affirmed that Rwanda's plundering of the resources were less conspicuous because it was integrated in the activities of the military apparatus, the State (civil) bureaucracy and the business community. There are five ways in which the RPA financed its war by use of the DRC resources: (a) direct commercial activities; (b) profit from shares it

held in some companies; (c) direct payments from RCD-Goma; (d) taxes collected by the “Congo desk” and other payments made by individuals for the protection RPA provides for their businesses; and (e) direct uptake from the land by the soldiers (Bjorn, 2005: 12-15).

As discussed in chapter six, the economic interest of Rwanda and Uganda manifested easily when the two former allies developed differences due to competition over mining territories in Kisangani from May 1999. In August 1999, the tensions resulted into an armed fight in the city of Kisangani for four days, leading to heavy casualties on both sides. The result was described as “a deadly competition between rebel factions and their foreign allies over access to the Congo’s mineral wealth” (Lemarchand 2000:342). This kind of pillaging slowed down the political process to resolve the Congo crisis, as the interests of the key players had shifted to economic interests (Chabel and Daloz, quoted in Maindo, 2008: 108).

5.5 Conclusion

The following can be drawn from the discussion in this chapter, that:

Firstly, the wars in the DRC were triggered by proximate causes emanating from the contagious effects of the Rwandan civil war of the 1990s. The assisted escape of the ex-FAR and Interahamwe into eastern DRC prompted the RPA to pursue them there. The effect was an explosion of the civil war in the DRC, which in itself had developed extensive internal weaknesses due to the effect of a changed global environment, the corrupt regime of Mobutu as well as inter-ethnic strife among the Congolese coupled by the denial of citizenship for the Banyamulenge.

Rwanda, having forged a military alliance with Uganda and Burundi, entered the DRC with three main objectives - to force the Hutu refugees back to Rwanda, to revenge the perpetrators of the genocide and to topple the regime of Mobutu for having supported Habyarimana and replace it with a leader that would be agreeable to the RPF regime in Kigali. To achieve these goals in a subtle manner, the Rwandan alliance created a proxy leader of a Congolese origin as a figurehead of the movement, AFDL. Laurent Kabila became the “Congolese head” of the proxy movement, which was under total control of the RPA.

The location of the refugee camps close to the Zairian border with Rwanda made the attack by the RPA on the refugee camps easier, as the RPA sought to force back the refugees as well as avenge the genocidaires among them. For instance Mugunga camp that was (and still is) barely 20 km from the border experienced horrendous revenge massacres committed by the RPA against suspected genocidaires. So was the case with numerous other refugee camps scattered within the DRC.

Secondly, the failure by the Rwandan alliance to offer acceptable terms of peace to the Congolese constituency (including the remnants of the Mobutu regime, FAC and Mobutu's opposition) and after attaining tactical victory resulted into the second war. This happened when the Rwandan alliance, after succeeding to overthrowing Mobutu, transformed its political objectives into economic exploitation of Congo's natural resources. Rwanda even went to the extent of taking over the control of the DRC's military affairs when Rwanda's military chief became Congo's chief of staff. This was a typical example of the paradox of a victor who becomes hubristic and fails to pursue strategic victory and thereby reversing his gains.

The actions of the Rwandan alliance led to the rejection of Kabila by the majority of the Congolese, who branded him a stooge of Rwanda and Uganda. Kabila's turn against the two led to the second war, whose driving force remained the economic exploitation of Congo's natural resources. This was witnessed across the board; both by the Southern African Development Community (SADC) countries (Zimbabwe, Angola, Namibia) as well as by the former AFDL alliance members. These countries divided Congo into sectors within their spheres of control.

Thirdly, the second war produced a stalemate that divided the country into three main zones – one under the control of Rwanda, another under Uganda and the third one under the government. When the Lusaka Ceasefire Agreement was signed in 1999 (discussed in chapter six), it further called on the occupants to restrict their operations in their respective zones. The effect was intensive exploitation of the natural resources by all the occupants within their respective zones.

As the plundering of resources went on, all the parties became less interested in negotiating an end to the conflict, even though the Lusaka Ceasefire had already set down the framework for negotiations. The stalemate went on for two years until Laurent Kabila was assassinated in early 2001. When his son, Joseph Kabila took over, he unblocked the stalemate leading to the process that led to the ending of the second war. This forms the subject of chapter six.

CHAPTER SIX

ENDING THE WARS IN THE DRC

“There may be more of a need for the DRC and Rwanda to reconcile with each other than for people within the DRC to reconcile amongst themselves.”

—Rwandan President Paul Kagame⁷

6. Introduction

It has been argued that the first war in the DRC was an extension of the war in Rwanda. This is in part because the tactical victory that the RPA achieved over the FAR (of Habyarimana’s regime) at the height of the genocide did not for a number of reasons, end the conflict.⁸ The two main reasons for the continuation of the conflict were: first that the defeated Hutu government of Habyarimana and his army (Forces Armées Rwandaises - FAR) had been supported by Mobutu’s government to cross into Zaire, with the enablement of France’s Operation Tourquoise, which was operating from Goma from mid-June to mid-August, 1994 (Orth, 2001: 84). The FAR were therefore not completely vanquished by the RPA. Second, the RPF was not interested in negotiating the terms of peace (which would have meant reconciling) with the defeated government and army of Habyarimana. The objective of the RPF and its army the RPA was to revenge the genocidaires for their perpetration of the genocide.

As discussed in chapter five, the tactical victory of the Rwandan alliance over the Mobutu regime came with the installation of the alliance’s proxy (Laurent Kabila) in Kinshasa as president. However, this did not lead to peace in the DRC as the total occupation of the country and the exploitation of its natural resources cast resentment against the invaders and Rwanda in particular.

⁷ Report. 2003. “Balancing Peace, Justice and Stability: A Special Tribunal in the Democratic Republic of the Congo.” Woodrow Wilson School of Public and International Affairs. Pg 3.

⁸ The Rwandan Patriotic Front (RPF) and the Movement Révolutionnaire National pour le Développement (MNRD) of President Habyarimana had, since 1990 been engaged in negotiations to end the Rwandan civil war. However, the terms peace contained in the Arusha Accords signed in 1993 were abrogated when Habyarimana was killed alongside President Cyprien Ntaryamira of Burundi, in a plane crash on 6 April 1994. Despite subsequently winning the war against Habyarimana’s forces (FAR), RPA did not offer the FAR and Interahamwe agreeable terms of peace, and instead pursued them into eastern DRC with the objective of revenging against the genocide.

This chapter looks at the termination of the first war through tactical victory and the second war through negotiations. The aim here is to link the process to the classical theory of war termination and secondly to draw lessons for effective termination of civil wars in Africa.

6.1 The failure to transform tactical victory into strategic victory

By July 1997, Rwanda had attained its political objective of deposing President Mobutu. It had also managed to force back into Rwanda a large population of Rwandan citizens that had sought refuge in eastern DRC and now the focus was to revenge against the genocidaires, many of who had dispersed deep into the Zaire⁹ forest. The Zairian government had in 1995 tried to resolve the Rwandan refugee problem. For instance in April 1995, the period when the flow of the Rwandan refugees (including ex-FAR and Interahamwe militias) into eastern DRC had just stopped, the Zairian parliament called upon the RPF government in Rwanda to allow for the unconditional repatriation of the refugees. The lack of response from Rwanda to this call was followed by another plea by Zaire's Prime Minister at the time, Kengo wa Dondo, who in a speech in Goma in June 1995, blamed Rwanda for not being receptive to the repatriation of refugees (Adelman and Suhrke, 2001: 5). The unconditional repatriation of refugees was not acceptable to the RPF whose intention remained revenge for the genocide.

Even when Rwanda and its alliance of Uganda and Burundi invaded Zaire later in 1996 under the guise of the AFDL, mediation efforts meant to resolve the conflict that had now transformed into a Congolese issue did not stop. Instead it intensified at the international level. For instance on 20 February 1997, South Africa, in conjunction with the United States (US) Assistant Secretary of State for African Affairs, George Moose and President Clinton's then special assistant on Africa, Susan Rice invited President Mobutu and the AFDL rebel leader, Laurent Kabila, to Cape Town for talks in an effort to end the war. But as the parties convened, the Rwandan alliance

⁹ From 1908 the country was called Beligan Congo until independence in 1960, when the name changed to the Republic of the Congo. In 1966 Mobutu changed the name to the Democratic Republic of the Congo (DRC) until in 1971 when he (Mobutu) changed it to Republic of Zaire. When President Laurent Kabila took over in 1997, he reverted it to the "DRC." See: <http://geography.about.com/od/democraticrecongomaps/a/zairecongo.htm>

intensified its military activities in eastern Congo indicating its disinterest in the negotiations. Since Kabila was just a proxy, he had no powers to negotiate with the Mobutu government a meaningful end to the conflict, and hence the collapse of the negotiations (Carayannis, 2009: 9).

Yet again in April 1997 Mandela, with the support of his vice president Thabo Mbeki, brought together Mobutu and Kabila for talks in South Africa, aimed at convincing Kabila (in the wake of Mobutu losing considerable ground to rebels) to accommodate Mobutu's concerns. This, too, ended in vain with Kabila, showing far much less interest and remaining non-committal to the talks, perhaps also due to his limited ability to make decisions independent of his external masters, to whom he was a mere proxy.

The main reasons for the failure of the South African initiative at this point was because it considered the conflict as a mere civil war and failed to take into consideration the fact that although the war appeared to be intra-state, it bore an inter-state element, with Rwanda pursuing its political objectives. It failed to acknowledge the proxy nature of AFDL and Kabila in the equation of the war. As a result, the negotiators dealt with the matter as if it were strictly a Congolese internal affair, in which AFDL's status as a proxy of Rwanda was not invoked and therefore was not a subject of the negotiation.

Even as negotiations got underway in February 1997 negotiations in Cape Town, the Rwanda under the guise of AFDL was conducting "search and destroy" operations on Hutu refugee camps in Tingi Tingi, Birao and Kasese (see chapter four). The spread of these attacks and the imminent defeat of Mobutu's military had already made Mobutu responsive to negotiations. The Rwandan alliance used the negotiation period to rearm and advance towards Kinshasa. This is a common tactic in negotiations (Bell and O'Rourke, 2007: 305). Neither did the war offer chances of a stalemate that would have warranted Rwanda and allies to consider negotiating with Mobutu at that stage, as a way of terminating the war.

Mobutu's forces were easily trounced. As Gurr (2000: 58) emphasizes, parties to a war only consider negotiations when they reach a hurting stalemate - acknowledge that the material and social costs of the war are beyond what they can bear, compared to the benefits of peace. A combined military assault against the FAZ comprising the three countries that formed the Rwandan alliance with AFDL as proxy, presented a much more powerful military force against Mobutu's forces whose morale had deteriorated due to months of unpaid salaries and weakened internal cohesion brought about by opposition pressure on Mobutu's regime.

The prevailing situation therefore, was one without a ripe moment for the resolution of the conflict. The discussion on termination of wars in chapter three emphasises that a ripe moment, which can present itself in a situation of total victory or a stalemate, presents an opportunity for negotiating an end to a war (Zartman, 1985: 291). In this context, only the Mobutu's side was willing to negotiate as Rwanda (through its proxy, Kabila) had become resilient because Rwanda had sensed an opportunity to win the war.

Mandela's reasons for intensifying the mediation process amidst dwindling prospects of Mobutu's success in the war were threefold. Firstly, Mandela sought for an exit strategy for Mobutu; one that would lead to an orderly transition into the next regime. Secondly, he sought for the formation of a transitional government that would enhance dialogue between the two Congolese belligerents (the Kabila camp and the Mobutu camp). This would have led to a transitional power-sharing structure to ensure the country's political stability until the next elections. Thirdly, Mandela may have wanted to create a broad-based negotiation process in which all inter-Congolese parties would participate in search of a broad-based solution to inter-Congolese problems. This thought later underpinned the ICND that accompanied the termination of the second war. The determination of the Rwandan alliance to achieve its political objective of deposing Mobutu would not allow any of the three processes to happen.

Commenting on this situation, Landsberg (2007) and Carayannis (2009) point out two other occurrences ensuing from the above situation that could have equally influenced Kabila's resilience to negotiations. First was the fact that when the early attempts to

mediate between Kabila and Mobutu staggered and the Rwandan alliance advanced towards Kinshasa, the Western countries reacted by disengaging from the peace initiatives and reverted to evacuating their citizens from Congo. For instance the US, whose Assistant Secretary of State for African Affairs had participated in the preliminary talks, now sent marines to evacuate its citizens from the DRC, while France, Britain and Belgium moved their activities including military to Congo Brazzaville, ready to evacuate. Secondly, at the continental level Nigeria attempted to wrestle the mediation process from South Africa, thereby signaling (to the Rwandan alliance) a fractured continental position on the handling of the conflict. These two happenings may have indirectly boosted the Rwandan alliance's resolve to fight on (Landsberg, 2007: 171-172).

Kabila the proxy subsequently overlooked or simply attended without commitment, all mediation efforts that followed, as a strategy for buying time so that the alliance could advance to Kinshasa. Mandela's mediation initiative may also have been weakened by the fact that the non-combatant Congolese constituency (the civil society, churches, opposition leaders) was not included in the negotiations. The mediation lacked a neutral intra-Congolese party to impress upon the Rwandan alliance to negotiate in the interest of the Congo. According to Carayannis (2009: 6), the importance of including non-armed opposition could be traced to the 1993 SNC. At that conference, the members of the non-armed opposition with considerable popularity such as Tshisekedi contributed gave more legitimacy to the negotiations. Solomon (2002: 149) concludes that President Mandela's attempts to bring only Mobutu and Kabila to an agreement may have demonstrated to the rest of the Congolese stakeholders that the mediation revolved around reaching an exit strategy for Mobutu, as opposed to serving the interests of the entire country. To many a Congolese, an end had come for Mobutu's long and corrupt rule, and therefore any attempts to salvage his regime, least of all to negotiate his exit received little public support. The ordinary Congolese saw the AFDL proxy as a panacea for Mobutu's ills.

As the Rwandan alliance, masked under "AFDL" advanced onto Kinshasa, so did Mandela intensify his mediation, including sending Mbeki to Zaire in an endeavor to bring Kabila and Mobutu to negotiations. In response to the weakened Mobutu

regime, France, which had all along supported Mobutu, changed its position and endorsed South Africa's call for the formation of a transitional government. This change of tune by France was another pointer to both sides of the belligerents that the military option of the Rwandan alliance masquerading as AFDL held sway against the mediation process. Further efforts led to a meeting between Kabila and Mobutu on *SAS Outeniqua* in the international waters off Pointe Noire, Congo-Brazzaville on 2 May 1997. It was during this round of "ocean diplomacy" that Mobutu offered to step down citing "health reasons" and offered to hand power to the speaker of the country's Transitional Parliament (Cooper, 1998: 712). This change of stance by Mobutu gave more impetus to Kabila, who from then rejected further talks and demanded Mobutu's resignation. He equally rejected suggestions of a ceasefire, forcing Mobutu to relinquish power on 16 May 1997. The mediation efforts had failed, ending Mobutu's 32-year rule. Laurent Kabila declared himself president on 17 May 1997 and changed the country's name to the DRC.

After the ousting of Mobutu, the international community treated Kabila's presidency with varied perceptions. The US president, Clinton for instance expressed his country's wish to see a transition to genuine democracy while the UN Secretary General, Kofi Annan urged Kabila to respect the choice and voice of the people by negotiating with all the parties. The OAU, on the other hand, welcomed the AFDL victory (Landsberg, 2007: 173). The international community that had attempted to mediate an end to the war now seemed falsely convinced that the war had come to an end.

As discussed in chapter three, the classical military theory stresses that a successful end of war is determined by the ability of the victor to transform its tactical victory into strategic victory (long term peace). It is for that reason that even contemporary scholars of classical theory emphasise that victory can be viewed in terms of the causal relationship between its two levels (tactical and strategic), and that the relationship between these two are linked as the war evolves (William, 2007: 519). Although tactical victory on the battlefield may be the best way to achieve victory in line with the classical military theory, its transformation into strategic victory (in other words the ultimate fulfillment of the political objectives of the war) is the

paramount ideal.

The overthrow of Mobutu was only a tactical victory for the Rwandan alliance. This provided the alliance with the opportunity to offer the subjects of the conquered land (Zaire) acceptable terms of peace as a way of transforming the tactical victory into negotiated long-term peace. Classical theory talks about the victor displaying magnanimity by offering to negotiate with the vanquished the terms that could guarantee long-term victory (also referred to as strategic peace) to both parties. It is only when the two parties reach this agreement that a sustainable peaceful and mutual co-existence is attained. It is for this reason that classical military theory cautions that tactical victory that does not transform into strategic victory is only a tepid end to a war... merely defeating the enemy's army and occupying his country does not necessarily result in long-term peace if the victor does not present to the loser acceptable terms of peace. The war would surely recur. As such, Clausewitz (1976: 386) maintained that the defeat of an enemy's army and the occupation of his country only propel the enemy to the negotiation table in search of strategic (long-term) peace. Therefore the victor ought to seize that moment and use it to its advantage to end the war sustainably.

The tactical victory attained by Rwanda and its allies was therefore an opportunity for offering the Congolese the terms of peace that would lead to strategic peace. To the Congolese, that would have meant the "benefits" of the rebellion (that is, a reward for supporting the AFDL in the overthrow of Mobutu's regime). The classical case of the ending of the Peloponnesian War (discussed in chapter two) in which the virtues of magnanimity in victory and good will in peace are extolled is instructive in this case. In the case of the Zaire war, this would have entailed the victor presenting to the Congolese a negotiation platform to establish terms by which they (Congolese) would contribute to the national decision-making processes relating to the political, economic and security future of their own country.

On the contrary, from July 1997 to August 1998 when the Rwandan alliance occupied the DRC, there were no attempts to transform the tactical victory so far attained, into strategic victory. Instead, two things happened that contributed to a gradual

deterioration of trust between on the one hand Kabila and his allies; and on the other hand between the Rwandan alliance (that had supported Kabila's war against Mobutu) and the ordinary Congolese citizens. Firstly, Rwanda and its allies relentlessly dominated the political and military leadership of the Kabila regime to such an extent that Lt Col James Kabarebe, an RPF military commander at the time, was appointed Congo's chief of staff (see chapter five). Secondly, Rwanda and Uganda extended their political objective to include exploitation of Congo's natural resources. These activities were located in the mineral-rich eastern provinces of the Kivus. The exploitation by Rwanda and Uganda were of proportions that paid for their military activities in the Congo (Bjorn, 2005: 12-15). The shift in objectives of the war demonstrates the failure by the actors to observe the principle of the classical military theory, which advocates the importance of offering agreeable terms of peace to the defeated party, and that wars should be pursued on the basis of clear goals, quickly and at the lowest possible cost.

The monopoly of the Rwandan alliance over Congo's national issues were a slap in the face of the Congolese, the majority of whom had ushered the AFDL and their *kadogos* to Kinshasa with sympathy and hope for a new beginning. The ordinary Congolese started viewing Kabila as a mere stooge, used by Rwanda and allies to conquer and exploit the wealth of Congo. Gradually, resentment and betrayal built up between Kabila and his fellow Congolese. Similarly, Rwanda and allies fell out of favour not just with President Kabila, but also with the larger Congolese citizenry, who now viewed them (Rwanda, Uganda and Burundi) as liberators who had an ulterior motive of occupying their land. They (Rwandan alliance) had transformed into invaders). The Rwandan alliance had squandered the opportunity to transform their tactical victory into strategic victory. The consequence, as classical military strategist warned, was a failure whose consequences would be a resumption of the war. Certainly this was the case, as the second war started shortly after Kabila had ordered the Rwandan alliance to vacate the Congolese territory

It suffices, however, to emphasise that the first war had successfully terminated when the AFDL and its backers successfully toppled Mobutu and named Laurent Kabila as president. However the Rwandan alliance became a hostage of its own success. It

refused to transform its tactical victory into strategic victory by offering agreeable terms of peace to the Congolese. Rwanda and its allies continued to play a leading role in the Congolese military, political and economic sectors to an extent that the ordinary Congolese started questioning the objectivity of Kabila's leadership. Kabila became a hostage of his own deeds. He had become a captive of his masters.

Kabila decided to free himself from the control of his foreign backers, so as to convince his fellow Congolese citizens that he was not being influenced by the Rwandan alliance. Little did he know that by asking his masters to leave, he would be initiating a new war; and one that would prolong into a tragic end for him. The second war in deed a lengthy one, with a plethora of actors that saw it lead into a stalemate. The attempts to end the war through negotiations resulted into the signing of the Lusaka Ceasefire Agreement,

6.2 The Lusaka Ceasefire Agreement (LCA) and the long march to peace (1999-2002)

No sooner did the second war start in August 1998, than the search for a ceasefire also intensified, as was the case in the first war. The main direct external actors in the second war were still the same (mainly Rwanda and Uganda) as was in the first war. However, each of them had evolved new proxies through whom they had exploited Congo's resources during the one year they controlled Congo under of Kabila. The RCD rebel group represented Rwanda's interests while Uganda funded the activities of MLC rebels. Each of these operated on the fringes of the borderland between each of these countries with the DRC. Although they were proxies, these rebel groups also developed their own interests, which were both economic as well as political, and which the mediators had to deal with.

In the second war, the stalemated nature of the conflict meant that there was no winner, and therefore none of the parties to the conflict (States and rebels) was weakened enough to accept any terms of peace to be dictated upon them. As a result, the mediators were faced with the task of balancing the inter-state and intra-state factors of the conflict, amidst a stalemate. Ideally however, if the negotiations had involved States parties alone, or had there been a clear-cut between the interests of the

rebels and those of external actors, it would have been easier to disaggregate the issues so that state concerns get negotiated at an inter-governmental level, while any other local issues, including rebel matters, would have fallen under the national dialogue mechanisms.

The tragedy of the Congo conflict was such that Rwanda and Uganda's interests in the Congo war were fused with the interests of their Congolese proxy rebels. This made it difficult to separate Rwanda and Uganda's interests from those of their proxies during the negotiations. The ceasefire negotiations had therefore to incorporate the interests of States and rebels simultaneously. This challenge also demonstrates the intra-State and inter-State uniqueness of the Congo's war and how it affected the possible resolution of the conflict. Two instances in the early period of the second war help to emphasise how the intertwining of Rwanda and Uganda's interests with those of their proxies affected the mediation process.

6.2.1 Inter-twined interests of states and their proxies

The interests of states and their proxies in the second DRC war became evident from the early times of the war, as demonstrated by two instances and the internal differences that characterized this relationship.

In the first instance: the SADC Secretariat convened the initial emergency summit in Pretoria in August 1998, during which the Summit called for an immediate blanket ceasefire without castigating the involvement of foreign states in the Congo war. Rwanda, Uganda and their Congolese proxies overlooked the call to attend the summit, preferring to carry on with the war. The failure to achieve this ceasefire caused SADC to quickly call another summit a month later, on 13 September, during which president Chiluba of Zambia was designated to head the African peace initiative on the DRC. Chiluba's initiatives learned from the failures of the past summits, and called one that would include all the countries that had deployed troops in the Congo. This summit took place in January 1999, with the participation of Rwanda, Uganda, Zimbabwe, Angola and Namibia. The outcome of this summit however, was not implementable because President Kabila and the RCD rebel group,

also considered an “important” player, absconded from the meeting (Swart and Solomon, 2004: 8). While the case for President Kabila’s absence may be arguable, that of RCD rebel group would have been inconsequential, were it not that RCD represented the voice of Rwanda in the conflict. The fact that lack of RCD’s representation contributed to the derailment of the ceasefire therefore points to the dual face (intra-State/inter-State) face of the conflict, and how the proxy rebel groups could easily transform into spoilers of the peace process, if ignored.

In the second instance: the above-cited lack of cooperation by Kabila and RCD rebels prompted the UN Security Council to pass Resolution 1234, calling for immediate cessation of hostilities and engagement of all Congolese parties in an all-inclusive process. The move by the UN was to compel the parties to move to the negotiating table. Realising that Rwanda and its ally, RCD lacked the commitment to negotiate a ceasefire, President Muamar Gaddafi of Libya sought to unblock the process by bringing together President Museveni and President Kabila in Sirte. This resulted in the Sirte Ceasefire Accord signed by Museveni and Kabila. No sooner was this Accord reached than Rwanda and a section of the RCD disowned it, further plunging the process in a limbo. The differences in opinion between Rwanda and Uganda ensued on the process, and this directly manifested in how their proxies responded – the RCD suffered internal strife when other officials supported the Sirte agreement and others objected. This led to a break up of RCD into two main factions in May 1999, followed by further splits.

The RCD split first into two opposed factions, one under the leadership of Prof Wamba dia Wamba who was supported by Uganda. Wamba later renamed his faction RCD-Kisangani after shifting its headquarters to Kisangani where it had the protection of the Ugandan army. RCD-Kisangani was later renamed RCD-Mouvement de Liberation (RCD-ML) before it fractured into two. Mbusa Nyamwisi and Atenyi Tibasiima led the new faction. The second and bigger faction of RCD was based in Goma, under the name RCD-Goma (or RCD-G), and was led by Dr Emile Ilunga. RCD-G was closely associated with the Banyamulenge and supported by Rwanda. Soon after this, Museveni created a new wing of rebel movement under the leadership of Jean-Pierre Bemba, Museveni’s business agent in the DRC. Bemba’s

movement was named the Congolese Liberation Movement (MLC). It was estimated that between 10,000 and 15,000 Uganda People's Defence Forces (UPDF) were fused with MLC and RCD-ML (*The Military Balance 2000-2001*, 2000: 286). Later, Nyamwisi and Tibasiima's faction of RCD-ML joined Bemba's MLC to form Front de libération du Congo (FLC) - (Report of the Panel of Experts, 2001: para 81).

Uganda's firm grip on RCD-ML is said to have surprised Wamba dia Wamba the founder, who, in an interview in 2001 confirmed his lack of control over MLC-ML, complaining that the Ugandan Commander-In-Chief in the Congo thought that he ruled a district in Uganda (International Crisis Group, 2000: 35-38). On the contrary, Jean-Pierre Bemba retained the control of his movement, as the chairman, although Uganda was working hard to unify MLC-ML and MLC so as to have them under their command. Because Wamba was opposed to Uganda's strategy, he was sacked as head of RCD-ML by the UPDF in January 2001 and was taken hostage (IRIN-CEA, 2000). The outcome of the Ugandan efforts were realized in a reversed form: The two parties (MLC-ML and MLC) merged unilaterally into a single movement known as the Congolese Liberation Front (CLF) under the leadership of Jean-Pierre Bemba, with lesser Uganda's affiliation.¹⁰ The proxies' negative impact on the peace process manifested itself further during the moment of signing the LCA in two ways.

The first way was during the formal negotiations of the ceasefire, when each of the fractured rebel groups (mentioned above) claimed to be the official representatives of RCD at the LCA negotiations. According to Swart and Solomon (2004) and Cilliers and Malan (2001), the split in the RCD prolonged the process of signing the LCA because of lack of consensus on the official faction that would represent and sign for the RCD. Swart and Solomon (2004: 12) add that at one stage, Wamba dia Wamba occupied the official seat of the RCD, and the ensuing controversy about his admissibility to position further plunged the process into a standstill.

In the second way, Kabila remained reluctant to sign the ceasefire, viewing it as having given the rebels undue status. As signatories of the ceasefire, the rebels were

¹⁰ While Rwanda directly controlled the RCD-Goma faction of Adophe Onusumba, Uganda controlled RCD-ML of Mbusa Nyamwisi. These were their two new proxies. Wamba dia Wamba patronized RCD-Kisangani, also a splinter faction of RCD (ICG, 2002: 21).

being given recognition of the same level as Kabila, who was head of state. However, the mediators pressured Kabila into signing thereby completing the process, as now all Heads of State of the DRC, Namibia, Rwanda, Uganda and Zimbabwe as well as Angola's Minister of Defence had signed as at 10 July 1999. However, the rebels allied to Rwanda and Uganda remained recalcitrant until their masters had signed. In a report to the US State Department on her visit to Lusaka to evaluate the negotiations, Susan Rice stated that the US "...looked forward to the rebels and those that have close relationships with the rebels to ensure that the documents are signed by all and implemented as soon as possible" (US Department of State Briefing on Africa, 15 July 1999).

This clear position by the US seemed to bear upon Rwanda and Uganda to authorize their proxies to sign. In deed, both countries gave the green light to their proxies to sign, a move that subsequently saw Jean-Pierre Bemba, the leader of the Ugandan-backed MLC, sign on 1 August 1999 while the two factions of RCD allied to Rwanda and represented by 50 people, signed on 31 August (IRIN, 2003a: 4 -11). The delay by RCD factions to sign the agreement was because the two factions, being proxies of Rwanda, had to consult with their master (Rwanda) before concluding such a major process. Again this points at how tightly Rwanda and Uganda effectively controlled their proxies.

A positive element of the inter-Congolese dialogue was that it led to the gradual separation of the ex-FAR from the Congolese government forces. The ex-FAR, which had fought alongside Kabila, moved to the interior of the country to the eastern fringes. However, the military pressure exerted on the ex-FAR from Rwanda since 1996 forced them to transform into the Democratic Forces for the Liberation of Rwanda – FDLR (Forces Démocratiques de Libération du Rwanda) in the year 2000 (Marina, 2006: 5) with the view to encouraging negotiations with the RPF regime.

The above two instances illustrate the difficulty that negotiations emanating from a stalemated outcome in a conflict face in reaching a ceasefire. They also point to the important role that the international community can play in providing momentum and legitimacy to stalled peace processes. According to Swart and Solomon (2004: 12-

13), the representatives of the international community to the negotiations prevailed upon Kabila to adhere to the talks and sign the ceasefire because it was becoming apparent that the commitment of Kabila's allies (Zimbabwe, Namibia and Angola) to continue the war was reducing, while Rwanda, Uganda and their proxies were ready to pursue a military solution, as was the case in the first war. As a result, add Swart and Solomon, the LCA was Kabila's only way of clinging to power, as, despite Kabila's claim of victory, he had never recovered any part of the territory taken by Rwanda and Uganda, and their proxies since the start of the second war.

In order to prevent the occupying powers and their proxies from extending their occupation into the rest of ungoverned spaces in the Congo the mediators sought to have a ceasefire that would at best freeze all the armies in their positions as the negotiations for a peace agreement went on. This would at least secure Kabila's regime from a fate similar to Mobutu's. However, the ceasefire did not impose cessation of fighting to the parties for fear that they would refuse to sign if this was imposed on them. The fragility of the Ceasefire was soon evident when in October, three months after the signing, Kabila's forces attempted in vain to dislodge Rwanda and RCD-Goma from their control of the strategic diamond-rich town of Mbuji-Mayi (IRIN, 2003b: 26).

6.2.2 Interveners and interests in the war

By the time the second war erupted, a number of things had changed in the region. One of the major changes was the signing of the non-aggression treaty between the ECCAS member states (as discussed in chapter five). Rwanda's refusal to sign the treaty, followed by its invasion of the DRC projected it as an aggressor, and turned a number of countries against it while the DRC attracted their sympathy. Secondly, Pretoria moved hastily to push for the DRC's inclusion in the SADC regional arrangement. Having DRC as a member of SADC provided Pretoria a better opportunity not only to influence Kabila's behaviour, but also to demonstrate to Rwanda, Uganda and Burundi the willingness of SADC to support Kabila. This was to prove a very important factor in the pursuit of the second war.

Kabila seized the opportunity to join SADC, and further appealed to fellow SADC member states for assistance in the wake of the aggression by Rwanda. The request, tabled at a SADC summit held on 18 August 1998, saw Zimbabwe, Namibia and Angola respond by offering military assistance. President Mugabe of Zimbabwe was at the time the chairman of SADC's Political, Defense, and Security Organ, and he used the position to rally Angola and Namibia behind Zimbabwe in undertaking a military intervention into Congo (Carayannis, 2003: 243). On the other hand, South Africa pushed for negotiations. All these were based on state interests, as discussed later.

The prompt military intervention by the three SADC countries (Zimbabwe, Angola and Namibia) completely turned the tide of the war. The Rwandan alliance was now challenged by a new Kabila-SADC alliance. At the height of the war there were armies from several African countries. These were Angola, Burundi, Chad, Namibia, Uganda, Rwanda and Zimbabwe. Libya and Sudan also provided non-military support. In the end there was a considerable number of soldiers engaged in the second war. These according to Braeckman (2001: 150-151) included 150,000 soldiers from the Congolese Armed Forces - FAC (of these, only 25,000 were fully trained; 40,000 Interahamwe militia; 11,000 soldiers from the Zimbabwe National Army; 3,000 soldiers from the Angolan army; 4,000 Namibian troops and 1,000 soldiers from Chad who joined in September 1998, and stayed for 15 months on the Kabila side before they withdrew.

On the Rwandan alliance side there were 15,000 soldiers from the RPA and 16,000 from Uganda. Burundi had an estimated 1,000 soldiers. The two proxies of Rwanda and Uganda (RCD and MLC respectively) had 50,000 and 10,000 troops respectively. Libya and Sudan were also involved, with Muammar Qaddafi offering moral support to Kabila, while Sudanese government offered financial support to Uganda.

Thirdly, the international community had grown weary of the lengthy DRC conflict and other conflicts around the continent, and was much more willing to end the war than before. SADC spearheaded the initiatives to end the war. But why the intervening countries did not give up and withdraw from the DRC's complex and

lengthy conflict was of interest to the whole complexity of the war. One of the ways in which to understand this phenomenon is by exploring the interests of those who intervened.

Under the façade of intervention were multiple economic and security interests (see chapter four), much to the confirmation of Daley's argument that as much as peace negotiations can be perceived as political struggles in a boardroom between the parties, often there is a prevalence of a multitude of supporting actors seeking to promote vested interests. In a similar manner, the resulting peace agreement is not necessarily consensual or reflective of a compromise for the sake of peace but rather a product of international, regional and local actors and their competing visions of peace (Daley, 2007: 333).

All actors that intervened in the DRC civil war had own interests of doing so. Pretoria moved hastily to push for the DRC's inclusion in the SADC regional arrangement. Having DRC as a member of SADC provided Pretoria with a better opportunity not just for influencing Kabila's behaviour, but it also offered South Africa the prestige to demonstrate to the world its ability as a hegemonic power as well as a peace broker. On the other hand South Africa was conscious of the fact that if it failed as a mediator in the peace talks it would need to send peacekeepers to an environment that was very already challenging. However, beneath this lay economic interests, with Pretoria fully aware of the investment opportunities that the DRC would present it in terms of mining concessions. This interest emerged soon after negotiations started when Pretoria offered Kabila a post-conflict reconstruction aid as incentive, in exchange for Kabila's cooperation in the talks to end the war (Landsberg, 2007: 173).

In responding the invitation by SADC, Kabila appealed to fellow SADC member states for assistance in the wake of the aggression by Rwanda. The request, tabled at a SADC summit held on 18 August 1998, saw Zimbabwe, Namibia and Angola respond by offering military assistance. President Mugabe of Zimbabwe was at the time the chairman of SADC's Political, Defense, and Security Organ, and he used the position to rally Angola and Namibia behind Zimbabwe in undertaking a military intervention into Congo (Carayannis, 2003: 243).

The two differing positions that characterized SADC member states pointed to the competing interests of the countries in relation to the civil war in the DRC. Whereas Pretoria chose a diplomatic/negotiation approach to the termination of the conflict, the other three countries opted for a military solution, although every individual State had its own political objectives for intervening in the conflict. The differences in approach between the two SADC camps divided the sub-regional organization. On the one hand was South Africa and its supporters and on the other hand was the “coalition of the willing,” which according to Carayannis and Weiss (2003: 254) was comprised of an *ad hoc* coalition of States formed due to their own particular interests, led by Zimbabwe.

Intervention also came from beyond the GLR. For instance the US sent Susan Rice as early as 1999, the US to work closely with the SADC initiative at terminating the war. This was followed by the appointment of Howard Wolpe as the US Special Envoy to the talks (US State Department, 1999). Soon after other actors such as Nigeria, Libya, the OAU and the UN also intervened diplomatically. The international communities managed the process that led to the signing of the LCA from the start. As the negotiations carried on, several countries engaged in the plunder of the DRC’s natural resources as described in chapter five.

Intervener’s interests also took the form of actors wanting to ensure that they had proxies on the ground in the DRC who would ensure their continuous presence in the country even when the actors (in this case masters of the proxies) would not be physically on the ground. In a move to strengthen their military preparedness, Rwanda and Uganda each sought a new local proxy, such that from August 1998, the eastern DRC was under the control of the armed forces of Uganda and Rwanda, and to a lesser extent Burundi, in shifting alliances with local armed political groups. These countries continued to use proxy local militia groups to exert their influence in the eastern region of Congo. Cunningham (2010) asserts that the behaviour of Rwanda and Uganda in the Congo at the time reflected the argument that when states intervene to pursue independent goals in conflict, they often do work through domestic combatants. This depicts how national interests dictated actions of these

states in creating proxies. It is the same logic that guided the nine countries that eventually intervened in the DRC's second phase of the war. It was within the framework of these interwoven interests that the Lusaka Ceasefire negotiations were conducted, making the process lengthy and complicated.

6.2.3 The Lusaka Ceasefire Agreement (LCA)

No sooner had Kabarebe launched a blitzkrieg on Kitona on 02 August 1998 after mobilizing the new proxy, RCD, than the OAU, which had dithered over involvement in the first negotiations was now quick to call for negotiations and sought support from the UN and France to try and bring the parties to negotiations. Just two weeks into the war, the OAU and France initiated a diplomatic process to end the war. The UN Secretary-General Kofi Annan, during the 20th Franco-African summit in which 34 African leaders attended in late November 1998, echoed the call for negotiations. He appealed on the African leaders, especially those at the core of the war in the DRC, to renounce violence and accept compromise for the sake of peace in Africa.

President Jacques Chirac of France on his part called for a regional peace conference in Africa's Great Lakes region. Chirac's call for a regional initiative inspired President Pasteur Bizimungu of Rwanda and Yoweri Museveni of Uganda to immediately express their willingness to meet with Kabila for the first time since the start of the second war. The OAU chairman at the time, Blaise Compaoré of Burkina Faso supported Chirac's appeal for Africans to take responsibility for their own security (Patton, 1998: 1). Two days after the Franco-African summit, on 29 November 1998, Annan presided over a meeting between Kabila and the leaders of Uganda and Rwanda. Also present were the heads of state of Zimbabwe and Burkina Faso. Every party agreed to a greater rapprochement and Kabila yielded to democratic reforms and the need to establish dialogue (Associated Press, 1998: 1-2).

The processes managed by the Franco-African summit, SADC and the OAU contributed to signing of the Lusaka Ceasefire Agreement in July 1999. For the first time, all the parties had met and agreed on establishing processes that would lead to the peaceful resolution of their differences as well as embarking on a political

reconstruction of the Great Lakes region. Besides embodying a number of deficiencies as highlighted above as well as below, the ceasefire marked a turning point in the de-escalation of the conflict because it focused, for the first time ever, on military aspects of the conflicts, in addition to giving attention to the political objectives of the main actors – Rwanda and Uganda, principally. This was contrary to all previous negotiations that had failed, principally because (and perhaps unknown to the negotiators) they had eschewed military issues.

The LCA called upon all the parties to normalize the situation along all the borders of the DRC; to combat the illicit trafficking of arms and the infiltration of armed groups; to support the holding of a national dialogue on the future government of the DRC; to establish a mechanism for disarming militias and armed Groups and the establishment of the Mission de l'organisation des Nations Unies au Congo (MONUC - United Nations Mission in the Congo), the UN peace keeping force.

The UN was to deploy a peacekeeping mission within 90 days that would be mandated among other things to contribute to the disarming of armed groups as a way of establishing a conducive environment for the withdrawal of all forces, the re-establishment of state administration throughout the Congolese territory and the implementation of measures that would lead to the normalization of the situation along Congo's international borders. All these were to be realized within 360 days (Rogier, 2003:16).

Under resolution 1291 of the UN Security Council passed on 24 February 2000, the UN created MONUC (now MONUSCO - United Nations Organization Stabilization Mission in the Democratic Republic of the Congo) with an initial strength of up to 5,537 military personnel, including up to 500 observers. MONUC was mandated, among others, with the role of monitoring the ceasefire, to ensure that each of the forces located in the three sectors of the Congo maintained their areas of operation. Indirectly this division of the country into sectors (see Appendix IV) controlled by various factions contributed to the pillaging of Congo's natural resources, as discussed earlier. Kabila's frustration of the implementation of the LCA extended to MONUC. It was reported that the Congolese authorities were imposing tough

conditions on flight clearances for, and levied taxes, fuel charges and unfavourable exchange rates on MONUC. The other belligerent parties also restricted the movement of UN staff within the zones they controlled (UNSG Report, S/2000/888: Para 41).

On 4 December 2002, the UN Security Council passed Resolution 1445, increasing MONUC's military personnel from 5,537 to 8,700 to enable it to carry out more efficiently its ceasefire monitoring role, and as a way of exerting more force to MONUC's mandate, which was wholly military in design. It entailed among others to develop an action plan for the overall implementation of the Lusaka Ceasefire Agreement by all concerned with particular emphasis on: (i) the collection and verification of military information on the parties forces; (ii) the maintenance of the cessation of hostilities and the disengagement and redeployment of the parties' forces; (iii) the comprehensive disarmament, demobilisation, resettlement and reintegration of all members of all armed groups; and (iv) the orderly withdrawal of all foreign forces.

On the other hand, the military concerns of the LCA Ceasefire as contained in its Article I were: (a) the cessation of hostilities between all the belligerent forces in the DRC, (b) the effective cessation of hostilities, military movements and reinforcements, as well as hostile actions, including hostile propaganda; (c) a cessation of hostilities within 24 hours of the signing of the Ceasefire agreement (Cilliers and Malan, 2001: 2-5).

Essentially, the core of the LCA was therefore that parties disengage and redeploy immediately; the DRC government, together with the Congolese armed opposition (RCD and MLC) as well as political unarmed opposition to hold an Inter-Congolese National Dialogue (ICND) that would, within 90 days lead to a new political dispensation in the country. This was contained in Chapter five of the LCA.

Although the agreement had two enforcement mechanisms (a joint military commission – JMC and a peace support operation led by the UN), its implementation was faced with challenges. Despite Kabila's signing of the Lusaka Agreement, his

commitment remained questionable when, soon after signing, he denounced it as flawed and unacceptable. This move must have come as unexpected even to Kabila's allies (Zimbabwe, Angola and Namibia), who now found their intervention in the conflict hurting rather than beneficial. Kabila started by rejecting the mediation of Ketumire Masire, former president of Botswana, who had been agreed upon at the Lusaka negotiations. Kabila was soon calling for a renegotiation of the agreement.

In addition to the above, the Ceasefire, under Article I (3), called for the cessation of attempts to occupy new ground positions and the movement of military forces and resources from one area to another, without prior agreement between the parties; all acts of violence against the civilian population among other things (Lusaka Ceasefire Agreement, 1999: 2-3).

Ultimately the ceasefire covered the external and internal interests of the conflict, which were further divided into military and political issues. For instance Article I (2b) dealt with internal military issues of all parties to the conflict. It called on all armed parties to cease military movements and reinforcements. This was a military requirement that covered both state and non-state parties to the conflict. On the other hand, Article III (19) set the tone for an exclusive internal political process. It called upon the Government of the DRC, the armed opposition (RCD and MLC) as well as unarmed opposition to engage into an open dialogue aimed at establishing a new political dispensation and national reconciliation. Annexure "B" of the LCA, on the other hand, contains the overall calendar for the implementation of the military aspects of the agreement, including the disengagement of all the forces.

In order to ensure neutrality, the Joint Military Commission/OAU and UN were to jointly draw up a definitive schedule for the orderly withdrawal of all foreign forces from the DRC. The ceasefire was signed by the leaders of the six states that were parties to the conflict (the DRC, Zimbabwe, Namibia, Angola, Rwanda and Uganda) as well as the armed groups days later. Although the inclusion of the military issues marked a major turning point in the conflict, several challenges emanated from the implementation of the ceasefire.

6.2.4 Challenges to the ceasefire, and the stalemate

The first challenge was that ceasefire violations remained rampant, as it lacked enforcement mechanisms. The fact that the ceasefire had frozen all foreign armies in their respective regions in the DRC meant that both those in support of the regime and those backing the rebels, were reluctant to disengage without a peace agreement that laid down the terms of peace – yet the ceasefire was too weak to force any of the parties to negotiate a peace settlement. In a similar vein, there was very little willingness by both sides of the Congolese belligerents in engaging in an ICND as contained in the LCA. It would be difficult for the ICND to take place in an environment where external militaries (with their Congolese proxies) were static in their respective territories of the DRC.

A number of reasons prevailed in explaining why Laurent Kabila frustrated the efforts of the OAU negotiator, the former Botswana President Masire, to initiate the ICND. Firstly, he did not appreciate his rule being put to question in the name of a national dialogue, as that would demean his stature. Secondly, he could not withstand the ICND giving equal status to his armed and un-armed erstwhile enemies in a possible power-sharing arrangement (Rogier, 2004: 27). Kabila expected an adoption of a new constitution that would lead to elections under his control, so as to attain some legitimacy (Reyntjens, 2007: 308-309).

The second challenge emanated from the ceasefire's narrow scope. It only focused on the internal concerns of the DRC, without referring to how the parties should tackle the proximate causes of the war. According to Weiss (2006: 3-4), the LCA neither interrogated nor sought to address the interests of all the countries that had intervened in the war. Related to this was the fact that the Ceasefire did not compel the hostile foreign armies to withdraw unconditionally, despite recognizing their destabilizing presence on the Congolese soil. In doing so, according to Mangu (2003: 246), it authorized "...the Rwandan and Ugandan armies to stay on Congolese soil and... to administer part of the Congolese territory...it regrettably condoned the Rwandan and Ugandan aggression and "legalized" their interests in violation of the sovereignty and territorial integrity of the DRC, and their interference in the Congolese affairs."

Thirdly, the ceasefire suffered a commitment problem due to the absence of an authority to guarantee its enforcement. This void made the Ceasefire less effective in preventing renewed violence. The negotiations were more of a platform for securing international recognition rather than representing a commitment to peace by the signatories (Swart and Solomon, 2004: 15-16). Despite this challenge, the military strengths of the Lusaka Agreement (highlighted above) helped to hold it intact in many ways. For instance it stipulated a timetable that required the withdrawal of all foreign troops by February 2000 as well as allow the UN to deploy 500 peace monitors.

The fourth impediment stemmed from the split within the rebel movements and the clashes between Rwanda and Uganda. Katararo (2002: 61) documented that the tension, which started within the RCD even before the LCA was signed (the entire founding group of 51 RCD members had to be brought to sign the agreement) now became irreparable. After the signing, RCD-Goma and RCD-Kisangani factions separated completely, prompting RCD-Kisangani to even change its name to Rassemblement Congolais pour la Démocratie - Mouvement de Libération (RCD-ML) and moved its base from Kisangani to Bunia where it put into place a transitional government. RCD-ML further split into another faction, Congrès des progressistes pour la libération (CPL). RCD-Goma also split up, with a new party emerging known as RCD National under the leadership of Rogers Lumbala.

The fracturing of the rebel movements presented a major challenge to the implementation of Chapter 11 of Annexure “A” of the LCA. This chapter stipulated that all forces should re-deploy to their defensive positions and subsequently provide relevant information on regarding troop strength, armaments and weapons they hold in each location, to the JMC, OAU and UN mechanisms. Article 11.4 further called on the JMC to verify the reported data and information. All forces were to be restricted to their declared and recorded locations and all movements were to be authorised by the JMC, OAU and UN mechanisms. All forces were therefore to remain in their declared and recorded locations until: (a) in the case of foreign forces, withdrawal has started in accordance with JMC/OAU, UN withdrawal schedule; and

(b) in the case of FAC and RCD/MLC forces, in accordance with their negotiated agreement.

The split within RCD and the relocation of the splinter groups was therefore a violation of the LCA. Related to this challenge was the clash between Rwandan and Ugandan troops hardly a month after the signing of the LCA. The two long-time allies first clashed on 7 August 1999 and again on 14 August 1999. However, the biggest fight between the two was in Kisangani, from 5 – 11 June 2000, and it led to the death of 760 civilians in addition to 1,740 injuries. Another 61,000 people were displaced and 4000 houses burnt as a result of the fight (Katabaro, 2000: 61).

The fifth challenge emanated from Kabila's attitude towards the ceasefire. This was most evident when, at a 2000 SADC meeting, President Kabila rejected President Masire as facilitator (Arnold, 2005: 892-893), accusing him of bearing a South African bias. Kabila believed that South Africa had a close relationship with both Rwanda and Uganda. Subsequently, Kabila suspended the Lusaka Ceasefire and called for direct negotiations with Rwanda, Uganda and Burundi. He also rejected the UN peacekeeping mission in the Congo. This presented enormous consequences to the implementations of the LCA.

6.2.5 The end of the stalemate

Due to the foregoing factors, effective implementation for the LCA was impeded. The best outcome that the ceasefire achieved was to freeze the belligerents in their respective areas of operation. By 2001, after three years of war, the DRC had been divided into three major administrative zones. The government controlled the western region of the country with the support of Zimbabwe and Angola, while the north and the east were under the rebels supported by Uganda and Rwanda respectively (see Annex I). Burundi also kept close surveillance over its borders in the south. The three countries, insisted that as long as Kabila refused to address the security of their borders against rebel incursion, the stalemate would continue.

The assassination of President Laurent Kabila on 16 January 2001 provided a new window of opportunity in the stalemated process. Like in the case of UNITA's weakening when Savimbi was killed (see chapter one), the death of President Laurent

Kabila gave leverage to Rwanda and Uganda, who seized the moment to make their terms of peace known to Joseph Kabila, the successor to Laurent Kabila. Joseph Kabila committed immediately to the restoration of the Lusaka peace process that his father had stalled. He agreed to negotiate on the terms that Rwanda and Uganda had presented. That these two agreements were central to the military issues at the centre of the conflict calls for a closer analysis of each of them.

6.2.6 The Pretoria and Luanda peace agreements

Joseph Kabila, being new on the scene, easily yielded to the pressure exerted by Rwanda and Uganda both, which had set their own terms for military withdrawal from the DRC. These, in classical military theory, comprised the terms of peace. The real agenda of each country was embedded in the contents of their terms of peace as presented to Kabila in their respective agreements. Appendixes I and II summarise the main military conditions that the two countries entered into with the DRC.

A general comparison of the two agreements (summarized in appendixes I and II) provides an indication of the magnitude of the tasks that befell the DRC. In trying to meet the obligations set out in the two agreements. The Pretoria Peace Agreement (with Rwanda) lays more emphasis on the eradication of the perpetrators of the genocide (ex-FAR and Interahamwe). Rwanda sets the condition for its withdraw from the DRC in Article 5 (dismantling of the ex-FAR and Interahamwe forces in the DRC). This disregarded the condition set by the DRC in Article 4, when it called on Rwanda to withdraw from the DRC without further delay. The tone in these two articles is therefore contradictory. The issue of dismantling ex-FAR and Interahamwe became the dominant theme in the entire agreement, as all the articles including the title of the agreement revolved around this theme.

The conditions for the withdrawal of Rwandan forces are set out in point 5 and further emphasised in point 8.3 of the agreement. (Pretoria Peace Agreement, 2002: Article. 5). It is therefore no wonder that in both the first and the second war when Rwanda, using proxies invaded the DRC, the objective was to achieve tactical victory over the Interahamwe and the Ex-Far. That Rwanda continued, even after the end of the second war to regard ex-FAR and Interahamwe (now the *Democratic Forces for the*

Liberation of Rwanda - FDLR) as a potential threat to the security of Rwanda is not surprising.

On the other hand the Luanda Agreement (with Uganda) focused on a much wider scope than just security concerns. As the title of the agreement portrays, its contents went beyond the withdrawal of Ugandan troops to include cooperation and normalization of relations. Article I (2) sets the tone of the process when Uganda agreed to "...unilaterally and unconditionally withdraw her troops..." this was unlike the case of Rwanda, which based its withdrawal on the dismantling of the ex-FAR and Interahamwe. Uganda further agreed to be part of the Joint Ituri Pacification Committee (IPC). Both Uganda and the DRC also unconditionally agreed to refrain from offering military and logistical support to armed groups targeting each other and to keep the government of Angola informed on the progress of withdrawal of Ugandan troops as stated in Article II (2) and Article I (5) respectively.

In summary therefore, the major contrast between the two agreements lay in the different approaches in which the two countries presented their terms of withdrawing their forces from the DRC. On the one hand was Rwanda which maintained that its withdrawal was subject to the tracking of ex-FAR and Interahamwe and on the other hand was Uganda which did not condition its withdrawal on strictly military matters but rather chose a diplomatic way out of the conflict by agreeing to keep its troops on the slopes of Mt Ruwenzori (on the Ugandan territory) until the parties had put into place security mechanisms whereas Rwanda would only retreat from the DRC territory upon being seeing that effective measures to address its security concerns had been put in place. Uganda and the DRC also agreed to resolve any future differences between them through dialogue and other peaceful means" (UN Secretary General's Report, S/2002/1005). One would therefore wonder why Uganda did not act like Rwanda by pegging its withdrawal to the dismantling of the Allied Democratic Front (ADF) rebels composed of former soldiers of Idi Amin, the National Army for the Liberation of Uganda (NALU) and the Lords Resistance Army (LRA), all which were based in eastern DRC and targeted Museveni's regime (Katabaro, 2002: 56). One way of understanding the contrast between Uganda's approach and that of Rwanda is that it (Uganda) had grown weary of the conflict and

sought for an exit strategy in the shortest time possible, but one that would ensure continued access to the DRC's natural resources. This is because it was clearly apparent that none of the belligerents would gain tactical victory in the battlefield because of the multiplicity of actors. According to Museveni, a peaceful exit with assured continued access to the DRC was the easier way out.

Article VI covered Uganda's interest in this regard as the parties agreed to "...re-establish the Joint Verification Commission (JVC) that would ensure cooperation in the various areas, including trade and investment, infrastructure transport, communications and cultural exchange." This points to where Uganda's interest (like all other actors in the war) in the DRC was – economic. Uganda had found an opportunity to change tactics for attaining the same goal while at the same time exiting the war in a stoic manner. In totality however, the core of the two agreements cited above was the withdrawal of troops from the DRC, much as economic interests of Rwanda and Uganda still remained. All parties had in effect come to the realization that the withdrawal of troops was primary to the ending of the stalemate.

In the context of the Pretoria Peace Agreement, South Africa and Rwanda were to form a third party verification mechanism (TPVM), with MONUC as the operational section of the process that would oversee the dispersal of armed groups and the withdrawal of the Rwandan troops, the guiding principle was trust. Soon after the signing of the Pretoria Agreement, Rwanda started immediate withdrawal of its troops (UNSG Report, S/2002/1005). According to Rogier (2003: 54), Rwanda, which had consistently vowed not to withdraw until the threats of Interahamwe and FDLR were neutralised, surprisingly withdrew 23,400 from the DRC troops by mid October 2002. He concludes that Rwanda withdrew in such haste in a bid to restore its international image, especially its relations with the US. It also aimed to influence the impending report of the UN Panel of Experts, by refocusing the attention to Kinshasa's commitments in the agreement.

Further more, the UN Panel of Experts established that Rwanda had withdrawn rapidly so as to dissuade the international by diverting its attention to the momentous withdrawal of its troops while obscuring the troops that it retained on the DRC

territory, in particular the “mining battalions” that ceased wearing RPA uniforms but continued to exploit the DRC’s mineral resources (Report of the Panel of Experts, S/2002/1146 of 16 October 2002, par. 15). In this way Rwanda continued to pursue its economic interests. On its part, MONUC also pointed out that it had experienced difficulty in distinguishing between Rwandan and RCD-Goma combatants because they wore the same uniforms and carried similar weapons. It was later concluded that Rwanda had retained thousands of troops under the guise of RCD-Goma (Rapport Afrique, No 63: 2).

In accordance with the LCA, MONUC oversaw the withdrawal and verification of 2,287 Ugandan, 3,477 Zimbabwean, and 700 Burundian troops, although, as contained in the Luanda Agreement, some Ugandan troops remained in Ituri District (Rapport Afrique, No 63:2-3). Despite all the challenges of withdrawal of troops, the process was declared complete in October 2002, marking a formal end to the second war. This had a momentous impact on the ICND, as the proxies of Rwanda and Uganda were left with little option other than join the ICND that was just starting, and whose aim was to solve the internal elements of the conflict.

As the Congolese parties conducted their dialogue, leading to enactment of the transitional constitution (as described below), Rwanda and the DRC remained engaged on security issues relating to the threats posed on Rwanda by ex-FAR and Interahamwe. For instance, in September 2004, the two governments signed the terms of reference for a Joint Verification Mechanism (JVM), that established a joint team composed of experts from both countries, MONUC and the African Union (AU). The mandate of the JVM was to address cross-border issues, with a particular focus to the threats that Interahamwe and ex-FAR may pose on the security of Rwanda. In October 2004, JVM formulated its operational procedures that were adopted in November 2004, making the body operational (Dagne, 2011: 2-3). This was an enhancement of the formal termination of the external aspect of the conflict. By this time, the inter-Congolese dialogue had also progressed to termination despite several challenges, as discussed below.

6.3 The Inter-Congolese National Dialogue (ICND)

The objectives of the ICND was embedded in Article III of the LCA, which spelt out the principles of the agreement, and its objectives. Part 19 of Article III states that the Agreement was to lead to a new political dispensation and national reconciliation in the DRC. The participating groups were to agree on a neutral facilitator, and that the negotiations would be conducted in accordance with the provisions of Chapter 5 of Annex “A,” (The Lusaka Ceasefire Agreement, Article III, Part 19). This was supposed to lead to an inter-Congolese dialogue under a neutral facilitator acceptable to all the parties. The outcome of the negotiations was supposed to be (a) re-establishment of state administration throughout the country and (b) the formation of a national restructured and integrated army. However, until the ICND were completed, each group would continue to hold onto the territory under its control (Katabaro, 2002: 59).

The ICND was of historical significance in the peace process in the DRC besides just producing a negotiated settlement that would end the internal war in the DRC – it meant a revival of the process of democratization that had started under the sovereign conference in 1991. President Mobutu Sese Seko as noted in chapter four, had frustrated the Sovereign National Conference (SNC) in his bid to retain power. Similarly Laurent Kabila, like his predecessor had ignored this process when he came to power in 1997 (Naidoo, 2002: 6). This was a violation of Annexure “A” of the LCA, which laid down the modalities for the implementation of the Ceasefire. Chapter 5 of this annexure dealt with the issue of national dialogue by stating that once the agreement came into force, the parties would do their best to adhere to the inter-Congolese political negotiations, which should lead to a new political dispensation in the DRC.

Chapter 5.2 lays down the conditions that the parties would have to fulfill in order to arrive at a new political dispensation and national reconciliation arising from the inter-Congolese political negotiations: (a) the inter-Congolese political negotiations process shall include besides the Congolese parties, namely the Government of the Democratic Republic of Congo, the Congolese Rally for Democracy and the

Movement for the Liberation of Congo, the political opposition as well as representatives of the *forces vives* (civil society); (b) all the participants in the inter-Congolese political negotiations shall enjoy equal status; (c) all the resolutions adopted by the inter-Congolese political negotiations shall be binding on all the participants (The Lusaka Ceasefire Agreement, Annexure A, Chapter 5.1).

Chapter 5.5 of the LCA called upon the inter-Congolese parties to agree on: (a) the timetable and the rules of procedure of the inter-Congolese political negotiations; (b) the formation of a new Congolese National army by integrating soldiers from FAC, the armed forces of the RCD and the armed forces of the MLC; (c) the new political dispensation in the DRC, in particular the institutions to be established for good governance purposes in the DRC; (d) the process of free, democratic and transparent elections in the DRC; and (e) the draft of the Constitution which shall govern the DRC after the holding of the elections. This section of annexure “A” therefore defined the objectives of the ICND. On the other hand, part 5.6 set forth the calendar of the ICND, which was ninety days.

The impediment that President Laurent Kabila had placed on the implementation of the LCA and thus that of the ICND ended when he was assassinated. When Joseph Kabila concluded the two agreements with Rwanda and Uganda, he had dealt with the external aspect of the conflict, paving way for the internal one to start under the ICND. The momentum of all the parties to the conflict to re-engage in negotiations was rekindled when the new president called upon the mediator to start the process. The parties allowed Masire, whom Laurent Kabila had rejected, to take up his role as facilitator of the ICND. He held preliminary meetings with the signatories of the LCA, followed by a preparatory meeting with a representative sample of the political opposition with the objective of agreeing on the venue, date, agenda and rules of procedure that would govern the dialogue (Katabaro, 2002: 66). As such, the parties held several “talks about talks” due to disagreements on the way forward. However, this was not a strange happening in this kind of negotiations because it helps in establishing a mutual relationship among parties that were initially hostile or enemies during the conflict.

Whenever successful, “talks about talks” or pre-negotiation meetings enhance the chances of a successful outcome. It contributes to a paradigm shift among the parties before the talks start. For instance government side, entering negotiations with opposition forces is made to recognise that that the status quo is not sustainable and that a peace agreement will entail some structural reforms to accommodate some of the insurgents’ demands. This therefore entails a paradigm shift on the part of the government, which may have to accept change of regime, power sharing or secession (Dudouet, 2008: 10)

The first task for Sir Ketumile was an attempt to broker a pre-dialogue agreement, in a meeting held in Gaborone from 20-24 August 2001, in which the parties agreed on the place, date and agenda for further talks. However, the next meeting, which was to mark the start of formal ICND negotiations, collapsed when the parties met on 15 October 2001 in Addis Ababa. The government walked out of the meeting arguing that the negotiator had changed the objectives to include a discussion on the composition of delegates whereas it was initially meant to only agree on the venue for further negotiations and to resolve the issue regarding the participation of the Mai Mai and RCD-ML participation (ICG, 2001b: 8). In other instances, the parties to the ICND haggled over who would be permitted to negotiate and with what status; which groups or governments and non-governmental organisations they would meet.

According to Katararo (2002: 66), drawing from the experience of the sovereign conference, where 131 parties had clamoured for representation, there was need to agree beforehand who should attend and who shouldn’t attend the ICND. Therefore a number of issues needed to be resolved before the main talks could start. First was the fracturing of the rebels that had signed the LCA. For instance as stated earlier, the main RCD had split into several factions while new ones such as the Mai Mai also developed, resulting in renewed rivalries.

In order to deal with these new challenges, the facilitator, according to Katararo, needed to tackle three issues. First, he needed to reach a binding agreement with all armed stakeholders that they would cede any part of the territory under their control to the transitional government regardless of whether they were part of that government. This agreement should have also defined the manner in which the rebel

governments would integrate with the national transitional government. Second, there should have been an agreement by all the parties relating to the control and containment of all the armies during the transition period. This would have checked against the tendency of the armed groups reverting to armed resistance in case their aspirations were not met. Third, the parties needed to reach a framework agreement on the way forward regarding the participation of all armed groups, including those that had emerged after the signing of the LCA. Such a framework would have to be adopted and approved by all parties comprising the ICND. Ketumire seemed to be aware of these important steps. That would explain why he started with pre-negotiations talks. Appendix IV presents a chronology of the major discussions that took place, leading to the signing of the GIA in 2002.

As is deducible from the table in Appendix III, the ICND was a process that was plagued with insufficient political preparation, unresolved quarrels over the composition of delegations and power-sharing issues. For instance the first Sun City negotiations broke down because the MLC rebels proposed a revolving presidency every three years, and suggested that the prime minister comes from the unarmed political opposition and the president of the Parliament to come from the *forces vives de la nation*. The Kabila government rejected this proposal, arguing that the post of head of state wasn't vacant, therefore was non-negotiable. Kabila suggested having two vice-presidencies for the two rebel groups (RCD and MLC) while the position of prime minister would go to the unarmed opposition and the presidency of Parliament to the Forces vives.

MLC and RCD pulled out of the talks with the latter declaring to return to war. The planned summit between Kabila, Jean-Pierre Bemba and Adolphe Onosumba, was also postponed indefinitely. This disagreement was no different from the earlier one in Abuja where the majority of the parties had agreed on the representation of the Mai Mai, religious groups, traditional leaders and the unarmed groups but MLC disagreed. In the meeting in Abuja, un-armed also expressed their intention to withdraw from the talks, arguing that the government's declaration was a violation of the principles adopted in Lusaka in 2001 (Swart and Solomon (2004: 24-25). These groups according to Swart and Solomon, included Christian Social Democrat Party (PDSC),

Congolese-Lumumba National Movement (MNC-L), *Forces* for Renovation for *Union and Solidarity* (FONUS), the Union for Democracy and Social Progress (UDPS), United Lumumbist Party (PALU) and the Popular Movement of the Revolution (MPR).

Swart and Solomon (2004: 25) echo Mitchell (1981) observe that differences among rivals may also emanate from cultural and ethnic differences both indirectly by making difficult the development of even a minimal level of trust and directly by preventing even agreement on what the negotiations should be about. This, adds Swart and Solomon, may make adversaries fail to comprehend their opponent's understanding of the problem and the issues at hand and therefore send wrong signals that the other side is intentionally distorting the process so as to further its own interests. Therefore from Lusaka, to Gaborone, Abuja to Addis Ababa and Luanda to Pretoria, most of the agreements reached were merely in name, as the terms were never implemented or adhered to (Swart and Solomon, 2004: 26).

In the case of the ICND, the inter-party differences emanated not just from the cultural and ethnic perspective (RCD was a dominant Rwandaphone party supported by Rwanda while MLC was supported by Uganda), but the main objective of both RCD and MLC during the ICND was to unseat Joseph Kabila as president. Commenting on the breakdown of the Sun City talks of February 2002, clouds ICG (2002: 3-4) concludes that while the two (RCD and MLC) had gone to Sun City with the objective of replacing Kabila as leader during the transition, the government's aim in the talks was to validate Kabila's presidency.

Despite the fact that negotiations were ongoing, all the armed parties retained the military option. This was evident when, as soon as the Sun City talks entered a stalemate, RCD troops, supported by the RPA resumed combat. On 14 March 2002, RCD and the RPA troops took over Moliro town on the shores of Lake Tanganyika (ICG, 2002: 4).¹¹ The government pulled out of the talks immediately. Again in mid-March the DRC government suspended its participation in the talks accusing Rwanda and RCD-Goma of attempting to capture Moliro for the second time (Naidoo, 2002:

¹¹ The invasion of Moliro by the RCD-RPA prompted the UN Security Council to pass resolution 1399 demanding the immediate and unconditional withdrawal of troops from the town.

14). The actions of the RCD in this regard confirmed again the determination by Rwanda to pursue at all costs its political objectives in the DRC. It echoes the discussion on why civil war sometimes become lengthy presented in chapter three. According to Cunningham (2010: 3), the duration of civil war is dependent on the factors that make military victory easier (or harder) and it is also dependent on factors that make negotiated settlement easier (or harder). As such, these two strategies are linked because parties use the battlefield to strengthen their position at the negotiating table.

The ultimate stalemate emerged in the Sun City talks two weeks before the end of the negotiations when government rejected a resolution requiring the restructuring and integration of the RCD, MLC and FAC forces into one. Instead the government maintained that the structure of FAC be maintained and the other two be the ones to integrate into it. This would ensure that Kabila remained in command of the army, while the rebels groups dissolved. The two rebel movements insisted on the complete merger of the three forces on a quota system and demanded their share of the command structure. This prompted the government to withdraw its participation in the Security and Defense Commission (ICG, 2002: 5). This marked the beginning of protracted unresolved military issues, as discussed later in this chapter.

When the Security and Defense Commission disbanded, the other four commissions (social; cultural and humanitarian affairs; economy and finance; and peace and reconciliation) carried on. However, four days from the close of the dialogue, two main issues – the position of DRC President Joseph Kabila (power-sharing), and the formation of a national army (military issues) – remained highly contentious (Naidoo, 2002: 15) and a major impediment to a concrete outcome to the talks. Pressure from the international community led by Thabo Mbeki of South Africa rescued Masire's mediation process from collapsing.¹² Mbeki's intervention focused on these two issues. They were the last items to be discussed on the Sun City agenda from 8 April, just four days before the end of the 45 days set for the dialogue.

¹² It was claimed that Masire lacked the tact of consolidating the Dialogue and this partly contributed to the instability of the peace process. It was argued for example that Masire failed to put to good use commissioners at his disposal who included Mustapha Niasse, Abdusalam Abubakar, Amadou Ould Abdallah, Ellen Johnson- Sirleaf and Albert Tevoedjré, because he lacked a strategy to involve them (ICG, 2002: 4-6).

6.3.1 Power sharing

This was the centre of interest for all the parties and was posing a major threat to the conclusion of the talks. It was a popular item on the agenda because unlike military matters which target mainly the belligerents; symbolically it was an opportunity for the Congolese citizens to accomplish the democratic process that Mobutu had denied them when he dishonoured the 1991 sovereign conference. All Congolese parties to the ICND (including the un-armed opposition and the *forces vives de la nation*) passionately remained engaged demanding their right to be part of the future leadership of the country.

It took eight days after the intervention of Mbeki to reach an agreement. Kabila's interest in retaining the presidency in the interim government was because he wanted to be in control of state apparatus when the country went for elections at the end of the interim period. This meant that he would be also in charge of appointing the opposition (including those from rebels) to any influential position in the transitional government. He would effectively be in control of the country's future political dispensation. However, the rebels' intention as mentioned above, was to unseat him and that explains why MLC had come up with the idea of a revolving presidency every three years. This was meant to deny Kabila the monopoly over the country's political future.

In an effort to solve this hurdle, President Mbeki proposed two formulations dubbed "Mbeki I" and "Mbeki II," which he tabled to the Congolese parties on 10 April 2002. "Mbeki I" proposed a "Council of State" made up of President Joseph Kabila as the transitional president (or head of the council), two RCD and MLC representatives, and a prime minister from the political opposition. The Civil society was offered the presidency of parliament as well as other institutions of support to democracy. In this structure, the state security apparatus were to be neutral, and the Central Bank autonomous.

The RCD, MLC and some members of the political opposition rejected "Mbeki I," accusing it to be favouring Kabila (Swart & Solomon 2004: 29). The second proposal,

“Mbeki II,” proposed the allocation of the role of national defence, security, finance, the economy and the holding of elections to the RCD-Goma rebel leaders. This was expected to be a favourable option for the rebels who had consistently protested taking orders from Kabila. This proposal had reduced the powers envisaged for Kabila (IRIN, 2002). RCD-Goma would assume the position of first vice-president, in charge of defence, local government, and the organisation of elections. The second vice-presidency, which was also to be in charge of finance and national reconstruction, was to go to the MLC. The position of prime minister went to the political opposition. The prime minister would be in charge of five vice-prime ministers, ministers and vice-ministers. Finally, the presidency of the unicameral 500-seat parliament was left to civil society. However, “Mbeki II” was rejected not just by Kabila for favouring the RCD, but also by MLC, for the same reason. According to Naidoo (2002: 17) it was difficult to imagine RCD-Goma as the in-charge of defense matters in the transitional government having to take (military) decisions against Rwanda’s occupation of the country.

In a move to counter the “Mbeki II” proposal, the DRC government introduced an arrangement where it offered MLC’s Bemba the post of prime minister and the RCD-Goma the presidency of the transitional parliament. Bemba welcomed the proposal as Onusumba rejected it because it had reversed the powerful positions that the RCD-Goma had gained under “Mbeki II.” Bemba and Kabila sealed this by signing the Political Agreement for the Consensual Management of the Transition in the DRC (PACMT). This was concluded bilaterally on the sidelines of the ICND. That MLC has entered into such a pact with its long time enemy meant the weakening of the armed anti-Kabila opposition. PACMT, which also gave the signatories the right to consolidate their military whenever necessary, posed a threat to RCD-Goma, exposing it as the only rebel group interested in continuing with a military option (Naidoo, 2002: 16).

Kabila retained the position of transitional president under PACMT, and his duties included safeguarding of the national unity and the territorial integrity of the DRC, promulgation of laws, and being the commander-in-chief of an integrated army. Kabila was also in charge of appointing ministers and senior officials, a position he

co-shared with Bemba. In turn, Bemba would serve as the head of government and the in-charge of the Council of Ministers, including their appointment in consultation with the president. Importantly, Bemba also co-shared with Kabila the control of the army through the senior army council (Naidoo, 2002: 17-18).

The RCD-Goma, left without an ally, reacted to PACMT's move by consolidating a group of non-armed opposition parties to form the Alliance for the Safeguard of the ICND (ASD).¹³ The objective of ASD was to push for the continuation of the talks so as to secure their inclusion in the transitional government. Despite this, the Bemba-Kabila alliance commanded a larger following among the ordinary Congolese. Furthermore, the UN Security Council, during its mission to the Great Lakes region, from 27 April to 7 May 2002, endorsed the PACMT, adding that it had the potential to lead to a peaceful political transition in the DRC. However, the Council supported the search for an agreement that would be totally include all the parties to the ICND, and recommended the relaunching of negotiations between the parties to the Lusaka Ceasefire Agreement (Naidoo, 2002: 16). Upon sensing that the ICND was headed for another stalemate, the UN held a special session in New York with the participation of the donor community including the IMF and the World Bank, and called for the return of Masire as facilitator out of the concern for the implications that inconclusive outcome of the ICD may have on the prospects for peace in the DRC.

From New York, Masire held discussions with the OAU Secretary General, Amara Essy, on the importance of continuing the talks. Essy insisted on the need for the talks to be all-inclusive (IRIN, 2002a). As the lobbying went on, Kabila and Bemba offered RCD-Goma the position of vice prime minister. The most contentious aspect of PACMT was that it failed to define the how exactly the power sharing would be effected between the interim president, the prime minister and the minister for defense. The inter-factional differences within the ICND assumed an international face when it attracted the attention of the former allies of Kabila in the second war. For instance Angola and Zimbabwe supported the PACMT, and it was stated that Angola was instrumental in the drafting of the PACMT agreement. Similarly, the

¹³ In addition to RCD-Goma, the other other party members of ASD were the Union for Democracy and Social Progress (UDPS) of Etienne Tshisekedi, the Party of Unified Lumumbists (PALU) led by Antoine Gizenga, and the Movement of Congolese Nationalists (MNC-L) led by Francois Lumumba.

Ugandan government backed its (former) allies who were now signatories to the PACMT such as the MLC, RCD-Kisangani, RCD-ML and the RCD-Nationale.¹⁴ As would be expected, the Rwandan government joined its proxy in opposing the PACMT, terming it a violation of the LCA and calling for the resumption of the ICND to reach an inclusive agreement. Also France, Belgium and Canada expressed their support for the PACMT, while the US and South Africa pushed for an all-inclusive agreement (Naidoo, 2002: 19-21).

The PACMT between Kabila and Bemba started losing momentum gradually as the parties failed to agree on constitutional matters, on which the pact had remained vague. This presented the UN and South Africa an opportunity to intervene and bring the ICND process back on track in search of a comprehensive agreement that would involve all the Congolese stakeholders in the negotiations. On 12 June 2002, the UN Secretary General responded the increasing tensions within the ICND by appointing Moustapha Niassé, the former prime minister of Senegal, as the UN Special Envoy to assist in moving the ICND forward (UNSG Report, S/2002/621; S/2002/1180). It was within this period that the Pretoria I Agreement with Rwanda was signed on 30 July 2002 and subsequently; on 6 September Uganda signed the Agreement with the DRC (as discussed above), setting a timeframe of 100 days for the withdrawal of the *Uganda People's Defence Force* (UPDF) troops and the establishment of IPC.

The Pretoria and Luanda peace agreements in principle ended the external dimensions of the conflict. This freed the inter-Congolese parties including the proxies of Rwanda and Uganda (RCD-Goma and MLC respectively), to deal with their own internal concerns. Niassé intensified his lobbying for an all-inclusive process. South Africa worked through Sydney Mufamadi, the-then minister of local government to convince Kigali to get RCD-Goma to commit to the process (Rogier, 2003b: 33). Talks between the government of the DRC and MLC and RCD-Goma led to a consensus on the modalities of the transition government. The other parties followed suit by re-committing to the negotiations, leading to the signing of the Global and All-Inclusive Agreement on the Transition in the DRC (GIA), or *Acte global et inclusive sur la*

¹⁴ Although viewed as an agreement mainly between Bemba and Kabila, PACMT was in fact also signed by other parties to the conflict at least 258 of the 366 delegates at the ICND, including 19 opposition parties and 45 representatives of civil society signed (IRIN, 2002b).

transition en République Démocratique du Congo – AGI; also called “Pretoria II” or Sun City Accord (Rogier, 2003b: 37). The signing took place on 17 December 2002 in Pretoria (SAPA, 2002). The main signatories were the government, RCD-Goma, MLC, RCD-ML, RCD-N and the Mai Mai. Presidents Kabila and Museveni followed by declaring the launch of the Ituri Pacification Committee, and subsequently the Uganda withdrew two battalions from the DRC, as per the Luanda Peace Agreement.

The GIA established a transitional government of national unity. The issues that remained unresolved during the ICND were bundled into a set of responsibilities that the transitional government would resolve. These were to (i) reunite, pacify and re-establish governmental authority throughout the Congolese territory, (ii) foster national reconciliation, (iii) reform security forces by integrating rival factions, (iv) organize elections, and (v) set up new political institutions. However, the implementation of the objectives of the transitional government would soon be rendered difficult due to internal power struggles, especially on the sensitive issues of army reform (Muzong, 2007: 8).

Despite the above outstanding issues, the signing of the GIA was a major step in saving the collapse of the ICND. It (GIA) now acted as a new ceasefire and a guarantee for the continuation of the talks to reach the final outcome. Article V of the GIA set out the modalities and composition of the executive power. Joseph Kabila would continue serving as the interim president in the new dispensation. The transitional constitution called for power sharing between the president and four vice presidents: two from the former rebel groups, one from the political opposition, and one from Kabila’s political movement. The agreement to have four vice-presidents was entrenched in Article 83 of the transitional constitution. The Vice-Presidents would come from the DRC Government, RCD, MLC and the Political Opposition. This arrangement was popularly referred to as 1+4 formula (one president and four vice-presidents). As discussed in chapter seven, the fact that the leaders of the former rival groups (including RCD-Goma and MLC) readily assumed their new political positions explains their personal interests which they put ahead of their rebel movements. Ideally, they had sacrificed the all-important need to integrate their forces into a unitary army for narrow personal gains. The consequences of this were

to emerge later.

Under the new dispensation, Kabila retained the position of the Head of State and Supreme Commander of the Armed Forces. He was to be assisted by four Vice-Presidents mandated to head governmental commissions, each comprising ministers and deputy ministers. The head of the political commission was Azarias Ruberwa of RCD-Goma, while the economic and finance commission was headed by Bemba of MLC; a reconstruction and development commission was under Kabila's former foreign minister, Abdoulaye Yerodia Ndombasi. The social and cultural commission went to a political opposition, Arthur Z'ahidi Ngoma).

The GIA was a peace agreement that put into place a roadmap for the transiting the country into a new stable, peaceful and democratic leadership. However, there was still no concrete roadmap on how the signatories would restructure the military and ensure that all their interests were catered for. The GIA simply spelt out in its first paragraph of Article I that all the signatories had ceased all forms of armed hostilities,

“The Parties to this Agreement and having armed forces, namely the Government of the DRC, the RCD, the MLC, the RDC-ML, the RCD-N, and the Mai-Mai, renew their commitment, in accordance with the Lusaka Agreement, the Kampala Withdrawal Plan, the Harare Sub-Agreement and the relevant Security Council Resolutions, to cease hostilities and to seek a peaceful and equitable solution to the crisis that the country is facing.”

The signing of the GIA however, marked in principle the formal ending of the internal dimension of the war internal parties to the conflict. Similarly, the transitional constitution only provided for the need to share power equitably by all parties. Article 196 of the transitional constitution provided that the signatories to the GIA, including the *forces vives* (civil society) and the political opposition, would share equitably the political, military, and economic power for a 24-month transition period (see Article 196 of Chapter VII of the transitional constitution). Article 196 further added that incase problems arose due to the organisation of elections, the transitional period may be extended for a further six months, renewable one more time should circumstances

demand. This was in anticipation of the fact that the parties may continue to disagree on the contentious matters of military reform.

The Final Act of the ICND was signed in Sun City on 3 April 2003, and it included the All-Inclusive Agreement on the Transition in the DRC. The signatories included 24 Congolese leaders among them Leonard Okitundu for the DRC government, Adolphe Onusumba for the RCD and Oliver Kamitatu for the MLC. This was soon followed by the swearing in, on 5 April 2003, of Joseph Kabila as the new president of the DRC. According to the Agreement, there were four vice-presidents, a transitional government composed of 36 ministers and 25 vice-ministers and a national assembly, all distributed according to an agreed formula (Arnold, 2005: 899). The weakest elements of the entire ICND was that it did not comprehensively address the issues that would prevent former combatants from engaging in war again, least of all the causes of the conflict. The transitional government was subsumed in the politics of power sharing for the 24 months that preceded the elections. The consequences of not resolving the military issues emerged soon after, as discussed below.

6.3.2 Military issues

As discussed above, Masire's intention of extending the Sun City the talks by a week was with the hope of coming up with a solution to also resolve the second outstanding issue of creating new military for the country. From the above discussion of the power play that besieged the negotiations on the distribution of political positions, it was clear that the option to return to war was not off the minds of the belligerents. The case of Moliro is a reminder of this. It also demonstrated how the parties easily resorted to the military option as a means of influencing negotiations; yet, the same parties could not prioritise to rationally resolve this very issue that posed a threat to the peace process. As the talks concluded, the farthest that the government went was to drop the condition that rebel forces be absorbed into FAC and accepted that all forces would be integrated on an equal basis. The details of how this would be done were never discussed (Rogier, 2003: 30). As such, the negotiations ended without the way forward on the size of the new army, its command structure and composition of commanders. Similarly, the proportion of rebels to government soldiers remained

unresolved.

The main political players in the transitional government were the same former belligerents (Kabila, Bemba and Ruberwa).¹⁵ They all still kept their combatants intact and un-integrated. Despite the semblance of relative peace in the fast few weeks after the naming of a transitional government, the deep-rooted suspicion and witch-hunt entrenched amongst the new Congolese leadership emerged. Kabila and his party, the People's Party for Reconstruction and Democracy (Partie du Peuple pour la Réconstruction et la Démocratie) - PPRD, sensing the tenuous nature of the transitional government, consolidated power around himself. About 60 per cent of the national resources such as diamond, copper and cobalt mines fell under Kabila's sphere of influence. In anticipation of possible resurgence of war, he also strengthened his presidential guard - the Special Presidential Security Group (Groupe Spécial de la Sécurité Présidentielle – GSSP) while ignoring the welfare of an estimated 120,000 ex-FAC forces, most of them inefficient and ill disciplined.

In a similar measure, Bemba exploited his new position to enhance absolute control over his formerly Ugandan-backed rebel movement in the east. On the other hand, most Congolese continued to regard RCD-Goma with suspicion due to its dominance by Kinyarwanda speakers in the east. This made Ruberwa increasingly unpopular and viewed as a puppet of Rwanda. Soon serious internal dissidence emerged within RCD-Goma ranks as some of its representatives in Kinshasa trying to endear more to Kabila while distancing themselves from Ruberwa whom they accused of being pro-Rwanda. Similarly, RCD-Goma hardliners in Goma criticized Ruberwa for failing to represent their concerns of ethnic persecution. Rwanda's military incursion in the Kivus in the late 2004 and RCD-Goma's in-action worsened the, leading to renewed war in North Kivu (ICG Report No. 91, 2005: 2).

A new coalition of RCD-G dissidents emerged in the Kivus in early 2004 to challenge Ruberwa. These dissidents felt they stood to gain little from the transition, as Kabila had accused some of them as accomplices in the assassination of his father in 2001.

¹⁵ Rwanda had influenced the replacement of Adolphe Onusumba within RCD-Goma by Azarias Ruberwa and Bizima Karaha, ethnic Tutsis for fear that Onusumba, Onusumba might prove unreliable in representing Rwanda's interests. See Naidoo, 2002: 15).

Others were former army commanders who had been left out of the transition in Kinshasa and who had similarly fallen out with Kigali. In a move symbolic to the AFDL rebellion in 1996, this group clashed with the national army in Bukavu in February 2004, leading to a devastating battle for Bukavu in May and June of that year. By December 2004 the fighting had engulfed the North Kivu province.

This occurrence pointed to an important element in the GIA that the signatories overlooked in the transitional period. Article IV of the GIA, which dealt with the issue of the national army, had recommended that the staff of the FAC, RCD, MLC, RCD-N, RCD-ML and Mai-Mai should convene a meeting before the setting up of the transitional government. The meeting was to develop the military mechanism entrusted with the training of the other staff up to the level of military regions. The article also called for the creation of the Defence Council in section (b), while section (f) elaborated that the Defence Council shall advise on the setting up of a restructured and integrated national army; the disarming of armed groups; supervising the withdrawal of foreign troops; and the drafting of defence policy (Global Inclusive Agreement, 2002). However, this was not acted upon because the conveners of the talks prioritized the distribution of political power and privileges that came with it, over military issues. The latter was left for future discussion. As such, the Pretoria II agreement is best described as global and all-inclusive in so far as the distribution of political powers and privileges were concerned.

Commenting on the above failure, Rogier (2004a: 37) concludes that the GIA “...did not stem from the political will of the signatories but was achieved, just like the previous ones, after protracted negotiations and under intense international pressure exerted in particular by the United Nations, South Africa and Western countries.” The fragility of the ICND contributed to the speed with which the negotiators, after four years of the peace process, sought to conclude and move the DRC into a transitional period. As such, three critical issues were not tackled for fear of increasing disagreements during the talks, due to their sensitivity. As tensions developed within the transitional government, the stakeholders and the facilitators realized the need to address these issues. These were (a) the integration of all former belligerent forces armed forces into a united national army, including the disarmament, demobilization

and reintegration (DDR) of those who did not integrate into the national army; (b) the personal security of transitional government leaders and (c) the interim constitution for the transition period. These three issues comprised the final phase of the ICND. On 24 February 2003, three technical committees convened again in Pretoria to find a way of dealing with these three issues.

The first committee dealt with the issue of the establishment of a restructured and integrated national army. The parties were yet to agree on the sharing of military positions during the transitional period, including the modalities for integrating the army. The committee would also have to deal with the modalities for the DDR of Congolese combatants, while the disarmament, demobilization, repatriation, rehabilitation and reintegration (DDRRR) of foreign combatants was to be handled by MONUC.

DDR, which was part of the security sector reform, was to target about 100,000 (FAC), 45,000 (RCD-Goma), 10,000 (RCD-National), 15,000 RCD-K/ML - Rally for Congolese Democracy-Kisangani/Liberation Movement, 30,000 (MLC), 30,000 to 50,000 Mai Mai and about 30,000 Ituri armed groups (Kibasomba, 2005: 14). The parties deliberated this issue for several months without success.

On 4 June 2003: UN Secretary-General, Kofi Annan again appointed Moustapha Niasse who had served as a mediator earlier, and Gen Maurice Baril of Canada, who had served as a military advisor to the UN, to assist the parties in reaching an agreement. This intervention saved the process from collapse and led to the signing on 29 June 2003, of an agreement in Kinshasa under which President Kabila was mandated to appoint the chief of staff of the armed forces as well as the head of the navy, while RCD-Goma and MLC would head the ground forces and the air force respectively (IRIN, 2003). This was in deed a major step in the realization of the importance of solving military issues as a prerogative to a successful ending of the war in the DRC. The parties had all realised that attainment of political objectives was not the main determinant of the country's stability. Whether the leaders would now sacrifice their military ambitions after agreeing on this issue was a different case altogether.

Under the GIA, all the signatory armed groups were to form mixed units that would comprise the new national army, the Armed Forces for the Democratic Republic of the Congo (FARDC), with a common command structure. The first step towards achieving this objective was the nomination in Kinshasa in August and September 2003, of a joint military command. This was followed soon after with the deployment of regional commanders to the ten military regions. The conflict in eastern DRC reignited when Prosper Nabyolwa, an ex-FAC commander from South Kivu, was sent to Bukavu as regional commander. Nabyola however, decided to take along his own security detail along due to the mistrust he had of the RCD-Goma hardliners whose stronghold was the Kivus. This action riled the RCD-Goma military cadre, who in turn refused to oblige to the new commander's orders.

The Kinshasa leadership interpreted the actions of RCD-Goma hardliners as an additional insult to a unilateral appointment in early January 2003 (shortly after the final signature of the comprehensive agreement in Sun City), of Xavier Chiribanya as governor of South Kivu, Colonel Mirindi as the regional commander for South Kivu, assisted by Amuli Chap Chap, and John Bahati. Kabila's faction saw this as a provocation, since Chiribanya had been sentenced to death in absentia by a military court in Kinshasa for his involvement in the assassination of Laurent Kabila, while the other three, who had been members of Laurent Kabila's presidential guard had also been convicted in the assassination trial (ICG Report No 91, 2005).

The second committee was to result into the Memorandum regarding the security provisions during the transition. The former armed groups insisted that the international community should ensure their security because they did not trust the Kabila regime. This depicted the intense mistrust and fear that had marked the negotiation process was still entrenched among the Congolese parties. Although the rebel leaders agreed to move to Kinshasa to assume their responsibilities, they insisted on having assurance that their security would not be at any risk. The RCD-Goma and MLC used this excuse to propose setting up their own police force, against Kabila's approval. The deadlock on the issue was only resolved when the task of protecting the transitional institutions, including the security of Kinshasa, was bestowed on

MONUC (*Great Lakes Advocacy Network*, June 2003: 1). However, President Kabila succeeded in contesting the inclusion of army command structures in the discussion leading to this memorandum. In this way, the command of the national army fell directly under the presidency. The division of military positions as envisaged in the GIA was unachievable.

The third memorandum concerned the adoption of the transitional constitution. The most sensitive element was the question of citizenship. According to Article 14 of the country's constitution, all ethnic groups and nationalities constituting Congo at the time of independence are equal as citizens before the law. However, the constitution remained silent on the conditions under which Congolese nationality is to be recognised, acquired, lost or recovered, hence does not recognize double nationality. The Kabila regime, like the previous regime of Mobutu, rejected all efforts by the RCD and MLC to repeal this clause. This provision was seen as an effort to alienate the Rwandaphone communities (Hutu and Tutsi) inhabiting the east of the DRC, especially those who entered the country after independence. The Rwandaphones, who were the dominant members of the RCD and MLC rebels groups, interpreted this occurrence as a repeat of Mobutu's style of leadership which historically and conveniently so, bestowed citizenship to Banyamulenge to gain their loyalty, only to withdraw it afterwards.

The failure to expressly recognize the citizenship status of Rwandaphones in the transitional constitution was further worsened by the fact that the constitution also rejected the demand for the decentralisation of political power in the country. This automatically outlawed any demands for autonomy (federalism or secessionism) for any region of the Congo. It therefore constituted a major setback for the Rwandan-backed RCD-Goma, whose main objective was to secure the control of natural resources in the Kivus. Instead, Kabila sought to re-establish his authority over the entire territory, and especially over the rebel areas (ICG, 2003:3-9).

The above factors, particularly the refusal by a section of RCD-Goma to obey Nabyola was, according to the leadership in Kinshasa, a clear indication of resistance to military integration. Eventually, what initially seemed like minor differences over

the integration of the armies soon posed a challenge to the military restructuring process as just days after the appointment of General Nabyola dissident Congolese Tutsi officers rejected Kinshasa's nomination to new posts in the national army, deciding to go back to their RCD-Goma positions in the east.

Among the renegade officers who took refuge in North Kivu were General Laurent Nkunda, Colonel Eric Ruohimbere and Colonel Elie Gishondo, who claimed that Kabila would not guarantee their safety in Kinshasa. Nkunda had been appointed commander of the 8th military region, based in Goma. He refused to take up the position, claiming that there was no clear process to integrate soldiers into the national army, as many former rebel soldiers remained without defined ranks. Commenting later in 2004, Nkunda is said to have stated that he would have joined FARDC if proper guidelines were in place (Barouski, 2007: 35). This move widened the rift within the transitional government, with President Kabila and Vice President Ruberwa unable to find a common ground on matters such as the control of the presidential guard, the command and control of the army, amnesty for war criminals, and how to deal with the Rwandan insurgent group, the FDLR, on Congolese territory. (Stearns, 2008: 246). The rebellious nature of RCD-Goma group could only be understood better in terms of military power play between Kinshasa and these groups. In its analysis of the situation at the time, Human Rights Watch observed that,

“Rebellious factions of former rebel groups plus other armed groups that have not joined the transitional process use violence to oppose integration into the new DRC army and to challenge the authority of the fragile DRC transitional government. Leaders of the former rebel groups have apparently encouraged or tolerated these challenges even while taking part in the transitional government, perhaps seeking to keep all options open should the peace process not bring the desired dividends. The Kinshasa transitional authorities have been unable to meet the political challenges and have failed to stop the violence” (Human Rights Watch, 2004: 1).

The above observation is supported further by Stearns, who states that in interviews with Nkunda's allies and defectors within the RCD, he was informed that Kigali

played a key role in Nkunda's desertion because Rwanda needed a "Plan B" in case the Kabila-led transition didn't work in Rwanda's favour (Stearns, 2008: 246-247). Nkunda presented the perfect proxy for Rwanda's manipulation of the politico-military issues in eastern DRC because of Nkunda's historical ties with the Rwandan army, where he had begun his career as an intelligence officer in 1993.

In February 2004, Nabyola arrested an RCD-Goma major (also a suspect in Kabila's killing) for illegal possession of weapons, and transferred him to Kinshasa. RCD-Goma perceived the act to be a clear sign that Kabila was not willing to reconcile with those accused of assassinating his father. Nabyola's deputy commander, Colonel Jules Mutebutsi of RCD-Goma ordered an attack on Nabyola's house, killing two of his bodyguards. Kinshasa interpreted this as a treasonable military offence and a clear demonstration of Mutebutsi's affection to the dissident RCD-Goma officers. This set the stage for a larger confrontation in May of the same year.

Mutebutsi, himself a Mnyamulenge, attracted the sympathy of his ethnic group, and gradually Banyamulenge commanders from the Congolese National Army (Armée Nationale Congolaise) - ANC the military wing of RCD-Goma, soon started defecting from the national army to join Mutebutsi in Bukavu. For instance Major Santos arrived from Kalemie, while Lieutenant Colonel Bisogo deserted his position in Shabunda. On the other hand, Colonel Mushonda Mukalay arrived in Bukavu via Kigali. The Mutebutsi and Nkunda wings of dissidents established contact thereby creating a network of dissidents that covered the entire Kivus. Nkunda became the head of the military wing in North Kivu with Colonel Bernard Byamungu as his deputy. Nkunda retained Goma, the headquarters of the 8th Military Region, as his base from where he allied thousands of men who marched unto Bukavu to back up Mutebutsi. In a chronology of Laurent Nkunda's life and actions in eastern DRC, Barouski underscores Rwanda's tendency to use militaristic persons of Nkunda's nature in perpetuating Rwanda's interests, when he states,

"...Since the beginning of the transition period in 2003, few armed factions in the Democratic Republic of the Congo have been a greater threat to provoking another regional war than Laurent Nkundabatware and his various allies. His

militias, with the backing of Rwanda, have become a formidable military and political barrier to lasting peace...” (Barouski, 2007: 10).

The above citation elucidates the *raison d’être* of the renegade behaviour that RCD-Goma military leaders exhibited at the time of integrating forces in respect of the GIA. After the joint raid of Bukavu by Nkunda and Mutembutsi from early to mid-2004, pro-Rwanda dissidents in North Kivu comprising of former RCD-Goma offshoot clashed with the Armed Forces of the Democratic Republic of Congo (Forces Armées de la République Démocratique du Congo) - FARDC in Kanyabayonga for several days, killing dozens and displacing over 130, 000 people. The Rwandan-Congolese joint verification mission established that Rwandan forces had in deed crossed into the DRC during the clash. This invasion caused the US, UK and the European Union (EU) to warn Rwanda against further intervention in the DRC (Barouski, 2007: 179). An assessment by the UN established that Nkunda forces had received heavy arms from Rwanda, with which they were able to repulse government forces. This was further confirmed by the report of the UN Group of Experts, which established that Rwanda was being used to recruit, infiltrate and destabilize the DRC, with evidence of Nkunda having openly enlisted the youth in Kibiza refugee camp in Rwanda’s Kibuye Province (UN Group of Experts Report, 2005: paras. 185-192).

The violation of GIA by the signatories and the rebellious nature of former dissidents in the east against integrating in the national army may have convinced Kinshasa that negotiating with renegades based in the east would not yield fruit. Kabila reverted to a military response to the escalating war. Kabila named General Mbuza Mabe, a former commander in the Forces Armées Congolaises (FAC), as a replacement for Nabyola. No sooner had Mabe taken up his command position in May 2004 than Mutembutsi’s troops attacked his position, a clear indication that Mabe’s appointment was not welcomed by the military establishment in Bukavu, where Colonel Mutebutsi and several hundred troops loyal to him remained more or less in charge of the security situation (Wolters, 2004: 2).

As the altercation between Mabe and Mutebutsi deepened, the inter-ethnic rivalry between Banyamulenge and autochthon tribes such as the Bembe and Hunde

escalated, leading to a clash in which the soldiers of the 10th Military Region killed several Banyamulenge civilians in May 2004 in an encounter that assumed an ethnic dimension. Nkunda exploited the differences between Mabe and Mutebutsi to declare that he intended to prevent a genocidal attack on the Banyamulenge community in South Kivu (Wolters, 2004: 2-3).

Between February and June 2004, Nkunda and Mutembutsi's men captured and looted Bukavu, leaving a trail of death and injuries. A UN panel later established that Rwanda had aided and abetted of Mutembutsi and Nkunda's troops by allowing the use of its territory as rear bases (UN Panel of Experts Report, 2004: Paras 65-67). This hypothesis became clear when, on 15 June 2004, the then Rwanda's foreign minister, Charles Murigande announced that Nkunda's invasion was justified because it was meant to halt genocide, the same statement that Nkunda had invoked in justifying his assault on South Kivu (AFP, 2004).

In his illustration of the impact that the Nkunda-Mutembutsi war had on the ethnic relations of the communities of South Kivu, Hoffman (2010: 340) points out that the violence and killings that Bukavu had experienced between May and June 2004 when the city was briefly occupied by army mutineers led by Tutsi officers, Laurent Nkunda and Jules Mutebutsi, claiming to defend the Tutsi minority from a possible genocide was enormous. He adds that Mutebutsi and Nkunda's soldiers killed and raped civilians while Congolese soldiers, prompting Mai Mai militiamen to revenge against Tutsi civilians. The attack on Bukavu ended when Nkunda and Mutebutsi pulled out of Bukavu on 4 June. Most of the Congolese Tutsi living in Bukavu also fled to Burundi for fear of revenge attacks. Many others were rescued by MONUC or by fellow citizens who belonged to other ethnic groups (Wolters, 2004: 3).

The climax of the military standoff between Kabila and Ruberwa occurred after the 13th August 2004 attack on Banyamulenge refugees in Gatumba refugee camp in Burundi, near the border with Congo. The attack on the camp, which led to over 150 deaths, was part of a wider scheme between the Babembe, Interahamwe and FNL to get rid of the Banyamulenge in the Congo. To Nkunda and Ruberwa, this was a manifestation of the genocide that had led the RCD-Goma to attack on Bukavu. The

Gatumba massacre led to a meeting of RCD-Goma politicians in Goma, during which Ruberwa, who, under the transitional government was the Vice-President in charge of defense and security, declared that the Sun City Final Act of 2003 that had led to the transitional government was crumbling.

Ruberwa announced that RCD-Goma was suspending its participation in the transitional government and stipulated policy changes that the transitional government ought to be implemented, if it so wished to redeem the coalition government from imminent collapse. Among the conditions, Ruberwa demanded a review of all military and political appointments in South Kivu, especially regarding General Mabe whom he accused of perpetrating a massacre of Banyamulenge in Bukavu, Walungu, Shabunda and Bushaku. He further asked Kabila to withdraw all FARDC troops deployed to the Kivus during the Bukavu war (Barouski, 2007: 143-144).

In September 2005 the Congolese military prosecutor issued an international arrest warrant against Nkunda and Mutembutsi on charges of creating an insurrectional movement, war crimes and crimes against humanity. As a reaction to this, Nkunda, in early 2006 instigated the desertion of Kinyarwanda speakers that had been integrated into the FARDC. With Nkunda's command, the dissidents launched a fresh attack in 2006 in the Kivus, displacing tens of thousands of civilians (Reyntjens, 2011: 144). Rwanda's complicity was again raised, with the UN Group of Experts accusing Rwanda of providing material support to Nkunda's Congrès national pour la défense du peuple – CNDP (National Congress for the Defense of the People).

Rwanda, in retaliation issued a retrospective statement condemning the UN and the international community for the failure to neutralize the persistent threat posed by the FDLR. At no time did Rwanda condemn Nkunda and Mutembutsi's actions in the Congo. However, when the Netherlands and Sweden suspended part of their aid to Rwanda and the UK threatened to follow suit, Rwanda arrested Nkunda in 2009 and neutralized the CNDP during operation Umoja Wetu (Our Unity), a joint operation between FARDC and the Rwanda Defence Force (RDF), formerly the Rwanda Defence Army (RPA).

After Nkunda's arrest, Bosco Ntaganda succeeded him as leader of CNDP. However, some CNDP members disgruntled with Ntaganda's leadership and the new rapprochement between Kigali and Kinshasa decided to form Patriotic Forces for the Liberation of Congo (Forces Patriotiques pour la Libération du Congo) - FPLC. Ntaganda decided to pursue FPLC leaders with the aim of neutralising their efforts, and in February 2011, Lieutenant Colonel Emmanuel Nsengyumva, a top figure of FPLC, was assassinated by his bodyguard allegedly in a scheme hatched by Ntaganda (UN Group of Experts Report, 2011: paras. 238-242).

The Nkunda-Mutebutsi assault on Bukavu and the subsequent occurrences cited above were an enigma to the military high command of the transitional government. These military adventures with an ethnic connotation exposed deep-rooted weakness and lack of commitment by the signatories of the GIA, towards the integration of the national forces. This was later to haunt the future stability of the Kivus, many years after Nkunda's exit.

6.4 Conclusion

This chapter has discussed how the first and the second wars in the DRC ended. It has demonstrated that war can end either when one of the belligerents attains tactical victory over another, or when both (or all) parties reach a negotiated agreement.

In either way, a sustainable ending of a war depends on how conclusive military issues are dealt with. The manner in which both wars in the DRC ended demonstrates the importance of military issues in ending of wars in two ways. First: that when a war ends in tactical victory, the winning party still has the duty to present to the losing party terms of peace that are agreeable. When the Rwandan alliance and their AFDL proxy deposed Mobutu, the alliance was unable to transform their tactical victory into strategic peace because they failed to negotiate with the loser (Mobutu regime) the terms of peace (in this case the role that the remnants of the Mobutu regime would play in the new dispensation). Instead, the alliance sidelined its former adversary in all ways. The victors also changed their objective to that of dominating of the DRC's political and military structures at the exclusion of the loser. Consequently, their objective became predominantly that of economic exploitation, which exposed the

alliance's inner motive. This led to the second war.

Second: when a war ends through a negotiated agreement, a mutual agreement on military issues is central to the success of the global agreement. Any attempt to eschew military negotiations is likely to lead to renewed armed violence. Negotiation of military issues should include the creation/integration of the new national army, the security of the military cadres and the DDR of the former combatants. In a situation, where militaries of foreign countries are implicated, an agreement on their unconditional withdrawal is also paramount in ensuring a sustainable withdrawal of foreign troops.

The way in which the second war ended demonstrates this point. The negotiations that took place concurrently with both the first war and the second war could not succeed in resolving the conflict until such a time when the parties agreed to negotiate the military issues. In the case of the Lusaka Ceasefire Agreement of 1999, the parties had to agree to cease hostilities and restrict their military activities to the areas they controlled and paving way for MONUC to deploy in 2000 with the objective of monitoring the ceasefire. It was subsequent to these military successes that Rwanda and Uganda separately entered into agreements with the DRC on the modalities of withdrawing their troops from the DRC. Similarly, the ICND faltered until the participants agreed at least in principle, regarding essential military issues such as the modalities of integrating former belligerents into a unitary force and the security of the leaders as well as the command structure. This process later faced many challenges due to mistrust among the parties, but also because the Congolese proxies that the Rwandan alliance had used to serve Rwanda's interests were, on their own, without particular military objectives.

The chapter has highlighted the importance of prioritizing military issues in negotiations to end conflict. The parties to the DRC conflict constantly ignored these issues, choosing to prioritise the sharing of political power among themselves. The situation eventually escalated at the time when the ICND had come to a close, forcing the facilitators to revisit the same issues. This, however, did not successfully resolve the matter and the DRC had to contend with the repercussions. The lesson here is that

because war itself is as a result of active military activity, once the political objective has been attained (through tactical victory) or a stalemate reached, the focus should first and foremost be on how to ensure that the needs of the former belligerents are responded to adequately before the political aspects are resolved.

CHAPTER SEVEN

CONCLUSION

7. Findings of the study

This study is based on two assumptions. First that although the nature in which war occurs has changed from being predominantly inter-state in classical times to being largely intra-state in modern times, its basic principles – attainment of a political objective – has not changed. Second, a successful termination of civil wars in Africa as demonstrated by the case of the DRC civil wars is dependent upon how the belligerents deal with the military issues in the process of ending those wars.

The main focus of this study has therefore been two fold. Firstly, to establish the extent to which classical theories of war termination are applicable in the situation of civil wars in Africa, and secondly to establish the extent to which military issues were included in negotiating the terms of peace to end the civil wars in the DRC, and the implications this had on the process of ending the war.

The fundamental truths of classical strategic military theory used in this study as its conceptual framework are that firstly, the aim of all wars is to achieve victory. It is from here that the political objectives are fulfilled. Secondly, although no belligerent goes to war with an aim of losing, the reality is that war can end either in tactical victory by one party over another, or in a stalemate. Thirdly, if a war ends in a tactical victory, the victor has the option to either dictate the terms of peace to the losing party, or to present to the vanquished party the terms of peace that are agreeable to both parties. Classical military theory recommends that if the victor wishes to convert its tactical victory into strategic victory (long-term peace), then he should present/negotiate with the vanquished party the terms of peace that cater for the interests of both sides such that future peace is guaranteed. The same applies in the event of a stalemate, in which case there is no decisive victor to dictate the terms of peace. In this case both parties have the duty of negotiating the terms of an agreement that would govern their strategic peace.

The two simultaneous wars in the DRC demonstrated both these scenarios. The first war (1996-1997) led to a decisive tactical victory. Rwanda, Uganda and Burundi (also referred to as the Rwandan alliance) created a proxy, AFDL, through which they camouflaged their invasion of Zaire. The Rwandan alliance won the first war through a tactical victory over the Mobutu regime that had been weakened due to factors such as internal regime weakness, impact of the global environment through the wave of democratization and persistent ethnic violence within the state (see chapter five). At the time of invading Zaire, Rwanda's political objectives were clearly to force Rwandan refugees back home; to revenge the ex-FAR and Interahamwe for perpetrating the genocide and to depose Mobutu in revenge for the support he had offered to Habyarimana's regime.

Although the Rwandan alliance attained these objectives to a large extent, its conduct thereafter was contrary to the principles of classical strategic military theory. Instead of offering the terms of peace to the conquered (in this case the Congolese), the alliance extended its political objectives to include economic plunder and military occupation of the DRC. While the Rwandan and Ugandan criminal networks and their militaries plundered Congo's resources, Rwanda extended its ambition such that the RPA military commander at the time became the chief of staff of the Congolese national forces. This amounted to a military occupation of the DRC and was a clear demonstration of the classical case in which a victor fails to be magnanimous in victory.

On sensing that the objectives of Rwanda and Uganda were becoming incompatible with the expectations of the Congolese towards AFDL (i.e. the replacement of Mobutu with a better regime), the Congolese citizens turned against the foreign occupiers of their land. Similarly, Laurent Kabila also developed his own interests far from those of his masters. He sought to free himself from his masters, thereby triggering the second war. This is a major lesson to belligerents that decide to use proxies to fight external wars.

In an effort to tame the rebellious proxy (Kabila), Rwanda and Uganda evolved new proxies, RCD and MLC respectively, which they used to wage the second war against

Kabila. However, two months before this, RCD and MLC split into various factions. This was a phenomenon that neither Rwanda nor Uganda anticipated. The fracturing of RCD and MLC over internal power struggle is a further manifestation of how proxies evolve their own motives and identity beyond the expectation of their masters. The exploitation of Congo's natural resources emerged as the main catalyst of the wars. The clash between Uganda and Rwanda in Kisangani in June 2000 over mining rights was a further manifestation of this. It is by discussing these occurrences in the context of what classical military theory says on how wars should end, that this study has come out with the following conclusions with regard the two objectives.

7.1 Classical theory and the termination of civil wars in Africa

The second chapter discussed the essence of classical military theory in civil wars in Africa and how wars should terminate, according to this theory. The analysis of classical theory has affirmed the point that although the nature of war has changed from inter-state to being predominantly intra-state, the objectives of war have remained the same - attainment of political objectives. When Clausewitz says, "Politics...is the womb in which war develops..." Clausewitz (1943: 149), he precisely emphasises the political objective of war.

Regarding this first objective, the study has established first that the primary objective of belligerent parties in civil wars in Africa remains the same as it was in the classical times – pursuit of a political objective (such as conquering the enemy's land). However, the political objective in Civil wars in Africa is much more about overthrowing the incumbent regime than occupying a foreign territory. It is therefore clear that wars in Africa, as is the case in other parts of the world, serve a political objective. This was in deed the objective of why states waged war in the classical times. For instance chapter five identified the three political objectives (mentioned above) that the Rwandan alliance sought to achieve in the first war when it invaded Zaire in 1996, and why the war did not end despite the Rwandan alliance having largely achieved those objectives.

However, in order to invade Zaire, Rwanda was careful to conceal its intentions. Chapter five discusses the three ways in which Rwanda successfully concealed its

intentions. It successfully co-opted Uganda and Burundi into the conflict, President Kagame undertook diplomatic engagements especially with the US and the UN to ensure that there would be no military intervention from these two to curtail Rwanda from attaining its political objectives and Rwanda also bred a Congolese proxy armed force (AFDL) led by Laurent Kabila, through which Rwanda would use to achieve its objectives

The alliance achieved the objective of deposing Mobutu, while the other two objectives were only partially achieved. The RPA managed to force a number of refugees back into Rwanda, while others joined the fleeing ex-FAR and Interahamwe as they dispersed deep into Zaire forest. They were further joined by other refugees escaping the massacres committed by the RPA in other refugee camps such as Tingi-Tingi, as discussed in chapter five. Even after conquering the ex-FAR and Interahamwe in the DRC Rwanda objected any form of negotiation, opting to pursue a military operation against the *genocidaires*. Rwanda overlooked the classical military principle of negotiating with the vanquished. The consequence has been that the remnants of these forces continue to be a source of harassment to Rwanda. The lesson to draw from this is that in an event where a government is unable to militarily dictate the terms of peace to a vanquished enemy or negotiate a peace agreement, the cycle of conflict remains.

The major turning point in the first war was the change of the political regime in Zaire, when Mobutu was overthrown and Laurent Kabila installed as president. Until that point, all was in line with the dictum of classical theory, which holds that the best way to end a war successfully is to first achieve tactical military victory over an enemy's army in the battlefield in the shortest time possible, and with minimum resources. Such tactical victory allows the victor to dictate the terms of peace to the vanquished, with the aim of ensuring long-term peace. In other words, the victor has the advantage of controlling the situation.

As mentioned above, the Rwandan alliance squandered the opportunity to present the terms of peace to the vanquished in this case. By doing this, the alliance failed to present to the Congolese acceptable terms of peace. The action of the Rwandan

alliance was typical of what classical strategic military theory refers to as a decisive victor whose victory led nowhere due to the victor's failure to acknowledge the legitimate interests of the vanquished adversary (see chapter one). Classical theory concludes of such a hubristic victor as one who, having gained a resounding victory, now finds it harder in the heady moment of triumph to recognize the reciprocal nature of war termination.

One of the best moments that the Rwandan alliance would have seized to negotiate the terms of peace with the vanquished party was when Mandela was negotiating for an exit strategy for Mobutu in April 1997, when it had become apparent that the Mobutu regime would not withstand the advancing Rwandan alliance. Besides Mobutu's exit strategy, Mandela also wanted the parties to agree on the formation of transitional government. These were favourable opportunities for the Rwandan alliance to enter the negotiations. As it became evident during the Sun City negotiations towards the end of the second war, the issues during Mandela's facilitation in 1997 were lesser and actors fewer. Moreover, the Rwandan alliance had attained a tactical advantage and therefore was the most favourable in dictating the terms of peace.

The window of opportunity existed for the entire year that the Rwandan alliance occupied the DRC after overthrowing Mobutu, but the alliance failed to capitalise on it. Even though the Mobutu regime had lost, there was need to negotiate with the parties that had constituted the 1990 Sovereign National Congress (SNC), one of them being Tshisekedi who had been elected prime minister at the time but frustrated by Mobutu (see chapter five). Tshisekedi had in turn offered his support to AFDL during the war. Regardless of this, the Rwandan alliance took no heed of Tshisekedi. It was also a moment when the alliance would have consolidated the remnants of the Mobutu forces (FAC) and offered them the terms of peace. This would have included modalities of DDR and the formation of a new national army. The Rwandan alliance should have equally negotiated with the civil society (*les forces vives*) on their future role in a new political dispensation. Chapter one highlighted the plight that a victor who fails to transform tactical victory into strategic peace faces – a rejection by the vanquished. This is pointed out in Machiavelli's Discourses when the Romans asked

their vanquished what kind of punishment the Romans should met on them. To this end the Romans posed, "...and if we should remit the penalty to you, what sort of peace could we hope to have with you?" The vanquished responded, "...if you grant good one, loyal and lasting; if a bad one, not very long..." (Machiavelli, 1965: 390-395). This, in classical military theory, points to the essence of offering the terms of peace to the vanquished through negotiations. It symbolizes the virtues of being magnanimous in times of victory.

This also confirms what Handel (2005: 198) means when he says that oftentimes the victor is not ready to acknowledge the legitimate interests of the vanquished adversary because the heady moment of triumph makes him fail to recognize the reciprocal nature of war termination. This, according to Handel, explains why the greatest victors sometimes paradoxically failed to obtain enduring results. It also confirms the first of the six basic elements of classical military theory that guide the formulation of objectives of war. According to this element (as discussed in chapter two), wars can begin on the basis of rational cost/benefit calculations in which state interests are the guiding principle, but become irrational and spin out of control.

In some instances a war can be waged rationally only to achieve non-rational objectives (Clausewitz, 1943). This helps to explain the situation in which the Rwandan alliance found itself in the first war when it lost its political objective. The change of objective led to the change of the rationale of the war. When this happened, the war became one of attrition (lengthy). It further confirms classical theory's caution that victories are meaningless unless they translate into a political end. As such, victory must be seen within the long-term political objectives.

The lesson drawn from this scenario is that when engaged in a war, a state should maintain its political objective and not lose sight. The loss of the political objective makes a war irrational, making the attainment of strategic peace impossible. Rwanda and its alliance failed to transform their tactical victory into strategic victory after deposing Mobutu, because they continued to exploit the DRC's natural resources as a way of funding the war.

The failure of the Rwandan alliance to offer terms of peace to the Congolese was a major opportunity missed for terminating the first war. It was an abrogation of the advice of classical military theorists who, as discussed in chapter three, stressed that if ever great enmities were to be settled, it would not be by revenge but when the victor waives adopts gentler feelings so as to win the generosity of the vanquished party to whom he should now accord peace. It is from that moment, that the adversary will owe the victor a debt of generosity to be paid in kind, and is inclined by honour to stand to his agreement. Classical theorists therefore objected annihilation of the vanquished by the victor in favour of a mutual negotiation between the two.

When the Rwandan alliance failed to offer generous terms to the Congolese, the tactical victory gained relapsed into renewed conflict as the vanquished (Congolese citizens in general) turned against the Rwandan alliance. Once the Rwandan proxy (Laurent Kabila) sensed the rejection of the Rwandan alliance, he also joined fellow Congolese in the rebellion that ensued, leading to the second war. The study has raised the important need for prioritising military issues in negotiations to end civil wars. It noted that because war in itself is a military affair, relegating military matters at the heart of the conflict to a secondary state is equivalent to downgrading its importance. Besides using the classical strategic theory of war as the framework for understanding the DRC civil wars, the study has also adequately analysed the importance of military issues in the ending of war in Africa, with specific references emanating from the DRC case. The implication of the failure to do this constituted the subject of the second objective of this study.

7.2 Military issues and the ending of civil wars in the DRC

The second war led to a stalemate. The lack of a decisive military victor meant that the belligerents had to resort to negotiations as a way of terminating the war. This was in line with the principles of classical military strategy on how wars of this nature should end. The negotiations that ensued were at two levels; the first was state-to-state negotiations and the second was inter-Congolese negotiations. Chapter six presented the challenges that marked this process.

The stalemate that ensued led to the division of the DRC into three sectors (See IV). The government of Laurent Kabila controlled the western region of the country with the support of Zimbabwe and Angola, while Uganda and Rwanda and their proxies MLC and RCD respectively controlled the eastern flank of the country. Burundi also kept close surveillance over its borders in the south. The Rwandan alliance invoked the security of their borders as the main reason for their continued stay. State-to-state negotiations led to the signing of the Lusaka Ceasefire Agreement (LCA) in 1999. By this time, the country had been divided into the three administrative zones. According to Part two (b) of the LCA, the parties agreed to “the effective cessation of hostilities, military movements and reinforcements, as well as hostile actions, including hostile propaganda...” this in effect meant the freezing of all the three actors in their respective zones of operation.

An important aspect of the LCA was that it also recognized the two proxies of Rwanda and Uganda as signatories. For instance chapter nine which dealt with the disarmament of the armed groups states that, “The JMC with the assistance of the UN/OAU shall work out mechanisms for the tracking, disarming, cantoning and documenting of all armed groups in the DRC, including ex-FAR, ADF, LRA, UNRF11.” This excluded RCD and MLC. On the other hand, Annex “C” of the LCA considers these two as actors in this inter-state conflict, in its definition of who constituted an armed group: “Armed Groups” means forces other than Government forces, RCD and MLC that are not signatories to this agreement. They include ex-FAR (former Rwandan forces), LRA (Lord’s Resistance Army), UNRF II (Uganda National Rescue Front II), NALU (National Army for the Liberation of Uganda), Interahamwe militias, FUNA (Former Uganda National Army), FDD (Forces for the Defence of Democracy in Burundi), WNBF (West Nile Bank Front), UNITA and any other forces.”

The fact that the LCA had raised the two rebel groups to the level of state actors became an impediment in the peace process. The efforts to move the issues proposed for negotiation in the LCA soon stumble several times until when Kabila was assassinated. Principle among these reasons (as discussed in chapter six) was Kabila’s reluctance to negotiate as equals with the RCD and MLC rebels when he understood

clearly whom the masters of these two were, himself having been used in a similar manner during the first war. Negotiating with these proxies that had been created in the same way as his AFDL in the first war amounted to watering down his position as president. The stalemate that ensued persisted for two years, until when Joseph Kabila took over and engaged Rwanda and Uganda on the issue of their military withdrawal from the DRC.

At this juncture the facilitator of the peace process recognized that the interconnectedness between the external and internal dimensions of the conflict. The principal external actors (Rwanda and Uganda) had internal interests in the DRC that the facilitator of the peace process had to deal with. These were security interests that called for a military approach. As discussed in detail in chapter six, The Pretoria Peace Agreement of July 2002 focused mainly on the eradication of the ex-FAR and Interahamwe from the DRC. On the other hand under the Luanda Peace Agreement of September 2002, Uganda was keen to ensure that the Kivus would not be used as a springboard for armed groups and inter-ethnic militia with the objective of destabilising Uganda.

The two agreements therefore laid down the conditions for withdrawal of the militaries of these two countries. Although the two countries physically withdrew troops from the DRC, evidence by the UN Panel of Experts indicated that thousands of RPA troops were still embedded in the RCD-Goma and that their cross-border ethnic linkages and linguistic similarities made it difficult to distinguish between them. In the case of Uganda, the Luanda Agreement contained clauses that allowed the two countries to cooperate militarily as well as in trade and communication. These two examples confirm further the economic interests that the two countries had in the DRC.

The fact that the core of these agreements bore military issues points to the importance of the matter in ending civil wars, especially in Africa. That Rwanda and Uganda withdrew their militaries from the DRC after negotiating the terms of peace, further affirms the argument of classical theorists that negotiations are a continuation of war, but in the boardroom (Clausewitz, 1943: 95-98). During the negotiations for

the terms of peace that characterized the two agreements, Joseph Kabila, who had just replaced his deceased father, was on the weaker side of the bargain, and therefore Rwanda and Uganda seized the opportunity to present their terms of withdrawal, which in this case could be equated to a victor's terms of peace in classical military theory. For instance Article five of the Pretoria Agreement comprised the core condition of Rwanda's withdrawal:

“ The government of Rwanda reaffirms its readiness to withdraw from the territory of the DRC as soon as effective measures that address its security concerns, in particular the dismantling of the ex-FAR and Interahamwe forces, have been agreed to. Withdrawal should start simultaneously with the implementation of the measures, both of which will be verified by MONUC, JMC and the third party.

This was the very contentious condition that Rwanda had imposed on Laurent Kabila, and which had led to the stalemate. That Joseph Kabila now acceded to it knowing well the impossibility of implementing it projected his weakness in the bargaining process. All the same, the two agreements managed to physically end the external element of the war, while the structural issues underlying the conflict remained. In principle the two agreements ended the external element of the second war, thereby freeing the inter-Congolese parties to engage with internal peace process. This underscores the importance of negotiating military issues as a panacea to ending of not just civil wars, but most types of war.

Once Rwandan and Uganda had withdrawn their troops, the military interests of the RCD and MLC, which had been recognized by the LCA as military actors, were now relegated to the realm of the ICND, which was largely a civilian mechanism charged with dealing with the political matters of the transitional government. This presented a major challenge in the ICND. As discussed in chapter six, the central focus in the ICND was to negotiate the political and not military transition of the future leadership of the country. It was also an avenue for the civil society (*forces vives de la nation*) and the un-amend opposition to accomplish the issues that remained pending from the 1991 sovereign conference that Mobutu had disrupted. As such, the ICND prioritized

matters of power sharing among the participants as well as putting in place an interim constitution. That the ICND was given the dual task of handling both the political interests of unarmed groups as well as the military issues of armed groups was definitely beyond the ability of the ICND.

Matters of military interest to the RCD-Goma and MLC such the criteria to be used in integrating them into the new army allocation of military ranks and command structures, the distribution of military positions, the criteria for disarmament, demobilization and reintegration (DDR) of certain categories of combatants, the security arrangement of the transitional government officials and their institutions were given lesser attention such that they became the last item on the Sun City agenda.

Out of the five commissions set up to discuss the modalities touching on various matters of the ICND, the Security and Defense Commission was the only one that disbanded as soon as it was set up, the reason being that the RCD-Goma and MLC had insisted on merging with the FAC on equal grounds. The government withdrew its participation in protest, leading the collapse of the commission. From this moment until four days before the conclusion of Sun City talks, the parties refrained from reconstituting the commission. Even when the Final Act was signed in April 2003, the negotiations on the Memorandum regarding the establishment of a restructured and integrated national army were nothing more than a declaration of intent.

The belligerent were far from agreeing on the distribution of power during the transitional period. The discussions on these matters went on long after the closure of the ICND. It was until June 2003 that the UN Special Envoy Mustapha Niasse, and a former Canadian army chief, Maurice Baril that a semblance of an agreement was arrived at. The arrangement was such that Kabila would nominate chief of staff for the armed forces and the head of the navy, while RCD-Goma and MLC would head the ground forces and the air force respectively.

The tenuous process of resolving the military issues in the DRC civil war points to the need for parities to always endeavor to resolve military issues as a matter of priority

rather than shelve them for future consideration. Had the parties to the DRC peace process followed this procedure, they would have had less resistance and altercations such as the invasion of Moliro by the RDC-Goma during the negotiations would never have occurred.

The best that the ICND could achieve was to award individual leaders of the armed groups with political positions according to the transitional constitution. The Vice-Presidents the RCD-Goma, the MLC and the Political Opposition. This arrangement was popularly referred to as 1+4 formula (one president and four vice-presidents). Kabila managed to retain the position of the Head of State and Supreme Commander of the Armed Forces. In this arrangement emerges the selfish nature of the leaders of RCD-Goma and MLC. Their failure to secure a far-reaching agreement on military issues for the benefit of thousands of their troops did not bar them from pursuing their personal interest in political power. Rather than be left outside the transitional arrangement, they opted to deputise Kabila. The RDC and MLC rebels to withdrew back to their former stronghold areas in eastern DRC, from where they threatened to launch a new war. Renegade officers such as Laurent Nkundabatware, Eric Ruohimbere and Elie Gishondo of RCD-Goma claimed that their lives were in danger and they fled from Kinshasa to the east with their troops from where they launched a new rebellion¹⁶

7.3 Issues arising from the study

There are three main issues of relevance to termination of conflicts in Africa that have emerged from this study.

7.3.1 The importance of proximate causes

Proximate causes of a conflict emanate from the impact of root causes such as changes in strategic environment, refugee movements and ideology. These can be contrasted from core or root causes, which constitute factors that have a direct bearing on the occurrence of a conflict such ethnicity, natural resource factors and regime-type. As discussed in chapter four, the Rwandan civil war was responsible for

¹⁶ Nkunda was later to head a new rebel group, CNDP, which was a new outfit that replaced RCD-Goma. Since then there have been a series of wars as CNDP evolved into Mouvement du 23-mars (M23).

triggering the first war in the Zaire, when the Rwanda created an alliance and a proxy armed group (AFDL) to pursue the ex-FAR and Interahamwe that had fled into Zaire. This phenomenon calls for the need to acknowledge that civil wars in Africa have both internal and external dimensions. The external elements could be as a result of a neighbouring country offering rear bases to rebels of a neighbouring country, or due to cross-border factors that link inhabitants of a region in which the conflict takes place. It could also be as a result of a common colonial past, internecine conflicts with a contagious element, spatial economic decay and weak political regimes in the conflict's neighbourhood.

The spread of the Rwandan civil war in the DRC and the use of proxy armed groups by the Rwandan alliance to invade Zaire in 1996 challenged the conventional understanding that civil wars are caused by core causes (intra-state factors) and therefore goes on to challenge the thinking that to end such wars one should focus entirely on resolving the core causes at an intra-state level. The process needs to pose the question, "How does the environment and activities in the neighbouring countries affect the conflict at hand?" Answers from this question should then be part of the wider solution to the conflict. It is on this basis that this study proposes that the proximate element of war always be part of the main issues in the ending of civil wars in Africa. This forms part of the contributions of this study to the processes of understanding how to end civil wars in Africa. Although Mobutu's government had weakened considerably due to core issues within Zaire, it was the spillover into Zaire of the Rwandan civil war that triggered the war in Zaire. This proximate cause saw the Rwandan alliance adapt a proxy (AFDL) through which it pursued its political objective in the war.

This demonstrates the difficulty of distinguishing the proximate causes of a civil war from the root causes when proxy armed groups are involved. This was a major stumbling block in the Lusaka peace process. The interests of the RCD-Goma and those of Rwanda were merged, making it impossible to isolate them. This was same for the MLC and Uganda. It even becomes more complex when a proxy develops its own interests and defied its original master, as was the case between Laurent Kabila and the Rwandan alliance. The inter-linkages of these factors is a phenomenon that is

less understood in civil wars in Africa and could be a contributing factor to unsuccessful peace processes. The lesson drawn from the DRC case study is that processes to end civil wars in Africa ought to be conscious of identifying and dealing with proximate causes in the same measure as dealing with the root causes of such wars.

Classical wars or wars of *ancient régime* were conducted between professional armies of limited size for limited interests and with no involvement of civilians (see chapter one). This rendered proxies non-existent and as such classical military theory falls short in addressing this phenomenon. With regard to resolving future conflicts in Africa similar to the DRC civil wars, the study proposes a combination of classical military principles on how wars should end, and the need to address proximate causes, especially the relationship between Rwanda and the DRC. Whether the war is characterized by tactical victory or a stalemate, the parties should ensure a negotiation process that leads to a peace agreements with clear and agreed terms of peace. In addition to this is the agreement by the parties on how they would tackle the elements of military issues mentioned above.

Most wars today will lead to a stalemate because of humanitarian reasons. More often the war becomes unconventional by attracting civilians as combatants. It thus transforms into a civil war. This is unlike in classical times when wars were waged primarily by armies of states, making tactical victory a common phenomenon through which wars ended. Modern wars in which civilians are major actors, with some used as proxy rebels, rarely lead to a tactical victory. Clausewitz and Handel recognised this phenomenon in their discourses when they stated that wars have become the business of the people, and not just of governments and armies. In the case civil wars in Africa, the conflict has sometimes taken an ethnic angle, thereby becoming largely a business of the people.

The role of ethnicity in conflict has been viewed at a local, intra-state level. The DRC wars however raise the need to go beyond a country's international borders and take note of the role that cross-border ethnic linkages may play in conflicts. The historical inter-connectedness of the people of Rwanda, Congo, Burundi and Uganda as

discussed in chapter four, has been due to a common colonial past, ethnic identity that spanned these countries, internecine conflicts that result in massive displacement of people, general economic weakness in the Great Lakes region and weakness of political regimes. These factors have made the question of the citizenship of the Rwandophone community in eastern DRC to characterise the conflict in eastern DRC for a long time. Because of the past wars in Rwanda and Burundi between Hutu and Tutsi, many of these ethnic communities sought refuge in the Kivus. As a result, wars between their ethnic kin in Rwanda and Burundi easily extended into eastern DRC by diffusion and contagion as explained in chapter four.

The affiliation between the Congolese Tutsi and Hutu (Rwandophone) communities in eastern DRC and those in Rwanda and Burundi has over time developed into an interplay of a sensitive complex mix of ethnic, economic, political and military interconnectedness that traverses the borders of the three countries. As a response to this threat, the Rwandophone community in the Congo has developed a defensive culture in which they are able to mobilise along their ethnic identity to defend themselves against other tribes who may view them as accomplices of external saboteurs.

Although classical military theory calls for a negotiation on terms of peace in ending a war, the negotiation process, as pointed out in chapter three, presents a challenge to rebels in many cases in Africa. First because often rebels lack a clear political ideology on which to negotiate (by the virtue of being proxies without own objective); second, rebel factions tend to proliferate and change their affiliations rapidly, making it difficult to know their legitimacy. Third, governments are often reluctant to recognise rebels as equals in negotiations; fourth, they (rebels) often lack the technical capacity to negotiate effectively, like governments would. It is recommended that rebel negotiators be trained before negotiations start, as was the case in Mozambique and Rwanda.

At the economic level, activities in the region are interconnected. For instance, the in-existent industrial base in eastern Congo due to persistent insecurity has rendered the east of the Congo heavily dependent on the neighbouring countries, especially

Rwanda and Uganda for manufactured goods. Even imports coming by sea through the ports of Mombasa and Dar-es-Salaam transit through Rwanda, Uganda and Burundi to get to the Kivus. Rwanda's geographic location provides two major access points to both North and South Kivu, making Rwanda the most natural trading partner of eastern DRC. Goma, the capital of North Kivu, neighbours Rubavu (formerly Gisenyi), whereas Bukavu, the capital of South Kivu neighbours Cyangugu town of Rwanda. The 24-hour Grande Barrière border post linking Goma and Rubavu, and the Cyangugu-Bukavu border post serve mainly trade activities between the two countries, although the North Kivu's Bunagana border post with Uganda is also a major trading post, as is the case with South Kivus's Uvira border post with Burundi.

The fact that the Grande Barrière border post has remained open even at times of intense disagreements between the two countries is testimony to the interdependence of the inhabitants of the two countries, especially those residing on both sides of the border towns (Rubavu-Goma for North Kivu and Cyangugu-Bukavu for South Kivu). Because of the disjuncture between the eastern and the western regions of the Congo, the easiest option for the inhabitants of the Kivus to travel internationally is via the three neighbouring countries.

7.3.2 The role of proxy armed groups in civil wars

The use of proxies in civil wars in Africa is an emerging issue. The two wars in the DRC presented a classic case in which neighbouring countries used proxy armed groups to pursue their political objectives militarily in a neighbouring. In the DRC civil wars, proxies became the channel through which Rwanda and Uganda sought to attain their political objectives. In addition to using a proxy, Rwanda also succeeded in co-opting Uganda and Burundi as allies with the aim of mobilising a regional approval for its activities in the DRC, as discussed in chapter three. Rwanda's military strategy was therefore meant to give the war a Congolese face as well as a regional dimension.

One would also view this as Rwanda, Uganda and Burundi (Rwandan alliance) wanting to avoid the glare of the international system by being seen as having invaded Congo, since that was the essence of having used a proxy, AFDL. The fact that the

victor (Rwandan alliance) continued to conceal its activities made it difficult for to negotiate the terms of peace with the Congolese, especially the remnants of Mobutu's regime, who in turn may have perceived the situation as one of dishonesty.

That two peace agreements (Pretoria Peace Agreement and Luanda Peace Agreement) did not lead to strategic peace in the DRC reveals the possibility that those involved in ending civil wars in Africa may not after all, be dealing with the right issues. The two agreement played a major role in ending the external element of the war, but left a big gap on how to deal with the internal military aspects of the armed groups, particularly regarding the proxies (RCD and MLC).

When, as stipulated in the two agreements, Rwanda and Uganda withdrew their militaries from the DRC, the proxy armed groups; RCD and MLC relinquished their armed activities and sought to join the ICND, which was primarily a political structure. Similarly, when Rwandan and Uganda withdrew their troops, their two main proxies (RCD and MLC) remained without a clear political objective of their own, thereby being naturally compelled to join the ICND. This proves the leverage that the two countries had exercised over their proxies until then. But because they were simply conduits of Rwandan and Ugandan political objectives, on their own the proxies lacked a clear political objective upon which they could negotiate their terms of peace. Their main area of interest was military in nature, and therefore did not fit in the political negotiations that the ICND had prioritized. The ICND was therefore composed of three categories of groups: the government, the armed groups (proxies) and the non-armed groups (largely those that were part of the 1990 SNC).

According to the government parties and the non-armed groups, the ICND symbolized an opportunity to address issues historical differences that were had remained unresolved during the SNC. It was more of an opportunity to forge a government of national unity, and less so an avenue to negotiate military issues relating to the proxy armed groups. The military element of the RCD and MLC was therefore overshadowed.

From the foregoing, the complexity of terminating a war in which external actors use a proxy to attain their political objective raises questions such as how much freedom the proxy would have to act independent of its master and how the master should relate with a proxy that has assumed a new identity. This was the situation that befell Rwanda and its proxy, Laurent Kabila. This occurrence in the DRC civil war confirms the reality that civil wars are about changing the political set-up of a country. Once the external element of the war was eliminated (when Rwanda and Uganda withdrew their militaries), the political interests of the Congolese parties emerged, as manifested in the ICND. The leaders of the former proxies were more interested in securing personal positions in the new political dispensation while using their armed groups as pawns in the political power game.

The use of proxies has a long-term effect on the ethno-political dimensions of a country as well as on the attainment of the objective of war. As mentioned above, the fact that the political objective of the former proxies of the Rwandan alliance corresponded with those of their foreign backers (Rwandan and Uganda) complicated the ability of these proxies (primarily RCD, MLC) as well as their masters to achieve their own political objectives during various stages of their interaction. Two typical implications of this complicated proxy-master relations that emerged from the DRC case were notable during both wars as discussed below.

i) The first war: The outcome of the relationship between Laurent Kabila and his master, the Rwandan alliance demonstrates the how politically the relationship between proxies and their masters is symbiotic (they depend on each other). For the two to agree to work together, each has to envisage deriving maximum benefits from the relationship. The Rwandan alliance enticed Kabila to head AFDL by promising him military support. In actual fact the fighting was done by the Rwandan alliance itself while the incentive for Kabila's proxy position was that he would be the president once Mobutu had been deposed. Little did the Rwandan alliance fathom out Kabila developing his own political interests and seeking to break away from the control of his masters once he became president. This was a clash of interest between a proxy and its master.

ii) The second war: The impact of being a proxy was more visible during the ICND. During this dialogue the legacy of the proxies was dented. For instance RCD-Goma's association with the Rwandan alliance drove a wedge between the former proxies and the rest of the Congolese population. This may have led to suspicion and mistrust, making it difficult for the parties to appreciate each other's intentions during the ICND. The process took an ethnic perspective, in which the Rwandaphone community in the DRC was chastised for being sympathetic to Rwandan.

The above hate relationship between RCD-Goma and other delegations comprising the ICND was further exacerbated by the continued relationship between the RCD-Goma and Rwanda even after the latter had signed the Pretoria Peace Agreement and withdrawn its troops from the DRC. Despite withdrawing a large number of its troops, the RPA maintained several of them embedded within the RCD-Goma rebels. In writing on why States in an international dispute sometimes choose to attack their enemies with their own military forces while other times choose to empower domestic insurgent groups, Salehyan (2010: 494) stresses that one of the most common strategies that states employ when confronting their international enemies is fund, harbour and sponsor rebel organizations or insurgent groups, rather than "go it" alone, as a way of concealing the state's real identity. The use of proxy by states points to the fact that there is no simple dichotomy between intrastate and interstate wars in the contemporary international relations, as demonstrated by the wars in the DRC.

Singer (2005) and Byman (2007), while concurring with this observation, add that when using proxies to fight their wars, countries employ several additional means of providing for their own security as they endeavour to undermine their rivals. Analyses of civil war termination depict that despite a wide range of literature on civil war, scholars often fail to appreciate the range of strategies and tactics used by states against their foreign enemies (Salehyan, 2010: 495) and this hampers a clear understanding of States' interests in their involvement in cross-border wars. One of the most common strategies is through empowering rebel organizations by offering them material, financial and political support. Beyond this fact, Byman (2001) and Prunier (2004) argue that there is no proper theoretical or empirical explanation of

why states choose such a strategy over direct warfare or why states use rebel patronage in tandem with direct attacks. This is despite the fact that the term “proxy forces” has been in use for some time, most commonly during the Cold War when the United States and the Soviet Union competed for global dominance (Swami, 2004: 147-170).

The use of proxies in civil wars in the sense in which the Rwandan alliance did was not a common phenomenon in classical times. As such, classical military theory does not take cognizance of the fact that some states can wage a war against other states using proxy forces, because at the time was strictly an affair of states (wars of the *ancient régime*) and very prescriptive. For instance as discussed in chapter two, Mao Tse-tung outlined a three-stage process of how insurgents should fight (in other words, avoiding pitched battles with government forces, control a segment of the population, destruction of weakened government forces occupying defensive positions).

The assumption here is that insurgents would always be non-state actors such as guerrillas fighting a central government. Mao did not envisage a case in which a state would want to conceal its conventional war against another state by using a proxy armed groups, as in the case of the two DRC wars. In this case controlling a section of the population or avoidance of pitched battles is not necessary because the invading state, disguised in a proxy, engages the military of the invaded state directly, as was the case in the first Congo war when the Rwandan alliance, using AFDL as proxy, invaded Zaire.

In the same vein, Mao stipulates the three things that governments should ascertain about insurgents before launching a counter insurgency offensive against them. These are the location of insurgents, the possibility of isolating them from the population and eradication/extermination of insurgents that won't surrender. Again, these would only apply to intra-state based insurgents without direct external support. In a case such as the DRC wars where foreign states sponsored proxies it would be needless to apply this classical military counter-insurgency practice.

The use of proxies in modern wars by states to pursue their political objectives in neighbouring countries challenges the belief that the nature of war has changed from being inter-state to predominantly intra-state. The DRC case illustrates that the only thing that may have changed is the *modus operandi* in which states now wage wars - by use of armed proxy groups. It is therefore not necessarily the nature of war that has changed, but more so the way of waging it.

The exacerbation of civil wars in Africa and their resilience to termination may therefore be because those attempting to end such wars are treating them as purely intra-state in nature, whereas the reality is that these wars blend both inter-state and intra-state elements. The measures used in terminating them ignore proximate element therein, whereas the reality is that these are inter-state wars fought through proxies, in which case the approaches to solve them need to encapsulate proximate issues. There is therefore need for further research on how to engage with this new phenomenon.

7.3.3 Multiplicity of armed groups with varying interests

Africa's wars are characterised by a plethora of armed groups, often with differing interests. This has a major impact on the termination of these wars. Fortna (2003a), Fortna (2003b) Mukherjee, (2006) and Jarstad and Nilsson (2008) contend that the termination of an intra-state conflict constitutes a severe alteration to the way a country is governed before the conflict ended, just like in a revolution. For this reason, a negotiated end to an intra-state conflict therefore tends to lead to a less stable democracy than an outright victory through military means that is followed by negotiating the terms of peace. This is because contrary to the typical (or regular) situations where a political opponent overthrows an authoritarian regime, in rebel-led wars the opponents (rebels) do not ascribe to a normative commitment to democratization in which people compete openly on equal footing for elected positions (Wantchekon, 2004: 17-33). This also partly explains why rebel groups that signed the GIA, could not abide by the terms of the agreement, perhaps for fear of being marginalized in the new democratic dispensation in which a transitional government that was the former enemy, was already in control. Continuing the war became their best bet, just in case they attained tactical victory this time round.

Smith (1995) adds that ceasefires emanating from stalemated wars due to early intervention make negotiations more laborious because the parties are unclear about their strengths and therefore may overestimate their own bargaining power, rearm and return to war after a short while. Quinn, Mason and Gurses (2007) concur with this argument, and add that a successful ending of a conflict also depends on issues of ethnicity involved and the duration of the conflict. This helps to understand why some civil wars become cyclic. However, even when intervention comes at the right time, military issues are often relegated to a position of lesser importance, at the expense of political settlements. This was illustrated by the conduct of the two wars in the DRC, as discussed in chapter five. It points to the reality that most processes to end civil wars in Africa dwell mostly on political matters of the conflict at the exclusion of military issues.

It suffices to reiterate in conclusion that the lesson emerging from efforts to end civil wars with multiple actors as is the case in Africa is that often the war is declared over when politicians from both sides of the conflict sign agreements on power sharing, transitional government and interim or new constitution without agreeing on how to resolve military matters. This is where the weakness of the process lies, as has emerged from the analysis of how the two wars ended in the DRC. Often, when the process takes this format, the threat to renewed war remains alive. Failure to negotiate agreeable terms on military matters has a high propensity to re-ignite the conflict because the underlying factors of the conflict remain unresolved as exemplified by the wars in the DRC. This study holds several important lessons that should shape the way civil wars are ended in Africa.

7.4 Lessons for the termination of civil wars in Africa

Three lessons specific for Africa can also be drawn from the Congo wars. Firstly is that civil wars in Africa are not typically intra-state in nature, but bear both inter-state and intra-state dimensions. This is motivated by the cross-border ethnic linkages that characterise most African countries such that people of the same ethnicity host and support their kin (spread of conflict by diffusion). It may also be due to cross-border spillover of violence leading to refugee movements (spreading by contagion). In either way, African conflicts always contain an external element. As has emerged

from this study, the causes of conflict in Africa are increasingly becoming a blending of core and proximate causes which the study alludes to historical migrations, ethnic, religious, geographical and political affinity that cut across the borders of most African States. It is on this basis that proxy armed groups are increasingly becoming a common phenomenon in African civil wars as cross-border inter-ethnic groups acting out of sympathy for their kin in the neighbouring countries avail themselves to be used for political objectives.

Based on this reality, traditional approaches of dealing with inter-state and intra-state conflicts cannot respond adequately to these challenges. This calls for new approaches on how to tackle such wars. In some cases, proximate causes play a much bigger role in igniting and sustaining a war especially in a neighboring country, than core causes. This was the case in the two wars in the DRC.

Secondly, negotiations to end civil wars in Africa tend to attract not only the interests of immediate neighbours, but also external interests of a global nature (of strong global powers). This impresses upon the parties to sign agreements and commit themselves to implementing them. In the case of the DRC, the UN, US, SADC and the OAU sent envoys to the negotiations and through this the parties were able to commit to an agreement, as discussed in chapter six. The lesson therefore is that for a ceasefire and other negotiated instruments of peace to thrive in Africa, there is need for strong guarantors. This is what saved the Lusaka peace process from collapsing, as elaborated in chapter six.

Thirdly, it is also important to note that all actors in a conflict (including those intervening) have their interests in a conflict. The parties that intervened in the Congolese wars, just like the belligerents themselves, had strong vested (economic) interests that were displayed sometimes openly to all parties. There was therefore, little honest brokerage of the peace process, and this may have had a negative impact on the commitment of the parties to the outcome of the negotiations.

The increasing trend is that civil wars in Africa always tend to have economic dimensions. As the DRC reveals, all the countries that intervened in the two wars had

economic vested interests linked to the country's abundant natural resources. In classical strategic thought these interests manifest themselves sometimes as the political objectives.

7.5 Recommendation for further research

The alliances that countries neighboring the DRC formed in both the first and the second war demonstrate a phenomenon that requires further research. It shows how, countries with common political and economic interests in a neighbouring country can converge for convenience to invade another state with the aim of looting that country's resources. Could this be a new phenomenon in African politics?

This study has also brought to the fore how a country (or an alliance of countries) can wage an inter-state war against another country (or alliance of countries) through proxies. In the first war, the alliance of Rwanda and Uganda triumphed against the regime of Mobutu through the use of AFDL as a proxy force. In the second war Kabila applied the same tactic in the face of Rwanda's invasion, by forming an alliance with the SADC countries. This led into a stalemate, saving him from a fate similar to Mobutu's, although eventually Laurent Kabila was assassinated before further traction on the Lusaka Ceasefire could be realized. There is need for further research on the role of proxies in civil wars in Africa, and how to resolve it.

APPENDIXES

Appendix I: The Pretoria Agreement (Between Rwanda and the DRC), July 30 2002.

Source: US Department of State. At: <http://2001-2009.state.gov/t/ac/csbm/rd/22637.htm>

| Peace Agreement Between the Governments of the Republic of Rwanda and the Democratic Republic of the Congo on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the Ex-Far and Interahamwe Forces in the Democratic Republic of the Congo (DRC) (Pretoria Agreement) | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Article | Thematic issue | Content |
| 4. | DRC condition to withdrawal of Rwandan forces | DRC reaffirms its stated legitimate right that the forces of the government of Rwanda withdraw from the territory of the DRC without delay. |
| 5. | Rwanda's condition to withdrawal of its forces | Rwanda reaffirms its readiness to withdraw from the DRC as soon as effective measures that address its security concerns (dismantling of the ex-FAR and Interahamwe forces) have been agreed to. |
| 7. | Disarmament of ex-FAR and Interahamwe | The DRC is ready to collaborate with MONUC, the JMC and any other Force constituted by the third party, to assemble and disarm the ex-FAR and Interahamwe in the whole of the territory of the DRC. |
| 8.1 | Ex-FAR and Interahamwe | The DRC will continue with the process of tracking down and disarming the Interahamwe and ex-FAR within the territory of the DRC under its control. |
| 8.3 | Rwanda's condition to withdrawal of its forces | The Rwandan government undertakes to withdraw its troops from the DRC territory, following the process outlined in paragraph 5. |
| 8.4 | Repatriation of Rwandese, ex-FAR and Interahamwe | MONUC and all relevant UN Agencies, to immediately set up processes to repatriate all Rwandese, ex-FAR and Interahamwe to Rwanda, in co-ordination with the governments of Rwanda and the DRC. |
| 8.7 | Guarantors | The Parties agree to accept the verification report from the third party. Article 3 stated that the third parties were Secretary-General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and facilitator of this process. |
| 8.10 | Border security | Rwanda and DRC were put into place a mechanism for the normalisation of the security situation along their common border. This mechanism could have included the presence of an international force to cooperate with the two countries, in the short term, to secure their common border. |

Appendix II: Luanda Agreement (Between Uganda and the DRC), 6 September 2002

Source: US Department of State. At: <http://2001.2009.state.gov/t/ac/csbm/rd/22627.htm>

| Agreement Between The Governments of the Democratic Republic of the Congo and the Republic of Uganda on Withdrawal of Ugandan troops from the Democratic Republic of the Congo, Cooperation and Normalisation of Relations between the two Countries | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Article | Thematic issue | Content |
| I (1) | Withdrawal of Ugandan troops | The GOU commits itself to the continued withdrawal of its forces from the DRC in accordance with the implementation plan marked Annex "A" ¹⁷ |
| I(2) | Withdrawal of Ugandan troops from Beni and Gbadolite | The GOU unilaterally and unconditionally issued orders to her troops in Gbadolite, Beni and their vicinities to immediately withdraw from DRC. |
| I(3) | Withdrawal of Uganda troops from Bunia; formation of the Joint Pacification Committee on Ituri. | The Parties agreed to put in place, with the assistance of MONUC a Joint Pacification Committee on Ituri consisting of the Parties, political, military, economic and social forces active in the Bunia area, and the inhabitant grassroots communities. In addition thereto, Uganda re-affirmed her readiness to withdraw her troops from Bunia as stipulated in Annex "A." |
| Article I (4) | Ugandan border security | The Parties agree that the Ugandan troops shall remain on the slopes of Mt. Ruwenzori until the Parties put in place security mechanisms guaranteeing Uganda's security, including training and coordinated patrol of the common border. |
| Article I (5) | Report back | The DRC and the GOU agreed to keep the Angola informed on the progress of the withdrawal of Ugandan troops |
| Article II (1) | Sovereignty of the DRC and Uganda's security | Both agreed to work towards the restoration of the dignity and sovereignty of the DRC as well as address Uganda's security concerns |
| Article II (2) | Rear bases and logistical support to rebels | Both parties agreed to refrain from all types of military and logistical support including the provision of bases and sanctuary to the armed groups, inter-ethnic militia, subversive organisations and all rebel movements against the interests of the Parties; to expedite the pacification of the DRC territories that were under the Uganda control and the normalization of the situation along the common border |
| Article II (3) | Exchange of intelligence | To exchange intelligence on all matters of security interest among them |
| Article III | Diplomatic Cooperation | The Parties agreed to cooperate in efforts to restore full diplomatic relations |
| Article IV | Legal Relations | The Parties agreed to find a mutually acceptable formula of resolving any existing or arising legal issues between them |
| Article V | Defense and Security Cooperation | The Parties agreed to cooperate in the areas of defence and security including training, coordinated border patrols, exchange of intelligence and liaison work |
| Article VI | Social/Economic | The Parties agree to re-establish the Joint Ministerial |

¹⁷ Annex "A" Provides a chronology of activities that the two parties (GOU and the DRC) committed to achieve in a span of 100 days, to be marked by the establishment of the Ituri Pacification Commission (IPC)

| | | |
|--------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Cooperation | Commission for cooperation in the various areas, including trade and investment, infrastructure transport, communications and cultural exchange |
| Article VII | Conflict Resolution | The Parties agreed to resolve any future differences between them through dialogue and any other peaceful means |
| Article VIII | Implementation/Review Mechanism | 1. The Parties would, among others, implement this Agreement as stipulated in Annex "A". 2. The Parties in collaboration with the Republic of Angola agreed to have regular review for the effective implementation of this Agreement |
| Article IX | Amendments | This Agreement may be amended by the mutual written consent of the Parties |

Appendix III: Chronology of the major discussions in the course of the ICND

| Date | Venue | Actors | Issues |
|--------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| May 4 2001 ¹⁸ | Lusaka | Representatives of signatories to the LCA and ICND members as defined by the LCA and Congolese non-violent political opposition and civil society; observers. | Signing of Declaration of Principles laying ground for an all-inclusive dialogue and formation of a transitional government |
| 20-24 August | Gaborone | Representatives of signatories to the LCA and Congolese non-violent political opposition and civil society; observers from the UN, OAU, SADC, EU, and the JMC. | Preparatory meeting After disagreements over eligibility of participants in the talks and on the venue, they agreed that the national dialogue would be held in Addis Ababa for a period of six weeks beginning on 15 October 2001. |
| 15 October 2001 | Addis Ababa, Ethiopia | ICND members | This was the first attempt of dialogue. 80 out of 360 participants attended due to financial constraints. The meeting collapsed. ¹⁹ |
| 9-12 November | New York | Informal meeting of the | They agreed on an agenda to tackle |

¹⁸ This chronology of events is consolidated from three independent sources: (1) Department of Foreign Affairs, South Africa (now the department of international relations - Dirco), at: <http://www.dfa.gov.za/foreign/Multilateral/profiles/icd.htm>. Accessed on 4 April 2014; (2) Carayannis, T. 2009. "The challenge of building sustainable peace in the DRC," *Background Paper*, July. Switzerland: Henry Dunant Centre for Humanitarian Dialogue; and Rogier, E. 2003. "Cluttered with Predators, Godfathers and Facilitators: The Labyrinth to Peace in the Democratic Republic of Congo." The Hague: Netherlands Institute of International Relations.

¹⁹ The meeting collapse after just three days when Kinshasa government protested that not all parties were represented, and insisted that the Mai Mai be included in the talks. Rebel groups strongly opposed this, arguing that only parties signatory to the LCA should be eligible to participate in the dialogue. The government won on the account of inclusive participation, although the reality was that it wanted to have on board groups that it could easily manipulate.

| | | | |
|---------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2001 | | DRC government, RCD-Goma and MLC at the initiative of Kofi Annan and chaired by Ibrahim Fall | the issue of delegations as well as also to the organisation of elections, the new political order, national sovereignty and the territorial integrity of the Congo. |
| 6-8 December 2001 | Abuja | Meeting of the representatives of the DRC government, RCD-Goma and MLC | The issue of the composition of delegations for the dialogue was resolved. Six representatives were allocated for the Mai Mai and seven for the religious orders, to be included in the <i>Forces vives</i> component; total the number of expected participants (362) |
| 11-12 December 2001 | Nairobi, Kenya | | To review the implementation of the dialogue in line with the LCA and prepare for the next attempt |
| 14-17 January 2002 | Brussels | Informal meeting of representatives of the un-armed political opposition and civil society | To discuss the issues of transition, elections, citizenship, Constitution and the armed forces. |
| 4-8 February 2002 | Geneva | Representatives of DRC government, armed opposition, political opposition and civil society | To achieve consensus on issues of transition, elections and constitution. RCD suspended its participation due to government-sponsored war in the east. MLC and government tackled issues that were pending from the Brussels meeting |
| 25 February 2002 | Sun City, South Africa | Representatives of the 362 delegates representing five different components (the three Lusaka signatories; the unarmed opposition; and the forces vives) and three entities belonging to three belligerent groups (RCD-ML, RCD-National, and the Mai Mai) | MLC boycotted initially, protesting at government manipulation of the process. South Africa tried in vain to achieve an agreement between the key actors. Finally the US struck a transitional power-sharing arrangement in which Joseph Kabila would remain president and MLC leader Jean-Pierre Bemba would be named prime minister. RCD-Goma and the political opposition rejected this agreement. The talks collapsed due to lack of consensus. ²⁰ Mbeki enters as mediator |
| 8 May 2002 | Cape Town | Informal consultations. Representatives of ASD, un-armed opposition and all other stakeholders. Kabila and Bemba boycotted | Mbeki sought to re-start the negotiations. ASD used the opportunity to mobilise international support for the renewal of the ICND |
| 17 May 2002 | New York | Representatives of the UN Department of Peace Keeping, donor countries, | Masire obtains the support of the international community to resume as Facilitator of the ICND |

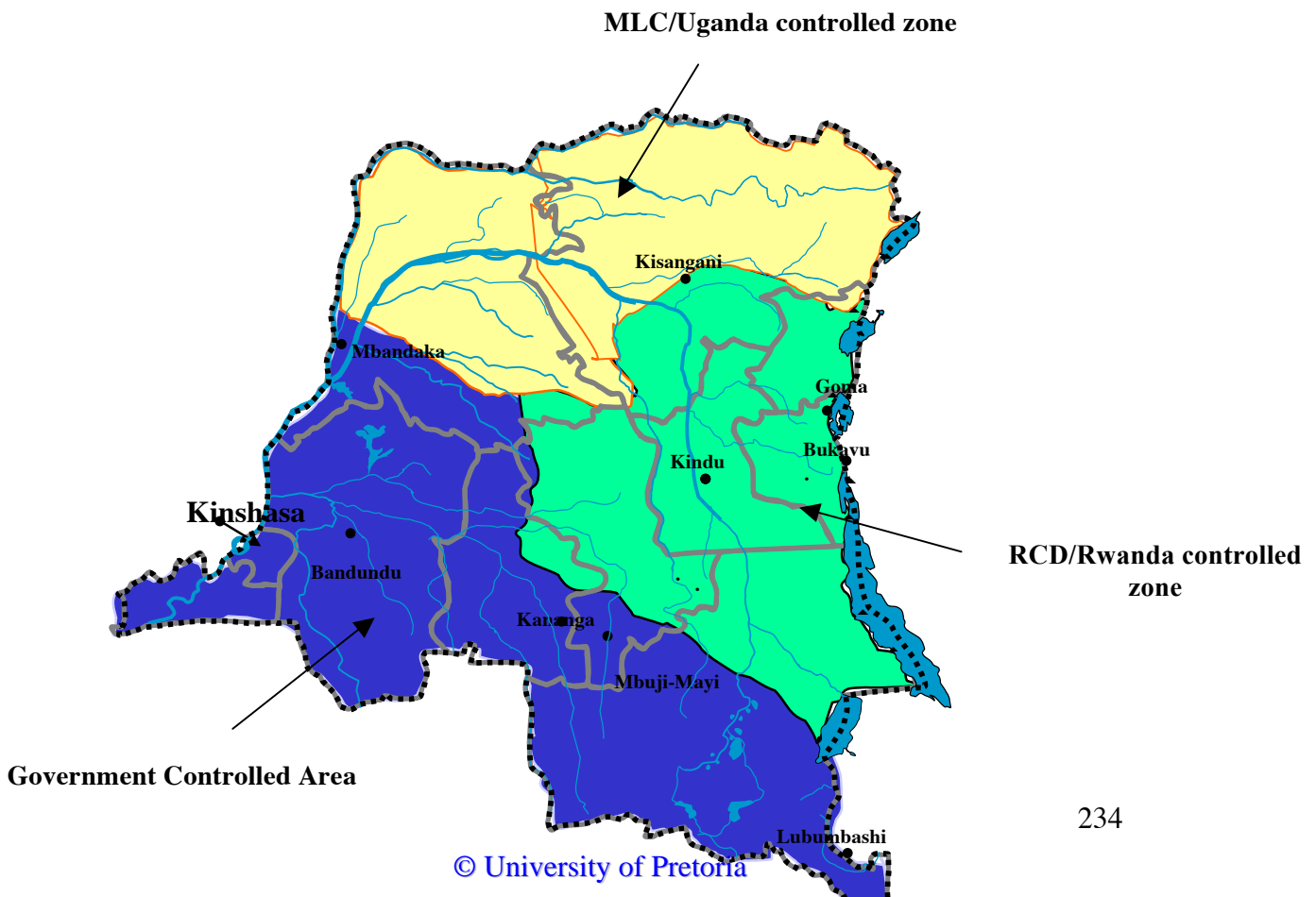
²⁰ According to Carayannis (2009: 10), when the government and MLC marginalised the RCD, they effectively interfered with the objectives of Rwanda in the negotiations, mainly its goal to establish a sphere of influence in eastern Congo through direct military occupation, proxy forces, or both. The two had attempted to sideline the fundamental military interests of Rwanda by focusing instead on distributing political positions among themselves.

| | | | |
|------------------|-------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| | | the IMF and the World Bank | |
| 23 May 2002 | Addis Ababa | Masire meets the OAU Secretary-General | Masire discusses the need for the continuation of the ICND with the OAU Secretary-General Amara Essy |
| 30 July 2002 | Pretoria | Representatives of the Rwandan government and representatives of the DRC government | Signing of the Pretoria Peace Agreement |
| 6 September 2002 | Luanda | Representatives of the Ugandan government and representatives of the DRC government | Signing of the Luanda Peace Agreement |
| 17 December 2002 | Sun City | All the parties to the ICND | Signing of the Global and All-Inclusive Agreement (GIA), or Pretoria II |
| 3 April 2003 | Sun City | Representatives of the GIA | Signing of the All-Inclusive Agreement on the Transition in the DRC |
| 5 April 2003 | Kinshasa | Representatives of GIA and international community | The swearing in of Joseph Kabila as the transitional president of the DRC |

Appendix IV:

Map of the DRC showing the three zones that were controlled by the government of the DRC and its allies on the one hand; and by Rwanda and Uganda (with their proxy armed forces) on the other hand. Adapted from:

<http://www.who.int/disasters/repo/7942.doc>. Accessed on 10 February 2014.



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