

BREAKING THE CYCLE OF “CIVIL” VIOLENCE:  
THE ROLE OF POLITICAL INSTITUTIONS

By

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## **Abstract**

Societies coming out of civil wars find themselves in a “conflict trap” as they are left with a striking legacy of instability and violence. Out of the 144 civil wars that have ended since 1945, 77 had relapsed by the end of 2004. Even when civil wars end, human casualties, destruction of lives and infrastructures, and huge economic costs combine to produce crippling and destabilizing effects that transcend state boundaries and the span of any particular war. War-time memories turn into social capital that is used and abused to mobilize support for extremist and conflictual policies. Nevertheless, peace after civil wars does happen and why it takes hold in some societies but not in others is an important and intriguing question—one that has motivated this study.

Looking at all post-civil war cases since 1945, I analyze the effects of political power sharing institutions, particularly those associated with consociationalism, on the stability of peace. I find that commonly prescribed consociational models of government conflate two different political institutions, territorial decentralization and veto rights, which provide rivals with conflicting incentives, producing opposite effects on the consolidation of post-civil war peace. From various duration models decentralization emerges as the only political institution included in the study that reduces the hazard rate of post-civil war cases.

I also compare results from the dataset I compiled with those using two alternative datasets. The comparison illustrates the implications of employing different rules for case selection and dependent variable operationalization. I argue that the dataset I introduce in this study overcomes selection biases that have been commonly committed in the field.

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I dedicate my dissertation to the loving memory of Misty, my friend, teacher, mentor, who has not been able to see this final product. I hope I can carry on her memory by being to my students the kind of passionate and genuinely caring teacher she has been to me.

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## List of Acronyms

BiH	Bosnia and Hercegovina
CG	Contact Group (Great Britain, France, Germany, Italy, Russia, US)
DPA	Dayton Peace Accords
EC	European Community
EU	European Union
FA	Framework Agreement (signed in Ohrid, Macedonia)
FBiH	Federation of Bosnia-Hercegovina
FRY	Federal Republic of Yugoslavia
FYROM	Former Yugoslav Republic of Macedonia
G-8	Group of Eight
HDZ	Croatian Democratic Union
HR	High Representative (for Bosnia and Hercegovina)
HVO	Croatian Defense Council (Bosnian Croat Army)
ICFY	International Conference on the Former Yugoslavia
ICG	International Crisis Group
IFOR	Implementation Force (NATO-led)
IICK	Independent International Commission on Kosovo
IPTF	International Police Task Force (UN)
JNA	Yugoslav People's Army (until the breakup of the SFRY)
KFOR	Kosovo Force (NATO)
KLA	Kosovo Liberation Army
KVM	Kosovo Verification Mission
LDK	Democratic League of Kosovo
MUP	Special Police Force (of the FRY after 1992)
NATO	North Atlantic Treaty Organization
NLA	National Liberation Army (Albanian rebel group in Macedonia)
OSCE	Organization for Security and Cooperation in Europe
PDP	Party for Democratic Prosperity (Macedonia)
RS	Republika Srpska (the Serb Republic)
SAO	Serb Autonomous Oblast
SDA	Party of Democratic Action (Bosnian Muslim/Bosniak)
SDS	Serb Democratic Party
SDSM	Social Democratic Alliance of Macedonia
SFRY	Socialist Federal Republic of Yugoslavia
SGSR	Secretary General's Special Representative (UN)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNPROFOR	United Nations Protection Force
UNSC	United Nations Security Council
US	United States of America
VJ	Army of Yugoslavia (of the FRY after 1992)
VMRO-DPMNE	Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian Unit



# 1. Introduction

How do groups of people who have been killing one another with considerable enthusiasm and success come together to form a common government? How can you work together, politically and economically, with the people who killed your parents, your children, your friends or lovers? On the surface it seems impossible, even grotesque (Licklider 1993, 4).

Societies coming out of civil wars find themselves in a “conflict trap” as they are left with a striking legacy of instability and violence (Collier et al. 2003). Out of the 144 civil wars that have ended since 1945, 77 had relapsed by the end of 2004 (see Appendix 1). During this period, both the number of active civil wars and the proportion of countries with ongoing wars have steadily gone up (Fearon and Laitin 2003, 77),<sup>1</sup> claiming the lives of approximately 20 million people and displacing 67 million others throughout the world (Sambanis 2004, 259). Even when civil wars end, human casualties, destruction of lives and infrastructures, and huge economic costs combine to produce crippling and destabilizing effects that transcend state boundaries and the span of any particular war. “Civil wars kill and maim people, long after the shooting stops” (Ghobarah, Huth, and Russett 2003). War-time memories turn into social capital<sup>2</sup> that is used and abused to mobilize support for extremist and conflictual policies. Nevertheless, peace after civil

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<sup>1</sup> Fearon and Laitin find that there has been no significant upward trend in the rate of war outbreak; instead, the difference between the rate of civil war onset and the rate of termination explain the increase in the number of ongoing civil wars (2.31 outbreaks as opposed to 1.85 terminations per year) (2003, 77).

<sup>2</sup> Wintrobe introduces the concept of “ethnic capital” which can be used as a means of reducing transaction costs—“as a capital good that reduces obstacles to both political and market exchange” (1998, 18).

wars does happen and why it takes hold in some societies but not in others is an important and intriguing question—one that has motivated this study.

Political power sharing institutions, particularly those associated with consociationalism (Lijphart 1969; 1977; 1999), are being increasingly promoted as prescriptions for peace for societies embroiled in civil wars—whether it is to stop the violence in Darfur or Iraq; to establish the final status of Kosovo; or to break the deadlock that has plagued Cyprus for decades. Due to their distributional consequences, political institutions take center stage when rivals negotiate settlements and, once established, they play an important role in determining whether players stick to the new system or opt once again for the battlefield. After all, power distribution is the primary concern of civil war rivals: “That is, ultimately, what the war has been about. People are willing to fight and die over it because they know it will determine their future and that of their children” (Licklider 2001, 706). The question for political scientists, then, is whether certain political arrangements really fare better than others in terminating, if not preventing, civil wars and sustaining peace once it is established. Can we identify certain institutions that promote cooperation and make peace an attractive strategy? If so, institutional engineering can provide the way for sustainable peace in societies that might otherwise be prone to instability and violence.

A pervasive limitation of studies that have addressed the role of political institutions in conflict-ridden societies is the missing link between the macro-level political outcomes they observe (such as war and peace) and the micro-level incentives established by certain institutions. With this study, I try to bridge that gap by situating the motivating question at the nexus of two bodies of literature: the rational choice school of

contentious politics and rational choice institutionalism. The former counters the grievance or emotion driven explanations of collective dissent by showing how relative deprivation vis-à-vis other groups does not automatically lead to organized rebellions since participation in such movements are costly and the benefits sought are non-excludable public goods. “At least ninety-five percent of aggrieved people, at least ninety-percent of the time, in at least ninety-five percent of the places” do not rebel (Lichbach 1995, 12); in most cases, potential insurgents choose to free-ride, giving rise to the Rebel’s Dilemma.

Combining rational choice institutionalism with this approach, I envisage institutions as “humanly devised constraints” (North 1990) on the behavior of key players—state actors and (potential) insurgents. Using case studies built around a proposed formal institutional bargaining model on the one hand, and a macro-level statistical analysis on the other, I treat institutions as both exogenous and endogenous variables. According to Weingast (2002, 661),

These approaches provide both a method for analyzing the effects of institutions and social and political interactions and a means for understanding the long-term evolution and survival of particular institutional forms. The study of endogenous institutions yields a distinctive theory about their instability, form, and survival. In contrast to approaches that take institutions as given, this approach allows scholars to study how actors attempt to affect the institutions as conditions change.

Civil war terminations present a particularly suitable context to apply this approach. As the case studies in Chapters 3 and 4 illustrate, the institutions endorsed by different players change as conditions on the battlefield, and hence players’ expectations from continued fighting, are transformed. This observation supports the model of institutional bargaining I present in Chapter 2.

The main assumption driving this study is that the control of state resources—political, economic, military, and social—is the primary motive that fuels civil conflicts. Sub-state identities and feelings of hatred and mistrust towards “others” dominate political discourse in societies going through or coming out of such conflicts. In most cases, however, these are simply tools of mobilization employed, if not fabricated, by opportunistic leaders. They are, in other words, what Lichbach identified as “community solutions” to the Rebel’s Dilemma (1998). As more and more scholars have recently recognized, civil wars are best perceived “not as a distinct phenomenon, but rather as one phase in a cycle of violence” (Sambanis 2004, 259; also see Lichbach, Davenport, and Armstrong 2004). The underlying causes of civil wars are, therefore, not significantly different from insurgencies which for one reason or another fail to sustain systematic violent opposition at civil-war levels.

The factors that explain which countries have been at risk for civil war are not their ethnic or religious characteristics but rather the conditions that favor insurgency. ... Financially, organizationally, and politically weak central governments [proxied by a low per capita income] render insurgency more feasible and attractive due to weak local policing or inept and corrupt counterinsurgency practices (Fearon and Laitin 2003, 75).

Oppositions, however, do not automatically turn violent whenever the state is perceived to be too weak or incompetent to repress. Certain political institutions—those that provide the opposition with the prospects of winning a share of power and state resources—can make the existing system potentially too valuable to forego given the risks and the costs that come with civil wars.

Every society is faced with limited resources, whether it is natural resources, economic opportunities, public sector jobs and funds, or government positions. How

these resources get to be distributed and shared is at the core of politics, which is by definition the process by which scarce resources are authoritatively allocated (i.e. who gets what, when, and how).<sup>3</sup> If some players perceive that the political system is not allowing them access to the share they feel they are entitled to *and* they have the means to mobilize sub-state groups against each other, in many cases with the promise of dominating and excluding other groups, politics can turn ugly and violent: “if some of us can form a group that gains hegemony over our society, we can extract a disproportionate share of total resources for members of our group” (Hardin 1997, 142). On the other hand, if political institutions are engineered in a way that all relevant players find it in their own interests to continue to compete within the bounds of the given system (as opposed to taking the very costly route of insurgency and war), vulnerability to political violence will be significantly reduced. Political institutions could play a crucial role also in signaling credible commitments to peace, without which fears of attack, subjugation, and annihilation could create a “security dilemma” (Walter and Snyder 1999), encouraging preemptive defections. “One need not [even] hate members of another group, but one might still fear their potential hatred or even merely their threat;” such fears could instigate violence following a simple rationale—“I can improve my prospects of surviving the conflict if I preemptively suppress those with whom I am in conflict” (Hardin 1997, 143, 144).

Journalistic accounts tend to blame historical or ethnic hatreds, grudges, and grievances for causing civil wars. They also suggest the inevitability of conflict in diverse societies where distinct groups have been pitted against each other—short of total

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<sup>3</sup> This definition is rooted in David Easton’s definition of politics as the “authoritative allocation of values” (1953) and it has been adopted by many political scientists ever since.

subjugation or cleansing of all but one group, or the presence of a ruthless Leviathan, nothing can bring stability and peace. This is perhaps best exemplified in the writings of Robert Kaplan who argues, for instance, that the people of the Balkans “hate one another with primitive ferocity” and that for decades the Tito regime simply delayed the inevitable explosion of what amounted to a ticking time bomb (1993, 30). According to a very different account of the wars in the Balkans, however,

These were spawned not so much by the convulsive surging of ancient hatreds or by frenzies whipped up by demagogic politicians and the media as by the ministrations of small—sometimes very small—bands of opportunistic marauders recruited by political leaders and operating under their general guidance. Many of these participants were drawn from street gangs or from bands of soccer hooligans (Mueller 2000, 42).

Once systematic violence takes hold in one’s community, it might become impossible to remain neutral as with that often comes the label of “traitor”—another deliberate strategy—which makes one vulnerable to attacks not only by other groups but also by its own. A young member of a brutal Croat paramilitary that terrorized Mostar during the war in Bosnia explains, for instance, how he wanted to stay out of the war but the “situation in Mostar caught up with him, labeled him, and made him choose: stay with your own or leave your city like a dog and a traitor” (Hardin 1997, 148).<sup>4</sup>

Regardless of whether some primordial differences or feelings have anything to do with the initiation of any civil war, once societies experience the horrors that come with such conflicts, recent memories augment the capital that can be invested for the mobilization of insurgents or fighters—now traumatized, unemployed, and in many cases

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<sup>4</sup> Hardin quotes from another source.

still holding onto their guns.<sup>5</sup> In order for the civil war to have occurred, rebels must have already overcome the big hurdle of collective action. This makes post-civil war environments especially prone to political violence and instability. “Civil wars generate a conflict trap. Hatred and other rebellion-specific capital accumulate during war, making further conflict more likely” (Collier and Sambanis 2002, 5). Just like “lagged values of protest and repression are consistently among the strongest predictors of subsequent conflict activity” (Lichbach, Davenport, and Armstrong 2004, 6)<sup>6</sup>, so are past civil wars good predictors of subsequent rebellions and civil wars. Yet, this obviously is not an unavoidable vicious cycle. In Roy Licklider’s (1993, 4) words, “on the surface it seems impossible, even grotesque” that people who have been killing each other “with considerable enthusiasm and success” can lay down their arms, live in peace side-by-side, and possibly work together in common governments. One of the earlier influential works on politics in diverse societies had arrived at a similarly grim conclusion: “We ask,” wrote Rabushka and Shepsle, “is the resolution of intense but conflicting preferences in the plural society manageable in a democratic framework? We think not” (1972, 217). However, empirical evidence shows that the “conflict trap” can be broken and peace after civil wars can emerge and be consolidated. What makes this possible in some cases but not in others?

Recent literature on civil war resolutions stresses the positive role various power sharing institutions, such as proportional representation (PR) electoral systems, quotas for

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<sup>5</sup> These divisive memories and feelings can be used and manipulated to mobilize electoral support as well, hence rendering post-war societies vulnerable to centrifugal party systems.

<sup>6</sup> This is the “inherency” approach of Lichbach et al., who argue that “civil war is not derivative of structure [as the “contingency” theorists contend] but, rather, it is part of a self-generative process whereby the dynamics of lower-level conflict behavior mobilize contending actors into civil war” (Lichbach, Davenport, and Armstrong 2004, 1).

representation, and decentralization, can play in preventing relapse into large-scale violence (Hartzell and Hoddie 2003; Hartzell, Hoddie, and Rothchild 2001; Kaufmann 1996; Lake and Rothchild 1996; Licklider 1995; Walter 1999; 2002). This focus emanates from a body of literature which attributes to such institutions the success of ethnically diverse democracies in promoting cooperation and preventing intra-state conflict (Cohen 1997; Horowitz 1985; Krain 1998; Lijphart 1969; Nordlinger 1972; Lijphart 1999; Sisk 1996; Saideman et al. 2002). These studies did not deal with post-war contexts in particular. However, provided that the problem of credible commitment is resolved—newly established institutions and players who have been trying to kill one another until recently combine to create a very difficult environment for trust and cooperation—prospects of some share of power and state resources should provide similar incentives for collaboration following civil wars as they would in established democracies.

Two types of power sharing are typically discussed: The consociational approach, which is associated primarily with Arend Lijphart (1969; 1977; 1999), advocates arrangements that recognize different identity groups as building blocks of a society and promote cooperation among these distinct groups. The integrative approach, identified most closely with Donald L. Horowitz (1985), on the other hand, calls for institutions that are supposed to motivate actors to transcend such group cleavages and share power through alternative alliances. Although they seem to aspire for substantially different political outcomes—albeit with the same ultimate result of peaceful coexistence—these two are in fact quite similar in the types of institutions they prescribe, such as



decentralization and proportionality of representation in government, legislature, and bureaucracies.<sup>7</sup>

It is not realistic to expect societies emerging from civil wars to quickly abandon war-time group loyalties, whether they are ethnic, religious, partisan, or ideological. Neither is the persistence of sub-state identities, and the prominence of ethnically organized political parties for instance, a good indicator of post-war success or failure. Some would even argue that the absence of war does not constitute peace. My goal, however, is to explore which factors, particularly what types of political institutions, are most conducive to stopping the killing in the long term; as long as people cooperate and continue to want to do so, how they self-identify and what they think of or how they feel towards each other are irrelevant. Because of its prominence among international policy makers involved in mediating and/or imposing solutions to civil conflicts around the world, I focus predominantly on consociational power sharing and the particular institutions that are most likely to give rise to it.

Most practitioners and policy makers involved in conflict resolution and management around the world have recognized the need to accept existing cleavages and to encourage coordination and cooperation among them as a precondition to breaking the cycle of violence. The Dayton Framework in Bosnia-Herzegovina, the SPLA-government peace deal in Sudan, the new constitution in Iraq, and the Ohrid Agreement in Macedonia are only a few examples. The manipulation of many variables that potentially influence the propensity to experience civil war (re)occurrence is very difficult (e.g. the level of economic development or dependence on natural resources) and may even be morally objectionable (e.g. ethnic diversity). Formal institutions, on the other hand, can be

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<sup>7</sup> The most prominent institutional difference—the electoral system—is discussed below.

designed to induce voluntary compliance and cooperation by taking into account the different preference structures of each society; they interact with given individual preferences, including those that might reflect prominent social cleavages (e.g. ethnic, religious, tribal identities), to determine individual behaviors and social outcomes. It is my argument that ultimately actors make the decision to either take part in the new social order or stick with the struggle on the battlefield depending on the share of state resources they each expect to get given the political institutional arrangements.

In order for the promise or the prospect of sharing to even play into the decision-making of relevant players, they must first perceive each others' commitments to lay down arms and share power as credible. This problem of credible commitment—how to bind players to their commitments—is central to any agreement or contract; it is more pronounced and difficult to solve in post-war contexts where feelings of mistrust and hatred reign supreme. In the aftermath of negotiated settlements, the fact that the adversaries are still organized and have military capabilities only exacerbates the problem.

To be successful, a civil war peace settlement must consolidate the previously warring factions into a single state, create a new government capable of accommodating their interests, and build a new national, nonpartisan military force. This means that adversaries who want to settle their war off the battlefield must at some point demobilize, disengage, and disarm their separate militaries. They must then surrender whatever remaining power they have to a single administration, not necessarily their own. These requirements, however, create two tempting opportunities for post-treaty exploitation, and both sides know this. Once groups have sent their soldiers home, laid down their weapons, and surrendered occupied territory, they become extremely vulnerable to a surprise attack. Furthermore, once they have surrendered their assets, they make it easy for their opponent to set up a one-party state [regardless of the terms of the settlement] (Walter 1999, 129).

Consider Avner Grief's (1998) account of the Genoese's adoption of the institution of the Podesta. Realizing that fighting among the two major clans had immense costs and caused the whole society to lag behind its trading rivals, the Genoese set out to establish a system that would allow them to divert their resources once again into lucrative uses. Ending the fighting was in the interest of both, but because the potential cost of demobilizing if the other one cheated was too high (i.e. the stakes were too high), the dominant strategy for both was to keep fighting unless their cooperation could somehow be enforced—systematically monitored and defections punished. Consequently, the two adversaries created the post of the Podesta and employed a foreigner for the position, giving him the necessary resources and authority to side with the honest party if either of them cheated and attacked the other one. This would make defection costly since an alliance of the Podesta and the attacked clan would be more powerful—more likely to win on the battlefield—than the cheater.<sup>8</sup> By agreeing to this arrangement, each clan assured the other of the credibility of its commitment to cooperation. The institution was designed such that cheating by the Podesta, whose goal was to maximize its own power and resources, was also discouraged: if it allied with the cheater, the latter would no longer have any use for the position of the Podesta (the resources allocated to which was not extensive enough to dominate either clan by itself) once it defeated the vulnerable clan.

Similarly, external peacekeepers or guarantors are typically recruited to enforce compliance at least through the initial demobilization stages following civil war terminations. However, this is not a viable long-term solution, especially if international

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<sup>8</sup> The distribution of power among the two clans was initially symmetrical.

involvement extends beyond the role traditionally played by international peacekeepers, as is the case with the Office of the High Representative in Bosnia and Hercegovina. Furthermore, any outside actor cannot be expected to be extensively and permanently involved without regard for its own interests, which might or might not coincide with those of the post-war society in question. Compliance and credible commitments, therefore, need to be established without reliance on outside actors at least once the initial hurdles are overcome.

Commitments can be credible in two ways: the motivational and the imperative (North 1993). They are motivationally credible if compliance is compatible with individual incentives and, hence, it is self-enforcing; players want to continue to honor their commitments. When this is not the case, given the particular institutional framework and the structure of interests, compliance can be secured with coercion by an external enforcer, in which case commitment becomes “imperative”. In the latter case, what makes players stick to the game and what makes them believe in the commitments of others is the knowledge that non-compliance will be punished in a way that the net value of compliance outweighs that of defection. Democracy, however, is by definition a system where no entity stands above the will of the people, which makes the “imperative” solution ideologically problematic. Peace, therefore, needs in the end to be compatible with the incentives of relevant players; they must prefer peace within a given institutional framework to war, which brings with it huge risks but also some probability of winning a larger share of power and resources.

An important sign of the credibility of commitments in the long-term is the institutionalization of mechanisms or constraints that make changing the rules of the

game difficult. This is exactly why provisions of “mutual veto” are crucial for consociational power sharing: “Participation in a grand coalition offers important political protection for minority segments, but no absolute and foolproof protection. . . . [T]hough the minority’s presence in the coalition does give it a chance to present its case as forcefully as possible to its coalition partners, it may nevertheless be outvoted by the majority” (Lijphart 1977, 36). While provision of extensive veto rights on every policy issue will probably be detrimental to the system, because of the rigidity it will create in decision-making, requiring concurrent majorities or some form of super-majority on significant issues—constitutional amendments—will signal to former rivals, particularly the minorities, that their opponents are credibly committed to the new system. A political system’s veto structure (Tsebelis 2002) is, then, a good indicator of rivals’ commitments to share power: provision of veto rights not only constitutes sharing of political power on its own but also signals that the majority does not intend to use its advantage in numbers to change the rules of the game once demobilization takes place and/or third-party enforcers leave.

Veto structures are key components of the theoretical model I develop; they determine whether and how disgruntled parties could manipulate the institutional framework, and hence the distribution of power and resources, without returning to widespread insurgency, massacre, or war. In the empirical analyses, in addition to a model with the traditional institutional variables—parliamentary vs. presidential, proportional vs. plurality elections, unitary vs. federal—I also test a model of post-civil war peace duration with the number of veto points as the main explanatory variable. Tsebelis’ model of veto players provides an alternative way of specifying political

institutions (Tsebelis 1995; 2002). The veto player structure—the number, congruence, and internal cohesion of players whose cooperation is necessary to change a policy or institution—replaces with a single interval-level variable the conventional dichotomous institutional variables, which embody somewhat arbitrary and problematic distinctions, given the prevalence of semi-presidentialism, mixed electoral systems, and different levels and forms of decentralization. A number of studies have questioned the value of these commonly used dichotomous conceptualizations as predictors of policy outcomes and regime consolidation (Cheibub and Limongi 2002; Eaton 2000; Power and Gasiorowski 1997). I use this alternative operationalization to investigate the effects of political institutions on post-civil war consolidation.

Studies that explored effects of political institutions on post-civil war environments have focused almost exclusively on negotiated settlements (Hartzell, Hoddie, and Rothchild 2001; Hartzell and Hoddie 2003; Walter 1999; 2002). I include military victories as well as negotiated settlements in my empirical analyses. I control for the mode of war termination, which allows me to test the effect of this variable on peace: While some scholars argue that negotiated settlements are far more likely to backslide into civil wars than military victories, even though the latter are more likely to be followed by genocides (Licklider 1995; Wagner 1993), others find negotiated treaties to be positively correlated with post-civil war peace (Doyle and Sambanis 2000). It also allows me to take into account the variation in the political institutions established following military victories; as long as a victory does not eradicate all potential opposition, the winner might still choose to share some power with remaining potential insurgents, simply diverting resources it would have otherwise spent on repression to the

co-optation of prospective rebels. While military victories might create circumstances that are a lot less conducive to the mobilization of rebels, they in no way guarantee that peace will not be disturbed. Victories that destroy the potential for effective military opposition make unilateral state-led violence—massacre, genocide, ethnic cleansing—an even more attractive strategy. The role political institutions can play in inducing cooperative political behavior and peace is, therefore, not any less relevant after military victories than it is following negotiated settlements.

I define success or failure of a given institutional framework in terms of post-civil war system consolidation, the inception of a self-enforcing equilibrium from which no player has the incentive to deviate unilaterally. More specifically, I investigate how power sharing and different institutions associated with it impede or facilitate the development of self-enforcing peace, regardless of the quality of governance or the persistence of war-time group loyalties. I use peace duration as a proxy for consolidation<sup>9</sup> and employ duration modeling to explore the effects of power sharing institutions on the risk of relapse (e.g. renewed civil war, massacres, genocides) at any given point after civil wars are terminated one way or another. This is a major improvement over the non-dynamic methods traditionally used in the study of post-civil war politics, which typically treat post-war stability as a dichotomous variable—success if peace survives for more than an arbitrary number of years and failure if not (Doyle and Sambanis 2000; Licklider 1995; Walter 2002).<sup>10</sup>

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<sup>9</sup> Duration is in fact necessary but not sufficient for consolidation.

<sup>10</sup> A major exception to this approach is that of Hartzell, Hoddie, and Rothchild (2001) and Hartzell and Hoddie (2003), who employ survival analysis to study how key variables affect the duration of *negotiated settlements*, thereby working with only 38 cases; with the inclusion of terminations by victory, my dataset includes 144 that experienced civil wars that were initiated and terminated during 1945-2004.

## **Power Sharing vs. Majoritarian Democracy**

What makes democracy attractive as a form of government is the fact that it is a system of “organized uncertainty” (Przeworski 1991, 13). Outcomes are uncertain in the sense that winners are not pre-determined and every player or group has some chance of winning at some point, thus giving all relevant actors a stake in preserving the system. The uncertainty is organized, on the other hand, as it is bound by the rules of the system; it is not arbitrary rule, anarchy or chaos. In order to evoke voluntary compliance and to be consolidated, democratic institutions need to convince political forces that they will be better off sticking with the system even if they lose this or that election or competition: “Either they must have a fair chance to win or they must believe that losing will not be that bad” (Przeworski 1991, 33). Otherwise, the rational response for incumbents who lose elections would be to not relinquish power. In case of societies coming out of civil wars, the expected behavior would be to not even demobilize.

When majoritarian democracy—where political power tends to be amassed in the hands of a single party that enjoys plurality or majority of political support at a given period (determined typically by single-member district plurality type elections)—is installed in a society that is deeply divided between a majority and one or more minorities (in terms of population), outcomes are no longer “uncertain”; they are almost pre-determined. Once different identity groups are pitted against each other on the battlefield, these identities effectively become strong determinants of political preferences, creating cumulative and particularly divisive social cleavages; majoritarian democracies translate essentially into the tyranny of permanent majorities, leaving minorities with no incentives to agree to or comply with the rules of this system. Regular



free and fair elections, in other words, are not adequate to provide all players with a “fair chance” in certain societies, particularly those where the memories and fears of a civil war are still fresh.

How to control the government so that it does not prey on its people is not a concern specific to post-civil war societies or those that are socially and politically divided. It has in fact long bedeviled theorists of democracy: how can the government, electoral winners, be prevented from evolving into an unaccountable and uncontrollable Leviathan? Recognizing that transitive social preferences—the will of the people—might not exist, since the same set of individual preferences could produce equally legitimate but very different political outcomes under different sets of rules and circumstances (Arrow 1970), social choice theorists have traditionally defined democracy in terms of avoiding tyranny, best exemplified in Riker’s *Liberalism Against Populism* (1982). This can be done, according to Ordeshook (2002, 5), by “giving political elites countervailing motives [and] by guaranteeing citizens the right to replace one set of leaders with another.” Constitutional restraints on government power, accountability through regular free and fair elections, and inter-branch checks and balances are the major institutional mechanisms that supposedly protect against tyrannical governments. These are not, however, sufficient guarantees against what is effectively an “elective dictatorship” (Lijphart 1999, 12) when the individual preference structures that characterize a given society will always bring the same political group to power; the same party will always control the government, the legislature, the military, and all other state bodies, with no incentive to change the institutions to produce a different outcome.

Consistent with the arguments in favor of Madisonian or liberalist democracy, Rothchild and Roeder (2005) have recently juxtaposed what they called “power dividing” against power sharing in post-civil war contexts. They concluded that there was a “dilemma of power sharing:” provisions of power sharing “could provide an attractive basis to end a conflict in an ethnically divided country” but the same institutions are also “likely to hinder the consolidation of peace and democracy over the long term” (6). The primary reason for this instability would be the empowerment of existing ethnic cleavages, which would result in “ethnification of all policy disputes” and “the concentration of institutional weapons in the hands of ethnopoliticians” (Roeder 2005, 56).

They argued that “the power dividing arrangements that we associate with the U.S. Constitution,” on the other hand, “limits majorities not by empowering minority groups with parts of the government’s power, but by expanding individual liberties and rights at the expense of government and by empowering different majorities in independent organs of government.” Without realizing the significance of the assumption they implicitly make—that the society is composed of cross-cutting cleavages such that an individual aligned with the minority on some issues will identify with the majority on others—they qualify their argument by asserting that such institutions “distribute those responsibilities left to government among separate, independent organs that represent alternative, crosscutting majorities” (Roeder 2005, 15). But, the different state organs under majoritarian systems will almost never represent alternative majorities in post-civil war societies! The assumption they make is too restrictive for theorizing about politics after civil wars. As they themselves point out,

When there are no significant issues where members of minority ethnic groups are members of the political majority and members of an ethnic majority are members of the political minority, this may be evidence that there is no nation that unites the ethnic groups. Here political cleavages are unidimensional, recurring, and cumulative. These are conditions in which partition [which is one level of consociational decentralization] is most likely to be a better solution than power dividing democracy (19).

Yet, they go on to propose majoritarian systems as a global prescription.

Not surprisingly, their primary empirical analyses turn out to be flawed. Roeder uses logit analysis to estimate the probability of escalation to “ethnonational crises” (i.e. not necessarily civil wars) in *all* ethnonational dyads (for which data is available) for nine successive five-year periods from 1955 to 1999. He admits, without realizing or discussing its implications, that “not all groups in this data set are *at risk*; the list is close to a complete listing of ethnic groups that cross the size threshold—whether they were at risk or not” (2005, 69). However, the very defining characteristic of post-civil war contexts, particularly those that did not end with military victories, is that the motives for insurgency and war were already present at some point and the adversaries were already mobilized with military capabilities. Incentive structures present in such circumstances are significantly different from those where the problem of collective action may or may not be overcome even if motives for insurgency were present. When the hurdle of mobilization is already overcome in a society with cumulative cleavages, majoritarian institutions are particularly unlikely to induce cooperation; power sharing arrangements, on the other hand, could provide all relevant parties with a stake in peace.

## **Consociational Power Sharing**

In response to what he terms “a well-established proposition in political science,” that it is difficult to create stable democratic systems in diverse societies, Lijphart identified and proposed “consociational democracy” as a system that could counteract “the centrifugal tendencies inherent in a plural society” (1977, 3).<sup>11</sup> Many scholars and practitioners have since followed Lijphart’s footsteps in prescribing consociationalism as a medicine in preventing deadly conflicts in divided societies. Although he asserts that the essential feature of this system is “not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system,” it is the institutional framework that shapes the incentives of elites and masses alike. It is, therefore, the crucial first step to identify the types of institutions that are most likely to motivate political behaviors compatible with consociationalism.

“Consociational theory is plagued by serious conceptual problems ... [and] the problem lies both in Lijphart’s empirical typology of democracies and in the presence of a complementary but incongruent normative typology,” Bogaards argued; the concept was originally proposed merely as a type of democracy based on what Lijphart observed in the Netherlands, but it was soon prescribed as the best type of democracy for divided societies without going through “proper concept formation” (Bogaards 2000, 395). The source of the problem, I argue, has been the failure to systematically identify consociational democracy or consociationalism as a specific set of institutions. Through theoretical modeling as well as empirical analyses, I illustrate how different political

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<sup>11</sup> Lijphart explains that he uses the term “plural” society to refer to societies that are divided by what Harry Eckstein identified as “segmental cleavages.” These cleavages may be religious, ideological, regional, linguistic, racial, ethnic, etc. in nature, and political and social groups tend to organize along whichever of these lines are salient in a society. This is basically what I refer to as cumulative cleavages.

institutions which provide rivals with contradictory incentives—power sharing institutions and veto points—have traditionally been conflated under the single concept of consociationalism.

Lijphart identifies four principles as the core of consociationalism: (1) government by a grand coalition, (2) mutual veto, (3) proportionality, and (4) segmental autonomy (1977, 25-52). He also categorizes the major differences between majoritarian and consociational democracies along two main dimensions—executive-parties dimension and federal-unitary dimension (1999). He fails, however, to identify the institutions that can create these principles and the system qualities associated with them; he conflates formal institutions with their organizational outcomes.

Grand coalition, which Lijphart identifies as the primary characteristic of consociationalism, refers to the inclusion in the governing coalition political leaders of all “significant” groups in a society. This is a crucial component of making parties feel that politics is not necessarily a zero-sum game, whereby the winner takes all and the loser ends up with his livelihood and security threatened—with no incentive to stick with the system and off the battlefield. Certain institutions enable and encourage governing in broad-based coalitions. A multiparty system and a parliament where no single party tends to control the majority of seats, as opposed to an effectively single- or two-party system, are primary preconditions. Following Duverger’s ‘Law’ that simple-majority elections favor two-party systems and the accompanying hypothesis that proportional representation (PR) elections favor multiparty systems (Duverger 1954), PR emerges as an important component of consociationalism. Also, parliamentary systems are more conducive of coalitions than systems with directly elected executives; governing cabinets

in the former need to be inclusive enough to guarantee support of the majority of the legislatures, while presidential systems in essence concentrate administrative power in the hands of a single person.<sup>12</sup>

Lijphart's proportionality refers not only to the electoral system but also to the allocation of civil service appointments and public funds. According to this principle all segments are not only represented, but they are represented proportionally given their population shares; some variations promote even overrepresentation of minorities. All groups are given access to other state resources—jobs, military positions, and development funds, for instance—also in a proportional manner. This principle is a safeguard against the tyranny of the majority, which could in the absence of these measures monopolize government power and state resources, now only stripping other groups of any stakes in the given system but also rendering them totally vulnerable to abuse, if not worse, by those in power. While I do not specifically focus on proportionality and power sharing in arenas other than politics, Hartzell and Hoddie (2003) analyze effects of power sharing along four different dimensions—political, territorial, military and economic. They find that inclusion of power sharing along more dimensions decreases the likelihood of return to civil war; however, they do not go into the specifics of any one of these dimensions.

There are two different mechanisms, with potentially different effects on war termination and post-war consolidation, through which proportionality could be achieved. Proportionality in political representation, which would bring coalition governments with it, is in many cases attained by instituting certain electoral rules that would encourage the

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<sup>12</sup> Exceptions to this rule occur when constitutions dictate collective presidencies, as was the case in the 1960 constitution of Cyprus and has been in Bosnia-Herzegovina based on the Dayton Framework.

proliferation of small parties and the distribution of power among them. This would then play into the decisions of players regarding war versus the political system in question provided that they know how the electoral system will influence the distribution of seats. Institution of group quotas, on the other hand, has an effect on the distribution of power and proportionality that is a lot more direct, certain, and transparent. This could prove to be a significant difference particularly when political leaders need to convey to the masses the distributional effects of a proposed or existing political system.

Provision of mutual veto rights, or requiring simultaneous majorities from all relevant segments in a society, further ensures that the preferences of the minority groups will not be overridden by majorities. These veto rights or super-majorities are required typically to legislate constitutional amendments—changes to the rules of the game. However, it is difficult to systematically code such provisions across different political systems since different states tend to have veto provisions and/or require different forms of super-majorities on different issues. I use the veto player structure, which is a more general measure of the number of players whose approvals are required for instituting policy or institutional changes, as a proxy for this provision.

Finally, segmental autonomy refers to “the delegation of rule-making and rule-application powers to the segments, together with the proportional allocation of government funds to each segment” (Lijphart 1977, 41). In other words, major groups in the society are given the right and the means to make and enforce the rules that deal with them specifically and exclusively, while issues of national importance—foreign policies, for instance—are handled by national authorities. This is similar to Daniel J. Elazar’s notion of federalism: “self-rule plus shared rule” (1987, 12). However, Lijphart’s idea of

segmental autonomy seems to extend beyond the traditional concept of federalism; it could include confederalism, with an even looser central control, as well as provisions for territorial autonomy, whereby the autonomous entities are only nominally linked to the central government. This is the most extreme case of power sharing; the whole state is in a way carved up, providing the different group with almost total control of their respective areas.

### **Horowitz's "Alternative"**

The most prominent opposition to Lijphart's consociationalism has come from Donald Horowitz, who advanced his own alternative—the integrative approach—for dealing with ethnic conflict in democracies (Horowitz 1985). His contention lies primarily on a distinction he makes between elite-based and constituency-based approaches to conflict and moderation. He would argue that “consociationalism overestimates the deference communal groups pay to their leaders and underestimates the power and role of popular dissatisfaction with intergroup compromise” (Sisk 1996, 41). While Lijphart himself might have committed this fallacy, this does not necessarily render consociationalism—if appropriately defined and operationalized—useless. In the end, elites and their preferences are central to politics and political outcomes since they are instrumental in overcoming problems of collective action, whether it is for voting or for taking up arms. In order to focus on elite preferences and behavior, therefore, one need not assume that leaders represent the wishes of the members of their groups or that groups are unitary actors.



Horowitz argues that institutions should induce “integration” across different segments or identity group rather than imposing institutional constraints, such as mutual vetoes. For this end, he proposes electoral systems that would reward moderate politicians who appeal across dominant cleavages. Regardless of how different the two approaches are made to sound, the only clear institutional difference relates to the electoral system. He promotes the alternative-vote and the single-transferable-vote systems, where voters rank all candidates running in single-member districts and multi-member districts respectively, for providing motives for vote pooling—forming pre-electoral alliances across different groups. Lijphart responds, however, by arguing that even if vote pooling is the answer to non-cooperative relations in diverse societies, variants of the PR system could also encourage vote pooling while providing minorities a good chance of independent representation at the same time (Lijphart 1991; also see Sisk 1996, 61): candidates can form “electoral alliances” and join together in lists, or lists can join together in cartels—“apparentement” (Cox 1997, 41).

As I have previously argued, it is problematic to treat the saliency of certain social cleavages as a real indication of success or failure of conflict management, particularly if it is conceptualized in terms of peace duration or consolidation into a self-enforcing equilibrium. Ordeshook makes a similar point when he writes “Constitutions are necessarily limited documents, and to use them as a tool of social (as opposed to political) engineering can threaten their role as coordinating devices” (2002, 16). Given existing social cleavages and preference structures, in other words, constitutions or peace agreements can help players reach an equilibrium point where they are all better off than

fighting;<sup>13</sup> they need not, and perhaps cannot, alter the cleavages and preferences. Who cares if Bosnians are still voting along ethnic lines as long as they manage to compete and settle their differences peacefully anyway?

After all, in order to convince rivals to get off the battlefield any institutional framework must first satisfy the interests of those who still have the means to fight; otherwise, they would rather continue fighting until they either become victorious or are provided with better terms. This means that the institutions that are established need to empower existing divisions, groups, and leaders. The selection of institutions is unavoidably an endogenous process and only those institutions that provide good prospects of power for relevant war-time actors can garner the consent of warring parties and overcome the initial hurdles of credible commitment. The electoral system, which determines how political power will be distributed in the absence of independent quotas, plays a critical role as “the decisions by regime and rebel leaders alike to seek a democratic ‘exit’ from a conflict are based upon rational calculations of the possibilities and limitations inherent in playing the competitive electoral game versus continuing the armed conflict” (Shugart 1992, 121).

## **Veto Players**

... [M]ost of the differences between regimes discussed in the traditional literature can be studied as differences in the number, ideological distances, and cohesion of the corresponding veto players as well as identity, preferences, and institutional powers of agenda setters (Tsebelis 2002, 67).

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<sup>13</sup> How institutions can help solve the problems of cooperation (as in the Prisoner’s Dilemma) and coordination (as in the Battle of the Sexes) is discussed in the next chapter.

Veto players, according to Tsebelis (2002, 2), are actors whose approval is needed to change a given policy; the power of these players could arise from institutional (such as the constitutional rights and obligations of executives or legislatures) as well as partisan (different parties comprising a coalition government in a parliamentary system) factors. The identification of effective veto players comprises not just the counting of potential vetoers but also their ideological positions: if the same party controls both the presidency and legislature in a presidential system, for instance, these two potential veto players effectively become a single veto player, particularly if party discipline is strong.

The overall configuration of veto players affects the size and composition of the set of outcomes that can replace the status quo—the winset of the status quo—and thereby the level of policy stability.<sup>14</sup> Tsebelis (2002) hypothesizes that the larger the number of effective veto players, the smaller will be the winset, hence less likely it will be to change the status-quo.<sup>15</sup> Following this logic, it can also be argued that constitutional rigidity, which can result from having too many veto players, can lead to regime instability. On the other hand, following the consociational approach as suggested by Lijphart, one would expect to find a *positive* relationship between the number of veto players—indicating more power sharing and a smaller probability for future institutional change—and post-civil war stability.

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<sup>14</sup> Tsebelis also emphasizes the importance of agenda-setters—“the specific veto players that present ‘take it or leave it’ proposals to the other veto players” (Tsebelis 2002, 2). The ultimate power to manipulate outcomes lies in the hands of the veto player who gets to propose legislation (i.e. agenda-setter)—the executive/the cabinet in parliamentary systems, and the legislature in presidential systems.

<sup>15</sup> One potentially major theoretical problem in Tsebelis’ study is his treatment of collective actors—political parties, one-party cabinets, etc.—as individual actors. Based on Arrow’s Theorem, we know that a group of rational individual actors do not necessarily make rational (transitive and consistent) social choices. Tsebelis’ whole theory, however, is based on the assumption of rational political actors (he deals with this issue in Chapter 3 of this book). Given the critical role group leaders play in mobilizing collective action (i.e. insurgencies and war) in post-civil war politics, and that the individual preferences of group members start to reflect deep social cleavages invoked and manipulated by those leaders, Tsebelis’ treatment should not pose any fundamental problems, particularly for this study.

## **The Plan**

Given that one of the key contributions of this research is the bridging of the gap between the microfoundations and the macro-political phenomena of civil war and peace, a formal model of institutional bargaining among civil war rivals immediately follows this introduction. With this model, I illustrate how and why political institutions figure into the strategic decision making of players when they are faced with a choice between a negotiated settlement, which would in essence mean compromise, and continued fighting. This approach reveals a major flaw in the concept of consociationalism as it was defined by Lijphart and endorsed by many others ever since: It conflates different political institutions—power sharing institutions and veto points—that provide players with conflicting incentives. This theoretical finding is confirmed with the results of the duration analyses I present in Chapter 6.

Chapter 3 presents a detailed account of the dynamics of war and settlement negotiations in Bosnia-Herzegovina. The primary goal of this case study is to illustrate the empirical validity of my theoretical model. It captures a unique point in time when compromise on a mutually acceptable set of political institutions had to be reached, not only to stop the violence but also to keep the internationally recognized state intact. It confirms the importance of power sharing and veto power guarantees in appeasing a minority that is capable of waging an effective armed opposition. Perhaps more importantly, however, it reveals that the acceptability of any given arrangement is not independent of the particular context at the time (i.e. the situation on the battlefield and the political costs each player expects to incur if it agrees to a settlement). This conclusion is also supported by the account of negotiations and conflict in Macedonia: in

both cases, institutional frameworks that failed to stop the conflict at certain points in time later became mutually acceptable as conditions and expectations from continued conflict changed.

Chapter 4 includes accounts of institutional bargaining and conflict in Kosovo and Macedonia, as well as a comparative analysis of these two cases and Bosnia-Herzegovina. The underlying cause driving conflict in all three of these cases was the same: fear by minority groups of being permanently disadvantaged once the authoritarian power sharing mechanisms imposed under Tito were taken away. Therefore, while the extent of minority demands were different, power sharing, minority veto rights, and decentralization—albeit in different formats and degrees—quickly emerged as critical components of any proposal that even had the change of reaching the negotiation table in all three cases. In addition to the legacy of Yugoslavia, they shared similarities in structural and contextual characteristics, such as ethnic diversity and economic conditions. Nevertheless, the results of negotiations differed significantly, leading to an intriguing puzzle: Why was it possible to forestall war in Macedonia with an agreement that was much less generous to the minority than the Dayton Peace Accords in Bosnia, while no level of power sharing could be found to simultaneously satisfy both rivals at any point during the conflict in Kosovo?

In designing the case studies, I follow the Analytical Narratives approach (Bates et al. 1998) in that an underlying theoretical model motivates my analyses and shapes the accounts I present. The narratives of how the game is played in different cases with largely similar contextual characteristics then provide critical insights, which lead me to

refine the statistical models I use for empirical testing, confirming the following argument:

At least in the world of strategic behavior, we have learned, theory with narrative is stronger than theory alone. And narrative with theory is more powerful than narrative alone. Analytic narratives offer a method for moving from context-rich world of events and cases to explanations that are logically rigorous, illuminating and insightful, and, if handled with care, subject to empirical testing (Bates et al. 1998, 236).

In the absence of a systematically applied theoretical framework, these insights would have been lost in the wealth of information available for each of these stories.

In Chapter 5, I discuss the merits of duration modeling as the optimal method of quantitative analysis for the question under investigation in this study. Given that it has only recently found a place in political science research, I provide the reader with a fairly detailed introduction to the method, with further references when necessary. In describing the dataset, I also emphasize issues of case selection and dependent variable operationlization, both of which are typically overlooked in quantitative, large-N studies. This discussion on the key decisions researchers make—in choosing the method of analysis, the cases to study, and the operationalization of variables of interest—and the implications of these decisions, which I test and report in Chapter 6, are important contributions of this study.

Finally, Chapter 6 presents the results of the survival analyses I ran on all post-civil war cases since 1945. These findings represent the exogenous institutions component of this research, and the complement my conclusions from the cases studies, which focus more on why and what types of institutions are most likely to be established and sustained in diverse, conflict-ridden societies. I arrive at two main conclusions regarding the effects of certain political institutions: while territorial decentralization of

political power emerges as the only form of power sharing that reduces the risk of failure once a civil war is terminated, the number of veto points in the post-war system is significantly and positively proportional to the hazard rate. Although it contradicts expectations from the consociationalist perspective, this latter point is in fact congruent with the predictions I extend following the theoretical model presented in Chapter 2.

## **2. Theoretical Framework: Unraveling Consociational Democracy**

For societies embroiled in civil wars, an effective post-conflict political system must convince rivals to not only stop fighting but also stay off the battlefield and committed to peace once they demobilize. Consolidation of peace requires that all relevant players have a stake in its preservation, particularly when juxtaposed with their expectations from continued or renewed fighting. Power sharing institutions do just that. When a society is divided into a majority and one or more minority groups, and this division is politically salient, which is always the case following civil wars that pit these groups against each other, majoritarian democracy poses the threat of permanent exclusion and subjugation for minorities. It no longer is a system of “organized uncertainty” (Przeworski 1991); instead, it threatens to create “elective dictatorships” (Lijphart 1999, 12). *Ex-ante* guarantees of a share of the pie, on the other hand, can provide all players, particularly the minorities, with the motivation to lay down arms and stay loyal to the system.

Power sharing institutions have received the attention of many scholars studying the termination of civil wars and post-civil war stability (Hartzell et al. 2001; Hartzell and Hoddie 2003; Lake and Rothchild 1996; Licklider 1993; Walter 1999, 2002). After all, the distribution of power and state resources is at the heart of civil conflicts: “That is, ultimately, what the war has been about. People are willing to fight and die over it because they know it will determine their future and that of their children” (Licklider 2001, 706). Consociationalism—conceived by Lijphart back in 1960s and endorsed by many scholars and practitioners ever since—is a specific form of power sharing which is supposed to work particularly well in post-civil war environments, where political



preferences tend to strictly follow rigid social cleavages along which the war was fought. Consociational power sharing recognizes rival sub-national groups (e.g. ethnic, religious, tribal, ideological) as the building blocks of a society and promotes cooperation and power sharing among them. Political institutions that are conducive to such co-existence range from certain electoral systems (such as proportional representation—PR), which merely facilitate the representation of all relevant groups, to those that require *ex-ante* that all groups are represented in different state bodies according to given formulas (such as ethnic quotas for legislative seats). This is in contrast to Horowitz’ approach, which advocates institutions (such as the alternative vote system) that would ideally induce “integration” across different groups and shift alliances, rather than impose constraints based on existing cleavages.

Despite the attention it has attracted, the concept of consociational power sharing has been poorly developed. The problem goes back to Lijphart, who initially introduced the concept as a descriptive type of democracy—“deviant cases of fragmented but stable democracies will be called ‘consociational democracies’” (1969, 211)—and argued that “the essential characteristic of consociational democracy is not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system” (213). However, institutions interact with given individual preferences, including those that might reflect prominent social cleavages (i.e. ethnic/religious/tribal identities), to determine individual behavior and social outcomes. Lijphart further presupposed that the key to consociational power sharing would be “a willingness on the part of elites to cooperate” (218), in essence making the tautological argument that countries such as the Netherlands, Belgium, and Switzerland were able to establish sustainable democracies

despite being fragmented because elites wanted to cooperate. The ultimate question is why they wanted to cooperate. In his later work he did explore institutional commonalities in such democracies (1999) but failed to distinguish between formal institutions on the one hand and their behavioral and organizational results on the other.

As the formal model below and the empirical analyses in the following chapters illustrate, consociationalism as Lijphart defined it conflates in a single concept different political institutions—power sharing institutions and veto points—that provide players with divergent incentives. The veto player structure (Tsebelis 2002) determines how and in what direction the initial power distribution rivals agree to can be altered through legitimate mechanisms once the system takes hold.<sup>16</sup> Players recognize the extent to which the rules of the game are malleable and they take this possibility into account when estimating their future payoffs. In the end, therefore, what determines the overall value of peace is a combination of the initial power distribution and how that can later be manipulated without resorting to war. For example, the easier and more likely it is to change the system (i.e. the smaller the number of veto points) to the disadvantage of a given group, the more insistent it will be on securing the highest possible share at the start and the more favorably it will consider alternative methods (i.e. insurgency or war) for preserving, if not furthering, its share of power after the system is established.

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<sup>16</sup> Note the lengthy discussion on Tsebelis' veto players model in Chapter 1. The veto player structure provides an alternative form of classification for different types of political systems—alternative to the traditional, and mostly problematic, dichotomies of parliamentary vs. presidential, two-party vs. multiparty, etc. In my quantitative analysis, I use the number of veto points/players to specify political systems in an alternative model; I also use the number of veto points as a proxy for veto rights prescribed by Lijphart. It should be noted, however, that the two are not synonymous; although Lijphart's veto rights would by definition translate into Tsebelis' veto players—those actors whose approval is required to enact a policy/institutional change—not every veto player would constitute a minority veto (a critical component of mutual veto) as Lijphart (1977) originally envisaged. In his later work, however, Lijphart (1999) generalized this veto concept into what he called “constitutional rigidity,” which corresponds directly with Tsebelis' veto structure—the higher the number of veto points, the more constitutional rigidity there will be.

Similarly, a player might more readily accept limited power sharing if it is accompanied with extensive veto rights, knowing that whatever it secures as a precondition for leaving the battlefield will not be easily taken away.

Regardless of the exact form or extent of power sharing, how can parties ever trust rivals, whom they have been fighting, to lay down arms and honor their so-called guarantees or promises to share power? If war is to stop short of total victory by one side, adversaries must at some point demobilize and disarm, or merge their forces under joint control, which makes those who genuinely demobilize totally vulnerable to those who might choose to exploit the compliance of their rivals. This kind of opportunistic behavior can be effectively avoided by deploying third-party enforcers (e.g. peacekeepers) through the initial stages.

To end a civil war through a negotiated settlement, the combatants must clear a much higher hurdle: designing credible guarantees on the terms of the agreement—a task made difficult without outside assistance. . . . The greatest challenge is to design a treaty that convinces the combatants to shed their partisan armies and surrender conquered territory even though such steps will increase their vulnerability and limits their ability to enforce the treaty's other terms. Groups that obtain third-party security guarantees for the treacherous demobilization period following the signing of an agreement, and internal political, military, or territorial guarantees, will implement their settlements (Walter 1999, 128).

The positive effect of deploying third-party enforcers has been repeatedly confirmed through various empirical studies (Doyle and Sambanis 2000; Hartzell and Hoddie 2003; Hartzell, Hoddie, and Rothchild 2001; Walter 1997, 1999).

Reliance on outside enforcement, however, can only be a temporary solution. In the end, any post-war arrangement has to be self-enforcing if stability and sustainable coexistence are to be attained. In other words, absent external shocks, consolidation of peace requires that it be in the interest of all relevant players to stick to the system even after the

peacekeepers leave. In order for this to happen, not only must each player have something to gain by continuing to play by the rules, but they must also perceive as credible the commitments of others to do the same. Internal mechanisms must be designed into the post-war institutional framework to convince players of each other's long-term commitments; otherwise, faced with the threat of being stripped of all power, if not of the means to survive, the vulnerable party might instead choose to continue fighting or initiate a new preemptive civil war.

Significant decentralization or territorial autonomy might be one way of internally instilling this sense of security. By devolving exclusive authority over certain decision-making areas to the subunits, the majority can prove to the minority its willingness to share power.

By increasing the influence of policymakers at the subnational level while diminishing the powers of policymakers at the center, groups should gain an increased sense that they possess a means of protecting themselves from the exercise of central authority. This is particularly likely to be true when the powers of the subunits extend to their own judiciaries and police forces, for these often serve to augment groups' feelings of autonomous capacity (Hartzell, Hoddie, and Rothchild 2001, 191).

Similarly, another move that signals credible commitment to peace is the "integration of the antagonists' armed forces or a decentralized and federated command structure for the armed forces" (Wantchekon 2000, 346). In other words, either reserve every player a significant voice in commanding the coercive capabilities of the state, or institute a decentralized command structure that allows each group to preserve its own capabilities within certain territorial boundaries.

The veto structure of a post-war political system plays a crucial role in signaling the credibility of commitments, or lack thereof, to the initial arrangement of power distribution. Some actors might count on minimal veto points for increasing their respective shares in the future; others would see resistance to the institution of veto

opportunities (e.g. minority veto rights, super-majority or concurrent majority requirements) as signs of intent to later renege on power sharing commitments. In particular, the higher the number of veto points, the more credible the majority's commitment will be perceived to be by minorities. Conditions for constitutional amendments and decisions concerning "vital interests," therefore, occupy center stage in most settlement negotiations among civil war rivals. Following case study chapters confirm this.

At this point Lijphart's idea of consociationalism unravels: He associates more power sharing (e.g. proportional representation in governing coalitions as well as other state bodies) *and* minority veto rights with consociational democracy, thereby arguing that both are positively associated with stability in diverse societies. While maximizing both is certainly the ideal scenario for minorities, peace under these terms become an inferior outcome for the majority, who tends to view consociationalism as hindrance to how democracies should function—"constrained" versus "full" democracy (Rothchild and Roeder 2005, 7).

Majority leaders cannot sell to their constituencies a system which not only guarantees their rivals power they would not have had access to under a "full" democracy but also makes it infeasible to change these terms in the future. On the other hand, unable to count on increasing its shares through regular electoral mechanisms once the system takes hold, minorities try to secure the largest possible share at the onset. They also perceive the majority's willingness to consent to a rigid framework (i.e. high number of veto points) as an indication of the credibility of the latter's commitment to share power even after the minorities demobilize and the threat of insurgency or war subsides. There

has to be a tradeoff, however, as the majority cannot credibly commit to a system that both maximizes the minority's share and minimizes the potential for future change to the majority's advantage—unless the latter was seriously besieged on the battlefield, in which case the minority should have no reason to settle anyway.

### **Model of Institutional Bargaining Among Civil War Rivals**

Political institutions, due to their distributional effects, shape individual incentives and, as a result, political behavior and outcomes—continued or renewed war versus peace and coexistence. They themselves, however, are the products of political and social circumstances, particularly the distribution of power on the battlefield, as they are strategically chosen by the relevant actors of the time. In other words, institutions are endogenously selected.<sup>17</sup> “If the relation of forces are known *ex ante* to be uneven,” for instance, “the institutions ratify this relation and are stable only as long as the original conditions prevail” (Przeworski 1991, 82); this is why post-war political institutions (e.g. the electoral system) tend to favor prominent war-time actors—otherwise, there will be problems of credible commitment. Why would any player who dominates on the battlefield commit to a settlement that puts it at a permanent disadvantage instead of fighting it out?

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<sup>17</sup> This does not necessarily mean, however, that institutional effects are therefore also endogenous—that they exactly and directly reflect the preferences of players who were involved in their design—which would render the study of institutions as explanatory variables theoretically problematic. “Institutional endogeneity must not be viewed as an overwhelming obstacle to discovering independent institutional effects, because, in theory as well as in many instances of practical design, the extent of ex-ante manipulability of final outcomes is quite limited” (Shvetsova 2003, 192). The presence of incomplete information (which is a reasonable assumption particularly in post-war societies where the whole social structure and the state are in a major transition) about the rest of the variables (i.e. the social context), which interact with formal rules to determine the macro-political phenomena we could observe, implies that the ultimate consequences as well as the players' preferences over these outcomes will differ from the ex-ante preferences reflected in institutional designs (194).

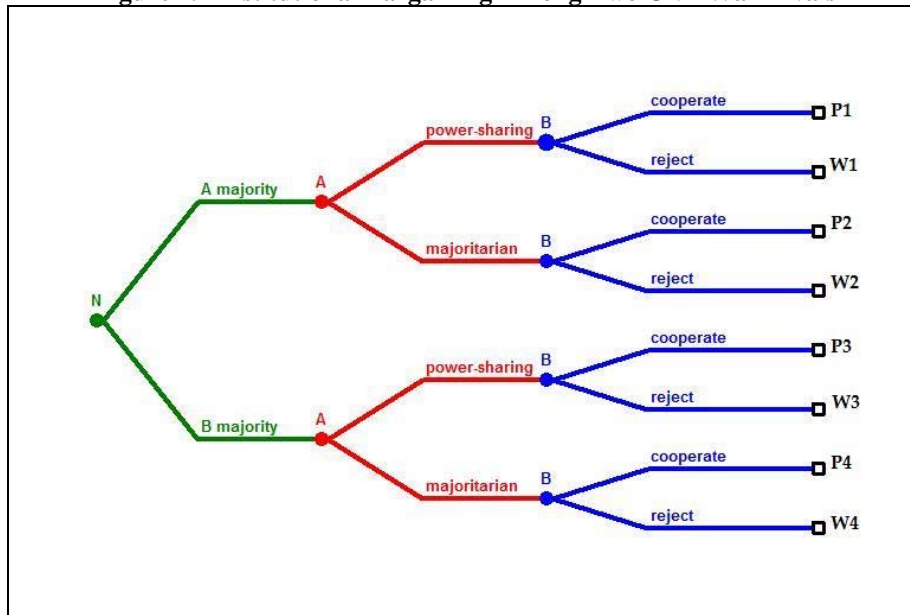
Many institutional proposals prove unacceptable to one or more rivals at the onset and are hence eliminated at the selection stage, which makes them and their political consequences unobservable in a systematic manner. Developing a formal account of the whole process—from the time of war to the consolidation of peace—allows me to explicitly model the elimination as well as the adoption of proposed political institutions. The case studies in the following chapters help illustrate the differences between institutions that won the consent of all relevant players and those that failed to survive even the initial stages of institutional selection. They also allow me to establish the missing link between the empirical observations of “macro-political phenomena” and “the microfoundations” of political behavior (Weingast 2002, 660-692). Earlier studies on institutions in post-civil war contexts or diverse societies in general have relied almost exclusively on cross-sectional patterns of war and peace to extrapolate the effects of particular institutions.

The model in Figure 1 illustrates a one-shot game of institutional bargaining between two civil war rivals at a given point during a war; every different offer and every different time point constitute a different game with essentially the same format but potentially different preferences. The players have no control over which one dominates the area (state) under dispute in terms of the population.<sup>18</sup> Demographic distribution is determined by the initial move by Nature, the result of which becomes common knowledge and it does directly affect how each player assesses the utilities of different

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<sup>18</sup> It is not inconceivable for the distribution to change due to “cleansing” (ethnic or otherwise) as part of the war but that is not modeled here, except potentially as part of what the rivals expect to get from continued fighting. If the population shares were to change dramatically, preferences would significantly change and a new game would emerge. Figure 1 represents a one-shot game that reflects the circumstances present at a given point in time.

**Figure 2.1 Institutional Bargaining Among Two Civil War Rivals**



political systems. Either the majority or the minority can move first to make an offer or to respond to one extended by third-parties, making a choice between a power sharing and a majoritarian political system,<sup>19</sup> leaving the next player with two options—cooperate or reject. Power sharing systems might either include institutions that are expected to induce power sharing (e.g. PR elections) or specific provisions that guarantee different the different groups reserved representation within the state apparatus (e.g. ethnic quotas in the executive and the legislature of the state of Bosnia and Hercegovina).

In representing the rivals as two individual players I assume neither collective rationality nor that the rival social groups, two ethnic groups for instance, are unitary actors. A and B are the individuals who represent the respective groups at the negotiation table. These individuals, who have the last word during negotiations, are usually also the leaders who play a critical role in mobilizing their groups.<sup>20</sup> Leaders organize, pool

<sup>19</sup> Either way I assume that any system negotiated is consistent with electoral democracy.

<sup>20</sup> Excluding representatives of the fighting parties from negotiations or the final decision makes little sense since it is those leaders who need to be convinced to lay down arms and demobilize people; commitments



resources, enforce contracts, and provide selective incentives (both punishments and side-payments) to facilitate mobilization; otherwise, groups cannot effectively mobilize to participate in collective violence.

They face a Rebel's Dilemma. Dissidents seek a public good of either capturing the state or forcing the existing authorities to redress their grievances. Rational dissidents will not voluntarily contribute to this public good. Unless free riding is overcome, however, the rebels are in a Prisoner's Dilemma. No potential dissident will become an actual dissident; none will assist in either overturning the state or forcing the state to redress grievances (Lichbach 1995, xii).

These leaders are then typically the ones who make critical decisions that pertain to war and peace. They most likely take into account the preferences of their constituencies, which they also play a role in shaping; wars provide opportunistic leaders with powerful common memories, concerns, and fears, which they invoke to promote in-group loyalties to preserve existing alignments and to mobilize fighters or political followers.

As shown in the upper half of the game in Figure 1, the subgame that starts with A making the initial bargaining move as the majority can end with two different peace and two different war outcomes. If A offers or endorses a third-party offer of power sharing and B reciprocates with a cooperative move, the war ends and a political system

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made by others to do so are simply not credible. One case where this was tried was during the Northern Ireland negotiation process, where the rebel leaders and their political representatives were excluded from the process for years. Negotiations became meaningful and a comprehensive agreement was reached in 1998, only after Gerry Adams representing the Sinn Fein, and the IRA indirectly, entered negotiations. An exceptional case where third parties made a conscious and potentially ingenious effort to bypass uncompromising leaders was the Cyprus Reunification Referenda of 2004. UN Secretary General Kofi Annan had announced during the last phase of negotiations that he would be submitting the comprehensive framework he formulated directly to the two communities in separate referenda if no agreement was reached between the leaders until a certain deadline. In the end, community leaders failed to cooperate but settlement through referenda failed as well: the plan was overwhelmingly approved by the Turkish Cypriot community but overwhelmingly rejected by the Greek Cypriot community, confirming the public stances of their respective leaders at the time.

with power sharing provisions is established.<sup>21</sup> If, however, the majority settles for a power sharing framework but the minority rejects, the result is continued war—*war without-face* (W1); A loses face before its constituency for capitulating and B loses face for turning down an offer which many would see as the best scenario for the minority short of unilateral victory.<sup>22</sup> On the other hand, if the majority proposes a majoritarian institutional framework and the minority rejects this, the outcome is again continued war but with different payoffs—*war with face* (W2); the majority avoids the political cost of capitulation by insisting on its ultimate goal, which also saves the minority from appearing too uncompromising when it rejects the offer. Finally, the war ends and a majoritarian political system (P2) is established if B gives into A's demands for a majoritarian settlement—an outcome with major political costs for B.

Similarly, four different outcomes are possible when the minority moves first (as in the lower subgame that starts with A's choice node). If A extends or accepts a proposal of power sharing and B rejects this offer, continued war is the outcome (*war with face*, W3); both of these moves can be seen as face-saving strategies given that A refuses to deviate from the most preferred outcome for its constituency and B chooses not to surrender. If B accepts A's offer, then the outcome is the cessation of hostilities and a post-war political system based on a power sharing framework (P3). If A supports a majoritarian system to get off the battlefield and B cooperates, the result is peace with majoritarian political institutions, which are to permanently disadvantage the minority

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<sup>21</sup> I assume that the initial problem of credibility of commitment to demobilize is resolved through the presence of third-party enforcers and/or simultaneous demobilization and withdrawal by rivals.

<sup>22</sup> Although a constituency supporting continued war as an end in itself is almost certain to be present among both groups, any group that rejects what appears to be a good or fair deal, thereby appearing responsible for the continuation of war, always faces criticism, and loss of sympathy and diplomatic/political support internally and externally; this is the case especially when the other side appears to have made a major concession.

group (P4); making such an offer carries major political costs—cost of capitulation—for A. Both parties lose face if the minority endorses a majoritarian offer and the majority still refuses to stop fighting (*war without face*, W4).

I assume that *war without face* (W1 or W4) is the worst possible outcome for both players. In addition to the costs of war, they suffer the political cost of appearing either too weak (i.e. when the minority endorses a majoritarian system or when the majority supports power sharing) or too uncompromising (i.e. when the majority rejects a majoritarian offer or when the minority rejects power sharing after the other capitulates). The most preferred outcome for the majority is securing the minority's agreement on a majoritarian system, which essentially translates into victory absent the additional costs of continued fighting. The outcome with the highest payoff for the minority, on the other hand, could either be *power sharing peace* or continued *war with face*, depending on the specifics of the institutional framework on the table as well as the expected utility it associates with war. Even if taking full or partial control of the state apparatus is not the minority's primary motivation per se, if they were demanding a policy change for instance, the more chance the group has to directly participate in policymaking, the more likely its grievances or demands would be addressed.

By creating permanent majorities, majoritarian democracies inherently disadvantage and exclude minorities (i.e. the group which constitutes majority in terms of the population consistently wins). This is particularly true when the social divisions are cumulative and salient, which is the case as societies emerge from civil wars that pitted the different groups against each other. How much a power sharing system avoids the tyranny of the majority depends on the level of sharing envisaged in a particular

institutional framework.<sup>23</sup> The distributional specifics of any given power sharing proposal then determine the utilities different players attach to peace that would be based on that system.

Under what conditions would the rivals reach self-enforcing peace? To answer this question, I focus separately on the two major subgames that follow Nature's move. Using the principle of backwards induction, I explore the conditions under which some form of peace would constitute Nash equilibrium for each subgame (i.e. no player has an incentive to deviate from unilaterally).<sup>24</sup> I start at the terminal nodes of peace and examine the conditions that would induce B to choose peace over continued war. I then work backwards through earlier nodes, which corresponds to A's decision on which type of institutional framework to endorse. Each player is assumed to be capable of predicting what the other player will do at subsequent nodes. Hence A knows the can anticipate the consequence of each possible move by foreseeing B's reaction and it acts strategically by taking this information into account.

In order for the rivals to reach and stick to P1, in order for P1 to be subgame perfect equilibrium in other words, the expected utility B attaches to peace under those power sharing terms must outweigh the net value it attaches to continued fighting:

$$EU(P1)_B \succ EU(W1)_B \quad (1)$$

A must perceive this to be the case for B as well. Power sharing peace (P1) is not the minority's first preference by default. Every institutional detail embodied in a settlement offer could have important distributional consequences, thereby affecting both parties'

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<sup>23</sup> A power-sharing system approximates a majoritarian system as the share of resources the minority is likely to get approaches 0.

<sup>24</sup> Using backwards induction one can eliminate any Nash equilibria that would not be subgame perfect by requiring that players make optimal choices at each node, thereby eliminating threats or other signals that are not credible.

assessments. In fact, a power sharing system approximates a majoritarian system as the share of resources the minority is likely to get approaches 0. The value B attaches to any given peace offer then depends on the share it expects to get as well as the costs it associates with bargaining and making the deal; since the share it secures can vary significantly, there will always be a part of its constituency that demands more and challenges the decision to lay down arms in favor of any given institutional framework.

Generalizing for both players, the expected utility from a given power sharing settlement can be represented as follows:

$$EU(P1)_i = (x + p.\Delta)_i - (PC_{P1})_i \quad (2)$$

where  $i$  denotes the player.  $(x + p.\Delta)$  is the value a player attaches to the share it gets initially  $(x)$  plus any future change to the initial distribution  $(\Delta)$ , which it expects to materialize through legitimate channels (e.g. constitutional change) with the probability of  $p$ . This probability is a direct function of the veto player structure embodied in the institutional framework; the change anticipated could be positive or negative.<sup>25</sup>  $(PC_{P1})_i$  is the political cost (i.e. cost of bargaining/capitulation/surrender) the player attaches to this particular settlement.

In this case, war for both players is *war without face*. The majority always faces political costs when it appears to be giving in by making a power sharing offer; this cost is multiplied when this concession is not reciprocated by the minority, who then also faces political costs associated with rejecting what could be a good offer. The utility each expects to get were B to reject a power sharing offer is:

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<sup>25</sup> For the mere reason of parsimony, I assume no discounting.

$$EU(W1)_i = (q \cdot y)_i - \sum_{t=1}^{t=v} (G_F - C_F)_{it} - (PC_{W1})_i \quad (3)$$

$y$  represents the resources each player anticipates to secure after it achieves military victory, to which it attaches a probability of  $q$ .  $\sum_{t=1}^{t=v} (G_F - C_F)_{it}$  is the net value of resources it expects to accumulate in the meantime (i.e. until the time of victory or the next opportunity to settle);  $G_F$  represents the additional gains (e.g. territorial advances, arbitrary expropriations of private property or natural resources), while  $C_F$  stands for the costs associated with continued fighting (e.g. financial costs, casualties, destruction of property).  $(PC_{W1})_i$  is the political cost each player attaches to the situation where A makes the power sharing offer and B refuses to settle.

If A anticipates Condition (1) to hold true, it would expect the outcome of endorsing a power sharing deal to be P1. Although majoritarian peace (P2) is the most preferred outcome for A, if it expects insisting on a majoritarian settlement to result in continued fighting (W2), it is essentially faced with a choice between P1 and W2. It chooses to support power sharing when its expected utility from P1 exceeds that from W2:

$$EU(P1)_A \succ EU(W2)_A \quad (4)$$

Assuming that continuing the fight remains an option for the minority (given its military capabilities and mobilization success) and that assenting to a majoritarian settlement constitutes surrender with crippling political costs, P1 becomes subgame perfect equilibrium when conditions (1) and (4) are true.

P2, on the other hand, becomes a self-enforcing outcome only when the minority loses capacity to fight and/or it only demands some policy change which the majority can

credibly commit to as part of a majoritarian offer. If A as the majority insists on establishing a majoritarian system and moves first, leaving B to react to that offer, the latter has to make a choice between laying off its arms in favor of a majoritarian political system (P2) and continued fighting with the goal of securing a better deal (W2).<sup>26</sup> For B, cooperating with A in this case not only takes away any chance of getting a share of the pie but also incurs major political costs associated with entering an agreement that would be seen as total surrender (i.e. cost of capitulation). B can avoid this cost and maintain some possibility of victory or a power sharing settlement in the future if it rejects the offer and continues to fight.

The choice B makes when confronted with A's majoritarian demands depends primarily on the probability it attaches to success on the battlefield and the net value of resources/costs it expects to accumulate until the time of that success. While civil wars are necessarily costly for all parties involved—perhaps for civilians more than the leaderships—arbitrary expropriations of private property given the lack of law and order is also common.<sup>27</sup> In addition to any opportunistic gains, players might count on continued fighting to improve their standing on the battlefield, particularly through territorial gains, hoping that this will also improve their standing at the negotiating table even if they cannot secure a total military victory. Therefore, B takes into account not only the costs in terms of human casualties and financial losses, but also the variety of benefits it could reap from continued fighting (including the reputation of standing strong

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<sup>26</sup> A making a majoritarian offer in this case is synonymous to saying “I am not making any concessions; either surrender or we will keep fighting.”

<sup>27</sup> Leaderships can also take control of extractable natural resources to fund the war (such as the use of diamonds in Angola), as well as to boost their individual wealth. Collier and Hoeffler (2002), and Doyle and Sambanis (2000) show that natural resource wealth (of a country) is positively associated with the probability of experiencing civil wars; presence of resources that rebel entrepreneurs (Lichbach 2000) can easily prey on not only increases the funds they can utilize for mobilizing people but also provides an added incentive to incite and continue civil violence.

against an uncompromising majority). Because a majoritarian framework offers the minority essentially nothing in terms of power and resources and threatens to isolate it permanently, B would always reject a majoritarian settlement unless continued fighting is too costly and offers little chance of improvement in the near future—unless it is ready to unconditionally surrender.

The payoffs players associate with the different outcomes depend on the first move by Nature. If A was to call for a power sharing settlement in the lower subgame, for instance, any political cost B attaches to that agreement would be much higher than it would be if it represented the minority instead. Hence,

$$EU(P3)_B = (z + r.\delta)_B - (PC_{P3})_B \quad (5)$$

and

$$(PC_{P3})_B \succ (PC_{P1})_B \quad (6)$$

However, the most preferred outcome is still majoritarian peace (P4) for the majority (B) and it could be either *war with face* (W3) or power sharing peace (P3) for the minority (A).

When the minority moves first and endorses a majoritarian settlement, it anticipates the outcome to be P4 (majority's first ranked preference), which carries enormous political costs of capitulation for A. If it calls for power sharing, on the other hand, the outcome could be either P3 or W3 (*war with face*). The initial choice A makes then depends on what it expects B to do given these two options. In order for B to choose to cooperate with A's power sharing offer, it must be the case that

$$EU(P3)_B \succ EU(W3)_B \quad (7)$$



where  $EU(W3)_B$  has the same form as Equation (3). If A anticipated this condition to be true, it would certainly choose to endorse that particular power sharing framework over a majoritarian settlement since the following are by definition true when A is the minority and B is the majority:

$$EU(P3)_A \succ EU(P4)_A \quad (8)$$

and

$$EU(P4)_B \succ EU(W4)_B. \quad (9)$$

This also means that A can manipulate the outcome by tweaking the institutional details of any offer it brings to the table; either player moving first has the advantage of manipulating the distributional consequences and the political costs associated with any given settlement proposal, thereby not only anticipating but also affecting the next player's move.

### ***Providing the Minority with a Stake in Peace***

Whether some form of peace emerges as an equilibrium outcome from a given round of institutional bargaining depends on both the distributional features of the proposed post-war system and the conditions on the battlefield. A majoritarian system, by definition, minimizes for the minority the amount of resources it is promised (i.e.  $(x + p.\Delta)_B$  in Equation (2) goes to 0) and maximizes the political costs attached to accepting that settlement (i.e.  $(PC_{P2})_B$  as in Equation (3) is maximized). Therefore, when a majoritarian offer is on the table, the minority's response is determined almost exclusively by what it expects to achieve from continued fighting; particular institutional details are mostly

irrelevant. Therefore, holding other things constant, settlements based on power sharing are more likely than those based on majoritarian institutions to lead to stable peace.

Focusing again on the subgame where A is the majority, and using backwards induction from terminal node P1, in order for a power sharing system to become an equilibrium point—a self-enforcing outcome—the following must be the case:

$$(x + p.\Delta)_B - (PC_{P1})_B \succ (q.y)_B - \sum_{t=1}^{t=v} (G_F - C_F)_{Bt} - (PC_{W1})_B \quad (10)$$

where the left-hand side represents B's expected utility from cooperating with A on that given power sharing settlement and on the right is B's expected utility from rejecting that offer.  $(x + p.\Delta)_B$  would be a direct function of the institutional framework endorsed by A, who can manipulate that value to elicit a certain response from B. The higher the level of power sharing envisaged by a system, the higher will be the utility a minority attaches to that system—a function of not only a higher  $(x + p.\Delta)_B$  but also a lower  $(PC_{P1})_B$ . Holding everything else constant, this would make it more likely for B to accept and stick to a settlement.

If A anticipates Condition (10) to be true for B for a given power sharing offer (which may have been introduced by A or by third parties), it would need to choose between supporting that particular framework and insisting on a majoritarian system. If it expected B to cooperate on a majoritarian settlement offer and choose P2 over W2, endorsing power sharing would become an irrelevant strategy since P2 is A's most preferred outcome. Assuming that it expects B to choose W2 over P2, however, it would offer to settle for power sharing only if

$$(x + p.\Delta)_A - (PC_{P1})_A \succ (q.y)_A - \sum_{t=1}^{t=v} (G_F - C_F)_{At} - (PC_{W2})_A \quad (11)$$

The more power sharing is guaranteed or institutionally induced by a system, the lower will be the utility A expects from that settlement but higher will be the value B attaches to the same settlement. Therefore, although some form of power sharing is required to make B choose settlement over continued war, it also needs to be limited enough to provide A with an optimal amount of power and resources, as well as minimize the political cost of capitulation it stands to suffer.

### ***Power Sharing-Veto Points Tradeoff***

When assessing the value of any given power sharing system, players consider not only the initial shares they expect to secure as a function of key institutional variables (e.g. electoral rules) or are guaranteed *ex-ante*, but also the probability that this arrangement could be changed in the future. Every political system allows for institutional change through legitimate mechanisms; the ease by which such change occurs depends on the number of veto players—individuals/organizations whose approval is required to institute change—embodied in that system. Generalizing Conditions (10) and (11) to any player, in order for a power sharing arrangement to be agreed upon as a basis for settlement, the following must be the case.<sup>28</sup>

$$(x + p.\Delta)_i - (PC_{p1})_i \succ EU(W)_i \quad (12)$$

The relevant war alternative for A is W2 and for B is W1. Focusing on the distributional and institutional features of a settlement, there has to be a critical value—the minimum

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<sup>28</sup> Note that while I am only focusing the subgame where A is the majority, the same argument holds for the lower subgame, with only the names attached to the minority and the majority reversed. So, Equation (12) would need to be the case for P3 as well.

acceptable value—each player attaches to the share of resources and power they expect to receive from a settlement.

$$(x + p.\Delta)_i^* = EU(W)_i + (PC_{p1})_i \quad (13)$$

Holding everything else constant, B agrees to settle if  $(x + p.\Delta)_B$  associated with an offer on the negotiation table is larger than this critical value and chooses to fight instead if it is smaller. If A anticipates B to accept a certain settlement, it can either extend that offer or insist on a majoritarian system, which would lead to W2 unless A has a crashing dominance over B on the battlefield (as the latter would rather continue fighting, if it can, to retain some possibility of securing a share of the state apparatus and to avoid the political cost of capitulation). A would endorse the settlement if  $(x + p.\Delta)_A$  also exceeds its own critical utility, given the situation on the battlefield and the political costs it expects to suffer were it to settle for power sharing.

Breaking apart the utility players attach to a given institutional framework into its components, I argue that the number of veto points and the extent of power sharing need not be simultaneously maximized. To the contrary, increasing one while reducing the other might be an effective bargaining strategy to create a settlement acceptable to both players. This challenges the concept of consociationalism, which confounds the two under a single prescription—maximize power sharing and enable players to veto each other in order to induce peaceful coexistence.

Looking at Equation (13), which shows the critical value for an acceptable institutional framework, if the initial share of resources and power secured by a certain player increases, the potential for future positive change it demands goes down and the

potential for negative change it tolerates goes up. Rewriting the critical values in terms of  $p.\Delta$  and  $x$ , we get the following:

$$(p.\Delta)_i^* = EU(W)_i + (PC_{p1})_i - x_i \quad (13)$$

$$x_i^* = EU(W)_i + (PC_{p1})_i - (p.\Delta)_i \quad (14)$$

If  $\Delta$  is positive, which would mostly be the case for the majority, as  $x$  goes up, the  $p$  it demands would go down, and vice versa (i.e.  $\partial p(\Delta)^* / \partial x < 0$ ). In other words, if the player expects to add to its share once the system is established, it will be less insistent on maximizing what it gets initially. Following the same logic, the smaller the extent of initial power sharing (i.e. the larger the majority's initial share), the more tolerant the majority will be of the minority's demands for veto rights. On the other hand, if it gives into the minority's demands for power sharing *ex-ante*, it would try to compensate for this by insisting on keeping the number of veto points down in order to preserve a good probability of future institutional change to its advantage.

Rather than counting on future positive change, the minority is in most cases concerned with keeping what it can secure at the negotiation table. Contrary to the majority, therefore, the minority assesses the probability of negative institutional change (i.e.  $\Delta < 0$ ). As the initial share it gets increases, the probability of future change it tolerates will also go up. Hence, the more extensive the initial power sharing, the less persistent the minority will be on maximizing the number of veto points in the post-war system. The less it is rewarded at the start, however, the more insistent it will be on veto rights so it can hold onto what it gets after it leaves the battlefield. In any given settlement offer, therefore, there will be a tradeoff between the extent of initial power sharing and the number of veto points for both players.

### *Making War Unattractive*

Although my focus is on the institutional features of civil war settlements, conditions on the battlefield and post-war coercive capabilities are obviously as critical in determining whether rivals choose to end war and stick to peace. Namely, the lower the expected utility the rivals attach to continued or renewed fighting, the more likely they will be to settle and consolidate peace; as the utility a player expects from war goes down, so does the critical value it attaches to acceptable settlement.

As Equation (3) illustrates, expected utility of war for any player is a function of four major components: the probability it attaches to victory, the costs it anticipates to incur as a result of continued presence on the battlefield, the benefits it expects to reap during the war, and the political costs it expects to result from failure to settle. Change in any of these calculations affects the relative values of peace and war, and hence the choice between the two, for that player. The same institutional framework, therefore, might be acceptable for one or both players at one point but not at another. It is precisely for this reason that questions of third-party military interventions are frequently raised as attempts are made to mediate civil war settlements.

The proposition I make, however, is different from the argument that rivals settle when they face a “mutually hurting stalemate” on the battlefield—when they “find themselves locked in a conflict from which they cannot escalate to victory and this deadlock is painful to both of them” (Zartman 2000, 228). Continued war *need not be* “painful” or without a good probability of victory and benefits for *both* parties. When the expected utility one player associates with war is low enough to sufficiently reduce its

critical value for an acceptable settlement, the other player—even if still hopeful of victory—might be able to provide the former with an adequate share without too much compromise.

### **Failure of Peace**

As the statistical analyses in the following chapters further illustrate, civil war relapse is not uncommon, particularly following negotiated settlements. In other words, in many cases rivals agree to settle but later renege on their commitments to the post-war system; peace may or may not be consolidated. What can explain such failure? Why do rivals choose to go back to war if they made a choice to settle, and supposedly already demobilized, knowing what peace would bring?

The single-round game presented in Figure 1 models any instance rivals face an opportunity to choose between war and peaceful coexistence. Such instances arise not only during wars but also in the aftermath, when the majority gets to choose between continued power sharing and demanding a majoritarian change for instance. Relapse will be the outcome if it pushes for such a change and the expected utility the minority attaches to war, given its capabilities at that point, is larger than that for majoritarian peace. Even if it anticipates minority's response, the majority will push for that change if it has exploited the time since the settlement and the resources under its control to enhance its military power. A change in military capabilities, therefore, can modify players' preferences and alter the outcome if opportunity arises to reconsider war versus peace.

The rigidity of the institutional framework can also prove to be detrimental to the stability of a system. As a result of an external shock, such as change in leadership or public opinion, a player might choose to demand institutional change any time after the war ends. If this is rendered impossible through legitimate channels due to the presence of mutual veto rights or a high number of veto players overall, and war is an acceptable option for both players (i.e. the player demanding the change is willing to fight to institute those changes and the other player is willing to veto, knowing war would be the outcome), the system will fail. The higher the number of veto points, therefore, the more vulnerable peace will be. This is very similar to the argument that in the presence of a large number of veto points, “as a result of increased policy stability the regime may be unable to provide policy changes when needed, which may lead to breakdown” (Tsebelis 2000, 72).



### 3. Bosnia and Hercegovina: the Fight for Self-Enforcing Peace

The Peace Agreement for Bosnia is the most ambitious document of its kind in modern history, perhaps history as a whole. A traditional peace treaty aims at ending a war between nations or coalitions of nations, while here it is a question of setting up a state on the basis of little more than the ruins and the rivalries of a bitter war. There are often calls for a revision of the Peace Agreement, either to break up Bosnia further or to pave the way for a more unitary state. Neither of them are realistic, and both are irresponsible in view of all the fears that would be unleashed by any attempt to remake the pace, thus in effect opening up all the questions of war. The Peace Agreement balances the reality of division with the structures of cooperation and integration and is based on the hope that over time the imperative of integration in the country and the region will be the dominant factor as long as war can be deterred (Bildt 1998, 392).

Characterized by complex and rigid power sharing mechanisms within a highly decentralized framework, the Dayton Peace Accords (DPA) has been criticized by many as an ineffective peace-building tool—incapable of forging a common Bosnian identity to replace polarizing ethnic affiliations. It has also been criticized for creating an international protectorate, under the ultimate authority of the High Representative (HR), instead of a self-sustaining democratic state. It has been described as “good for ending a war, bad for running a state” (Katana and Igrič 2005) and as a “compromise” that now needs to be transformed into a state (Woodward 1999). Almost twelve years after the signing of the DPA, however, peace in Bosnia and Hercegovina<sup>29</sup> (BiH) perseveres. All major players have at times challenged the institutional framework, but they have

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<sup>29</sup> When I use the term Bosnia I would also be referring to Bosnia and Hercegovina, which has been the country’s official name since the Dayton Peace Accords. It is typically abbreviated as BiH (*Bosna i Hercegovina*). Prior to 1995, it was the Republic of Bosnia-Hercegovina. There is discrepancy in the English-language literature on the spelling of Hercegovina (vs. Herzegovina); I chose to use the former since there is no “z” in the Bosnian/Croat alphabet or its Serbian cyrillic form and the letter “c” is pronounced as “z”.

remained within the bounds of the system and utilized legitimate mechanisms they have endorsed to bring about change. After the civil war claimed more than 200,000 lives and displaced close to 3 million people (Ramet 2006, 466), peace has become the only game in town.<sup>30</sup>

Both the history of negotiations leading up to Dayton and the developments thereafter in BiH exemplify the dynamic nature of institutional bargaining in transitioning societies. As the context changes—developments on the battlefield, transformations in the power structure, demographic changes—so do the payoffs players attach to war and peace. An institutional framework unacceptable at one point might win the approval of all parties at another, and vice versa; a player who finds a given arrangement sufficient to lay down arms at one point, given the political context and the (a)symmetry of military capabilities at the time, might later denounce it and demand change. What determines the stability of peace—not of this or that particular institution or policy—is whether all relevant players have some stake in preserving the overall system when confronted with the alternative of reverting back to war.

Institutions of guaranteed power sharing in BiH, such as reserved representation within the central government apparatus and the autonomy of mostly homogenous ethnic territories, have made it worthwhile for all parties to stick with the system; extensive veto opportunities have further guaranteed that no single player or group can take away these rights unilaterally. Both of these components were integral parts of all institutional

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<sup>30</sup> The most serious challenge to the system came in 2001 when the HDZ of Bosnia and Hercegovina under the leadership of Ante Jelavić, the then-Croat member of the Bosnian Presidency, declared secession from the Federation (ICG 2001). The HR removed Jelavić from his position and by late 2001 HDZ had no option but to give up the pursuit of self-government after failing to get sufficient support and following. This also resulted in a major decline in the prominence of parallel Croat institutions that had remained within FBiH (Bieber 2006, 66).

proposals put forth leading to and during the war in Bosnia. What made them agreeable in 1995 but not in 1992? As the following overview illustrates, the main point of contention during all different attempts to negotiate an end to the war among Bosnian Serbs, Croats, and Muslims, was the map: It became obvious early on that a high degree of decentralization was the bottom line for the minority Croats and Serbs, hence the only way to keep Bosnia a single state. Within which territories each group would have partial or complete autonomy then became the primary question. A negotiated settlement became possible only after Serbs lost enough territory on the battleground that they no longer needed to relinquish a significant amount at the negotiation table, which would have carried enormous political costs, to reach a compromise that would be acceptable for the other players.

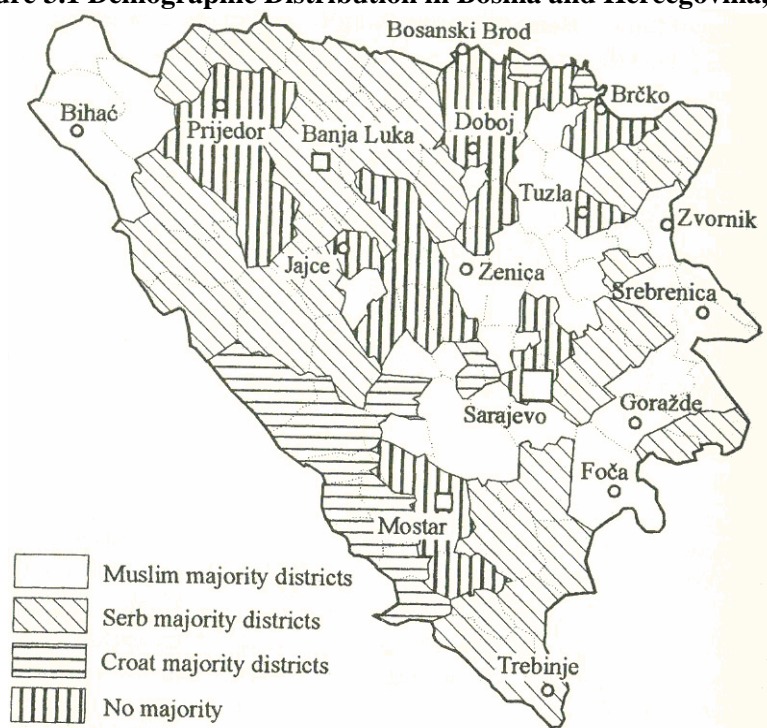
### **Miniature Yugoslavia: Inevitable Disintegration?**

Bosnia-Herzegovina—one of six republics making up the Socialist Federal Republic of Yugoslavia—descended into war following unilateral declarations of independence by Croatia and Slovenia.<sup>31</sup> Unlike the other republics, Bosnia was not home to a single “titular” or majority nation; it was like “Yugoslavia in miniature” (Rogel 2004, 27), an “unmelted pot” of Muslims, Serbs, and Croats, scattered across the territory in a fashion that resembled a “leopard skin” (Bieber 2006, 14; Burg and Shoup 1999, 25) (see Figure 3.1). According to 1991 census results, the three nations made up 43.5,

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<sup>31</sup> Serbia, Montenegro, and Macedonia were the other republics; Kosovo and Vojvodina were recognized as two autonomous provinces within Serbia, the former made up predominantly of Albanians and the latter with a large Hungarian population.

**Figure 3.1 Demographic Distribution in Bosnia and Hercegovina, 1991**



Copied from Burg and Shoup (1999, 28).

31.2, and 17.4 percents of the total Bosnian population respectively (Bieber 2006, 15).<sup>32</sup>

With the disintegration of the federation, Bosnians were faced with two options: remain part of a rump Yugoslavia, which would most likely turn into a Greater Serbia, or declare independence. In a referendum they held in November 1991, Bosnian Serbs endorsed the first option. Bosnian Croats and Muslims, on the other hand, voted for independence on

<sup>32</sup> According to the same census, those identifying themselves as “Yugoslav” made up 5.6 percent of the population. Muslims were recognized from 1960s on as one of the constituent nations that *constituted* Yugoslavia, equal to the Serbs, Croats, Slovenes, Macedonians, and Montenegrins. This was a very significant distinction: Groups identified as constituent nations (*narod*) were given equal status and guaranteed representation in federal institutions (and same for the three groups in the republic of Bosnia-Hercegovina). Groups such as Hungarians and Albanians, who had their respective nation states outside of Yugoslavia, were recognized instead as nationalities (*narodnost*). Finally, another category included groups such as the Roma, who were recognized merely as ethnic minorities (ICG 2002, 2). That each constituent nation—as opposed to each republic—should have the right to self-determination was the argument used by Bosnian Serbs to justify their demands to secede and become part of a Greater Serbia.

February 29/March 1, 1992 in a referendum boycotted by the Serb population.<sup>33</sup> Following the independence vote, armed Serbs took to the streets of capital Sarajevo, sealing off the predominantly Muslim city center, signaling “the ethnic and political powder keg that is the Yugoslav republic of Bosnia-Herzegovina was on the verge of explosion” (Zimonjić 1992).

By the time European Community (EC)—the European Union (EU) after January 1993—granted recognition to Bosnia and Herzegovina (BiH) on 6 April 1992, war was already underway across the country, and so was its de-facto disintegration. Various UN Security Council resolutions condemning the aggression of parties, particularly the involvement of the Federal Republic of Yugoslavia (Serbia and Montenegro), establishing a “no-fly zone” over BiH, and declaring six major cities as “safe havens” under UN protection all failed in slowing down the violence. By the summer of 1992, reports of ethnic cleansing and of Serb-run concentration camps—in Keraterm, Omarska, Trnopolje, and Manjača—were already flooding the international media (Rogel 2004, 30-32).

Following the example of the Serb Autonomous Oblast (SAO) created by the Serbs of Krajina, who were fighting for independence from Croatia, SAOs were established in Serb-majority areas throughout Bosnia in as early as the fall of 1991; an Assembly of the Serb Nation of Bosnia-Herzegovina was created in October and the Republika Srpska claiming sovereignty over SAOs was proclaimed in December 1991.

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<sup>33</sup> Bosnian parliament’s debate on the referendum for independence in January 1992 became the point of no return in the contentious relations between Serbs on the one hand and Muslims-Croats on the other. The seventeen-hour session ended with the withdrawal of Serb representatives and the adoption of a motion by SDA and HDZ representatives to hold the referendum that would address independence but not constitutional details (Bieber 2006, 25; Burg and Shoup 1999, 105).

Croat autonomous areas were also established in the Sava Valley and Herceg-Bosna (Burg and Shoup 1999, 72).

Throughout the next four years the Bosnian stage would be crowded with not only the local players but also those from the neighboring Croatia and Serbia. In addition to President Slobodan Milošević's Yugoslav People's Army (JNA) forces that operated in Bosnia early on, Serbian support for Bosnian Serbs continued throughout the war, most noticeably in form of paramilitary forces based in Serbia. The primary example was the Tigers led by Željko Raznjatović (better known as Arkan), who became responsible for some of the worst massacres, particularly against the Muslims, as they went on a rampage of ethnic cleansing in Bosnia.<sup>34</sup> Croatian forces, some under the direct authority of President Franjo Tuđman, were also involved in the fighting, especially in the Croat-majority Western Hercegovina (or Herceg-Bosna) along the Croatian border.<sup>35</sup> Presidents Milošević and Tuđman often even spoke for the Bosnian Serbs and Croats at the negotiation table.

Most of the contentious bargaining regarding the future of Bosnia took place between Bosnian Muslims and Serbs. The Croats, on the other hand, aligned themselves with both the Muslims and the Serbs at different times, during negotiations as well as on the battlefield. Because the latter two had the more extreme positions, while the Croats

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<sup>34</sup> Paramilitary leaders such as Arkan and Vojislav Šešelj and their gangs were already involved in cleansing of non-Serbs in Krajina and Slavonia (Croatia) in 1991. Šešelj is reported to have said that the policy of ethnic cleansing in Croatia and Bosnia was organized and supported by authorities in Belgrade, particularly the Serbian Ministry of Interior (Rogel 2004, 32).

<sup>35</sup> Because the arms embargo imposed by the United Nations Security Council Resolution 713, adopted in September 1991, applied to all of Yugoslavia, including Bosnia after its independence, and because they lacked a motherland that supported their cause, Muslims were the least well-equipped on the battleground. It was widely known, however, that they received support in form of both material and volunteer fighters from Muslims countries in the Middle East. Towards the later stages of the war, there were also widespread reports that the US, after failing to convince Russia to lift the embargo on Bosnia, encouraged, if not actively facilitated, arms transfers to Bosnian Muslims (see below).

had territorial and institutional demands that fell somewhere in the middle, compromise proposals put forth by third parties tended to coincide with Croat positions. In the words of the UN Secretary General Boutros Boutros-Ghali,

It was recognized from the beginning that the views of the three parties diverged widely on the structure of the future of Bosnia and Herzegovina. One of the parties [Muslims] initially advocated a centralized, unitary State, arranged into a number of regions possessing merely administrative functions. Another party considered that the country should be divided into three independent States, respectively for the Muslim, Serb and Croat peoples, with each of these States having its own international legal personality, which States might form a loose confederation for the purpose of coordinating certain of their activities. The third party supported a middle position (UNSC S/24795, 13).

The middle position, the only arrangement simultaneously acceptable for all three players, was a highly decentralized Bosnia that would give each of the three national units substantial autonomy, as well as guaranteed equal representation and veto rights at the central government level.

This was the “Yugoslavization” of the new Bosnian state as the formula closely paralleled the political institutions established under President Josip Broz Tito, particularly with the 1974 constitution, to ease ethnic tensions simmering within the federation: Devolution of power to the republics, and the two provinces which were practically elevated to the same status, was coupled with guaranteed equal representation for all republics and provinces at the federal legislature and collective presidency (Ramet 2004, 326-8). These institutions quickly became integral to any settlement that would be acceptable to Bosnian Serbs and Croats—the minimum common denominator their representatives could not forego without committing political suicide. Especially after the nationalist parties—the Party of Democratic Action (SDA), the Serb Democratic Party

(SDS), and the Croatian Democratic Union (HDZ)—agreed to divide up prominent government positions among themselves and adopt decisions based on consensus following the 1990 elections (Burg and Shoup 1999, 52), any step back would have meant capitulation for Serbs and Croats. They saw themselves as minorities who would be permanently disadvantaged under a different system.

In terms of the model presented in Chapter 2, any framework that excluded these provisions would deprive these minorities of any stakes in establishing and preserving peace; such a system would minimize the amount of resources they are promised (i.e.  $(x + p.\Delta)_B$  in Equation 2 goes to 0) and maximize the political costs attached to accepting that settlement (i.e.  $(PC_{P2})_B$  as in Equation 2 is maximized). Given the relative weakness of the Muslim-dominated Bosnian government on the battlefield, which enhanced the probabilities of military success for Croats and Serbs (in terms of both absolute victory and increasing territorial control in the meantime), it became apparent early in the game that insisting on a centralized and majoritarian system was futile.

The map that would determine where each group would have territorial control became the point of contention that prolonged the war for almost four years. How could the *territorial* autonomy demanded particularly by the Serbs for ethnically defined units be granted given the nature of Bosnia’s demographic geography prior to 1992? SDS President Radovan Karadžić spoke in no uncertain terms: “The cantonization of the Yugoslav republic of Bosnia-Herzegovina is the only way to avoid bloodshed” (*BBC Summary of World Broadcasts* March 2, 1992). Yet, the pre-war distribution of the groups would have created non-contiguous territorial units, which would have rendered the level of decentralization demanded by the Serbs (e.g. separate armed forces and law



enforcement) practically impossible. It was with this recognition and with the intention of connecting the Serb-majority areas in northwest Bosnia to Serbia in the east that they set out to ethnically cleanse and consolidate Serb control over big chunks of territory throughout Bosnia. The dilemma was recognized by the UN Secretary General leading up to the war:

The population of Bosnia and Herzegovina is inextricably intermingled. Thus there appears to be no viable way to create three territorially distinct States based on ethnic or confessional principles. Any plan to do so would involve incorporating a very large number of members of the other ethnic/confessional groups, or consist of a number of separate enclaves of each ethnic/confessional group. Such a plan could achieve homogeneity and coherent boundaries only by a process of enforced population transfers (UNSC S/24795, 13).

Nevertheless, under the mediation of Jose Cutileiro, representing the EC, at a meeting in Lisbon, Bosnian parties endorsed the ideas of cantonization, decentralization, and guaranteed power sharing: an independent Bosnian state composed of three constituent units, which would have equal representation in the upper house and veto powers through the three-quarters super-majority requirement on certain issues and constitutional amendments. The central government would have authority over the armed forces, central bank, and economic transactions involving transport, energy, and water, which affect more than one unit. The three groups would be proportionally represented in the state's civil service, judiciary, and armed forces according to their population shares (Statement on Principles for New Constitutional Arrangement for BiH 1992, Article C).

In an interview shortly after the Lisbon Agreement, Izetbegović acknowledged the need to reach a compromise and how this agreement accomplished that:

An agreement can be reached only through compromise. Compromises are usually painful because one often has to abandon some very dear ideas or views or visions on how one would organize the republic if one lived in it on his own. However, we are not alone in Bosnia-Herzegovina. There are three nations living here. Sometimes they have very different views on the organization of Bosnia-Herzegovina. A compromise, a compromise formula is the only way out of this kind of situation. This time an attempt was made to find a compromise, on the one hand, by satisfying the Muslim people, because Bosnia-Herzegovina would be preserved as an integral state, as envisaged by Point 1 of the Lisbon agreement. Point 2 would satisfy Croats and Serbs, because we would accept the organization of the republic on the basis of nationality. In other words, we would create national regions (*BBC Summary of World Broadcasts* February 28, 1992).

The location of these regions, however, was the irreconcilable point of contention. Cutileiro's proposal stipulated non-contiguous territories for the units, based on prior census results and the existing geographic distribution: "communes where one particular nation is clearly a majority are grouped together in the appropriate constituent unit" (Article E). The map he produced the following month, based primarily on the 1991 census results, was swiftly denounced by all three parties. They each responded by advancing alternative maps—the difference among which "reflected the conflicting territorial ambitions that would soon lead to bloodshed" (Burg and Shoup 1999, 112). A comparison of Figures 2 through 4 illustrates the incompatibility of these demands and expectations.

Furthermore, Izetbegović was later pressured by his local constituency to denounce even the idea of ethnic/national cantonization or partition endorsed in Lisbon. At a news conference in March 1992, the SDA spokesperson declared "We will propose to our partners the abandonment of the idea of dividing Bosnia-Herzegovina according to

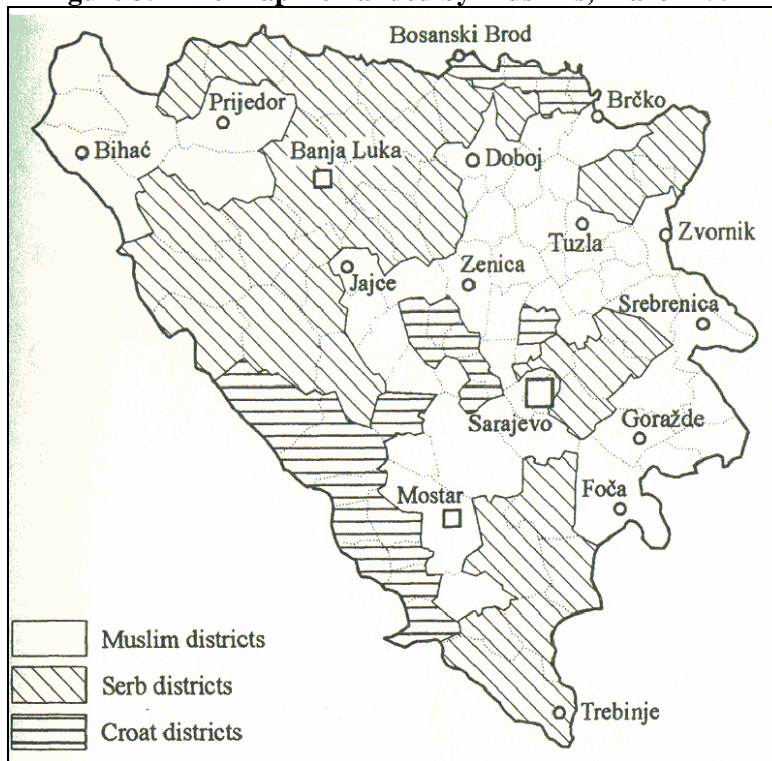
the ethnic principle alone,” otherwise “the SDA would be forced to play this absurd game to the end.” Izetbegović, on the other hand, argued that he was forced by the mediators to accept “because if we had said no, Bosnia-Herzegovina's international legal recognition—our main objective at present—would have been jeopardized” (*BBC Summary of World Broadcasts* March 27, 1992). Although he might have personally recognized the inevitability of ethnic partition, his party and the Bosnian Muslim community saw that as an unacceptable capitulation at the time. To avoid being sidelined by his own community (i.e. to minimize political costs), in an interview to local newspapers, *Oslobodjenje* and *Večernje Novine*, Izetbegović condemned the document he had previously supported:

I had some very difficult times during these talks. I and my associates spent long hours, very long hours in Brussels and Sarajevo trying to prove to the people we were talking to that ethnic territorialization was not a solution for Bosnia-Herzegovina, that Bosnia was indivisible, that ethnic division did not suit any of our nations, that the Bosnia-Herzegovina public (its better, better-educated section, that is) rejected this idea, that this is not wanted by all those who love Bosnia and who understand us. It was no use, we remained isolated (*BBC Summary of World Broadcasts* March 26, 1992).

### **Failed Negotiations: Vance-Owen and Owen-Stoltenberg Plans**

By the end of January 1993, all three parties had signed a second agreement on the new constitutional framework for BiH—not before these issues were separated from the map (UN Doc. S/25221, Annex II). Mediated by David Owen (representing the EC) and Cyrus Vance (representing the UN) of the International Conference on the Former Yugoslavia (ICFY), this came to be known as the Vance-Owen plan. The institutional arrangements satisfied the Croat and Serb delegations by creating a highly decentralized system,

**Figure 3.2 The Map Demanded by Muslims, March 1992**



Copied from Burg and Shoup (1999, 113).

**Figure 3.3 Croat Territorial Demands, March 1992**



Copied from Burg and Shoup (1999, 114).

**Figure 3.4 The Map Demanded by the Serbs, March 1992**

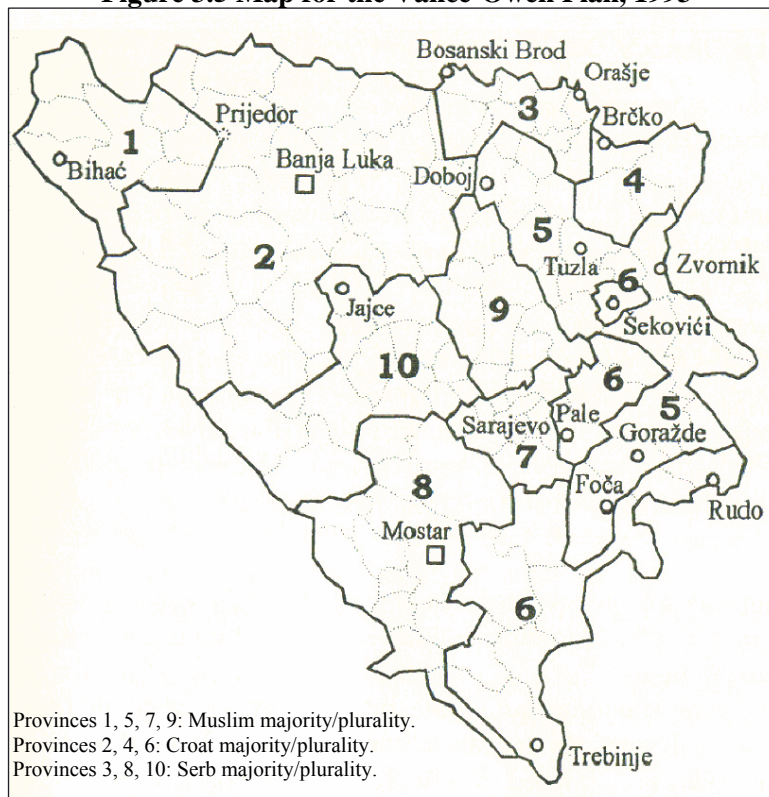


Copied from Burg and Shoup (1999, 115).

guaranteed representation in all branches of the government, and veto opportunities through super-majority requirements. In return, the Muslims secured the inviolability of the boundaries of the original republic, albeit under a weak central government. Given the Serb dominance and overwhelming success on the battlefield, the Muslims by this time had recognized that they had neither the military capability to match that of their rivals nor the leverage at negotiations to pressure them to abandon their demands of ethnic partition.

The fundamental question behind map negotiations now was whether the location of the units should respect the pre-war geographic distribution of the three groups or reflect the demographic changes that have taken place since early 1992, mostly through massacres and forced displacements. Legitimizing and institutionalizing the fruits of ethnic cleansing, whose primary target in Bosnia was the Muslim population, would have

**Figure 3.5 Map for the Vance-Owen Plan, 1993**



Copied from Burg and Shoup (1999, 223).

been very costly for Izetbegović. Giving up at the negotiation table what they gained on the battlefield, on the other hand, was unacceptable for the Serbs.

The map produced by Vance and Owen in January 1993 consisted of 10 provinces (see figure 3.5). Based on 1991 census figures, three of these would be of Muslim majority, two would be of Serb majority, and one would be Croat majority; two of the remaining provinces would have Croat plurality, one would have Muslim plurality, and one would have Serb plurality (Burg and Shoup 1999, 119). The map was later revised to make the whole plan more appealing for Bosnian Serbs, who had initially rejected the constitutional principles because BiH was declared to be a decentralized state with

substantial autonomy but not international legal character endowed upon the provinces.<sup>36</sup> Even after these revisions, which drew criticism for rewarding ethnic cleansing, the Serbs would have had to withdraw from nearly 40 percent of the land they held at the time; they had seized control of close to 70 percent of Bosnia by early 1993 and the Vance-Owen plan would have reduced their control to about 43 percent of total territory (Owen 1995, 91).<sup>37</sup>

Mate Boban, representing the Bosnian Croats, was the only player who accepted this map. President Izetbegović, representing the Muslim-dominated Bosnian government, refused by arguing that “it had the effect of rewarding the ethnic cleansing.” The Serb delegation led by Karadžić, on the other hand, stated it was ready to accept the map only if “the populations in certain areas would be democratically consulted.” Vance and Owen declared this condition unacceptable “since there had been massive displacements of populations largely as a result of deliberate ethnic cleansing in Bosnia and Herzegovina, [hence] consultations with the populations involved could not be carried out fairly under the prevailing circumstances” (UN Doc. S/25221, 3).

Negotiations nevertheless continued for the next couple months around the Vance-Owen plan, while the mediators brought to table revised versions of the map—revisions that were mostly in line with Muslim territorial demands (Burg and Shoup 1999, 234). On 3 March 1993 Croat and Muslim delegates signed an agreement that confirmed commitment to the previously agreed constitutional principles and included

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<sup>36</sup> Both Karadžić and other Serb delegates argued they had made a big enough concession by agreeing to preserve the external boundaries of Bosnia; in return, they demanded their own “state within a state”—“the Serbian people do not surrender or retreat from the stand regarding the preservation of their statehood, nationality and state personality” said a Serb declaration. They also added that “If the U.N. does not accept this, we will fight to the end” (Sjeklocha 1993).

<sup>37</sup> The map proposed by the Bosnian Serbs themselves at this time laid claim to about 75 percent of the whole territory—everything except the Bihać region in the west and a chunk of land in central Bosnia (Burg and Shoup 1999, 222).



arrangements on the interim government (UN Doc. S/25362, Annex), the details of which were further articulated in another agreement on March 25 (UN Doc. S/25479, Annex I). Karadžić later did sign the plan, including the “provisional provincial map” (UN Doc. S/25709). However, attached to his agreement came a condition that the plan would have to be approved by the Assembly of Republika Srpska (Annex V). By referring the final decision to the people through referenda or to the legislature, Karadžić could avoid accountability and political costs associated with appearing either too weak (to his own constituency) or too uncompromising (to the international community). The plan was first rejected in the parliament and then by the Bosnian Serb population in a referendum. The declaration by the assembly read:

To accept the [Vance-Owen] proposals would be a complete political and military defeat. If we (the Serbs) are divided into provinces, it would be as if we were to divide into separate pastures, never to be united. . . . The parliament does not allow the breaking up of the Serbian people into several provinces without geographical continuity and does not accept the Serbian people to be part of any new nation (Sjeklocha 1993).

Given their success on the battlefield at that point, no Serb leader could justify giving up territory, especially if that would leave Serb-controlled areas as an enclave disconnected from Serbia.

The Vance-Owen plan not only failed to settle the conflict but arguably it even made the situation worse by inciting fighting between the Bosnian Croat Army (HVO) and Bosnian government forces. Following the publication of the map in January, the minister of defense for BiH, who happened to be a Bosnian Croat at the time, ordered Croat forces to take control of provinces which the map declared as Croat-majority territories; Muslims opposed the move and the Bosnian army fought back (Burg and



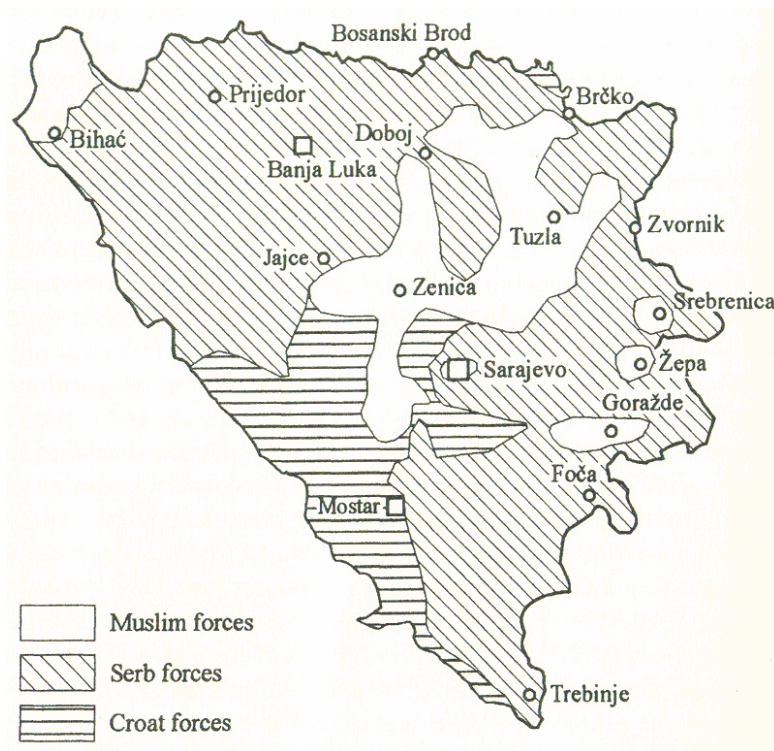
Shoup 1999, 134). The Croat-Muslim agreement of March 1993 did not bring fighting on this front to an end either as neither party was willing to withdraw from areas that would fall under the other's control according to the agreed map (241). The agreement of March 25 called for joint deployment of HVO and government forces in four of the provinces "under arrangements agreed between them" (UN Doc. S/25479, Annex I). Further negotiations on this point and to enhance military cooperation by integrating the two armies under a single command structure ended with no agreement (Burg and Shoup 1999, 241). It would be another year before the two players can truly form a join front against the Serbs, in a move that would change the direction of the war.

### ***Solomon's Proposal***

If the two wise men of the West walk into the marble hall of the Palais des Nations in Geneva today to meet the irascible warlords of feuding Bosnia, they will be pushing a plan similar to Solomon's proposal to split a baby in half to test which alleged mother loved it more. ... Two of the would-be mothers, Serbia and Croatia, would be happy to get their severed chunk, but the third, representing the Muslim community headed by Alija Izetbegović, the nominal president, claims to want the baby whole and alive or not at all. ... Izetbegović argues that its attempt to consolidate ethnic frontiers amounts to a legalization of ethnic cleansing. The others will prevaricate, knowing that they have less to lose and have both time and military force on their side (Millar 1993).

Owen and Thorvald Stoltenberg, Vance's successor as co-Chairmen of the ICFY, met with Milošević, Tuđman, Bulatović (then the President of Montenegro), Izetbegović, Karadžić, and Boban in June 1993 in Geneva, where a new approach to negotiations started to take shape. By that time it was clear to the mediators and the parties involved

**Figure 3.6 Areas of Control, June 1993**



Copied from Burg and Shoup (1999, 136).

that given the status of the battlefield “there was no longer any talk, or hope, of reversing ethnic cleansing” (Owen 1995, 184). The Serb offensives in the spring had reduced Muslim control in eastern Bosnia into a number of small enclaves, disconnected from each other and from the Muslim stronghold in central Bosnia (see Map 6). The Serbs would not settle for anything but a contiguous territory under their exclusive control. On the table was “a three-part division” that would make up a loose confederation—Union of Three Republics. Milošević had already presented the mediators with a proposed map, which Tuđman had also agreed to (190).

In Owen’s words to the press corps at the end of those meetings, “time moves on and sadly as it does so the situation deteriorates. We have seen the provincial map torn up in front of our eyes by all three sides in the last few months. ... We’ve got to stand up to the bloody realities of the situation” (Owen 1995, 190-191). President Izetbegović was

aware of those realities too. All along he had stood against the idea of ethnic partition and institutionalization of the ethnic cleansing that had been going on; changing his position on that, given the suffering his constituency had been enduring, carried political costs. Nevertheless, when Owen sent him a letter in early July, detailing the shape a Union of Three Republics would take, Izetbegović responded by agreeing to continue negotiations on those terms, thereby accepting that partition could no longer be avoided.

He was worried that the stronger and louder elements in his public opinion were not ready to face the unfortunate fact that partition had taken place on the ground, and were against ethnic partition. Yet he himself had grasped the reality that the face of Bosnia had changed (194-195).

When Owen met with parties separately in early July, a Serb offensive had encircled Sarajevo—the capital and a stronghold of government forces—and humanitarian relief convoys were unable reach the city, which was without electricity, water, or fuel; the fall of Sarajevo seemed to be a matter of time (Burg and Shoup 1999, 142). President Izetbegović was reluctant to negotiate while being shelled; he could not appear to be surrendering at the table. Instead, he was hoping for sympathy and military support from the international community, who seemed to be responding. It was by the end of July that

The United States has secured broad approval from Britain and France for allied air strikes if necessary, to break the Serbian stranglehold on Sarajevo and hasten a "viable and reasonable" conclusion to the current Geneva negotiations on Bosnia which would preserve at least the rump of a Muslim state. ... The new initiative would carry Western intervention significantly beyond the existing commitment under last May's United Nations Resolution 836 to use allied airpower to protect UN peace-keepers in Bosnia, who have come under fire during the recent Bosnian Serb shelling of Sarajevo (Cornwell 1993).

It was also within this context that Owen convinced Milošević and Tuđman to produce another map, one that would give the Muslim republic about 30 percent of the territory, as opposed to the 23 percent they had proposed originally. With that the mediators felt they were closer to offering the Muslims “something serious,” a face-saving compromise Izetbegović could take back to his people (Owen 1995, 195).

When multi-party negotiations resumed in Geneva on July 27, parties reached an agreement to “divide the republic into three separate but loosely linked states in a breakthrough deal which could end 16 months of the most savage fighting seen in Europe since the Second World War” (Traynor 1993). The war on the ground, however, was still in full force. The “strangulation” of Sarajevo was underway, with the Serbs taking-over Mt. Igman above the city, leading to threats by Izetbegović that he would withdraw from the talks (Owen 1995, 206). Neither threats of NATO air strikes nor attempts by the mediators and Milošević were enough to stop the advance of Serb forces under General Mladić. The crisis was alleviated for the time being when the Serbs agreed to withdraw, only to turn control over to UNPROFOR forces, thereby “using the UN to do what they could not do on their own: deny this strategic ground to the Muslims” (Burg and Shoup 1999, 143).

The focus of negotiations at the end of July and the beginning of August was the future of Sarajevo and the details of the map for the Union of Republics, the constitutional fundamentals for which were agreed upon by Izetbegović, Karadžić, and Boban without much dispute (UN Doc. S/26233, Annex II). After long deliberations, on 20 August 1993 parties were sent back to their respective constituencies to get parliamentary approvals for a comprehensive plan which the mediators prepared as a

“take-it-or-leave-it” proposal (Burg and Shoup 1999, 275; UN Doc. S/26233, Annex II; UN Doc. S/26395, Annex). The institutional structure was identical to that of the Vance-Owen plan, with only minimal changes. The map ended up giving Muslims 30 percent of the total territory, requiring the Serbs to withdraw from about 24 percent of the land currently under their control (which was less than they would have had to give up under the Vance-Owen plan) (Owen 1995, 212). Muslims got the access they wanted to the Sava River; what they could not get was a contiguous territory that would connect the three enclaves in eastern Bosnia—Srebrenica, Žepa, and Goražde (see Map 7). Temporarily Sarajevo would be placed under UN control, and Mostar—a highly contentious city for Muslims and Croats—would be under an EC administration.

While the Bosnian Croat and Bosnian Serb parliaments approved the whole plan, the Muslim-majority Bosnian Parliament voted only to continue the negotiations. Izetbegović had recommended that his parliament not approve the package, primarily because of the map; he wanted a number of previously Muslim-majority towns to be included in the Muslim entity (which would effectively reverse some of the ethnic cleansing that had taken place). He finally conceded that partition was inevitable: “We could not defend the integrity of Bosnia-Herzegovina. In the meantime, we have to divide. We have to do it at the negotiating table or on the battlefield. I think it is better to do it at the negotiating table” (Traynor et al. 1993). Unlike the mediators, however, he still insisted that ethnic cleansing should not be rewarded. Stating that he was merely asking for the return of territories where the Muslim population had been subject to genocide,<sup>38</sup> he maintained that the map on the table did not meet the critical threshold

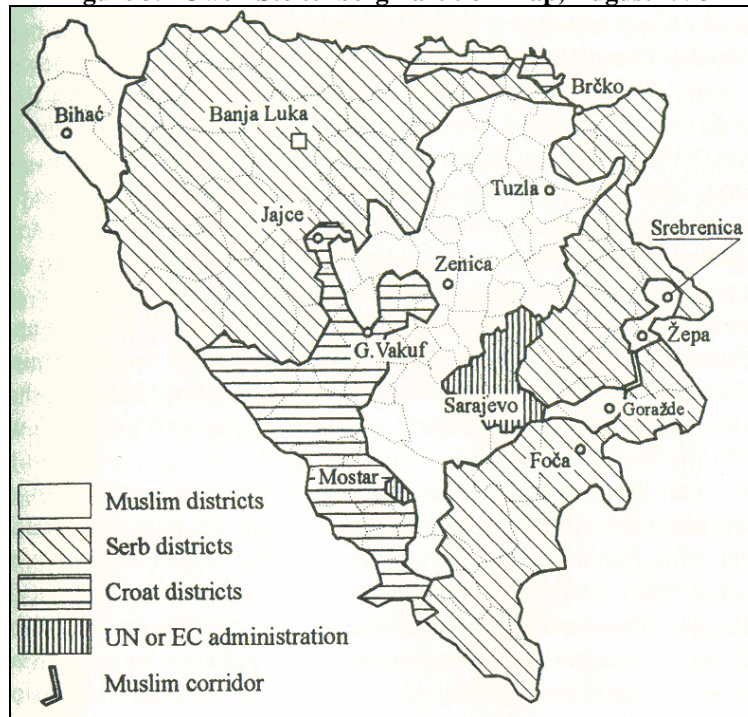
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<sup>38</sup> These territories he demanded would have awarded the Muslims an additional 4 percent of the total territory (Williams and Maass 1993).

that would lead him to choose peace over continued fighting: “The solution offered to us in Geneva is below the bottom line that we can go. That solution is far worse than war” (*Agence France Presse* September 10,1993).

Izetbegović’s assessment reflected not only the political costs agreeing to the plan would carry but also his expectations from the battlefield, which was largely a function of the Muslim anticipation of a major US/NATO involvement on their behalf (see Chapter 2, Equation 13). Right after the break in talks in Geneva, he was en route to Washington to solicit support: President Clinton backed Muslim territorial demands, warning Serbs and Croats that “the NATO military option is very much alive” and reiterating his support for the lifting of the UN arms embargo against the Bosnian government. Izetbegović also got signals of support from Secretary of State Warren Christopher, who sent messages to Milošević and Tuđman “urging them and their Serb and Croat allies in Bosnia-Herzegovina to accede to Muslim demands for two more parcels of territory in the partition plan under negotiation” (Williams and Maass 1993). Izetbegović was reportedly told by Clinton that congressional approval would be required before he could commit military presence (Holmes 1993) and was advised by the House Foreign Relations Committee “not to expect any military support from the United States that might turn the tide of war and help his bargaining position” (quoted in Burg and Shoup 1999, 278). Either not appreciating the hurdle the Congress could pose, or simply believing in the capabilities of his own troops on the field (and/or seeing the Geneva plan as politically unacceptable irregardless), Izetbegović remained defiant.

**Figure 3.7 Owen-Stoltenberg Partition Map, August 1993**



Copied from Burg and Shoup (1999, 275).

One final attempt to salvage the plan was made when all six parties and the mediators met on HMS Invincible, a Royal Navy aircraft carrier on September 20. President Izetbegović flew back to Sarajevo with a slightly revised map, which still fell short of fulfilling Muslim demands. He was reportedly told by Bosnian military leaders that they wanted to continue fighting, especially against the Croats around Mostar. Before the meeting of the Bosnian Parliament, a group of influential Bosnian Muslims in effect also rejected the plan by announcing that they would accept if “all territories taken by force” were returned. The parliament followed up by once again rejecting the proposal (Owen 1995, 220).<sup>39</sup>

<sup>39</sup> One split within the Muslim camp, which ended up not having much effect on negotiations, occurred with the declaration of autonomy by Fikret Abdić (a member of the Bosnian presidency at the time), a long-time rival of Izetbegović who had also been accused of an attempt to overthrow the President in 1992, in Bihać in northwestern Bosnia. Government troops reclaimed control of the area in August 1994 (Ramet

As hopes of achieving any kind of settlement under the ICFY framework faded, Milošević and Tuđman met to negotiate a new map that would be more acceptable to the Muslims as suggested by a joint French-German initiative. They agreed to increase the Muslim share to 33.5 percent, while giving the Serbs 51 percent and the Croats 17.5 percent. Although the Bosnian Serbs initially resisted, they did advance a very similar map, which became the basis for negotiations in January 1994 (Burg and Shoup 1999, 284). Meanwhile, the Muslims were getting even more reluctant to concede as the Bosnian army scored victories against the Croats in central Bosnia. According to Owen, the Bosnian President had a “resolve to fight almost regardless of consequences, something which I had never heard Izetbegović express before. He was confident of taking more land from the Croatian army” (Owen 1995, 246). Negotiations nevertheless continued on the basis of a 49:51 division, where the Serb republic would end up with 49 percent of the territory and the Croats and Muslims would share the rest—with 33.3 percent widely recognized as the baseline for the Muslim republic. However, even when

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2006, 438-9). Abdić claimed he was responding to Izetbegović’s failure to agree with the peace deal. Following is an excerpt from a letter published by the committee responsible for the declaration: “In the historic moments for Bosnia-Herzegovina, when the day of the final decision on the division of our country into the Serb, Croat and Muslim states is getting nearer, the people of Western Bosnia have of their own free will and with full responsibility decided to create a separate constituent unit within the Union of the Republics of Bosnia-Herzegovina. Such a democratic decision has been caused primarily by the disagreement of the citizens of Western Bosnia with the unitarist policy of Alija Izetbegovic and the central authorities in Sarajevo. We also do not want to bear the burden of historic failures for conducting our country's internal and foreign policy, which has since the beginning of the war presented Bosnia-Herzegovina to the domestic public and international community solely as the victim of aggression, and not as an equitable party in the peace negotiations and a UN member with full rights. The result of such a policy is the misconception among the people of Bosnia-Herzegovina that military intervention by the USA or NATO is sure to come and is only a question of the right moment. Refusing to take part in such political failures and cardinal mistakes, of which we have warned at the appropriate time, the people of Krajina and representatives of the local and regional authorities, including the undisputed moral and political leader of the western Krajina, Fikret Abdić, have opted to create our own future” (“Abdić appeal” 1993). Croatia, Serbia, as well as the international mediators were accused of supporting the move: “International observers and European Community and United Nations sources say Lord Owen and the influential French UN peacekeeping troops deployed in the region have supported the secessionists as part of an effort to undermine Mr. Izetbegovic's authority and pressure him to sign a peace plan” (Pitter 1993).



“it seemed to be a matter of 1 percent separating the parties” they failed to come to an agreement (241).

### **Breakthrough: the Muslim-Croat Federation**

The turning point in the war came with a US-brokered ceasefire agreement between Muslim and Croat forces in February 1994. The Americans used the promise of economic aid and guarantees for Croatia’s territorial integrity,<sup>40</sup> as well as the threat of economic sanctions, to convince Croatia to get the Bosnian Croats on board. According to the U.S. special envoy for the Bosnian Federation, Daniel Serwer, there was “no love lost” between the Croats and the Muslims, but they were still convinced to form a joint front:

The Croats wanted to end the fighting because they were losing. The HVO was not then or later an impressive fighting force, though it was good at frightening civilian populations and ethnic cleansing. The Muslims wanted to end the fighting because they could not win their war against the Serbs while fighting the Croats. ... Under intense pressure from Washington—which wanted to simplify the equation before trying to resolve the Serb/Muslim conflict—they agreed to set up the Bosnian Federation (Serwer 1999, 551).

The ceasefire was followed in March by the Washington Agreement, which resolved—or avoided—competing territorial ambitions of Muslims and Croats in central Bosnia<sup>41</sup> by establishing a joint Muslim-Croat entity in the territories that were under Muslim or

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<sup>40</sup> The Republic of Srpska Krajina, proclaimed by Croatian Serbs living in the region in 1991, stood in the middle of Croatia; reclaiming control over the territory became a strong motivation that guided Tudman’s dealings with Serbia and the international community.

<sup>41</sup> The struggle between Muslims and Croats in central Bosnia had been “in part a struggle for living space.” As Serb forces gained control of more and more territory, expelling the Muslim and Croat populations from those areas, “The former, especially, had found refuge for the most part in central Bosnia, which led to fundamental changes in the demographic equilibrium. The influx of Bosniacs into areas that had previously had a Croat majority was viewed by the political and military leadership of the HDZ as taking territory away from the Croats, so it committed the HVO to isolating central Bosnia” (Divjak 2001, 174).

Croat control at the time. An agreement on forming a confederation between Croatia and the new Bosnian (Muslim-Croat) Federation was also reached (Burg and Shoup 1999, 294-6).

Constitutional details for the Bosnian (Muslim-Croat) Federation, which would have an integrated army, were soon settled and the new constitution was approved by the parliament of BiH (absent Serb members) before the end of the month. Only the Muslims—or the Bosniacs, as they were referred to in this document—and the Croats were identified as “constituent peoples.” The federation would cover “the territories with a majority of Bosniac and Croat population in the Republic of Bosnia and Herzegovina” (Washington Agreement, Article 1). It would be divided into ten cantons that would have control over educational and cultural policies, as well as on the police. The two cantons which would be multiethnic (as opposed to having Croat or Muslim majorities) were to be further decentralized, with significant devolution of power to mono-ethnic municipalities (Bieber 2006, 63).<sup>42</sup> The federation was claiming 58 percent of the whole republic territory— “territories held by Muslims and Croats, as well as areas in which the prewar population included a Muslim-Croat plurality” (Burg and Shoup 1999, 296-7). The implication was that the federation territory included areas currently under Serb control: “The actual shape and size of the new federation hinge on what amount of territory the Bosnian Serbs, controlling at least two-thirds of Bosnia, can be coaxed into handing over” (Traynor 1994).

The constitutional structure for the Federation of Bosnia and Hercegovina resembled those proposed under previous peace plans for the whole republic. The executive would be composed of a president and vice-president, each of whom would

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<sup>42</sup> These special arrangements were later abolished after the constitutional amendments of 2002.

represent a different constituent group and they would rotate in their positions; and a cabinet, composed of a prime minister, a deputy prime minister, and others ministers, each of whom would also have deputies representing the other constituent group. Issues of “vital interest” would require consensual decisions by the cabinet, thereby granting the two groups mutual veto powers. The lower house for the bicameral legislature would have its members elected with proportional representation from the whole federation as a single district. The upper house would have equal number of representatives from each group, who would be elected by cantonal legislatures, each representative by the delegates representing his/her respective group. Both houses would need to approve legislation; “vital interest” issues would require majorities of both groups separately in the upper house, and constitutional changes would call for a two thirds majority in the lower house in addition to separate majorities in the upper house. In other words, the foundations were laid for an ethnically partitioned and highly decentralized Bosnia with extensive veto opportunities.

This cooperation between Muslims and Croats ended up having significant consequences on the battlefield. “Although never fully implemented, the agreements between the Muslims and Croats brokered by the Americans in spring 1994 did end Muslim-Croat fighting and made it possible to establish a common Muslim-Croatian military effort against the Serbs” (Burg and Shoup 1999, 298). Hoping for the lifting of sanctions against their country, Serbian officials would also start putting pressure on Bosnian Serbs to give up territory and settle. Owen was adamant about linking the lifting of sanctions with Serb cooperation in Bosnia: “Reduction or removal of the sanctions against Yugoslavia is in close connection with the signing of a cease-fire accord as well

as the withdrawal of Serb troops from the agreed Bosnian” (*Xinhua News Agency* May 17, 1994). Foreign Minister Vladislav Jovanović of the FRY soon called the union of a Serb republic with the newly formed federation with a 49:51 territorial distribution “the only realistic way” to resolve the conflict (Ottoway 1994). With prospects of losing Serbian support and facing a stronger joint Muslim-Croat front, fortunes on the battlefield would start to shift significantly for Bosnian Serbs, forcing them to reassess their strategies.

### **The Contact Group: Mediation with Leverage?**

One of the highly publicized events of the war was the shelling of the Markala marketplace in Sarajevo in February 1994, resulting in ultimatums by the EU and the NATO for the Serbs to withdraw, in addition to catalyzing a more direct involvement by the U.S. The next such event was the Serb attack on the eastern Muslim-enclave of Goražde in April, triggering another NATO ultimatum with the threat of air strikes.<sup>43</sup> If the Serbs were planning on overrunning the town, they were deterred from doing so; attacks on the town stopped before the deadline was up (Chazan et al. 1994). These events, however, brought the volatility of the situation and the humanitarian crises involved to the forefront. It was within this context that the Co-Chairmen of the ICFY proposed establishing a “Contact Group,” composed of U.S., Russian, French, German,

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<sup>43</sup> In accordance with the UN Security Council Resolution 836 of 4 June 1993, NATO air strikes required UN approval and the latter refused to approve NATO’s request to stage strikes that would “crush the besieging Bosnian Serb military units and force the Serb leadership back to the negotiating table” (quoted in Burg and Shoup 1999, 149). Instead the attacks were limited to specific targets within the exclusion zone that was setup around the town and from which the Serbs were required to withdraw in an ultimatum issued by NATO.

and British delegates, with the goal of finding a settlement that would have the backing of those parties who would need to be on board for effective enforcement.

Not surprisingly, coming up with a map was the priority for the Contact Group as it engaged in bilateral meetings with the players. The map that was presented to the parties in July divided territories between the Muslim-Croat Federation and the Serbs on a 51-49 percent basis (UN Doc. S1994/1081). That gave the federation less than the 58 percent it had claimed following the Washington Agreement; it expanded the territories offered to the Muslims and Croats under the Owen-Stoltenberg plan but fell short of what they were offered under the Vance-Owen plan (Burg and Shoup 1999, 303). The map won a “clear and unconditional acceptance” from the Federation assembly, while the Serbs responded by agreeing to consider it as “a basis for further negotiations” only (Owen 1995, 286). According to Karadžić, the map was so unacceptable that it had to have been purposely drawn “so the Serbs would reject [it] and be blamed for the continuation of the war” (quoted in Burg and Shoup 1999, 303).

The members of the Contact Group could not agree among themselves on the next course of action to pressure the Serbs into accepting the plan on the table. According to Owen, the key was using military intervention to change players’ calculations regarding continued fighting:

I fear that, just as in May 1993, my plea for using air power actually to implement a peace settlement was too much for these five governments to accept. They preferred to rest on the need for all-party agreement and on ad hoc threats of air strikes reacting to circumstances [such as the siege of Sarajevo and the attacks on Goražde], a far more unstable and dangerous strategy. As it turned out they were prepared to leave their own Contact Group map on the table for over a year without even negotiating on it. The disastrous consequences of that strategy were seen in July 1994 when, with the fall of

[the eastern Muslim-enclaves of] Srebrenica and Žepa, the Bosnian Serbs in effect tore up the Contact Group map (Owen 1995, 283).

Even pressure by Milošević was insufficient to convince the Serbs to stop fighting in the summer of 1994. He publicly defended the Contact Group plan and demanded that the Bosnian Serbs concede for the good of all Serbians:

The Contact Group proposals—which legalize the Bosnian Serb Republic and give it half of Bosnia and Herzegovina—is not anti-Serbian ... In the interest of all citizens of FRY [the Former Republic of Yugoslavia], RSK [Republika Srpske Krajine] and the Bosnian Serb Republic, peace must be the choice. That means accepting the Contact Group proposals and allowing the peace process to continue (quoted in Owen 1995, 296).

In August 1994 Milošević took action by ordering his government to break off relations with Republika Srpska and close its border to all but humanitarian transfers (297). Although this did not prove sufficient to break the resistance of Bosnian Serbs, it did win the FRY partial lifting of sanctions after a civilian monitoring mission organized by the ICFY confirmed the termination of cross-border non-humanitarian transfers (Burg and Shoup 1999, 309-310).

American attempts to threaten the Serbs with a UN resolution that would lift the arms embargo against the Bosnian government failed also as the Russians declared they would use their veto power in the Security Council to oppose such a move (Burg and Shoup 1999, 307). There were repeated reports, however, that the U.S. nevertheless took that route by tolerating, if not facilitating, covert arms transfers to Bosnian Muslims. European military observers stationed with the UN forces in Bosnia were reporting seeing unauthorized C-130 cargo planes landing near Tuzla and delivering M-16 rifles and American-made uniforms to Muslim soldiers. U.S. officials were responding by

stating that “whether certain American allies in the Muslim world decide to trans-ship American materiel to the Bosnian Muslims is their business and not that of the administration” (Drozdiak and Ottaway 1995).

By November, fighting had escalated particularly in the Bihać pocket in northwestern Bosnia as the Serbs launched attacks from the Serb-held Krajina region of Croatia. Bihać was one of the “safe areas” which NATO had the authority to protect. Once again NATO air strikes that were launched remained very limited and did not have a major effect on Serb military capabilities (Burg and Shoup 1999, 156-8). Nevertheless, Karadžić publicly signaled willingness to cease fighting and to accept mediation by Jimmy Carter; the former U.S. President succeeded in securing a four-month ceasefire—“or longer if both sides desire”—as 1994 came to an end, providing a window of opportunity to induce Bosnian Serbs to choose some kind of peace over renewed fighting.

According to the document signed by both Karadžić and Mladić on December 19, Bosnian Serbs agreed to “reach a comprehensive peace agreement during the cessation of hostilities, and the contact group's proposal will be the basis for negotiations on all issues.” They also committed to allow “unhindered passage” to aid envoys and to open the Sarajevo airport for the delivery of humanitarian aid (text quoted in *BBC Summary of World Broadcasts* December 28, 1994). The Bosnian Serb parliament also endorsed the agreement, informing “the Contact Group and the international community of the readiness on the part of Republika Srpska to enter peace negotiations on the basis of agreement with Carter” (Brand 1994). Perhaps they were simply trying to buy time now as the same entity, as well as the Bosnian Serb public in a referendum, had rejected the Contact Group plan in August. The president of the assembly had declared that the

Bosnian Serb leadership believed that “the only real solution is to create one Serbia for all of us...what is involved in our case is not two states [of Serbia and Republika Srpska], but one people who can only live in a unitary state without borders or special autonomous state entities” (*BBC Summary of World Broadcasts* August 31, 1994).

As the ICFY Co-Chairmen tried to jumpstart negotiations on the Contact Group map, fighting resumed, with the potential consequence of rendering the territorial arrangements proposed irrelevant or unrealistic. The key was that the parties, particularly the Serbs, perceived continued fighting still as an effective strategy to impose the territorial division they preferred. Owen would later reflect on the developments of 1995 with the clarity of hindsight:

Stoltenberg and I were trying, as it turned out to no avail, to start negotiations on the Contact Group map before the Bosnian Muslims broke the ceasefire and the Bosnian Serbs decided to make changes by force of arms, as we were quite certain they would do some time in the summer. ... It was four months before the Bosnian Serbs seized Srebrenica and Žepa and the Contact Group was unilaterally changed. At any time during those months it would have been possible to negotiate swaps whereby these enclaves would have been given up in return for land which the Muslims wanted around Sarajevo (Owen 1995, 316).

### **May-October 1995: the Battlefield is Transformed**

By March 1995, the Bosnian army was on the offensive in violation of the Carter ceasefire agreement, including in the exclusion zone around Goražde. This was followed by attacks on the enclaves of Srebrenica and Žepa by Bosnian Serbs, who succeeded in taking control of Srebrenica by July, in the process slaughtering thousands of Muslims who were supposed to be protected in the “safe area.” Amidst threats of air strikes, they



moved on to overrun Žepa as well—military threats by third parties lacked any credibility. The Serbs saw their recent military advances as further leverage against the Contact Group plan: According to a high-level Bosnian Serb official, the plan “was designed for the sole purpose of meeting Muslim demands, it aimed at fragmenting our territory. Now that Žepa and Srebrenica fell, our land is a more compact entity” (Pandurević 1995). However, the tide would soon turn.

Attacks against Muslim enclaves isolated within Serb-controlled territories and another deadly market shelling in Sarajevo at the end of August led the NATO to respond with major aerial attacks against Serb targets around Sarajevo, Tuzla, Goražde, Mostar, and Pale (*Economist* September 2, 1995). According to Assistant Secretary of State Richard Holbrooke, the primary U.S. envoy to Bosnia during 1995 negotiations,

In an action that combined brutality and stupidity, the Bosnian Serbs had slammed a mortar shell into the marketplace in Sarajevo on August 28, killing thirty-seven people and wounding more than eighty others. The attack angered President Clinton, and he told the United Nations and our NATO allies that we would wait no longer; it was time to ‘hit the Bosnian Serbs hard.’ His determination led to the start of the massive NATO air campaign (Holbrooke 1999, 337).

The air campaign was accompanied by ground attacks on Serb forces around Sarajevo by UNPROFOR rapid reaction units, which were created at the beginning of the summer to “ensure the security of the United Nations Peace Forces (UNPF)/UNPROFOR and its freedom of movement for the accomplishment of all its missions” (UN Doc. S/RES/998 1995). Air strikes targeted Serb military facilities across Bosnia, crippling its communication capabilities. And while the air campaign continued, Croatian and Muslim forces launched successful operations, regaining control over much of central and

western Bosnia (Burg and Shoup 1999, 354). The balance of power had changed. “Instead of the Serbs having the capacity to redeploy rapidly and reinforce at will, it was the Croatian and Bosnian Muslim forces with indirect access to US satellite intelligence who now had the over-the horizon capacity and the ability to react quickly” (Owen 1995, 336).

It was also at this time that Croatian troops launched major offensives against the Serbs first in Western Slavonia and then in Krajina—UN-protected areas—and established control within days.

The Bosnian Serbs cannot achieve a military victory, now that NATO is guaranteeing the principal Muslim cities. The collapse of their allies in Krajina, a traditionally Serb-populated fringe of Croatia, has left them vulnerable. NATO's bombardment must have inflicted significant damage on their army: they had been keeping a third of their artillery pieces around Sarajevo. If the Bosnian Serbs, with an army of 64,000, fight on against the Bosnian Croats and Muslims, who have 150,000 troops, they are more likely to lose than gain territory. That kind of analysis may have led Momcilo Krajisnik, the leader of the Bosnian Serb parliament, to say on the evening of August 30th that peace negotiations should continue, despite NATO's attacks (*Economist* September 2, 1995).

With the prospects of military victory or territorial advances looking grimmer than ever, Bosnian Serbs were reassessing what they considered to be a minimally acceptable arrangement to settle off the battlefield. “Bosnia's Serbs, weakened by the loss of support from their compatriots across the border in Croatia and facing a more vigorous Bosnian government army, might have been softened up enough to negotiate on the basis of the 51-49 plan” (Lippman 1995).

The war in the summer of 1995 had completely changed the terrain and the standing of the parties in Bosnia. Within a couple months, areas of control on the field had been altered (see Maps 8 and 9).

Like the earlier Serb takeovers of Srebrenica and Žepa, the Croatian victory in Krajina solved a heretofore intractable territorial issue. While NATO conducted air strikes against the Serbs in late August, the Croatian army proceeded to mount offensive operations in western Bosnia in September, in cooperation with the Bosnian army, routing the Serbs from Cazinska Krajina (the Bihać region) and much of Bosanska Krajina (western Bosnia). ... [T]hese developments produced a radical redistribution of the territories under Croat, Muslim, and Serb control, bringing them more closely in line with the formulas that had been under negotiation since 1994 and shifting the military and political balance decisively in favor of the Croatian-Bosnian Muslim-Croat alliance (Burg and Shoup 1999, 331).

U.S. mediators had in fact adopted the deliberate strategy of letting the parties work out their competing territorial claims on the battlefield as much as possible. Holbrooke would later report that they were delaying the commencement of multilateral negotiations “in order to give the Croat-Muslim offensive time to gain more ground against the Bosnian Serbs” (Holbrooke 1999, 338). In a letter he sent to Secretary of State Warren Christopher in September 1995, Holbrooke was stating his position in very clear terms:

Contrary to many press reports and other impressions, the Federation military offensive has so far helped the peace process. The basic truth is perhaps not something we can say publicly right now....In fact, the map negotiation, which always seemed to me to be our most daunting challenge, is taking place right now on the battlefield, and so far, in a manner beneficial to the map. In only a few weeks, the famous 70%-30% division of the country has gone to around 50-50, obviously making our task easier (Holbrooke 1998, 168).

**Figure 3.8 Areas of Control, May 1995**



Copied from Burg and Shoup (1999, 332)

**Figure 3.9 Changes in Areas of Control, May-October 1995**



Copied from Burg and Shoup (1999, 333).

Unlike previous plans and negotiations, any settlement negotiated would no longer require that the Serbs withdraw from substantial amounts of territory under their control, thereby reducing political costs they would attach to settling.

### **The Road to Dayton<sup>44</sup>**

Richard Holbrooke finally brought together the adversaries with the Contact Group on September 8 in Geneva. In accordance with an earlier agreement, Bosnian Serbs were represented by the FRY delegation.<sup>45</sup> The result was a consensus on three “Agreed Basic Principles,” according to which Bosnia and Herzegovina would retain its present borders; it would consist of two entities, the Federation of Bosnia and Herzegovina as established by the Washington Agreement, and the Republika Srpska; and territories would be allocated based on a 51-49 percent division (Owen 1995, 333). Following that, on September 14, Holbrooke secured a unilateral commitment by the Serbs to lift the four-year siege, withdraw all heavy weapons, and “cease all offensive operations” around Sarajevo. What the Serbs got in return was Holbrooke’s word that he would “recommend” to the commander of UN forces on the ground that the UN/NATO

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<sup>44</sup> Unless otherwise specified, information on the negotiations leading up to and at Dayton presented in this section is compiled from Holbrooke’s (1998) accounts.

<sup>45</sup> “On August 30th Serbia’s government said that henceforth it would form a joint team with the Bosnian Serbs to conduct peace negotiations. If the two halves of the team disagreed, Mr Milosevic would have the casting vote” (“NATO declares war” 1995). “Assistant Secretary of State Richard Holbrooke said the key to a possible Balkan peace was found when Bosnian-Serb leader Radovan Karadzic and his top military aide Gen. Ratko Mladic signed an agreement last month that gave Serbian President Slobodan Milosevic the power to negotiate on their behalf. Milosevic will assume that role during peace talks later this month in the United States with Presidents Alija Izetbegovic of Bosnia- Herzegovina and Franjo Tudjman of Croatia. Holbrooke said he was hopeful Milosevic, who has armed and supplied his proxies waging war in Bosnia- Herzegovina, will be able to strike a deal in the negotiations. If the Bosnian Serbs refuse to accept it, Holbrooke said that moment will be the beginning of the end for them. NATO will resume an air campaign against the Bosnian Serbs that is widely credited with weakening them to the point where negotiations became the only alternative, Holbrooke said, and Milosevic will feel so betrayed that he will cut off all support” (Balman 1995).

operation stop (Holbrooke 1998, 151-152). To the dismay of Izetbegović and Tuđman, General Janvier of the UN agreed to “pause” bombings as long the Serbs complied with the agreement.

In the following weeks, mediators continued to meet with the parties separately as preparation for comprehensive negotiations which would need to take place eventually. They did not seem to be in a hurry to convene those negotiations or even to pressure for a ceasefire. On the contrary, as late as on October 1, Holbrooke and his delegation were urging Croatian and Federation forces to continue their struggles on the battlefield “in the next week or so” since “this might be the federation’s last change to capture them before we started negotiating” (191). At a joint meeting with Izetbegović and Tuđman on September 19, Holbrooke had already given clear directions in terms of the territorial distribution he wanted to see on the field before starting negotiations:

Nothing we said today should be construed to mean that we want you to stop the rest of the offensive, other than Banja Luka. Speed is important. We can’t say so publicly, but please take Sanski Most, Prijedor, and Bosanski Novi. And do it quickly, before the Serbs regroup! (166)

Within the first week of October, however, the American team conceded that they “feared that the Croat-Muslim offensive would soon run out of steam” and were further “concerned by the growing friction between Zagreb and Sarajevo, which had caused Zagreb to halt its advance and threatened what had already been achieved” (193). It was time to move the struggle from the battlefield to the negotiation table. Although Izetbegović was still being pressured by his military officers to continue fighting, Holbrooke convinced him on October 5 to sign the ceasefire plan which was prepared in accordance with the conditions previously advanced by Izetbegović himself; Milošević

had already agreed to the ceasefire and its terms, including the return of gas and electricity to Sarajevo and the opening of the road to Goražde before peace negotiations could start (196-8).

President Clinton announced the same day that a general ceasefire was to take effect in Bosnia in five days, provided gas and electricity were restored to Sarajevo; Bosnian, Croatian, and Serbian Presidents would follow this up by meeting for peace talks in the US. As Clinton made his announcement, Holbrooke's team was in Zagreb to urge Tudman to continue the military advance for the next five days, telling him "what you don't win on the battlefield will be hard to gain at the peace talks. Don't waste these last days" (199). The ceasefire did go into effect at the scheduled time in most of Bosnia. By the time the talks finally convened on 1 November 1995 in Dayton, the mediators were already well informed of the priorities each president was coming to the table with. For Tudman, it was the re-integration of eastern Slavonia (territory along Croatia's border with Serbia), where the substantial Serb minority had formed an SAO after Croatia's declaration of independence. For Milošević, who was representing the joint Yugoslav-Bosnian Serb delegation, it was the lifting of sanctions.<sup>46</sup> For Izetbegović, it was the reconstruction of the Federation government (in addition to negotiations on the new state which would have the Federation as one of its entities). The mediators had decided not to introduce the issue of the map into the negotiations until progress was made on other matters (236-240).

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<sup>46</sup> After the Bosnian Serb members showed unwillingness, if not strong resistance, to cooperate in the first few days at Dayton, they were "essentially isolated. ... Dark and brooding, they hovered on the edge of the conference" (243). Although Bosnian Serbs were present in the delegation, neither Karadžić nor Mladić were there as they had already been indicted by the UN War Crimes Tribunal at the Hague.

As negotiations went along, it became apparent once again that the map would be the most contentious issue, with the status of Sarajevo, specifics of the Serb-controlled Posavina Corridor near Brčko, and the linking of Goražde with Sarajevo taking the center stage.

The table in Dayton [was] strewn with maps. Just about everyone agrees that the Bosnian Serbs should have 49% of the country and a federation of Muslims and Croats 51%, but not who gets which bits. Helpfully, the current division of land is about half-and-half. But the mainly Muslim government of Bosnia wants Sarajevo for the federation, while the Bosnian Serbs would divide it. The Muslims want a corridor of land to link Goražde, an enclave in eastern Bosnia, to the rest of their territory, while the Serbs want to widen the corridor that connects the two halves of their domain. Neither agrees to the other's demand (*Economist* November 4, 1995).

The first meeting of the parties to discuss the map was a “disaster,” as Izetbegović demanded a unified Sarajevo (which would become a Federation territory) and the Bosnian Serb delegation vehemently objected (Holbrooke 1998, 255). Tuđman also intensified his pressure on the issue of eastern Slavonia by moving his troops closer to the area. When negotiations entered their second week, however, positive developments started to take place: an agreement on the Federation was announced on November 10, and the issue of eastern Slavonia was settled the next day—a 12-month UN transitional administration, with the possibility of extension for up to another year, before being turned over to Croatia. By the 18<sup>th</sup>, the map (with the exception of Goražde), the status of Sarajevo, and the issue of whether refugees would be able to vote by absentee registration in their pre-war locations seemed to be the remaining sticking points (289-91).

An unexpected—and hard to explain—breakthrough occurred when Milošević announced to the mediators that he was ready to give up Sarajevo even though multiple



proposals of joint-control were on the table. His condition was that the position he was taking not be revealed to the Serb delegation until the issue was conclusively settled. Meeting with his team afterwards, Holbrooke would later ask “Why did Milošević do this? ... And, can he actually make it happen? Has he decided to abandon the Bosnian Serbs? Can he really force the Bosnian Serbs to give up their parts of the city?” (292). Milošević’s own explanation was that “Izetbegović has earned Sarajevo by not abandoning it. He’s one tough guy. It’s his” (291). Soon thereafter, he compromised on Goražde and that issue was settled also.

All of his agreements, however, were contingent on going back to the 51:49 percent division, which had become a hot issue once Milošević realized that the result now was more like 55:45 (298). “Give me anything,” he told the mediators, “rocks, swamps, hills—anything, as long as gets us to 49:51” (302). This was the minimum he could take back to Serbia and Bosnian Serbs without appearing like he had surrendered without a fight. The discrepancy was settled after Tuđman agreed to give back Croat-controlled territory to make up 75 percent of the area that would need to be conceded; the originally agreed distribution was reestablished by “shaving the map by 1 percent”—taking from the “theoretical land” given to the Muslims through the negotiations, not currently under their control (303, 308).

## **The General Framework Agreement for Peace in Bosnia and Hercegovina<sup>47</sup>**

The final agreement, which came to be also known as the Dayton Peace Accord (DPA), was initialed by the three parties in Dayton on 21 November 1995<sup>48</sup> and signed in Paris on 14 December 1995 (see Map 10). Credibility of commitments was established with provisions for unprecedented levels of third party enforcement. A multinational (primarily NATO) military Implementation Force—IFOR—would enforce the territorial and military components of the agreement.<sup>49</sup> A High Representative (HR), with no authority over IFOR, would be responsible for the implementation of the civilian aspects—“to facilitate the Parties' own efforts and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement” (Annex 10, Article 1). A UN International Police Task Force—IPTF—would also be present to assist the parties with civilian law enforcement; its own enforcement capability would be limited.

In accordance with earlier agreements, the DPA transformed the Republic of Bosnia and Hercegovina into a loose federation—Bosnia and Hercegovina (BiH)—composed of two entities, the Federation of Bosnia-Hercegovina (FBiH) and the Republika Srpska (RS). Extensive decentralization, guaranteed power-sharing along ethnic lines, and a high dose of veto points would characterize the political systems of

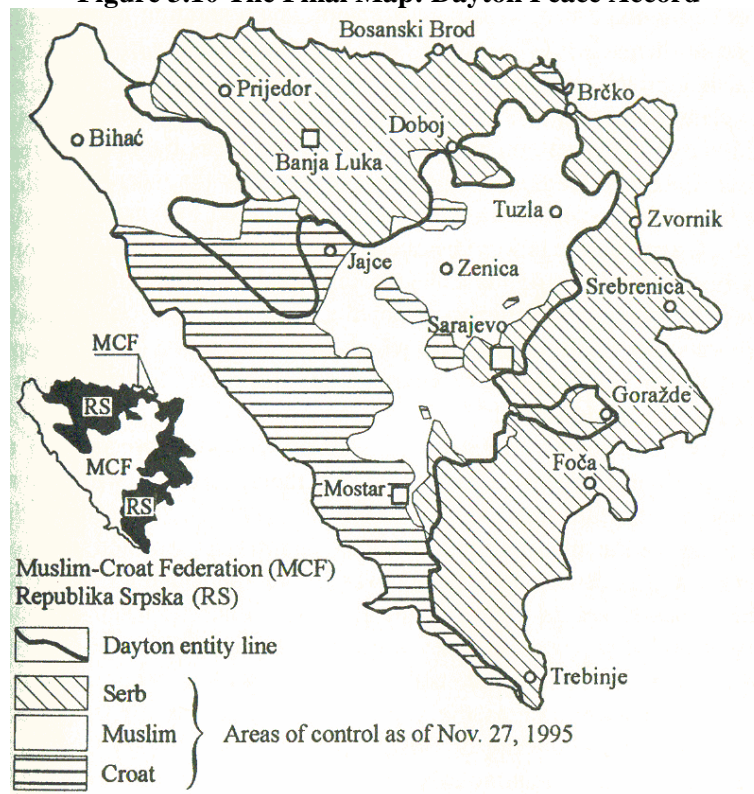
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<sup>47</sup> Unless otherwise specified, all information provided in this section comes directly from the document “The General Framework Agreement for Peace in Bosnia and Hercegovina,” which can be found at [www.ohr.int/dpa/default.asp?content\\_id=380](http://www.ohr.int/dpa/default.asp?content_id=380) (accessed on April 1, 2007). The annexes referenced in the section refer to those that complemented the main document.

<sup>48</sup> Milošević delivered the signatures of the Bosnian Serb leaders to the mediators the next day (Holbrooke 1998, 310).

<sup>49</sup> IFOR had a one-year mandate, after which it was replaced by the NATO-led Stabilization Force—SFOR. The latter was replaced by an EU force—EUFOR—in December 2004.

**Figure 3.10 The Final Map: Dayton Peace Accord**



Copied from Burg and Shoup (1999, 365)

BiH and FBiH. The result of Dayton was a de facto partition into highly ethnically homogenized entities, with minimal powers at the central level.<sup>50</sup>

### *Institutions of BiH*

The constitution for BiH as designed in Dayton recognized Bosniacs, Serbs, and Croats as its constituent peoples, guaranteeing them equal representation and veto powers in

<sup>50</sup> The entities even kept their separate armies and defense ministries until 2005 (Bieber 2006, 47). Even within the Muslim-Croat Federation separate Muslim and Croat controlled territories continued to exist for years after its foundation in 1994. Croats at times boycotted the federation parliament and even maintained parallel institutions in areas under their control (Bieber 2006 49, 65; ICG 1997; ICG 2001).

central government institutions.<sup>51</sup> The bicameral Parliamentary Assembly was to be composed a House of Representatives, with two-thirds of its 42 members directly elected from the Federation and the rest from RS (with no ethnic quotas per se), and a House of Peoples, with 10 members from the FBiH and 5 from RS. 5 members of each group would be present in the House of Peoples; those representing the Federation (5 Bosniacs and 5 Croats) would be selected by the delegates of their respective groups in the upper house of the FBiH, and the Serb members would be selected by the National Assembly of the RS. All legislation would need to be approved by both houses with the simple majority of those present and voting; while at least 3 members of each group would need to be present for a quorum in the House of Peoples, simply majority of the members would constitute a quorum in the House of Representatives.

Perhaps most importantly, any legislation could be declared as “destructive of a vital interest of the Bosniac, Croat, or Serb people by a majority of, as appropriate, the Bosniac, Croat, or Serb Delegates” in the upper house (Annex 4, Article IV(3)(e)). In other words, three members of any group could veto legislation in the House of Peoples. Separate majority support from the three different groups would then be required to overturn such a veto, which means that at least one member who invoked the veto in the first place would need change his/her position.

Veto powers were also invested in the members of the Presidency, which was to be composed of three-members: a Bosniac and a Croat, each directly elected from the Federation, and one Serb directly elected from the RS. The members were required only

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<sup>51</sup> In terms of civil service appointments in general, “Officials appointed to positions in the institutions of Bosnia and Herzegovina shall be generally representative of the peoples of Bosnia and Herzegovina,” which suggests approximate proportional representation (Annex 4, Article IX(3)).

to “*endeavor* to adapt all presidential decisions by consensus,”<sup>52</sup> and the approval of two members would be sufficient in case a consensus could not be reached (Annex 4, Article V(2)(c)). Each member of the Presidency could, however, invoke a veto by declaring a presidential decision “destructive of a vital interest” of the entity s/he represents. Overturning this veto would require two-thirds vote of the National Assembly of the RS if the veto was invoked by the Serb member of the Presidency, of the Bosniac members of the upper house of the FBiH if it was invoked by the Bosniac member, and of the Croat members of the upper house of the FBiH if it was invoked by the Croat member.

The highest court of the state, the Constitutional Court, was to be composed of nine members: four judges selected by the lower house of the FBiH, two by the Assembly of the RS, and three by the President of the European Court of Human Rights. In addition to the regular appellate powers, it would also have jurisdiction to rule on disputes between the entities and between an entity and the central government. The foreign High Representative (HR), however, would in fact have the final say over fundamental issues as s/he is “the final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement” (Annex 10, Article IV). Given the inefficiency of the veto-rich political system, the HR in fact became the primary source of important laws, as well as constitutional amendments, especially after its power was beefed up at the conference of the multi-national Peace Implementation Council in Bonn on December 1997: the HR was given extensive executive and legislative authority—“Bonn powers”—to remove officials if they fail to comply with the DPA and impose necessary laws when local legislative bodies fail to do so (Bieber 2006, 84).

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<sup>52</sup> Emphasis added by author.

### *Institutions of the Federation*<sup>53</sup>

As discussed earlier, the Federation of Bosnia and Hercegovina was created by the Washington Agreement in 1994. The political structure of the FBiH largely mirrored that of BiH in terms of its decentralization and guaranteed power sharing, with the exclusion of the Serbs; only the Bosniacs and the Croats were originally identified as constituent peoples of this entity. The upper house (House of Peoples) for the bicameral legislature would have equal number of members representing constituent groups (to be elected by cantonal legislatures) and Federation-wide proportional representation elections would be used to allocate lower house seats (House of Representatives), provided that each constituent group occupies a minimum number of seats (Articles IV(A)(1) and IV(A)(2)). Legislative vetoes could be invoked by a majority of either the Bosniac or the Croat members in the House of Peoples by declaring an issue to be of “vital interest,” after which approval would require majority support of both groups separately (Article IV(A)(6)).<sup>54</sup> Constitutional changes would require separate majorities in the upper house, as well as a two-thirds majority in the lower house (Article VIII).

Although the principle of parity was maintained for the executive in the FBiH, its structure differed from that of BiH. The President, who is the head of state, would be accompanied by a Vice-President; they would each need to represent a different constituent group and the two nominees would need to be jointly approved by majority in both houses, including the majority of both caucuses in the upper house. The Prime Minister, who would be the head of government, a Deputy Prime Minister, other

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<sup>53</sup> The constitution (with all the amendments indicated) is available on the website for the Office of High Representative at [www.ohr.int/ohr-dept/legal/oth-legist/doc/fbih-constitution.doc](http://www.ohr.int/ohr-dept/legal/oth-legist/doc/fbih-constitution.doc) (accessed on January 27, 2007).

<sup>54</sup> Later, amendments made it more difficult to invoke “vital interests.”

ministers and their deputies would make up the cabinet; no minister (or Prime Minister) would represent the same constituent group as his/her deputy; the cabinet would be approved by majority in the House of Representatives (Article IV(B)).

As one of the entities making up the state of Bosnia and Hercegovina, the Federation exercised authority over issues other than those reserved for the central government, which were foreign policy, international trade, customs, inter-entity interactions, immigration, communication, and air traffic. Power at the federation level, however, is devolved further not only to the cantons but also further down to municipalities. The constitution required that each canton delegate its authority over education, culture, tourism, and media to “those Municipalities whose majority population is other than that of the Canton as a whole” (Article V(1)). Moreover, the ethnically mixed cantons of Srednja Bosna and Neretva were identified as “special cantons,”<sup>55</sup> with extensive power-sharing guarantees and veto powers very similar to those provided at the Federation level. The status of the city of Mostar, which had been the scene of intense fighting during the war, was even more complicated: it was divided into six municipalities with power-sharing arrangements similar to those at higher levels of the government. “The competences of the city government were minimal,” and the Croat-controlled West Mostar and the Muslim-dominated East Mostar practically functioned as two separate municipalities that made up the city (Bieber 2005, 420).<sup>56</sup>

### ***Institutions of Republika Srpska***

In great contrast to the governmental structures of BiH and the FBiH, the Republika Srpska was designed as an explicitly “Serb” and highly centralized republic, with no recognition of other ethnic groups and no guarantees of power sharing. It was a war-time construction. While in 1991 the area now making up the RS had a slight Serb majority of

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<sup>55</sup> These special regimes were later abolished.

<sup>56</sup> Mostar was under EU administration until January 1997. The high level of decentralization was eliminated in 2004 when the HR imposed—after local parties refused—the unification of the city under a single municipality. “Vital interests” were still protected with super-majority requirements (Bieber 2005, 424).

54 percent, after the systematic ethnic cleansing that took place during the war it became an almost mono-ethnic territory, with the share of Serb population increasing to nearly 97 percent (Bieber 2006, 76). The majoritarian nature of the post-war political system further served to discourage the return of refugees once the war was over: “Even under its more moderate governments after 1998, returnees have been obstructed from returning to a considerable degree, with the clear intent of preventing a reversal of the population structure to a more diverse society where Serbs could lose their political, social, and economic dominance” (113).<sup>57</sup> Under its original constitution, the RS had a parliamentary system with a unicameral legislature and a largely symbolic president as the head of state. There were no guarantees for the representation of different ethnic groups, and hence also no veto rights, in any of the entity’s institutions (Bose 2002, 68-73). The Muslims were, nevertheless, able to occupy about 20 percent of legislative seats as a result of the DPA’s provision that refugees can vote in territories where they originally resided (Bieber 2006, 80).

### ***Brčko***

The town of Brčko, and the municipality surrounding it, is located on the Posavino Corridor, which links the Serb-controlled territory in the west to that in the east and to Serbia. Muslims made up the majority of the population in the town and plurality in the municipality (Bieber 2006, 134). Hence, it was one of the highly contested territories

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<sup>57</sup> Problems with minority returns—return of refugees back to their homes where they would now be minorities—were not specific only to RS. Schooling, for instance, has been a major obstacle since power over education issues was mostly devolved to mono-ethnic political entities—to RS and to the cantons and sometimes municipalities in the Federation; this created problems in terms which alphabet is used (Muslims and Croats use Latin, while Serbs use Cyrillic) and how sensitive subjects, such as history, are taught (Bieber 2006, 112).



during the war. It was also one of the issues that could not be settled during Dayton negotiations; it was left to be arbitrated, with the process commencing within six months of the DPA's signing (Annex II). After being placed under international supervision for three years, with requirements that the RS facilitates refugee returns and creates a multiethnic administration, Brčko's final status was arbitrated in 1999, whereby it became a separate district under international administration:

[Republika Srpska and the Federation of Bosnia-Herzegovina] shall be deemed to have delegated all of its powers of governance within the pre-war Brčko Opština to a new institution, a new multi-ethnic democratic government to be known as "The Brčko District of Bosnia and Herzegovina" under the exclusive sovereignty of Bosnia and Herzegovina. The legal effect will be permanently to suspend all of the legal authority of both entities within the Opština and to recreate it as a single administrative unit. As an institution existing under the sovereignty of Bosnia and Herzegovina, the new District government will be subject to the powers of the common institutions of BiH as those powers are enumerated in the BiH Constitution (Brčko Arbitral Tribunal 1999, Articles 9-10).<sup>58</sup>

The powers of the Supervisor would also be "expanded" and "augmented" (Article 37).

Brčko has in effect become a third entity under BiH. Residents do not have separate citizenships but of one of the entities and of BiH. While they can vote in the elections for their respective entities, these governments have no authority over them (Bieber 2006, 136). The district has a mayor as the head of executive and a district legislature, which was given the responsibility to elect the mayor. The international supervisor, however, ended up exercising the ultimate power until 2004, including the naming of the mayor and members of the parliament, and imposing laws. As safeguards against tyranny of majority (i.e. permanent Serb majority), the Statute of the District

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<sup>58</sup> Relevant documents are available at [www.ohr.int/ohr-offices/brcko/default.asp?content\\_id=5356](http://www.ohr.int/ohr-offices/brcko/default.asp?content_id=5356) (accessed March 1, 2007).

(Article 34) required super-majorities for important legislation and for amendments to the statute, thereby indirectly providing veto opportunities to the different groups without mentioning ethnicity. While the original statute proposed by the Arbitral Tribunal did not require any guaranteed representation for the different groups in the legislature, an electoral law adopted later did provide for three reserved seats for each of the constituent peoples (Bieber 2006, 137).

### **Post-Dayton: Re-Negotiating the Rules of the Game<sup>59</sup>**

The Dayton agreement reflected the interests of the US administration in bringing the fighting to a halt, rather than the readiness of the three warring parties to settle their political differences. Thus, it produced an unstable peace under which the parties continued their pursuit of fundamentally incompatible goals by other than military means, while they prepared for what appeared to be an inevitable resumption of fighting (Burg and Shoup 1999, 318).

Major institutional changes have indeed been pursued and implemented in post-Dayton Bosnia. This is by no means a sign of the instability of peace, however. To the contrary, it is a sign of consolidation that the players have chosen to stay off the battlefield and utilize legitimate channels to vie for change.

The most fundamental set of institutional reforms were introduced in 2002 after a monumental decision of the Constitutional Court. The whole process started when the Serb Civic Council, a non-governmental organization which had remained loyal to the Bosnian state during the war (in opposition to SDS), demanded that the Federation

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<sup>59</sup> Evolution of electoral laws in BiH is also a very good example of how institutions continue to be (re)negotiated after the initial settlement. See the next chapter for a comparison of the development of electoral institutions in BiH and Macedonia.

change its constitution to declare all three groups as constituent peoples. Although the initiative did not result in a change at that point, it led Izetbegović to bring the issue to the Constitutional Court. He challenged a number of articles in both entity constitutions, which he argued contradicted the state constitution's fundamental principle of the equality of three constituent groups. The primary question in front of the court was

whether the list of Bosnia's constituent peoples in the preamble to the state constitution meant that all three nations (and the "others") were "constituent" throughout Bosnia & Herzegovina or whether they were equal only at the level of the state. If it were the latter, then Serbs were entitled to their privileged status in the RS, and Croats and Bosniacs to theirs in the Federation (ICG 2002, 3).

In a set of divided decisions in 2000, the Court found a number of articles in both entity constitutions to be unconstitutional (Case no. U-5/98). While the three international and the two Bosniac judges voted in favor of Izetbegović's case, the two Croat and the two Serb judges dissented.<sup>60</sup> Primarily, the provision in the RS Constitution declaring the entity "a state of the Serb people" and that in the FBiH Constitution recognizing Bosniacs and Croats as "constituent peoples" were found to violate the constitution of BiH. Consequently, all other provisions that gave the Bosniacs and the Croats reserved rights (e.g. presidency seats) with the exclusion of the Serbs were also unconstitutional:

The constitutional principle of collective equality of constituent peoples following from the designation of Bosniacs, Croats and Serbs as constituent peoples prohibits any special privilege for one or two of these peoples, any domination in governmental structures, or any ethnic homogenisation through segregation based on territorial separation (Case no. U-5/98 III, Articles 60).

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<sup>60</sup> One of these Serb judges later went as far as saying publicly that "if the decision of the Constitutional Court of BiH on the constituent peoples in Republika Srpska and in the Federation is implemented, then the survival of the structures defined in the BiH constitution will be called into question" (quoted in ICG 2002, 7).

The fact that the RS Constitution did not explicitly provide guaranteed representation in government institutions for all three groups was also found to be in violation of the state constitution. The Court ruled that although “the Constitution of RS does not *prima facie* provide for any ethnic distinction in the composition of governmental bodies,” provision of equal individual rights does not suffice:

The equality of groups is not the same as the equality of individuals through non-discrimination. Equality of three constituent peoples requires equality of groups as such, whereas the mixture of the ethnic principle with the non-ethnic citizen principle in the compromise formula should avoid special collective rights that violate individual rights by definition. It thus follows that individual non-discrimination does not substitute for equality of groups (Articles 70-71).

As the Court could not propose or impose alternative constitutional provisions, the next phase involved intense negotiations over competing amendment proposals. The HR created a constitutional committee for each entity, containing an equal number of Serb, Croat, and Bosniac representatives.<sup>61</sup> A fundamental point of contention emerged even before the parties from both entities started to negotiate: Main parties in the FBiH argued that the RS would need to make such amendments that the two entities will have “symmetrical” institutions and similar arrangements of power-sharing. Those in the RS, on the other hand, strongly objected and supported weaker and less expansive guarantees for minorities in their entity. The HR’s stance was somewhere in the middle. He argued that the key was not that “the mechanisms for protecting the rights of the constituent peoples should be identical,” but that “they should ensure identical levels of protection in both entities” (ICG 2002, 6).

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<sup>61</sup> Although all major political parties were involved in the process, HDZ was not since it had withdrawn from all Federation institutions in March 2001 in favor of self-government using institutions left from Herceg-Bosna—the war-time Croat republic (Bieber 2006, 65) .

After heated negotiations during January and February 2002, representatives of the Federation and of the RS agreed to a set of amendments (which came to be known as the Sarajevo Agreement), the latter with some reservations. While all major parties had initially entered the talks, the SDA and the HDZ remained opposed to the agreement; on the other hand, members of the then-ruling Alliance of Change in the FBiH—composed of moderate and non-nationalist parties—made concessions by agreeing to less extensive amendments in the RS compared to those that would be instituted in their own entity (ICG 2002, 7). The next struggle was to get the amendments approved in respective legislatures.

While the House of Peoples of the Federation failed to pass the amendments due SDA and HDZ refusal, the RS National Assembly approved them, albeit after major changes, whereby the end result fell short of the Sarajevo Agreement. The HR responded by imposing the originally agreed changes, which gave the Serbs in the FBiH all the guaranteed representation rights that were previously reserved for the Croats and the Bosniacs. Changes were more dramatic for the RS, where a new house of legislature—Council of Peoples—that would have equal number of representatives from each of the three groups was established for the purpose of safeguarding “vital interests.” For both entities, the definition of “vital interests” and the procedures for dealing with them were clearly laid out. A minimum of 4 representatives from each group would also need to be present in the RS National Assembly, as well as in the FBiH House of Representatives. In addition to the prime minister and the deputy prime minister representing two different constituent groups, not more than two of the top official positions in the RS were to be represented by the same group; the cabinet would also need to have certain number of

ministers associated with each group (Sarajevo Agreement 2002). Power-sharing and veto provisions in the RS, in other words, would now resemble those in the FBiH and BiH.

### *Negotiations for Further Change*

Constitutional amendments of 2002 were major institutional changes in line with the DPA's principles of guaranteed power-sharing and veto opportunities as further safeguards against domination by one or two of the constituent groups. Negotiations for a different kind of change—towards centralization of power—started to take place in 2005. These talks among Bosnia's major party leaders, however, remained secretive for a while due to "fears of a backlash from their own communities;" they even denied that such negotiations were taking place (Katana and Igrić 2005). They were able to reach agreement on a set of amendments in March 2005, soon after which the proposed package was submitted to the BiH legislature.

The changes were aimed to increase the efficiency of decision-making and the effectiveness of the state government, in line with the requirements put forth by the Venice Commission as preconditions for the country's EU membership (for details of the package see Hays and Crosby 2006; ICG 2007). Despite discussions on eliminating the tripartite presidency in favor of a single president to be elected by the House of Representatives, the parties could not agree on this point, with the objections of the Serb parties in particular. They did settle on changing the rules for electing the members of the presidency, who would be selected by the House of Representatives instead of being elected directly by the people in the entities. The issues that would require consensual

decision-making of the presidency would also be further restricted. Elections for the House of Peoples would also change from direct election to election by the House of Representatives. The functions of the upper house would be limited to “vital national interest” issues, which was a compromise since parties discussed but could not agree on eliminating one of the houses. Finally, the powers of the central government would be enhanced by adding new cabinet portfolios and increasing its authority over issues of defense, security, and law and order.

In an unexpected return of events that stalled the reform process, the package failed to win support of two-thirds majority in the House of Representatives and was rejected. Members of the Party for Bosnia and Hercegovina (SBiH), supportive of the process earlier on, and a splinter group of the HDZ (HDZ 1990) voted against the proposed changes—the former because they did not believe the reforms went far enough to prevent deadlocks in decision-making and the latter because the amendments they proposed had been rejected (ICG 2007, 10). Setting themselves apart from their pro-package counterparts could also have been a calculated strategy for the upcoming election: All three major parties—SDA, SDS, and HDZ—lost ground in October 2006 elections, while SBiH ended up winning the Muslim seat of the BiH Presidency, as well as the second highest number of seats in the House of Representatives—with 7 seats, just behind SDA, which secured 8 seats. Following the elections, the future of these amendments, which came to be known as the April Package, began to look even more gloomy—not only had the rejectionist SBiH risen but the poor performance of the SDS had also forced changes within the party, bringing to power leaders who announced they

would not accept any centrist constitutional changes that would weaken the authority of Republika Srpska (Mustajbegović 2007).

## **Conclusion**

A traditional peace treaty consists of a cease-fire and arms reduction and boundary demarcation agreements. Dayton went far beyond these goals to create a state, comprised of two multi-ethnic entities. Dayton's aim was to not only stop the fighting, but to reverse ethnic cleansing and provide a blueprint for a new, unified country. Today Bosnia and Herzegovina has three *de facto* mono-ethnic entities, three separate armies, three separate police forces, and a national government that exists mostly on paper and operates at the mercy of the entities. Indicted war criminals remain at large and political power is concentrated largely in the hands of hard line nationalists determined to obstruct international efforts to advance the peace process. In many areas, local political leaders have joined forces with police and local extremists to prevent refugees from returning to their pre-war homes. The effect has been to cement wartime ethnic cleansing and maintain ethnic cleansers in power within mono-ethnic political frameworks. The few successes of Dayton – the Central Bank, a common currency, common license plates, state symbols and customs reforms – are superficial and were imposed by the international community. Indeed, the only unqualified success has been the four-year absence of armed conflict (ICG 1999, 1).

Despite certain implementation problems, which perhaps come naturally when groups of people who have been victimized and demonized during a vicious civil war are forced into coexistence overnight, after almost twelve years peace in Bosnia still lives on. Even when confronted with destabilizing regional factors (such as the war in Kosovo or the tensions in Macedonia), provocations by defectors (such as Ante Jelavić's declaration of secession), or displeasure with the legitimate political channels, players chose not to



return to the battlefield. Peace has indeed become the only game in town; parties seem to have reached self-enforcing, power sharing peace (i.e. P1) at Dayton.

This case illustrates the vitality of creating a post-war system that provides every relevant player with vested interests in reaching and preserving peace. Given the players' initial demands—what each felt they were entitled to—a decentralized state with guaranteed power sharing provisions and extensive veto rights was required to fulfill that condition in Bosnia. This was recognized by everyone involved early on, thereby making the option of a centralized, majoritarian system obsolete (hence, eliminating the lower subgames that start at A's decision nodes in Figure 2.1). The primary question that remained was the location of the territories where each group would exercise autonomy. This proved to be a lot harder to resolve, prolonging the war for years, even after the players had already concurred on the fundamental structure of the new state.

An analysis of years of arduous map negotiations in Bosnia demonstrates that territorial issues get resolved on the battlefield. As long as they are capable of securing control over additional areas, players are uncooperative at the table. This is particularly true if bargaining is over the map, in which case pursuing a better deal on the field is a real option (as opposed to fighting for certain institutional features). Furthermore, once a player is in control of a certain territory, giving that up becomes politically very costly (i.e. high PC and low EU(P) in Equation 2, Chapter 2). Unlike negotiations over details of political institutions, which tend to take place behind closed doors, surrendering areas of control is a highly public move, with direct effects on constituencies. It was for this reason that it was not possible to reach a mutually acceptable agreement in this case

before players had already secured on the battlefield the territorial distribution they each would be content with.

Finally, this case shows that there is no single formula that would be acceptable to settle a given civil conflict at every point in its lifespan, let alone a single formula that could be prescribed to settle just any conflict. The critical value of a settlement for each player, which was represented as  $(x + p.\Delta)_i^*$  in Equation 13 in Chapter 2, is a function of the utility each player expects from continued war at that point and the political costs it attaches to the given offer. However, given the initial demands players go into the conflict with, certain institutions might become integral to what one or more players identify as the critical threshold a settlement should satisfy; capitulating to an arrangement devoid of those carry such political costs that the player(s) choose war over peace regardless of relative military capabilities. In other words, peace has to offer players at least what they each deem to be the absolute minimum. When a conflict divides a society into mutually exclusive identity groups, each of which demand a share in political power and state resources, devolution of power, guarantees of power sharing, and protection from the tyranny of the majority via mutual veto rights become the absolute minimums. These institutions eventually convinced all parties to leave the battlefield and hold onto peace, even when they disagree with this or that outcome of legitimate political processes.

#### **4. Similar Starting Points, Different Results: Institutional Bargaining in Bosnia, Macedonia, and Kosovo**

The move by Croatia and Slovenia to declare independence from the Socialist Federal Republic of Yugoslavia (SFRY) fueled civil conflicts within the remaining republics, particularly in Bosnia-Herzegovina, Macedonia, and Kosovo, which was a formerly autonomous province within the boundaries of Serbia.<sup>62</sup> The underlying cause was the same in all three cases: fear by minority groups of being permanently disadvantaged once the authoritarian power sharing mechanisms imposed under Tito were taken away. Institutional bargaining became center-stage in attempts to avert and stop conflict in all three cases; power sharing, minority veto powers, and decentralization—albeit in different formats and degrees—quickly emerged as critical components of any proposal that would even have the chance of reaching the negotiation table. The results of negotiations, however, differed significantly.

In addition to the legacy of Yugoslavia, these cases shared similarities in structural and contextual characteristics, such as religious and ethnic diversity, problems with economic development, and geographic location, which exposed them to the same regional factors of instability. So, what explains the differences? Why was it possible to forestall war in Macedonia with an agreement that was much less generous than the Dayton Peace Accords (DPA) to the minority, while no level of power sharing could be found to simultaneously satisfy both rivals in Kosovo?

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<sup>62</sup> Similar conflicts not studied here include the civil war between the Croatian government and the Serb minority in Krajina, and the Albanian insurgency in Preševo, southern Serbia.

The purpose of this chapter is not to establish a causal link between a given set of political institutions and macro political outcomes, such as war and peace. Rather, its function is to illustrate the validity of the theoretical argument on the microfoundations of post-conflict institutional design and political behavior induced thereafter. The game I presented in Chapter 2 was played in all three cases at different stages of conflict: In Bosnia multiple shots of the game were played leading up to and during the war, as the conditions on the battlefield, and hence the payoffs, evolved; a negotiated settlement was finally reached four years into the war. In case of Macedonia, institutional bargaining early on in the conflict was successful in averting escalation into civil war. In Kosovo, on the other hand, we observe multiple shots of the game ending in failure (i.e. not self-enforcing peace) leading up to, during, and following the internationally enforced termination of war.

An analysis of the dynamics of institutional bargaining in these three cases leads to important, theoretically and policy-relevant conclusions:

1. There is no single blueprint that would be universally acceptable, even for cases that share similar contextual characteristics and underlying grievances or concerns.
2. The acceptability of any given settlement plan is *not* independent of the players' relative capabilities to pursue their demands using alternative means. As conditions on the battlefield evolve, so do the expected utilities players attach to continued fighting and, hence, the critical value that determines the adequacy of a negotiated settlement for each player (see Chapter 2, Equation 13).

3. Initial demands players publicly espouse when they enter negotiations become critical factors affecting the fate of negotiations. They signal how each player would value any given proposal. More importantly, however, they constrain the set of acceptable arrangements as they become the standards by which each constituency assesses the value of a settlement proposal, thereby determining for each leader the political cost associated with that proposal (i.e.  $(PC_{pl})$  in Equation 13).

The dynamics of conflict in Kosovo and Macedonia further illustrate that armed resistance is not an automatic response, no matter how extreme the grievances or the demands are. In both cases, resistance did not turn violent until less costly means were exhausted *and* certain regional factors enabled the pooling of necessary resources to sustain an armed insurgency. This supports the Rebel's Dilemma (Lichbach 1995) arguments of the rational choice approach to social mobilization and the opportunity structure explanations on the onset of civil wars (Collier and Hoeffler 2004). As Jenne (2007) argues, the experience of Kosovar Albanians, juxtaposed with that of the Hungarian minority in Vojvodina, also illustrates the importance of having an external patron that is willing and capable to contribute to the mobilization of a minority against the state.

In this chapter, I first trace the development of institutional negotiations that took place in Kosovo and Macedonia as players in both cases contemplated the choice of war and peace in the post-SFRY era. While Macedonia is a model of success, Kosovo is just the opposite; no matter how the political and military conditions changed, rivals continued to choose fighting over any negotiated settlement. I follow these accounts with

a comparative overview of the three cases—Kosovo, Macedonia, and Bosnia—to draw inferences about factors that go into the bargaining process, influencing the propensity to terminate, if not prevent, civil wars in the absence of absolute military victory/defeat. These conclusions on processes of war termination and institutional design complement the survival analyses (presented in Chapter 6), which test how different political institutions affect the risk of failure once civil wars are terminated one way or another. Figure 4.1 represents a demographic map that highlights areas of ethnic Albanian concentration in southern Balkans.

### **Kosovo: Irreconcilable Demands?**

Kosovo exemplifies a context under which negotiated peace seems to be unattainable regardless of how conditions on the battlefield and military capabilities change. Is that an unavoidable result of inherently irreconcilable demands, and if so, does it render my model of institutional bargaining irrelevant? The incompatibility of Kosovar Albanian and Serb preferences clearly constricted the winset of mutually acceptable settlements, thereby reducing the probability of reaching a negotiated self-enforcing peace. The relevant decisions, however, were not made in a vacuum; players took into account what they could expect to secure through alternative means if they were to choose not to settle at any given point. For example, in the early years of the conflict, ethnic Albanians chose to resist Serbian rule given that the latter was too preoccupied with the wars in Bosnia and Croatia to respond with harsh repression. Later in 1999, even in the face of NATO threats, Serbs chose not to settle since, I argue, they were confident of their capabilities to carry out a campaign—Operation Horseshoe—to ethnically cleanse Kosovo of

Albanians, which was a plan already in progress (Ramet 2006, 515). This, they assumed, would secure Serbian sovereignty over the province.

“No one should dare beat you!” was Milošević’s message to a crowd of Kosovar Serbs as they rioted against the predominantly Albanian local police on 24 April 1987 (Auerswald and Auerswald 2000, 1). This marked the beginning of Milošević’s rise to power on an ultra-nationalist Kosovo platform, which would slowly drag the province into civil war; his propaganda would also translate into uncompromising policies from which he would not be able deviate without risking major political costs. As he used increasingly repressive tactics against Kosovar Albanians, the latter first responded with non-violent, pacifist forms of resistance, but they eventually turned to armed insurgency as the former bore no fruit.

Regardless of whether extensive autonomy or secession was demanded by the Albanians going into the 1990s, compromising on those became unthinkable (i.e. politically too costly) after a decade of Serbian repression and ethnic cleansing. This was acknowledged by the Independent International Commission on Kosovo (IICK) in a report published in 2000:

The origins of the crisis have to be understood in terms of a new wave of nationalism that led to the rise of Milošević and the official adoption of an extreme Serbian nationalist agenda. The revocation of Kosovo’s autonomy 1989 was followed by a Belgrade policy aimed at changing the ethnic composition of Kosovo and creating an apartheid-like society. ... It is very clear that, after what the Kosovo Albanians have experienced at the hands of the FRY authorities, they are absolutely unwilling to accept any meaningful or even symbolic expression of FRY sovereignty on the province (1, 9).

The same finding would later shape the 2007 report of Martti Ahtisaari, the Special Envoy of the UN Secretary General, following numerous rounds of negotiations on the final status of Kosovo.

After more than one year of direct talks, bilateral negotiations and expert consultations, it has become clear to me that the parties are not able to reach an agreement on Kosovo's future status. ... Throughout the process and on numerous occasions, both parties have reaffirmed their categorical, diametrically opposed positions: Belgrade demands Kosovo's autonomy within Serbia, while Pristina will accept nothing short of independence. Even on practical issues such as decentralization, community rights, the protection of cultural and religious heritage and economic matters, conceptual differences — almost always related to the question of status — persist, and only modest progress could be achieved. ... It is my firm view that the negotiations' potential to produce any mutually agreeable outcome on Kosovo's status is exhausted. No amount of additional talks, whatever the format, will overcome this impasse (UN Doc. S/2007/168, 2).

What sparked the Kosovar Albanian resistance of 1990s was a set of policies adopted by Milošević in response to Serb concerns that they were losing control over Kosovo, to which the Serbian nationalist rhetoric ascribed great historical importance.<sup>63</sup> Under the 1974 SFRY Constitution, Tito had elevated the autonomy of Kosovo (as well as Vojvodina, also within the boundaries of Serbia) to a level that made it equal to the six republics, with equal representation and veto powers in the federal government. Changes in 1969 had established the Supreme Court of Kosovo and authorized the provincial Assembly to legislate based on Kosovo's own "Constitutional Law" (instead of issuing "decrees" with Serbian laws as the basis). These translated into significant advances in

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<sup>63</sup> Kosovo is believed to be both the "cradle of Serbia" and the location of an 1389 battle with the Ottoman Army, which ended with a crashing defeat for Serbia. There is a lot of debate, however, as to how much of Kosovo's historical importance is real and how much of it has been a "myth" or "legend" manufactured by nationalists (Daskalovski 2003; Leurdijk and Zandee 2001; Malcolm 1998).



the political status of Kosovar Albanians, who made up 77 percent of the population in 1981 and close to 90 percent by mid 1980s (Ramet 2006, 297, 318, 326; Rogel 2004, 17).

All these developments were greeted favorably by the Albanians, since their numbers had grown to an overwhelming majority in Kosovo and they would therefore be the prime beneficiaries of the changes. The Serbs, on the other hand, fumed, for their control over Kosovo seemed to be getting increasingly remote (Rogel 2004, 73).

These institutional arrangements became the basis for what the Kosovar Albanians felt they were entitled to as a people and province, thereby shaping their institutional demands. They also became, however, major Serb grievances, which Milošević addressed as soon as he came to power.

Milošević's pursuit of reclaiming Kosovo began with purging the local League of Communists of his opponents in late 1988, leading to protests by Albanian Kosovars against the persecution of their party leaders. Among those were the Trepča mine demonstrations and strikes in the Mitrovica region; the mines carried great value as they produced close to 50 percent of Yugoslavia's nickel, lead, zinc, and magnesium (Rogel 2004, 75). In every case, they were met with severe repression by Serbian forces, leading the imposition of "special measures" (e.g. deploying more soldiers and police, restriction of constitutional rights, such as the right to strike) across the province. In March 1989, Kosovo's Assembly approved constitutional amendments that abolished the autonomy of the province, placing Kosovo unequivocally under Serbian control. "There were tanks outside and many 'guests' inside the building, and the majority fell short of the prescribed two-thirds, but such details were dangerously overlooked" (Ahrens 2007, 311). This was only the start of Belgrade's campaign, which was meant "in the short run,

**Figure 4.1 Locations of Albanian majority in Southern Balkans**



to reduce the Albanians to second-class citizens and, in the long run, to drive them from the province” (Ramet 2006, 510).

As the Serbian legislature prepared to dissolve the Kosovo Assembly and the Executive Council, on 2 July 1990 Albanian delegates of the soon-to-be revoked Assembly unanimously proclaimed Kosovo as an “independent and equal entity within the framework of the Yugoslav federation (confederation) and as an equal subject with its counterparts in Yugoslavia” (quoted in Auerswald and Auerswald 2000, 44). The annulment of Kosovo’s autonomy was finalized with the adoption of a new constitution for all of Serbia in September 1990, to which the Kosovar Albanians responded by holding an independence referendum and declaring the “Republic of Kosovo” the following year.

Throughout the 1990s Serbian authorities suppressed expressions of Albanian ethnic identity (e.g. replacing original street and square names with Serbian ones; restricting the teaching of the Albanian language, history, and culture in schools); intimidated the Albanian population with its heavy police presence, random searches, and arrests; fired Albanians from their jobs and confiscated their properties, encouraging Serbs outside of Kosovo to take over these jobs and settle on these properties (Ramet 2006, 510-513). Meanwhile, the Albanians resigned to “a virtual life in a virtual state,” by establishing parallel institutions in areas such as education and health care, even collecting taxes to cover for these services (Rogel 2004, 75). Overwhelmed with war elsewhere, Belgrade did little to prevent these activities.

Kosovar Albanians were organized under the leadership of the Democratic League of Kosovo (LDK), founded in December 1989 and led by Ibrahim Rugova, a French-educated professor of Albanian literature. Following clandestine elections held in May 1992, Rugova became the president of the “virtual” government of the “Republic of Kosovo.” His program of pacifist resistance against Serbian authorities in the form of an alternative, parallel state structure would shape the state of affairs in Kosovo until 1998.

[Rugova’s] justifications were that Kosovo was poor (in late 1989 the Serbs had summarily appropriated \$98 million from the Bank of Kosovo for Yugo Banka in Belgrade); that its people had no weapons, since Serbs had confiscated arms from Kosovo’s territorial defense units; and that, because the Serbs were eagerly waiting for a pretext to move into Kosovo to put the Albanians down, it was best not to irritate them (Rogel 2004, 75).

The situation in the first half of 1990s would, however, prove to be the calm before the storm. While bringing the war in Bosnia to an end, the DPA brokered in November 1995 would have the opposite effect on Kosovo. As the international

mediators accepted the Serbian position that Kosovo was an internal concern of Serbia and had no place at the negotiation table in Dayton, Kosovar Albanians were dismayed and concluded that pacifism had failed: “after the Dayton Peace Accords recognized a Serb republic in Bosnia—carved out by force of arms—some Kosovar nationalists were persuaded that increased militancy might win international support” (Topping and Rubin 1996). Although Richard Holbrooke asserts in his memoirs that they “had repeatedly emphasized to Milošević the need to restore the rights of Kosovo’s Albanian Muslims,” no real pressure was put on the Serbian leader to do so; to the contrary, the DPA provided for the easing of sanctions against Serbia (1998, 357).

In as early as February 1996, an armed resistance group calling itself the Kosovo Liberation Army (KLA) began engaging in guerilla operations and publicly claiming responsibility for attacks, which it identified as “first warning” against “occupying” Serbs (*Agence France Presse* February 17, 1996; *Agence France Presse* May 02, 1996). While LDK officials initially denied the existence of such an organization (*BBC Summary of World Broadcasts* February 22, 1996), the KLA soon became too powerful to ignore, particularly after building up its arsenal with weaponry looted from arms depots in southern Albania during an uprising in early 1997 (Ramet 2006, 513). Nobody could overlook “the emergence of a ‘third force’ of young, educated Albanians who chafe[d] under repressive Serb rule and who [were] impatient with their leaders’ policy of ‘peaceful resistance’” (Peterson 1996). In the summer and fall of 1998, tens of thousands of Albanian students were defying Rugova’s calls to stop street demonstrations; they were forming connections with the KLA and participating in protests even in the face assaults and detentions by the Serbian police (IICK 2000, 67).

Relieved of the battlefronts in Croatia and Bosnia, Belgrade turned to Kosovo and violence escalated. At the beginning of 1998 “the powder keg, whose explosion has so often been predicted during the past decade, [appeared] finally to be igniting” (ICG 1998a). As the Serbian police began attacking villages and responding to Albanian demonstrations with “extreme violence” (Auerswald and Auerswald 2000, 91), the result was backlash: The number of armed confrontations increased from 31 in 1996 and 55 in 1997 to 66 in the first two months of 1998 (IICK 2000, 67). “If the clamp-down was supposed to stamp out Kosovar opposition to Belgrade rule, it is already clear that it has failed. Instead of destroying a separatist movement, it has boosted Kosovar determination to win independence and created 80 martyrs for the cause” (ICG 1998, 1).

International efforts to mediate a solution to the conflict in Kosovo revolved around the recommendations of the Contact Group (Great Britain, France, Germany, Italy, Russia, and the US) and NATO’s threats of military involvement, particularly against the FRY. Given the overwhelming dominance of Serb forces on the battlefield and the predominant attitudes of the Serbian constituency, the international community recognized that making any compromise a rational strategy for Milošević would require the manipulation of the utility he attached to continued fighting using credible threats of strong military action. The Contact Group (CG) endorsed “an enhanced status for Kosovo within the FRY,” repeatedly stating that they would support “neither independence nor the maintenance of the status quo.” Similarly, in September 1998 the UN Security Council adopted Resolution 1199, in which it called for the cessation of hostilities and a “peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration;”

it also warned of unspecified “further action and additional measures” if the fighting parties failed to take “the concrete measures demanded in this resolution” (UN Doc. S/RES/1199 1998). This position was echoed in various statements by NATO, which eventually authorized in October 1998 air strikes to be staged against Serb forces if they did not withdraw from Kosovo (see NATO and CG statements reproduced in Auerswald and Auerswald 2000, Chapter 2).

Although the two leaders were convinced by US envoy Richard Holbrooke (representing the CG) to start unmediated negotiations in May 1998, talks quickly broke down without any results.<sup>64</sup> The public position of the LDK was that Rugova would use these negotiations to demand “the independence of Kosovo according to the will of the people,” which was clearly unacceptable for Milošević. Even with this position, however, Rugova’s mere decision to go to the negotiation table carried political costs, as exemplified in the criticism of one his main political opponents: “In accepting a meeting with Milosevic without international mediation, at a time when the Serbian forces are carrying out massacres of Albanians in Kosovo, Rugova is making a fatal capitulation” (Dragović 1998). As a result of this political atmosphere, Rugova could not settle for anything short of extensive autonomy, if not independence, and Milošević would not go for this as long as his forces did not face outright defeat on the battlefield.

Both sides were still optimistic about potential gains they can secure militarily. By late July 1998, the KLA controlled about 40 percent of the countryside (Ramet 2006,

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<sup>64</sup> Following “a campaign marked by xenophobia and appeals to patriotic unity,” Serbs had endorsed a policy of no international mediation in Kosovo in a referendum held in April. This was interpreted by Serbian officials as support by 95 percent of the people for their uncompromising position on Kosovo: in the words of a spokesperson for Milošević’s Socialist Party, “the Serbian people showed they are united and have the right attitude towards defense of our freedom, independence and territorial integrity” (Coleman 1998).

514). The counteroffensive, however, was swift and effective: “The FRY military campaign of the summer of 1998 in Kosovo was in many ways a success. The KLA had been effectively uprooted as a military force and proven unable to protect civilians in all contested areas” (IICK 2000, 75). Furthermore, Belgrade had a plan that went beyond crippling the KLA—one it would more fully put into action following the onset of the NATO air campaign in March 1999; Milošević intended to solve the Kosovo problem by cleansing the province of Albanians, thereby avoiding political costs associated with any compromise on “Greater Serbia.”

Following an ultimatum on 13 October 1998 by NATO that he either withdraw his forces within 96 hours or face air strikes, Milošević was convinced by Holbrooke to pull out, allow access to aid agencies, and accept 2000 civilian observers (Kosovo Verification Mission, KVM) to be sent by the OSCE to monitor compliance with the agreement. Although the agreement was never published in its entirety, a letter from the FRY Ambassador to the UN endorsing the agreement stated that “a political framework has also been worked out and agreement has been reached on the principles of a political solution.” According to the letter, Kosovo would have “self-governance” with “many responsibilities,” including the police, devolved to the local level; independence was ruled out, however, as the solution would have to “respect the territorial integrity and sovereignty and internationally recognized boundaries of the Federal Republic of Yugoslavia” (reproduced in Auerswald and Auerswald 2000, 292-294). NATO’s activation order was not lifted, which meant that air strikes could be launched in case of Serb non-compliance. A report by UN Secretary General Kofi Annan, dated 16 November 1998, indicated that the FRY army and police presence in Kosovo had been

“significantly reduced” and the ceasefire was holding with the exception of sporadic incidents (UN Doc. S/1998/1068 1998, 4).

Milošević perceived the NATO threat as credible, resulting in his reassessment of what he could reasonably expect to win and lose on the battlefield. The resulting reduction in the repressive capacity of the FRY within Kosovo led, however, to reassessment of the Kosovar Albanian calculations as well. KLA forces moved into areas from which Serb police and military had withdrawn, increasing their attacks, including on civilians (UN Doc. S/1998/1068 1998). By December, it was obvious that the ceasefire was failing.

Kosovo Albanian paramilitary units have taken advantage of the lull in the fighting to re-establish their control over many villages in Kosovo, as well as over some areas near urban centres and highways. These actions by Kosovo Albanian paramilitary units have only served to provoke the Serbian authorities, leading to statements that if the Kosovo Verification Mission cannot control these units the Government would. The local authorities have indicated to UNHCR that they would not allow "terrorists to take over Kosovo". Government officials have warned that recent incidents, particularly attempts by the armed groups to cross into Kosovo from Albania and killings of civilians, would justify a renewal of operations against Kosovo Albanian paramilitary units (UN Doc. S/1998/1221, 3).

At that time Kosovar Albanians had no reason to stop fighting until they secured their original demand—their own sovereign state. Their continued military pursuit was a slap in the face for Milošević, who now appeared to have made a unilateral and costly compromise; to save face he would have to go back to war with an even more determined and forceful agenda.



The presence of Serbian military, police, and paramilitary forces in Kosovo increased dramatically in January 1999 in violation of the October agreement, and so did the level of violence (IICK 2000, 80). A letter sent by the NATO Secretary General to Annan on 22 January regarding the situation in Kosovo reported that

neither side in the conflict has respected the ceasefire; and there have been a number of cases of kidnappings and attacks by Kosovar armed elements. The activities of the Yugoslav Army (VJ) and the Special Police (MUP), however, have been wholly disproportionate and excessive, particularly bearing in mind the operations conducted during the period from 10 to 16 January 1999 (reproduced in Auerswald and Auerswald 2000, 427).

A particular incident that generated international uproar against the Serbs and re-ignited the sense of emergency for some form of intervention was the massacre of more than forty civilians (including women and children) in the village of Račak on 15 January; the killings were investigated and confirmed by the OSCE mission as having been committed by Serbian military and police (419). After the NATO, UN, and OSCE, the Contact Group, in a statement dated 22 January 1999, also moved to condemn the incident as one which “no amount of provocation could justify” (reproduced in Auerswald and Auerswald 2000, 426). It called for the parties to accept negotiations and announced that it was working on a settlement plan.

### ***Failure at Rambouillet***

A call made by the Contact Group on January 29 to start mediated negotiations within a week and reach a settlement in 21 days—one that would provide “substantial autonomy”

for Kosovo—was accompanied with NATO threats against non-cooperation. In a statement issued the next day, the North Atlantic Council declared:

NATO is ready to take whatever measures are necessary in the light of both parties' compliance. ... The Council has therefore agreed today that the NATO Secretary General may authorize air strikes against targets on FRY territory. The NATO Secretary General will take full account of the position and actions of the Kosovar leadership and all Kosovar armed elements in and around Kosovo in reaching his decision on military action. NATO will take all appropriate measures in case of a failure by the Kosovar Albanian side to comply with the demands of the international community (reproduced in Auerswald and Auerswald 2000, 477-8).

Talks commenced on February 6 in Rambouillet, France, amidst what seemed to be credible threats (or promises) of immediate NATO strikes.

Negotiations started with a set of “non-negotiable” basic principles, including the territorial integrity of the FRY, and an interim agreement that would determine how Kosovo would be governed for the following three years. At the end of this period,

an international meeting shall be convened to determine a mechanism for a final settlement for Kosovo, on the basis of the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of this Agreement, and the Helsinki Final Act, and to undertake a comprehensive assessment of the implementation of this Agreement and to consider proposals by any Party for additional measures (Interim Agreement 1999, Chapter 8/Article I).

For the next three years Kosovo would be awarded substantial autonomy and the FRY would technically be able to keep its present borders. To appease concerns of the Serb minority within Kosovo, they would be given guaranteed representation in legislative and administrative bodies, and power would be largely devolved to the communes, thus creating an autonomous entity that would itself be highly decentralized. A majority of the Serb representatives in the legislatures would also be able to veto legislation by invoking

a “vital interest” objection (Chapter 1/Article II). To enforce compliance with the agreement,

NATO will establish and deploy a force (hereinafter “KFOR”) which may be composed of ground, air, and maritime units from NATO and non-NATO nations, operating under the authority and subject to the direction and the political control of the North Atlantic Council (NAC) through the NATO chain of command (Interim Agreement 1999, Chapter 7/Article I).

Although they initially objected to the basic principles, the Kosovar Albanian delegation signed the agreement on March 18; it was headed by Hashim Thaçi, the political leader of the KLA, whose endorsement was crucial to make the signature credible (given the fate of the Holbrooke-Milošević agreement of October 1998). Despite proclaiming the inviolability of FRY’s borders, by avoiding the question of final status and not explicitly ruling out independence after the interim period, the proposal enabled Kosovar Albanian leaders to accept without appearing as if they were compromising on their ultimate goal. Furthermore, their signature, they correctly anticipated, would provide the pretext for NATO attacks against the FRY in case the latter failed to reciprocate.

The KLA had transformed itself “from a motley band of armed villagers into a well disciplined military force, the command structure of which increasingly dictates events on the ground” (ICG 1999, 2). Its capabilities, however, were still not compatible with those of its rival; the only way it could secure independence for Kosovo was either at the negotiation table, which for Milošević would have amounted to political suicide, or with such military support that would dramatically alter the (im)balance of power on the battlefield. The KLA had an even more urgent incentive to cooperate: Throughout the

negotiations, Milošević was amassing troops in and around Kosovo, leading General Wesley Clark of the NATO to conclude that the Serbs were “prepared to resume the conflict on a very large scale.” There were already reports of Serb forces ethnically cleansing villages along Kosovo’s border with Macedonia (*Facts on File World News Digest* March 18, 1999). Kosovar Albanians did not hide the fact that they had signed the deal expecting to secure NATO’s military support in return; soon after the signing, the top military commander of the KLA called for NATO to do its part and start air strikes against the Serbs, indicating that “If we did not trust them we would not have signed the peace deal” (Gall 1999).

Both the international community and the KLA seemed to have incorrectly assumed that threats of NATO strikes would motivate Milošević to cooperate. KLA top commander’s anticipation was that “if they see NATO is serious, they are going to accept everything in the end” (Daly 1999). Either not taking the threats to be credible or believing in the capacity of FRY forces, the Serb delegation remained defiant on the issue of allowing the deployment of foreign troops in Kosovo and refused to sign the agreement. Instead, as foreign monitors (KVM) pulled out in expectation of possible NATO strikes, Serb forces launched a “heavy offensive” and secured a “horseshoe encirclement of Kosovo from the north to the south,” reaching Drenica, the stronghold of the KLA (Perlez 1999). It would later be revealed that this was part of a well-planned strategy—Operation Horseshoe—to encircle and force mass expulsion of ethnic Albanians from the province. Meanwhile, the state-run Serbian television station was running a new jingle illustrative of Milošević’s public, uncompromising stand: “What are we without you, our holy ground? I’m not giving up what’s mine to anybody, even if I

perish with it. Even if the skies open, and even if judgment day comes, we will stay here where our roots are” (*Economist* March 20, 1999).

NATO Secretary General Javier Solana announced the start of Operation Allied Force on 24 March 1999: “Clear responsibility for the air strikes lies with President Milošević who has refused to stop his violent action in Kosovo and has refused to negotiate in good faith. The time has now come for action.” The same day President Clinton further criticized Milošević for his aggression:

He has rejected the balanced and fair peace accords that our allies and partners, including Russia, proposed last month—a peace agreement that Kosovo’s ethnic Albanians courageously accepted. Instead, his forces have intensified their attacks, burning down Kosovar Albanian villages and murdering civilians. As I speak, more Serb forces are moving into Kosovo, and more people are fleeing their homes—60,000 in just the last five weeks, a quarter of a million altogether.<sup>65</sup>

According to Clinton, NATO strikes had three objectives:

First, to demonstrate the seriousness of NATO’s opposition to aggression and its support for peace. Second, to deter President Milošević from continuing and escalating his attacks on helpless civilians by imposing a price for those attacks. And, third, if necessary, to damage Serbia’s capacity to wage war against Kosovo in the future by seriously diminishing its military capabilities (statements reproduced in Auerswald and Auerswald 2000, 719-20).

Milošević proved too determined to be deterred—a function of high confidence in his military capabilities and/or high political costs he associated with any kind of compromise; it took 78 days of a gradually intensified and expanded air campaign to sufficiently weaken his military capabilities to convince him to capitulate.

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<sup>65</sup> Clinton’s figures seem to have downplayed the extent of displacements according to UNHCR official figures, which estimated the number of Albanians to have been driven from their homes by the commencement of NATO attacks at 459,000 (260,000 displaced within Kosovo and 199,000 outside) (Ramet 2006, 516).

The FRY announced on May 29 that it was accepting the general principles adopted by the G-8 at its May 6 meeting. In addition to requiring the withdrawal of all Serb forces from Kosovo (military, police, and paramilitary), the return of all refugees and displaced persons, and the establishment of an interim system based on “a substantial self-government for Kosovo,” these principles also included face-saving provisions for the Serbian leadership: the solution to the conflict would need to take into account “the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the KLA” (G-8 Chairman’s statement reproduced in Auerswald and Auerswald 2000, 944). Milošević was finally conceding defeat, albeit a face-saving one, after leading the expulsion of more than 848,000 Albanians from Kosovo and the killing of between 10,000 and 12,000 civilians (Ramet 2006, 517; Rogel 2004, 80).<sup>66</sup>

The Military Technical Agreement signed by the representatives of NATO, the FRY, and the Serbian Republic on 9 June 1999 provided for KFOR to enforce the withdrawal of all Serb forces from Kosovo, which would become an international protectorate under UN auspices. NATO first suspended its air campaign and then announced its official end on June 20 when the withdrawal of Serb forces was finalized. With Resolution 1244, the UN Security Council had already authorized the establishment of a Mission in Kosovo (UNMIK):

an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the

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<sup>66</sup> Given the failure in Bosnia to live up to the DPA’s very clear goal of refugee returns, Milošević perhaps made a major miscalculation regarding the willingness of Albanian refugees to quickly return to Kosovo and the determination of the international community to facilitate that. If they had not returned as they did right after the cessation of hostilities, Milošević would have succeeded in reducing the hold of ethnic Albanians on Kosovo by changing the demographics.

Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo (UN Doc. S/RES/1244 1999, 3).

In determining the form of government, the mission would take into account principles endorsed at Rambouillet.

### ***Back to the Start: De-facto Partition of Kosovo and Failed Negotiations***

The primary task of UNMIK, under the leadership of the Secretary General's Special Representative (SGSR), was to normalize inter-ethnic relations and prepare the province for eventual final status negotiations. Despite the SGSR's "agenda of coexistence" (IICK 2000, 260) and his efforts to promote power sharing, what emerged out of this regime was an entity partitioned along ethnic lines:

Although legally in charge of the entire territory, UNMIK has proven incapable of ending Belgrade's de facto control of three and a half northern municipalities in Kosovo, which are contiguous with Serbia proper, as well as several enclaves in central and eastern Kosovo. This inability to control all of Kosovo's territory has led to the creation of a dual system in almost every aspect of political and economic life in Kosovo. ... Ethnoterritorial separation in Kosovo is already a fact, one that would require considerable effort to change (Serwer and Bajraktari 2006, 3).

While most Albanian refugees had returned home by the end of 1999 (Rogel 2004, 83), this was accompanied with the exodus of Kosovar Serbs. According to the UNHCR, during the seven weeks following the withdrawal of Serb forces and the deployment of KFOR, 164,000 Serbs left Kosovo and many others moved into KFOR-protected enclaves, particularly in Mitrovica, to the south of the Ibar River. Those who did not flee were subject to systematic harassment, intimidation, and violence, including beatings,

kidnappings, and murders (HRW 1999). It was, therefore, not surprising that the Serbs sought the safety of enclaves and chose to establish parallel institutions instead of participating in common institutions established by UNMIK.<sup>67</sup>

If the interim period had any effect on the positions of the players regarding final status, it was to harden Kosovar Serb resistance against independence. When time came to discuss final status, they demanded their own practically autonomous municipalities within Kosovo if the latter was even to retain its autonomy within Serbia. As the Serb National Council representing the Serbs of northern Kosovo made very clear, independence was not even debatable: “We said that Kosovo’s independence and the survival of the Serbian community are two completely opposite realities; the two ideas are incompatible” (quoted in Serwer and Bajraktari 2006, 5).

Final status negotiations commenced in February 2006. To promote the integration of Kosovar Serbs into the Albanian-dominated institutions, UNMIK had adopted the policy of “standards before status” and published *Standards for Kosovo* in December 2003. After assessing the situation in Kosovo based on these standards, UN Secretary General’s Special Envoy concluded in October 2005 that even though there still were problems with standards implementation in some areas (such as in the dismantling of parallel institutions), it was time to move along with the political process to determine the entity’s permanent status. The Contact Group endorsed the recommendation and announced ten guiding principles that became the basis for 2006 negotiations. Among those were the creation of “effective local self-government ... through the

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<sup>67</sup> On 15 May 2001 the SRSG announced the “Constitutional Framework for Provisional Self-Government” which would shape the political system in Kosovo until the final status of the province is determined (UNMIK/REG/2001/9).



decentralization process,” which was meant to appeal to the Serb delegation, as well as the provision that there would be “no partition of Kosovo and no union of Kosovo with any country or part of any country,” which was supposed to appease the Albanians.<sup>68</sup>

Negotiations continued under the mediation of Special Envoy Ahtisaari and his deputy, Albert Rohan, into the fall of 2006. After many rounds of fruitless bargaining on the issue of decentralization, Rohan announced in September that the chance of progress was “increasingly slim” and indicated that it might be time for the UN Security Council to impose a solution: “We’re approaching a moment where by talking alone we won’t accomplish the goal. We could talk for another 10 years and not change anything.” The same month the Contact Group asked Ahtisaari to prepare a comprehensive plan that would dictate the future of Kosovo (*South East Times* December 15, 2006).

In his report to the Secretary General in March 2007, Ahtisaari recommended “independence, supervised by the international community” for Kosovo (UN Doc. S/2007/168/Add. 1). The status would have to be externally imposed and enforced as the players could not reach a mutually acceptable, self-enforcing settlement: “It is my firm view that the negotiations’ potential to produce any mutually agreeable outcome on Kosovo’s status is exhausted. No amount of additional talks, whatever the format, will overcome this impasse,” Ahtisaari argued. His Comprehensive Proposal for the Kosovo Status Settlement provided for a highly decentralized entity, with veto powers and guaranteed power sharing for non-Albanian communities. While Kosovar Albanians endorsed the Ahtisaari Plan, Serbian officials rejected it, proposing instead to grant Kosovo a status that would amount to “more than autonomy but less than independence”

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<sup>68</sup> All documents relevant to this process are available on the website for the UN Office of the Special Envoy for Kosovo, at <http://www.unosek.org/unosek/en/docref.html>.

(Dempsey 2007). The next step would be for the UN Security Council to pass a resolution that would make the plan binding, thereby dictating the final status of Kosovo.<sup>69</sup>

### **Macedonia: A Success Story**

The Framework Agreement (FA) signed on 13 August 2001 in Ohrid between major Macedonian and ethnic Albanian parties ended the Albanian insurgency, which had brought the country to the brink of civil war. Although the National Liberation Army (NLA) leading the armed resistance was not part of the negotiations, its support for the deal was secured in a separate NATO-brokered agreement, which included provisions for the group's disarmament and demobilization (Ahrens 2007, 460). Although similar grievances drove both movements, Albanian insurgencies in Kosovo and Macedonia differed significantly in terms of their demands. From the very start, the NLA ruled out ethnic partition, autonomy, or secession; all they demanded were constitutional changes that would officially recognize the Albanian language, culture, and national symbols, and provide the Albanian minority with equitable representation in administrative bodies. The relatively modest nature of minority demands, however, is not sufficient to explain the success in reaching a negotiated settlement in Macedonia; proposals identical to the FA were repeatedly dismissed by one or more of the players for years before conditions on the ground changed in a way that motivated them, particularly the majority government, to settle.

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<sup>69</sup> The relevant resolution was introduced in the Security Council on May 11; Russia is calling for continued negotiations and is threatening to veto.

Not unlike the KLA in Kosovo, at the root of the NLA movement was institutional changes that disadvantaged the Albanian minority: the republic's constitution was amended in 1989 to define the republic as a "nation-state of Macedonian people," whereas previously it was defined "a state of the Macedonian people and the Albanian and Turkish minorities" (Phillips 2004, 46). The exclusion of Albanians, which made up close to 20 percent of the republic's population in 1981 and were estimated to constitute at least 25 percent by early 1990s, was further institutionalized in the 1991 constitution of the newly independent Macedonia, which eliminated the rights of minorities to proportional representation on state bodies (65). Previous constitutions had recognized Albanians and Turks as nationalities<sup>70</sup> and contained provisions to guarantee the "equality of nationalities." Namely, it was required that "Municipalities and the Republic ensure that the nationalities by proportionally represented in the municipal assemblies and the Assembly of the Socialist Republic of Macedonia, and be adequately represented in their bodies." Furthermore, the languages of nationalities were given equal status with the Macedonian language in municipalities inhabited by members of these nationalities (Caca 1999, 150-3). Just like the importance of the 1974 Constitution in the case of Kosovo, these rights became the basis of what the Albanian minority in Macedonia felt they were entitled to and, therefore, demanded.

Although some extremist elements, such as the Assembly for Political-Territorial Autonomy of Ethnic Albanians in Macedonia, were present among the Albanians of Macedonia, they were effectively sidelined by the moderates. At the forefront until the conflict flared up were the Party for Democratic Prosperity (PDP) and the Democratic

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<sup>70</sup> See my discussion on nation vs. nationality in the context of Yugoslavia, footnote 5 in Chapter 5.

Party of Albanians (DPA), which was an offshoot of the former. Both parties participated in different coalition governments throughout the 1990s as part of informal power sharing efforts. These were to a large extent attempts to coopt the Albanian leadership with “tokenistic positions, often as ‘Assistant Ministers,’ without offices or staff ... and never involving posts in the Defense or Foreign Ministries, or, above all, in the key Interior Ministry which most independent observers see as the source of real power in FYROM” (Pettifer 1999, 141).

The declaration issued by the PDP members of the parliament during the constitution debates in 1991 laid down the demands which the Albanian minority continued to evoke in the following years:

- (1) Decisions affecting Albanians shall be consensual, not by majority rule,
- (2) The Albanian language shall be official where Albanians live,
- (3) There shall be equal and proportional participation in public affairs, and
- (4) Albanians shall have the right to maintain their national characteristics, culture and symbols (Ahrens 2007, 398).

Negotiations between the Albanian minority and the Macedonian government took place during 1992-1995 under the mediation of the Human Rights and Minorities Working Group (WG) established by the EC Conference on Yugoslavia.<sup>71</sup> The aforementioned demands shaped these negotiations and the few plans that the parties came very close to endorsing.

A document both parties agreed to in June 1992, for instance, not only reflected these demands but also foreshadowed the provisions of the FA of 2001 (both negotiated at Ohrid incidentally). In the 1992 document (reproduced in Ahrens 2007, 418-412),

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<sup>71</sup> Geert-Hinrich Ahrens, who is frequently cited here, was the chairman of the WG.

With regard to the constitutional position of the Albanians in the Republic of Macedonia, both sides agreed to base their discussions on the model of a citizens' state ... and not on the model of one or more constituent nations plus one or more ethnic groups or minorities. The group set itself the task of investigating:

- How the Constitution of 1991 will have to be adapted to the basic of model of a citizens state.
- Which protective structures will have to be set up, particularly in order to deal with the danger of majorization of ethnic groups by other groups. For instance, models of proportional representation might be introduced.

More specifically, the agreement called for, among other things,

- (1) Amending the constitution so not to identify Macedonia as a “nation-state of Macedonian people;”
- (2) Albanian to be considered an official language in municipalities where Albanians formed at least 10 percent of the population;
- (3) Albanians to have the right and be given the means by the state to have university level education in their own language;<sup>72</sup>
- (4) The constitution to guarantee the “proportional representation of nationalities at all levels of state institutions;” and
- (5) Expanding the competencies of local governments.

Neither this 1992 document nor others negotiated in the following years became anything more than “working” papers or minutes.

However, the Macedonian government in August 2001 agreed to, and soon thereafter implemented, provisions that were very similar to those negotiated throughout the previous decade. Why was it possible to reach the equilibrium point of peace in

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<sup>72</sup> Demands for a state-funded university with Albanian as the language of instruction was prevalent throughout the conflict.

Macedonia in 2001 but not in 1992? Consenting to institutional changes that would elevate the status of the Albanian minority carried obvious political costs for Macedonian parties (reducing the value of  $(x + p.\Delta)_i$  and amplifying  $(PC_{p1})_i$  in Condition 12, Chapter 2); with no immediate threat of an effective armed insurgency (i.e. high value for  $EU(W)_i$ , the right hand-side in Condition 12), the government had no incentive to move away from the majoritarian system. Once the NLA entered the picture, however, it had to reconsider its assessment of what it could expect to secure through a settlement as opposed to facing continued resistance.

The emergence of the NLA occurred against the backdrop of close to a decade of failure on the part of legitimate Albanian parties to bring about change that would improve the status of the minority: “When reforms promised by the Democratic Party of Albanians (DPA) before it took office were slow to materialize, Macedonian Albanians who had been active in the Kosovo Liberation Army led by Ali Ahmeti, a KLA founder, made plans for an ethnic insurrection in western Macedonia” (Phillips 2004, 80). The NLA stated in March 2001, as they battled Macedonian forces to take control of the city of Tetovo, “We appeal to all political and non-political Albanian figures not to delude themselves that our rights would be granted by this government” (87). However, disappointment with regular political mechanisms is not sufficient to mobilize an armed insurgency; in the case of Macedonia, regional events enabled the pooling of necessary resources and increased inter-ethnic tensions, catalyzing the surge of violence.

Two events that became instrumental in the development of the NLA armed insurgency were the 1997 instability in Albania and the war in Kosovo. When a pyramid banking scheme collapsed in Albania and many people lost their investments, breakdown

of the government as well as other state structures followed. About 600,000 weapons, including antitank artillery and rockets, were stolen from army barracks and most of these weapons made their way across the border into Macedonia and Kosovo. The war in Kosovo in the following years further contributed to the instability of Macedonia—first because of the influx of 300,000 Kosovar Albanian refugees into the country and then as the remnants of the KLA became potential fighters for the Albanian cause in Macedonia (Ahrens 2007, 454-5; Phillips 2005, 70-5). Without these incidents, it is unlikely that the disgruntled Albanian minority would have acquired the means, including the rebels, to commence an effective armed resistance at that time.

The NLA appeared on the scene in early 2001 when it claimed responsibility for an attack on a police station. Communiqué No. 4, as the statement was titled, read:

On 22 January a special unit of the National Liberation Army supported by a group of observers with automatic guns and hand grenade launchers attacked a Macedonian police station. In the attack the opponent forces were quickly paralyzed and they did not resist while other Macedonian forces from other directions did not approach the location. The attack was limited and was a warning to the Macedonian occupiers and their Albanophone collaborators. The uniforms of the Macedonian occupiers will continue to be attacked until the Albanian people are liberated. The policemen are called upon to return to their families and not sacrifice their lives in vain for the illusory Macedonian plans to dominate the Albanian majority (ICG 2001, 3).

Particular demands were further articulated in a letter with no particular addressee, signed by NLA's leader, Ali Ahmeti. Among those were changes in the constitution that would include the following elements:

- 1) FYROM will be a state of two peoples: a Macedonian-Albanian state or an Albanian-Macedonian state;

- 2) Together with the Macedonian language, the Albanian language will become the official language;
- 3) Each community will be free to use its own national symbols;
- 4) To eliminate the discrimination in the economy and in the state administration;
- 5) To eliminate the discrimination in the political system, in the decision-making process, and gerrymandering so that the elections reflect the will of the people (reproduced in Rusi 2002, 21).

The letter also stated, “the NLA is committed to the preservation of the territorial integrity and sovereignty of the FRYOM.”

By March 2001 the NLA had taken control of a number of villages around Tetovo in northwest Macedonia, along the Kosovo border. At the end of the month, however, the Macedonian army launched a heavy assault on the area, reclaiming rebel positions and driving them from villages into the mountains (Phillips 2004, 96; Ramet 2006, 579). Prime Minister Ljubco Georgievski announced on March 31 that after a three-week offensive, the government’s “objectives have been achieved on the military and political levels,” adding, however, that the threat of future NLA provocations was still alive (*Agence France Presse -- English* March 31, 2001). While there was a lull in fighting during most of April, which is when negotiations began between the Macedonian and ethnic Albanian political parties, violence flared up once again at the end of the month, this time focusing on the area around Kumanova.

Why did the Albanian minority resort to this military pursuit, especially if they did not intend to retain control over areas they overran (as they claimed to rule out any kind of territorial partition or autonomy)? The Macedonian army was “poorly equipped, badly trained and led” as the Yugoslav Army had stripped it of “everything transportable, even ... the electric wiring out of its abandoned barracks” (Phillips 2004, 110-1; also see



Ramet 2006, 580); this weakness not only made it easier to mobilize rebels (due to the low risk of repression) but also minimized the costs Albanian leaders would have associated with the strategy of war (due to the low probability of defeat). In return, gains on the battlefield could translate into leverage at the negotiation table and perhaps even win the group international recognition and support. In the words of an NLA fighter interviewed in March, “in 1998 when we were in the KLA, the Americans called us a terrorist organization at first, but then they came around to supporting us. It’ll be the same this time with the NLA” (Loyd 2001).

The NLA would not signal its readiness to stop fighting until after taking control of the town of Aračinovo, 5 miles from the capital of Skopje, proving the vulnerability of the Macedonian government. Further illustrating the symbolic value of this move, following the failure of Macedonian troops to recapture the town themselves, the NLA agreed to a deal that provided for NATO troops to escort them (with their weapons) out of Aračinovo to a village further away from the capital (*Agence France Presse -- English* June 24, 2001; Mironski 2001; Phillips 2004, 125). Fighting continued elsewhere, particularly around Tetovo, throughout July, even as negotiations took place behind closed doors between major Macedonian and ethnic Albanian political parties.<sup>73</sup>

### ***Choosing Peace at Ohrid***

Prime Minister Georgievski of the VMRO-DPMNE,<sup>74</sup> Branko Crvenkovski of the SDSM,<sup>75</sup> Arben Xhaferi of the DPA, and Imer Imeri of the PDP signed the Framework

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<sup>73</sup> The main sticking point in multiple rounds of negotiations throughout July was the issue of Albanian language (Fisher 2001; Wood 2001a).

<sup>74</sup> The Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian Unity.

Agreement on 13 August 2001 in Ohrid, Macedonia.<sup>75</sup> Although the NLA was officially not part of the negotiations, NATO officials had been privately talking with Ahmeti, who demanded a promise of amnesty for his fighters from President Boris Trajkovski in return for his cooperation. Trajkovski presented a written promise of amnesty on August 12, and the NLA signed a technical military agreement with NATO on August 14: in what came to be known as Operation Essential Harvest, about 3,500 NATO troops would be employed in Macedonia to demobilize and disarm the rebels (Ahrens 2007, 460; ICG 2001, 6). Ahmeti declared, “there is no further need to keep weapons, as long as we have a strong guarantee from the European Union and from the United States of America,” as what came out of Ohrid was what they were seeking: “It was not a territorial war. We want to live as equals in our land and be treated as citizens. Albanians have gained the rights they did not have; their language and a right to veto over issues concerning national causes” (Wood 2001b).

The FA addressed ethnic Albanian concerns and demands without overstepping the bottom line for Macedonians—the unitary character of the state, deviation from which, ethnic Macedonians feared, could lead to secession and a “Greater Albania” (Brown 2000). According to the agreement, the preamble of the constitution would be changed to remove the controversial statement that had identified Macedonia as the home of the “Macedonian people” exclusively. It would instead provide an overview of the country’s historical development, in addition to declaring a commitment on the part of all

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<sup>75</sup> The Social Democratic Alliance of Macedonia.

<sup>76</sup> The document is available at [http://faq.macedonia.org/politics/framework\\_agreement.pdf](http://faq.macedonia.org/politics/framework_agreement.pdf) (last accessed on 21 May 2007).

citizens to “preserve and develop everything that is valuable from the rich cultural inheritance and coexistence within Macedonia” (Framework Agreement, Annex A).<sup>77</sup>

Compromise solutions were reached on the two most contentious issues, language and police. As representatives of the DPA, PDP, and NLA had agreed to in the Prizren Declaration in May 2001, “unrestricted use of the Albanian language as one of the country’s official languages” became the ethnic Albanian demand on language in negotiations with the government (Rusi 2002, 26). Macedonians, on the other hand, saw the equalization of the status of the Albanian language with that of their own as “language federalization” that would threaten their national identity (ICG 2001, 1). The FA bridged the gap by requiring amendments to Article 7 of the Constitution so it would read as follows:

- (1) The Macedonian language, written using its Cyrillic alphabet, is the official language throughout the Republic of Macedonia and in the international relations of the Republic of Macedonia.
- (2) Any other language spoken by at least 20 percent of the population is also an official language, written using its alphabet, as specified below.

Individuals using any official language other than Macedonian would be able to communicate in that language with the central government as well as with local governments in municipalities where the speakers of that language constitute at least 20 percent of the population. In such locations, the language spoken by the minority would accompany Macedonian as the official language.

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<sup>77</sup> As part of debates and bargaining prior to the ratification of the FA by the Macedonian Parliament, the preamble was further changed to include the phrase “Macedonian people” as well as reference to the Albanian, Turkish, Serbian, and Vlach peoples (Jovanovski and Dulovi 2002, 71).

Albanian representation and participation in the public sphere were to be enhanced based on the principle of proportional representation:

Laws regulating employment in public administration will include measures to assure equitable representation of communities in all central and local public bodies and at all levels of employment within such bodies, while respecting the rules concerning competence and integrity that govern public administration. The authorities will take action to correct present imbalances in the composition of the public administration, in particular through the recruitment of members of under-represented communities. Particular attention will be given to ensuring as rapidly as possible that the police services will generally reflect the composition and distribution of the population of Macedonia, as specified in Annex C (Framework Agreement, Article 4.2).

The question of the police force was particularly important for both parties. While the DPA and the PDP called for the creation of local police units under the jurisdiction of municipalities and reflecting the population shares at the local level, a centralized police force was integral to the preservation of the unitary character of the state for the VMRO-DPMNE and the SDSM (Popetrevski and Latifi 2002, 54). The mutually acceptable solution provided for local police chiefs to be chosen by municipal councils from lists provided by the Ministry of the Interior; ethnic composition of the police would reflect the overall population, rather than that of any particular locality (Articles 3.3 and 4.2).

Even though the FA did not provide for guaranteed representation in legislative and executive bodies through specific quotas, or the level of decentralization and local authority found in the DPA, it was very generous to the minorities in terms of veto powers. The article on special parliamentary procedures read:

5.1. On the central level, certain Constitutional amendments in accordance with Annex A and the Law on Local Self-Government cannot be approved without a qualified majority of two-thirds of votes, within which there must be a majority of the votes of

Representatives claiming to belong to the communities not in the majority in the population of Macedonia.

5.2. Laws that directly affect culture, use of language, education, personal documentation, and use of symbols, as well as laws on local finances, local elections, the city of Skopje, and boundaries of municipalities must receive a majority of votes, within which there must be a majority of the votes of the Representatives claiming to belong to the communities not in the majority in the population of Macedonia.

The Law on Local Self-Government would need to be revised to ensure that it “reinforces the powers of elected local officials and enlarges substantially their competencies.”

Enhanced competencies will relate principally to the areas of public services, urban and rural planning, environmental protection, local economic development, culture, local finances, education, social welfare, and health care. A law on financing of local self-government will be adopted to ensure an adequate system of financing to enable local governments to fulfill all of their responsibilities (Article 3.1).

After the completion of a new census, boundaries of municipalities and electoral districts would be redrawn to achieve more balanced ethnic representation.

Once NLA’s disarmament was pronounced complete on September 25 and the FA was ratified by the Macedonian legislature after long debates on November 15, given the given the extent and complexity of legislative changes required, it still took years for the implementation of the FA to be finalized. One of the significant institutional changes, which made up for the lack of ethnic quotas for legislative seats, created a pure proportional electoral system with no thresholds, as opposed to the mixed system that existed prior to the conflict. Redistricting of the municipalities proved to be one of the most contentious issues and delayed the implementation of changes to the Law on Local Self-Government until the end of 2004.

By 2006 the implementation of the FA was “nearly complete and essential reforms [were] underway” (ICG 2006). Although at times there were concerns regarding Macedonian paramilitary groups, such as the Vipers and the Lions (Jovanovski and Dulovi 2002, 66), and ethnic Albanian rebels, such as those that appeared in Kondovo (only a couple miles from Skopje) in 2004,<sup>78</sup> electoral politics and parliamentary debates have dominated inter-ethnic relations since the signing of the FA—peace has become the only game in town. Even the rebel group that drove the conflict embraced the new political system and has been committed to working within legitimate political mechanisms; the NLA disbanded and formed what became the main political party representing the Albanian minority in Macedonia (the Democratic Union for Integration, DUI) under the leadership of Ali Ahmeti.

### **No Universal Prescription**

A comparison of these three accounts reveals that there is no magic formula that one can apply to prevent or end civil wars, even when conflicts share similar contextual characteristics and emerge from comparable concerns and grievances. Acceptability or success of any given formula is not constant even in the lifespan of a single conflict. Rivals might fail to agree on a given institutional framework at one point during the conflict, yet move on to settle on the very same framework at another point, as their expectations from continued conflict change; the success of any political arrangement (i.e. to reach peace) is not independent of the conditions on the battlefield. This is

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<sup>78</sup> The group was characterized as “a ragtag mix of approximately 50 hardcore ethnic Albanian criminals, unemployed villagers and former Kosovo Liberation Army, and National Liberation Army combatants recruited from local villages, Kosovo and Serbia’s Preševo Valley” (ICG 2005, 4).

**Table 4.1 Comparing Bosnia, Kosovo, and Macedonia**

Case	Players	Initial Demands	Proposed Institutions	Bargaining Outcome
Bosnia	Bosnian Muslims (44%)	Unitary state, no change in boundaries	Dayton Peace Accord: Highly decentralized federation/confederation, guaranteed representation in the legislature, guaranteed representation in the executive, proportional representation in public sector, veto over "vital interests" and constitutional amendments	Settlement after 4 years of full-scale civil war
	Bosnian Serbs (17%)	Three independent states		
	Bosnian Croats (31%)	Decentralized single state		
Kosovo 1	Kosovar Albanians (90%)	Extensive autonomy	Rambouillet Interim Agreement:	No settlement
	Serbia	FRY sovereignty over Kosovo, no autonomy	Extensive autonomy ("democratic self-government"), guaranteed representation in the legislature, veto over "vital interests" and constitutional amendments	
Kosovo 2	Kosovar Albanians (90%)	Independence	Ahtisaari Final Status Plan:	No settlement
	Serbia/Kosovar Serbs	Autonomy within FRY, autonomy for Serb communes within Kosovo	Independence, "high degree of local self-government" within Kosovo, guaranteed representation for Serb minority in the legislature, extensive veto rights	
Macedonia	Ethnic Albanians (25%)	Veto over communal issues, proportional representation in public sector, official status for Albanian language	Ohrid Framework Agreement: Veto over communal issues and constitutional amendments, proportional representation in public sector, official status for Albanian language, "enhanced competencies" for municipalities	Settlement before escalation to war
	Macedonia	Unitary state		

consistent with my theoretical model, where I envisage a strategic decision making process (regarding war and peace) that takes into account not only the expected payoffs from a given political system but also the political costs associated with compromise and the expected utility of continued or intensified fighting.

The comparison raises two substantial questions: What made it possible to avert war in Macedonia while a negotiated settlement could never be reached in Kosovo and could only be secured after four years of civil war in Bosnia? Table 6.1 presents an overview of the players, their underlying demands, political institutions embodied in final settlement proposals, and the outcome of negotiations in all three of these cases. To reflect the rise in the relevance of Kosovar Serbs as a player in the conflict and the slight change in the positions of all players involved, I list two different cases of conflict for Kosovo—one prior to and one following the launch of the UNMIK administration. As illustrated in this table, the nature of rival demands appears to be a key variable in determining the propensity to reach peace and the acceptability of any given framework. Initial demands players bring to the table not only signal how each player would value a

given framework but also feed into the expectations of their constituencies and, hence, the political costs each player would associate with any given proposal.

In both Kosovo cases, Albanians and Serbs appeared to hold mutually exclusive positions; various proposals that provided for a political system with institutionalized power sharing, decentralization, and minority veto powers proved insufficient to secure a negotiated settlement both before and after the war with NATO and the establishment of the UNMIK administration. In Bosnia, on the other hand, a negotiated settlement was reached after years of fighting in the form of the Dayton Peace Accords, which represented the middle ground between the two extreme positions of Bosnian Serbs and Muslims. In case of Macedonia, there was nothing inherently incompatible between Albanian demands for enhanced representation in the public sphere and a unitary state, which was the uncompromisable point for the Macedonian government.

Although the post-conflict systems endorsed with the DPA and the Ohrid Framework Agreement could both be identified as “consociational,” there are significant differences between them. Power sharing in the legislature and the executive is not guaranteed but rather indirectly induced through the electoral system in Macedonia, unlike the clearly delineated formulas and quota systems in Bosnia. The degree of decentralization in the latter also far surpasses the level of devolution in Macedonia, which is still a unitary system. Both, however, are very accommodating of minority concerns regarding the credibility of majority commitments to uphold the power sharing system once demobilization occurs; hence, extensive minority veto powers are provided in both Macedonia and Bosnia. Overall, the principles that characterize the two systems are identical; the specific institutional structures are substantially different.



The obvious difference that seems to be responsible for the disparity in the level of decentralization in post-conflict Bosnia and Macedonia is the nature of initial demands. The level of autonomy demanded by the Albanian minority in Macedonia did not extend beyond having some local control over law enforcement; therefore, there was no need to even bring into the discussions the subject of decentralization beyond that. In the case of Bosnia, on the other hand, having full territorial autonomy, if not independence, was the bottom line for Bosnian Serbs from the start; they were determined to choose war at all costs until they received autonomy. In other words, for Bosnian Serbs, no settlement could reach the critical value of an acceptable arrangement unless it provided them with a territory of Serb majority, where they would exercise extensive autonomy; anything less than that would have such a low value, and it would carry such high political costs, that almost any level of expected utility from war would exceed that which they attach to consenting to that settlement.

The fact that a settlement could be reached in Bosnia illustrates that seemingly incompatible demands or even secessionist agendas, which are easy targets to blame for the failure in Kosovo, are not sufficient to explain the success or failure of any given set of institutions to reach or sustain peace. The whole analysis in fact confirms that when players make critical decisions that pertain to war and peace, they do not take into account only what they expect to get (i.e. the share of state resources) from a given settlement. Instead, they weigh the utility they attach to that settlement (minus the political costs associated with settling or capitulating) against that which they expect to acquire if they were to continue fighting. The failure to reach peace in case of Kosovo, therefore, cannot be understood in terms of only demands, political institutions, or

military capabilities. Anytime Kosovar Albanians and Serbia/Kosovar Serbs played the game of institutional bargaining, the values they each attached to accepting a settlement (which is a function of the value of the framework itself as well as the political costs associated with that settlement at that time) failed to simultaneously surpass the expected values they each attached to continued fighting.

Tracing the progression of negotiations in Bosnia and Macedonia, paying attention to not only those instances when a settlement was reached but also those when the outcome was continued fighting, provides further support for this argument. If (in)compatibility of demands was a determining factor on its own, the acceptability of a given framework for a given set of players should not have varied in the course of a conflict as long as the underlying preferences remained the same. In case of Bosnia, however, institutional frameworks provided under the Vance-Owen and Owen-Stoltenberg Plans were almost identical with that endorsed at Dayton; even though the publicly espoused demands did not change, players (particularly the Serbs) chose finally to settle after four years of fighting on a political system that was very similar to what they had repeatedly rejected previously. Similarly, in case of Macedonia, in 1992 and 1993 players dismissed plans with provisions identical to those embodied in the Ohrid Framework Agreement, which became acceptable to the government only after the opposition mobilized as an armed insurgency.

Nevertheless, the distance between players' preferences constrains the range of mutually acceptable arrangements. In this sense, secessionist demands, which naturally incite absolute rejection of those demands from the other player, severely restrict the availability of settlements that would meet the critical value for both players at the same

time. Although this does not rule out the possibility of a self-enforcing settlement, as the case of Bosnia illustrates, the presence of secession on the agenda does diminish the likelihood of success. As it is clearly observed in analyzing the dynamics of conflict and institutional bargaining especially in Bosnia, demands for secession or even less extreme forms of territorial control seem to inherently amplify the attractiveness of continued fighting. As long as there is some chance of expanding its control on the battlefield, a player would be disinclined to lay down arms even if does not expect to reach absolute victory. As the detailed account of map negotiations in Bosnia confirm, each player can to a large extent expect to retain control over territories it has occupied militarily. Although gains on the battlefield could be a source of leverage even if territorial control is not the primary goal, as was the case with the NLA in Macedonia, conflicts would be more resistant to negotiated settlements if territorial autonomy, partition, or secession are on the table.

## **5. Selecting the Methods and Data**

Do political institutions commonly associated with Lijphart's consociationalism, which the international community has been prescribing as a global "solution" in conflict-ridden societies, have a positive effect on the duration of post-civil war peace? Given the nature of this question and the type of data I planned to use, duration modeling quickly emerged as the obvious method for empirical testing. However, due to the lack of attention in the relevant literature to the link between specific institutions, individual political behavior, and macro-political phenomena (such as war and peace), I also found it necessary to explore the microfoundations. In Chapter 2, I developed a formal model of institutional bargaining among civil war rivals, specifying how and why certain political institutions might induce players to lay down arms and stay committed to peace (absent external disturbances). In Chapters 3 and 4, I demonstrated the empirical relevance of this model using case studies, which in turn provided crucial insights that lead me to refine my statistical models.

### **Case Studies**

The already significant gap between the micro-level theories and their macro-level implications is magnified when the micro-macro relationships are studied solely through statistical analyses. Such studies often overlook information about the causal pathways that link individual or group behavior with the outbreak of civil war. ... [B]y combining statistical and case study work we can better understand the political processes that lead societies to civil war (Sambanis 2004a, 259).

The same assessment holds for our understanding of what leads societies to peace. Hence, both as analytical narratives and as parts of a comparative case study design, the three cases I used complement my quantitative large-N analyses and contribute to our understanding of civil war terminations and post-civil war peace consolidation.

The comparison of the three narratives highlighted a variable—the territorial nature of initial demands—the importance of which had been overlooked in most existing works on negotiated settlements and post-civil war peace. This discovery then led me to modify my original statistical model; as the following chapter illustrates, this change produced results that warrants a re-consideration of previous predictions. This is consistent with the contributions Sambanis attributed to his comparative case study work, which revealed a number of factors (such as the contagion effect) that have been ignored in prominent studies of civil war. He found that “adding these variables to quantitative models might reduce the risk of omitted-variable bias and facilitate inductive theory building” (2004a, 26).

A common problem that afflicts most analyses that treat political institutions as explanatory variables is that the only arrangements that can be observed to explore their effects are those that have become equilibrium points. In the context of this research, we can only analyze the impact of political institutions that the rivals have already committed to at the end of the bargaining process—not what could have been if that process had yielded a different institutional framework. This is an inherent limitation of large-N studies in this area, reminiscent of Przeworski and Limongi’s (1993) discussion of endogenous selection in the case of statistical works that look at the effects of regime type on economic growth. They ask: “Unless we know what would have been the growth

of Brazil in 1988 had it been a dictatorship, how can we tell if it would have grown faster or slower than democracy? Had we observed in 1988 a Brazil that was simultaneously a democracy and a dictatorship, we would have the answer.” Add to this the fact that the two different regime types differ in their probabilities of surviving poor economic conditions, “we can no longer make valid inferences from the observed to the unobserved cases” (63).

Endogenizing political institutions as part of the narratives provides an opportunity to compare institutions that were adopted with those arrangements that made it to the table but were dismissed along the process. This does not reveal a causal link, if it in fact exists, between certain institutions and political outcomes, but it does enhance our understanding of players’ expectations from different arrangements. A valuable contribution to the study of the politics of institutional design was advanced by Smith and Remington, who argue that “the tumultuous developments in Russia since the late 1980s have offered a rare opportunity to observe the creation of new legislative institutions—not just once but through a sequence of changes” (2001, 3). As rivals find themselves making choices between continued fighting and settling on a new political system, the types of cases that are of substantial importance to my research tend also to present unique junctures to observe the creation (and the elimination) of new institutions. I utilize this opportunity with my case studies, with implications not only on our understanding of the specific cases but also on the formal theoretical and statistical models we use to make generalizable predictions, which could then translate into policy prescriptions.

This component of my research also serves as a response to those critics who see rational choice, which I assume in developing my theoretical model, as empirically irrelevant.

It is important to note that most rational choice models of empirical behavior do not necessarily assume that in the real world people actually act rationally. Rather, they construct their models on the assumption that people behave as if they were rational. The “as-if” assumption follows M. Friedman (1953), who emphasized the importance of prediction and who argued that for that purpose the descriptive accuracy of a model’s assumptions is a secondary consideration (Levy 2007, 206).

While I agree with the assertion that a formal model should be judged on its logical consistency and not the empirical accuracy of its assumptions, the Analytical Narrative approach could still be used as an effective tool to illustrate the empirical validity and relevance of rational choice models. The accounts of settlement negotiations in the three Balkan cases demonstrate how the game I propose is played out in different cases with different actors and preferences.

### **Duration Modeling**

How does duration spent in a particular state (e.g. as a society in peace, with a given level of economic development, natural resource availability, ethnic diversity, and a certain set of political institutions) affects the probability of transitioning into another state (e.g. into a state of war)? The family of duration models, or models of survival analysis, allows one to test the role of a set of independent variables and the role of time itself on the hazard rate, which is the probability of experiencing an event at any given point in time. This method of analysis also accommodates an inherent difficulty posed by questions of survival due to the right-censored nature of observations. Despite the prominence of

questions of political change—in policy, institutions, or macro-level phenomena—in the field, it has been an underutilized tool.<sup>79</sup> However, particularly with the contributions of Janet Box-Steffensmeier and her colleagues within the last decade (1997, 1998, 2004), event history modeling is becoming less alien in mainstream political science.

### ***Survival Data and Problems with Traditional Regression Models***

Given the way dependent variables are operationalized and measured, tools of statistical analysis that are commonly used by political scientists are ineffective in investigating duration-related questions: What determines the durability of cabinets in parliamentary systems? What determines the time it takes for negotiation processes to end in success? Why do some wars last longer than others? And of particular interest to this study, what explains how long peace lasts or when war is likely to recur in different post-civil war environments? The dependent variables that relate to these and many other similar interesting questions are duration lengths measured in time units (e.g., days, weeks, months, years). They take on non-negative values only, and their distributional forms are most likely not Normal. More significantly, these are limited dependent variables in the sense that their values are not known for the entire sample; we do not know when or if an event would have occurred for cases that we stop observing before that potential occurrence.

The linear regression model (LRM), estimated using ordinary least squares (OLS), is the leading method of analysis in political science, even though its appropriate

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<sup>79</sup> Hartzell, Hoddie, and Rothchild (2003), Hartzell and Hoddie (2001), Bennett (1998), and Bueno de Mesquita and Siverson (1995) are a few exceptions.



usage is limited due its highly restrictive assumptions. An LRM with multiple independent variables has the generic form

$$Y_i = \beta_0 + \beta_1 X_{1i} + \beta_2 X_{2i} + \dots + \beta_k X_{ki} + \varepsilon_i, \quad (1)$$

where  $i$  indexes individuals or cases observed,  $X$ 's represent  $k$  independent variables,  $\beta$ 's represent population parameters, and  $\varepsilon$  refers to the error term (with conditions of Normal distribution, no heteroscedasticity, and no autocorrelation). Violation of assumptions could result in estimated that are not unbiased (i.e.,  $E(\hat{\beta}) = \beta$ ) or efficient (i.e., variance of the sampling distribution of the estimator in question is smaller than that of any other unbiased estimator of  $\beta$ ). The nature of duration data poses a number of problems for this approach because of distribution properties and the presence of censored observations.

In this particular study, the dependent variable is measured as the number of days between the termination of a civil war and the breakdown of peace that follows. In other words, cases enter the risk set when a civil war is punctuated by a military victory or a negotiated settlement and they fail (or “die”) when one of the following occurs: major resurgence in violence, another full-scale civil war, a genocide/politicide, or a military coup.<sup>80</sup> Given the extent to which the distribution of this variable is right-skewed in this case (see Figure 5.1), it is unreasonable to assume an underlying Normal density function. More importantly, however, it is a limited dependent variable—the sample is limited by censoring as some observations on the dependent variable are missing while corresponding values for explanatory variables are observed.

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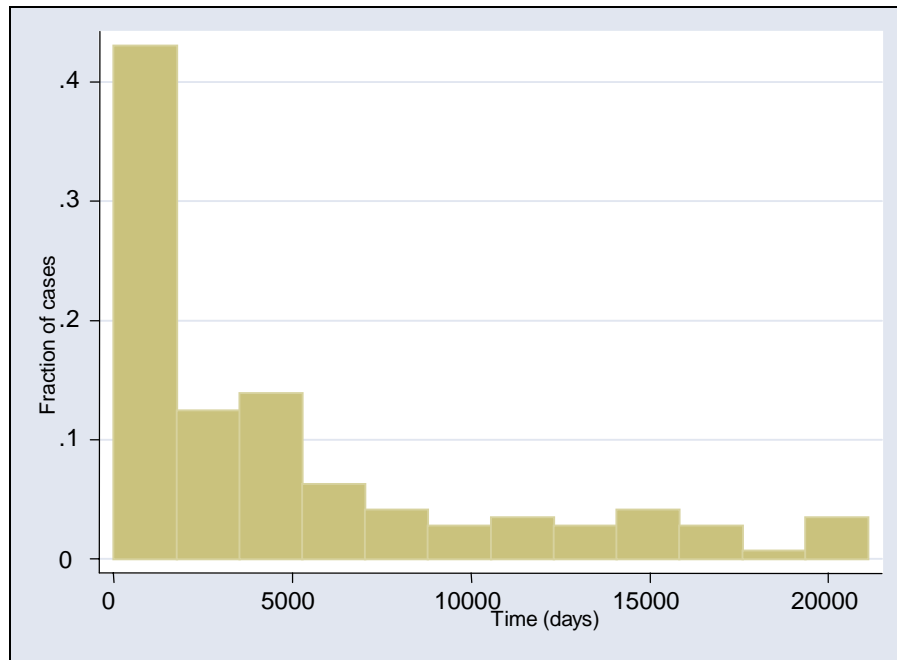
<sup>80</sup> See below for a detailed discussion on the operationalization of “failure” and see next chapter for a discussion on the consequences of using different coding rules.

While censoring can result from a variety of things, the problem with duration data is that observation might cease before the event or failure of interest takes place for some cases. Figure 2 is a generalized representation of this phenomenon. While cases  $i_1$ ,  $i_3$ , and  $i_4$  fail at times that correspond to  $f_1$ ,  $f_2$ , and  $f_4$  respectively,  $i_2$  has still not failed by the time observation of cases is terminated, which corresponds to the timing of  $i_4$ 's failure in this example. Information on  $i_2$ 's failure time is missing; we do not know at what point, if at all, it will fail.

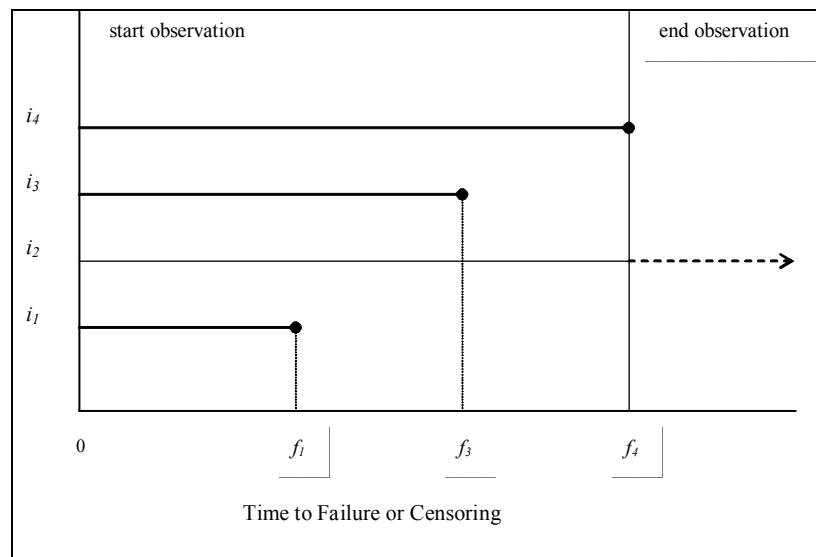
Although cases  $i_2$  and  $i_4$  are substantially different in that one has failed and one has not, we would not be able to differentiate between the two using LRM. Including right-censored observations in the model would be essentially the same as treating them as if they have failed at the last point of observation, while in fact they have not. Scott Long (1997, 189) illustrates how inclusion of censored observations in a model produces biased estimates of parameters. In his example, observations that are left-censored pull down the estimated regression line, leading to the underestimation of the intercept (i.e.,  $\alpha$ , value of the dependent variable when all independent variables equal 0) and overestimation of the slope (i.e., parameters  $\beta$  that correspond to each independent variable). In case of right-censoring, he finds overestimation of the intercept and underestimation of the slope instead. Regardless of the direction of censoring, parameter estimates are clearly biased: “if the dependent variable is limited in some way, OLS estimates are biased, even asymptotically” (Kennedy 1998, 249).

Truncation, which seeks to resolve the problem by excluding all cases with censored dependent variables, creates its own problems. The result is not only a reduction

**Figure 5.1 The Distribution of Duration Times**



**Figure 5.2 Demonstration of Right-Censoring**



with already limited number of cases, such as in medicine) but also selection bias as only those cases that were prone to fail would be included in the analysis (Box-Steffensmeier and Jones 1997, 1417). This would cause correlation between the error term and one or more explanatory variables, resulting in biased estimates and incorrect inferences (see Geddes 1990; King, Keohane, and Verba 1994). Long (1997, 189) demonstrates that using a truncated sample as opposed to a censored one only reverses the consequences; in case of left-censoring, for instance, truncating the sample results in overestimation of the intercept and underestimation of the slope.

The tobit model, also referred to as the censored regression model, is an alternative method of dealing with the problem of censoring. The model uses maximum likelihood estimation (MLE) and incorporates the probability of getting an observation above (if right-censored) or below (if left-censored) a certain value on the dependent variable based on the assumed density function (Kennedy 1998, 251). Given that there is no theoretically-grounded assumption about the true distribution of post-civil war regime duration, this method has limited use for this study. Long shows that if Normal distribution is incorrectly assumed and/or there is heteroscedasticity in the error term (i.e. its variance is not constant across different values of independent variables  $X_1$ - $X_k$ ), estimates produced with the Tobit would not be efficient (1997, 206).

A number of scholars exploring post-civil war stability have dealt with the problem of censored observations by dichotomizing the dependent variable as post-war success or failure depending on whether they survived up until the end of observation or for a specific arbitrary period (see Doyle and Sambanis 2000; Licklider 1995; Stedman, Rothchild, and Cousens 2003; Walter 2002). While some of the concerns expressed

above apply to the former operationalization, the latter suffers from the loss of valuable information: With a threshold of two years, for instance, two cases, one of which failed after two years and the other after 42, would not be coded differently. On the other hand, a case that experienced relapse after 23 months would be coded as a failure, while another one that survived only one more month would be coded as a case of success.

Finally, another limitation of all traditional regression-type models is the assumption of time-independent, linear relationships between the dependent and explanatory variables. This could be a particularly restrictive condition on duration analyses as it is highly conceivable for any variable to have an effect on survival—of a patient, a marriage, a war, peace, a coalition—that is not constant over time; “there may be a number of explanations for such change [in effect] to occur, including learning effects, shifts in life-course position, maturational changes, and so on” (Teachman and Hayward 1993, 359). As I discuss below, duration modeling, and the Cox model in particular, allows one to test and control for such dynamic effects.

### ***Survival Analysis***

Survival or duration modeling allows researchers to analyze the effects of one or more independent variables, also called covariates, and of time itself on the probability of experiencing an event or, in other words, transforming from a certain state at any given point after a case becomes at risk. Each case or individual is assumed to have a ‘failure time’  $T_i$ , either observed or censored, and the distribution of failure times is typically specified using one of three functions: probability density function of failure, survivor function, and the hazard function, which is also called the age-specific failure rate or the

hazard rate. The survivor function represents the cumulative probability of not failing by, or still being ‘alive’ at, time  $t$ . This can be expressed as

$$S(t) = \Pr(T \geq t). \quad (2)$$

The probability density function of failure, which is the unconditional probability of failing at time  $t$ , is

$$f(t) = \lim_{\Delta t \rightarrow 0+} \frac{\Pr(t + \Delta t > T \geq t)}{\Delta t}, \quad (3)$$

while the corresponding cumulative distribution function can be written as

$$F(t) = \int_0^t f(u) du = 1 - S(t). \quad (4)$$

The hazard function  $h(t)$  represents the conditional probability that failure occurs at time  $t$ , or within the interval  $[t, t + \Delta t]$  more correctly, given that it has not occurred up until  $t$ . In other words, it is the instantaneous hazard rate or the risk of failure at a given point in time. This is the function that is typically modeled in duration studies, and has the form

$$h(t) = \lim_{\Delta t \rightarrow 0+} \frac{\Pr(t + \Delta t > T \geq t \mid T \geq t)}{\Delta t}. \quad (5)$$

The relationship amongst these functions can be expressed as

$$h(t) = \frac{f(t)}{S(t)}. \quad (6)$$

Given that we are interested in modeling the effects of covariates on the hazard rate, we can rewrite it as a function of a vector of independent variables and a baseline

hazard rate, which reflects the shape of the hazard when all covariates are equal to 0. Following Box-Steffensmeier and Jones (1997, 1427),

$$h(t) = \lim_{\Delta t \rightarrow 0+} \frac{\Pr(t + \Delta t > T \geq t \mid T \geq t; \gamma, \beta'X)}{\Delta t}, \quad (7)$$

where  $\beta$  is the vector of parameters to be estimated for each independent variable included in vector  $X$ , and  $\gamma$  is the baseline hazard rate,  $h_0(t)$ , which reflects how the risk of failure changes as a function of time alone.<sup>81</sup>

If a theoretically-informed shape for hazard rate's time-dependence is known, the baseline hazard rate can be parameterized accordingly. Exponential, Weibull, gamma, Gompertz, lognormal, and loglogistic distributions are forms that are currently supported by most statistical software. I here illustrate only the exponential and Weibull models; while the exponential model is the simplest and is a special case of the Weibull model, the latter has come to dominate the small number of duration models that have been developed by political scientists (Box-Steffensmeier and Zorn 1998, 19). The exponential model assumes a time-invariant hazard rate such that

$$h_0(t) = \lambda, \quad (8)$$

where  $\lambda$  is a constant. The Weibull model, on the other hand, includes an additional shape parameter and the model is reduced to an exponential model when this parameter equals 1. The Weibull model, which implies a monotonously increasing or decreasing hazard rate depending on the value of the shape parameter, has the following form:

$$h_0(t) = \lambda \alpha t^{\alpha-1}, \quad (9)$$

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<sup>81</sup> Note that  $X$  and  $\beta$  do represent vectors in the rest of the chapter except when specified otherwise. However, I will be referring to them as if they are scalars in order to simplify the language.

where  $\alpha$  and  $\lambda$  represent the shape and scale parameters respectively.

### ***Proportional Hazards***

Proportional hazard models are distinguished from other duration models by the multiplicative nature of interaction they allow between the baseline hazard function, which does change with time but not across individuals, and the function of independent variables. These models have the general form

$$h(t; X) = h_0(t)c(\beta'X), \quad (10)$$

where  $c(\cdot)$  is any positive function, while  $X$  and  $\beta$  represent the vectors of explanatory variables and corresponding parameters respectively. The most popular form of this function,

$$c(\beta'X) = \exp(\beta'X), \quad (11)$$

has the clear advantage of being simple in form and enabling easier interpretation of parameter estimates  $\beta$ .<sup>82</sup> Hence the most commonly used and widely available hazard function has the form

$$h(t; X) = h_0(t)\exp(\beta'X). \quad (12)$$

Assuming the form of proportional hazards, while potentially restrictive, has valuable implications. The principle of proportional hazards can be expressed as

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<sup>82</sup> Other viable specifications for  $c(\cdot)$  include  $(1 + \beta'X)$  and  $\log(1 + \exp(\beta'X))$  (Cox and Oakes 1984, 91). The form presented in (12), however, gained popularity over any other form, perhaps because (12) was the form employed by Cox (1972, 1975) in his influential work on semi-parametric duration models and corresponding partial likelihood estimations, in addition to the form's obvious advantage of simplicity.



$$hazardratio = \frac{h(t; x_i)}{h(t; x_j)} = \frac{h_0(t) \exp(\beta x_i)}{h_0(t) \exp(\beta x_j)} = \frac{\exp(\beta x_i)}{\exp(\beta x_j)}, \quad (13)$$

where  $i$  and  $j$  are different values of variable  $x$ . The ratio of the hazard of individuals for which  $x=i$  to those for which  $x=j$  does not depend on time  $t$ . If the difference between  $i$  and  $j$  is only one unit, the equation is further simplified so that,

$$hazardratio = \frac{h(t; x_1)}{h(t; x_0)} = \frac{h_0(t) \exp(\beta x_1)}{h_0(t) \exp(\beta x_0)} = \exp[(x_1 - x_0)\beta] = \exp(\beta), \quad (14)$$

which allows a straightforward interpretation of parameters. Exponentiated coefficients, or hazard ratios, simply indicate the effect of a unit-change in a particular variable on the hazard rate. These ratios, which indicate the risks of failure for individuals in a group relative to those in another, are constant over time: for instance, controlling for all other variables, if the hazard of relapsing into civil wars for countries with unitary systems is five times that for countries with decentralized systems at  $t=1$ , it is five times of that at  $t=10$ ,  $t=50$ , and at all other values of  $t$ .<sup>83</sup>

If, however, the proportionality assumption is violated by one or more covariates included in a proportional hazards model, the result would be biased estimates, incorrect standard errors, and faulty inferences (Box-Steffensmeier and Jones 2001).

For covariates whose hazard ratios are non-constant over time, the power of corresponding tests decreases because of suboptimal weights for combining the information provided by the risk sets of times where failures occur (Lagakos & Schoenfeld, 1984). For other covariates with constant hazard ratios, testing power declines as a consequence of an inferior fit of the model. The relative risk for covariates with hazard ratios increasing over time is overestimated while for covariates with

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<sup>83</sup> To get an estimate for the instantaneous risk of failure at any given  $t$ , the estimated baseline hazard rate for  $t$  is multiplied by  $\exp(\beta x)$ .

converging hazards, perhaps the most frequent violation, the relative risk is underestimated (Schemper 1992, 455).

Just like the effectiveness of a certain medication on patient health could diminish with time (as is the case in many cancer treatments), the effects of a variety of factors on political phenomena could also be non-constant. Box-Steffensmeier and Zorn find, for instance, that a number of variables traditionally used to explain Supreme Court retirements (1998) and to explore the “liberal peace” argument (2001) have time-dependent effects on the hazard rate (of retirement and or war outbreak). They illustrate that ignoring this violation and using proportional hazards models of duration “can have dramatic and detrimental effects on parameter estimates, and therefore on the conclusions we draw about the processes under study” (2001, 985). If nonproportionality is present, however, it can be controlled for by including in the model time interactions for each covariate that is found to have a time-varying effect on the hazard rate.

Two general approaches have been proposed as tests for nonproportionality, both in essence based on testing whether  $\gamma = 0$  in the following generalized Cox model:

$$h(t) = h_0(t) \exp[\beta'X + \gamma Xg(t)], \quad (15)$$

where the effect of each independent variable is allowed to change according to some function  $g(\cdot)$  of time (975). One method, suggested by Schemper (1992) and Collett (1994), involves estimating different models for different subsets of data, stratified into as many periods as warranted by the nature of the data and/or theoretical expectations. The simplest example of this is to treat  $g(\cdot)$  as a step-function at some point in time, taking on a value of 0 for all points before that and 1 after (Box-Steffensmeier and Zorn 2001, 975). If parameter estimates vary across the different subsets, non-proportionality is implied.

The second category of tests is based on testing the interaction between the residuals from a model and survival times. Box-Steffensmeier and Zorn (1998; 2001) provide a comprehensive review of various methods that fall under this category. The one I employ in the next chapter is a test proposed by Grambsch and Therneau (1994), which involves testing for correlation between “rescaled” Schoenfeld residuals<sup>84</sup> and the rank of survival time. They argue that a smoothed plot of the residuals, centered around parameter estimates corresponding to respective covariates, against a function of survival time (e.g., survival time, log of survival time, the rank of survival time) should have zero slope for each covariate as long as proportionality is not violated. In other words, one should not be able to reject the null hypotheses that the coefficient of a correlation between covariate-specific scaled Schoenfeld residuals and the specified function of time is equal to zero. They also propose a global test for the proportionality of the whole model, based on the aggregated (across covariates) covariance between unscaled Schoenfeld residuals and the rank of survival time (Box-Steffensmeier 2001, 977).

### ***The Cox Proportional Hazards Model***<sup>85</sup>

The Cox Model—a special case of hazard models specified in Equation (12)—was introduced by Cox as a tool for assessing the relationship between failure time and a vector of explanatory variables, with no specific interest in how the hazard rate changes with respect to time (1972, 189). The Cox model is semi-parametric in that while the

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<sup>84</sup> The concept and calculation of residuals for duration models is not as straightforward as in simple regression models since real values of the dependent variable may be censored. Refer to Schoenfeld (1982), Grambsch and Therneau (1994), and Box-Steffensmeier and Zorn (1998; 2001) for more information on the calculation of Schoenfeld and other residuals for duration models.

<sup>85</sup> See Appendix 2 for information on the estimation of Cox models using partial likelihood.

effects of the covariates are parameterized, the baseline hazard function  $h_0(t)$  is treated as nuisance and is left arbitrary, or unspecified. Rather than being assigned a particular distributional form and being estimated accordingly, the time-dependent portion of the hazard function is simply not estimated. Fully parametric models (such as the Weibull), on the other hand, not only complicate the form of the function, the estimation process, and interpretation, but also assume a prior knowledge of the nature of the time-dependence of the hazard rate.

Specifying a fully parametric model in this study requires making an assumption on how the passage of time alone affects the hazard rate, or the probability of peace failure. Are post-civil war systems more prone to fail when they are first established? Does the risk of relapse go down with time? Or, does it increase as the rivals have time to regroup? Although there is yet no well-theorized answer to these questions, I suspect that the hazard is greatest when the post-war system is first established and decreases as investments within the existing institutional framework accumulate; once demobilization takes place and rebels settle back into their normal lives, remobilizing an insurgency also becomes more difficult. However, because the role of political institutions is my primary interest here, and I can analyze the relationship between any set of covariates and the hazard rate without making any assumptions on the role of time using the Cox model, I am inclined to choose that over fully parametric models.

A comparison of the estimates I get using the Cox, Exponential, and Weibull models confirms that the semi-parametric model is indeed the optimal choice in this case. As I discuss in detail in the next chapter, I find that one of the key variables under

investigation has a time-varying effect on post-war stability, which adds another reason to choose the Cox over other models (Box-Steffensmeier and Jones 1997).

### **Cross-Sectional Data and Cases**

It has already been widely recognized in the political science community that “the cases you choose affect the answers you get” (Geddes 1991; also see King, Keohane, and Verba 1994). However, the presence and consequences of selection bias have been emphasized for qualitative studies, even though cross-sectional quantitative studies are not immune to this problem.

Over the last few years comparative politics has had to swallow some healthy methodological medicine. They symptoms indicated a serious illness of selection bias. Researchers afflicted by this illness were seen choosing their cases as a function of the phenomenon they attempted to explain. ... While this illness related to the selection of cases appears to be close to eradication, another variant of selection bias has hardly been addressed in comparative politics. This other variant appears frequently in cross-national studies when the data sets at hand are themselves afflicted by a selection process (Hug 2003, 255-6).

The problem raised by Hug is common in large-N studies in political science; it occurs because the samples we use are rarely randomly selected from the complete population of all relevant cases, which is, in most cases, impossible to identify. One example of this is how, as Fearon and Laitin demonstrated, many scholars have come to incorrectly conclude that “ethnic conflict and active violence are ... ubiquitous” because they have essentially selected on the dependent variable, focusing almost exclusively on cases with ethnic violence (1996, 716).

In this study, I try to address major problems of case selection that have plagued the study of post-civil war peace. At the core are questions of definition and operationalization, which directly affect which cases enter the dataset and the values the dependent variable takes: What is a “civil war”? What is a “post-civil war”? When does a case enter the risk set and, hence, the dataset of post-civil war cases? What constitutes “failure” of post-civil war peace? Without paying attention to how the answers given to these questions might affect the inferences made, most scholars in the field have indiscriminately relied on the famous Correlates of War (COW) definition of civil war, according to which an armed conflict is coded as a civil war if it fits the following criteria (Small and Singer 1982):

- It has caused more than one thousand battle deaths per year;
- It represented a challenge to the sovereignty of an internationally recognized state;
- It occurred within the boundaries of that state;
- The state was one of the principal combatants;
- The rebels mounted an organized military opposition to the state and were able to inflict significant casualties on the state (i.e. at least 5 percent deaths).

This choice determines not only which cases are included in respective studies but also the duration values since failure has been defined almost exclusively as the outbreak of another civil war (Doyle and Sambanis 2000; Hartzell, Hoddie, and Rothchild 2001; Fortna 2004; Walter 2002; 2004).

In a groundbreaking study, Sambanis (2004b) compares “about a dozen research projects [that] have produced civil war lists based on apparently divergent definitions of

civil war.” Most of these still depend heavily on COW, only slightly relaxing its coding rules (such as the annual death threshold). Sambanis shows that regressing the same model on these 12 different datasets, which vary only in terms of case selection, produces different inferences on a number of explanatory variables that have been proposed in the literature. I expect decisions on the definitions of civil war, post-civil, and failure or relapse to influence the conclusion I draw from the survival analyses. To determine which cases to consider for inclusion in my study, I use the civil war list compiled by Sambanis (2004b), which has the unique advantage of being highly transparent in its coding;<sup>86</sup> it is accompanied by a detailed codebook, with a specific discussion on every relevant case—those included as well as those that were excluded after consideration. He relaxes the COW death threshold such that:

The start year of the war is the first year that the conflict causes at least 500 to 1,000 deaths. If the conflict has not caused 500 deaths or more in the first year, the war is coded as having started in that year only if cumulative deaths in the next 3 years reach 1,000. Throughout its duration, the conflict must be characterized by sustained violence, at least at the minor or intermediate level. There should be no 3-year period during which the conflict causes fewer than 500 deaths (829-830).<sup>87</sup>

While I do not experiment with alternative civil war lists, I do compare results across datasets compiled with different coding rules for what constitutes entry into and exit from the risk set. I present these results in the next chapter.

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<sup>86</sup> Note that the dataset I use for duration analyses is not a list of civil wars but a list of post-civil war cases.

<sup>87</sup> This rule still retains an arbitrary threshold, albeit a less restrictive one. Based on the number of casualties, this still leaves out conflicts that could have otherwise been considered civil wars (such as the post-independence communist insurgency in Malaysia). Also, note that Sambanis drops pre-independence observations, such that wars that were ongoing at the time of independence are left out.

I propose a specific set of coding rules based on theoretical considerations. Namely, a case enters the risk set and constitutes a “post-civil war” case or a “spell of peace,” as Fortna (2004) calls it, when one of the following takes place:

1. A civil war is terminated through a negotiated settlement or military victory,  
or
2. A civil war is punctuated by a negotiated agreement that contains provisions that deal with post-war political institutions—not just a military ceasefire deal—but fails to end violence for any substantial period.

The civil war list compiled by Sambanis was the basis for coding of entries that fall into the first category. He uses the following criteria to code civil war termination: a peace treaty that produces at least 6 months of lull in violence; a military victory that produces a new regime; a military victory by the government that produces a 6 month period of peace; “a ceasefire, truce, or simply an end to fighting ... if they result in at least 2 years of peace” (2004b, 830-831).

Adding the second category for choosing cases was essential to overcome a selection bias that has been consistently committed by scholars in this field, who have relied exclusively on the timing of war termination as coded in various civil war lists to code entrances into the risk set. This has resulted in the exclusion of negotiated institutional arrangements that have clearly failed to end the violence from studies of settlement “success.” This is analogous to excluding from a study on the effects of income level (on party affiliation, for instance) all individuals whose income falls below a certain arbitrary level. Because I suspect that this selection rule could produce biased estimates and incorrect inferences with respect to the role of political institutions on post-



war stability and peace, I also included cases of “failed” settlements (as long as they contained some institutional provisions and were not just military promises to cease fire) in my dataset. The complete list, which includes all cases that fulfilled one of these categories between 1945 and 2004, is presented in Appendix 1. In the next chapter, I discuss the different results I got using this particular list of cases and an alternate list, which I coded based on the first category alone.

I also relaxed the rule that has been traditionally used to code peace failures. Recurrence of civil war has so far been the exclusive criteria for coding these failures, even though non-commitment to the new system by one or more of the original parties to the conflict could manifest itself in a variety of way. The definition of civil war itself is highly restricted, regardless of whose definition or list one adopts; it excludes not only those cases of armed conflict that fall below a certain death threshold, but also cases of regime failure that do not produce a high level of violence (e.g. a military coup), and government-endorsed genocides or politicides that do not meet organized resistance. Going back to the formal model I presented in Chapter 2, renewed civil war is not the only viable manifestation of the failure of peace as a self-enforcing equilibrium, which requires that no player unilaterally defect.

I take all of the following into account in coding failure:

1. Renewed civil war among the rivals of the previous war, based on Sambanis (2004b).

2. A genocide or politicide perpetrated or endorsed by the stated, as coded in the Political Instability Task Force (PITF) dataset of *Internal Wars and Failures of Governance 1955-2004* (Goldstone et al. 2000).<sup>88</sup>
3. Renewed violence among the same rivals, if it rises to “intermediate” levels (between 25 and 1,000 battle deaths per year), as coded in the *UCDP/PRIO Armed Conflict Dataset 1946-2004* (Gleditsch et al. 2002).<sup>89</sup> If research on the specific case in question revealed a certain event that marked the resurgence in violence, I used that corresponding date as the exact date of failure. If no further specific information could be found, I coded January 1 of the first year of “intermediate” violence as the date of failure.
4. An “adverse regime change,” such as a military coup, as coded in PITF (2000).<sup>90</sup>
5. If there was no break in violence but a negotiated agreement was signed to end the war, I code failure right away (i.e. the day after entry into the risk set, which corresponds with the day following the signature).

The dataset I compiled is composed of all post-civil war cases during 1945-2004, coded according to the entry and exit criteria I listed above. Out of the 144 cases under observation, 77 fail at different times (with the median survival duration being 2,638 days) and the rest are censored on 31 December 2004. Case-specific information on coding decisions accompanies the case list I provide in Appendix 1. The consequences of differences in coding rules are explored in the next chapter.

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<sup>88</sup> Different versions of the dataset can be found at <http://globalpolicy.gmu.edu/pitf/index.htm>.

<sup>89</sup> Different versions of the dataset can be found at <http://www.prio.no/cwp/armedconflict>.

<sup>90</sup> Coding rules are available at <http://globalpolicy.gmu.edu/pitf/pitfcode.htm#30>.

### *Operationalizing Explanatory Variables*

I test the effects of two sets of variables—contextual and political/institutional—on the duration of post-civil war peace. I rely primarily on the literature on civil war onset to determine the relevant control variables; Collier and Hoeffler (2004) and Fearon and Laitin (2003) are the leading and most widely referenced works. In addition to the level of economic development, natural resource dependence/availability, and ethnic diversity, which are included in most statistical models that seek to explain the occurrence of civil wars, I also take into account the mode of termination (negotiated settlement vs. military victor) and the presence of third-party enforcers (Doyle and Sambanis 2000; Licklider 1995; Walter 1997). Many scholars have emphasized war type—identity vs. non-identity—as another important variable, arguing that conflicts with religious, ethnic, and other identity dimensions are harder to resolve. Some of these arguments are based on the assumption of “primordial hatreds, which cannot be reduced by outside intervention because they have been ingrained by long histories of inter-communal conflict” (Kaufmann 1996, 137). Others argue that “identity wars” are essentially different and difficult to resolve in that they are not fought over “malleable political or economic issues” (Walter 2002, 59). I argue that the distinction has more to do with the nature of initial demands than the presence of an ethnic component; therefore, I employ a dichotomous control variable that captures the territorial nature of demands.<sup>91</sup>

In operationalizing and measuring the variables, I used real GDP/capita values (in US \$) for the respective year each case entered the risk set as the measure of economic

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<sup>91</sup> As the comparison of the conflicts in Kosovo and Macedonia illustrates, although both the KLA and the NLA were engaged in “ethnic” fighting, their demands were significantly different; this difference was instrumental in shaping the divergent outcomes in these cases.

development. When available, I relied on information provided in Doyle and Sambanis (2000),<sup>92</sup> whose sources included the *World Development Indicators* (World Bank) and the *Penn World Tables*; in other cases, I referred to these same databases for the information. Natural resource dependence/availability was also measured as an economic variable—as the percent share of primary commodity exports in total GDP. I used World Bank measures compiled by Collier and Hoeffler (2004).<sup>93</sup> As a measure of ethnic diversity, I chose ethnic fractionalization—the probability that two randomly selected individuals in a country will be from different ethnic groups—as constructed by Fearon (2003) based on his compilation of ethnic groups as of early 1990s.<sup>94</sup> In coding war termination, third-party enforcement, and initial demands, I relied mostly on the codebook that accompanied the civil war list compiled by Sambanis (2004b);<sup>95</sup> the list I present in Appendix 1 contains information on other references when they were used.

My primary source for coding political institutions was *DPI2004: Database of Political Institutions* (Keefer 2005).<sup>96</sup> One exception to that was a variable that represented whether a system could be identified as a democracy. Recognizing the familiar debates on the proper definition and operationalization of “democracy” (Munck and Verkuilen 2002), and that I did not expect this to be a key variable for this research, I took a simple, pragmatic approach: I took the averages of Freedom House scores for

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<sup>92</sup> Available at <http://www.worldbank.org/research/conflict/papers/peacebuilding> (last accessed on 1 June 2007).

<sup>93</sup> Available at <http://users.ox.ac.uk/~ball0144/research.htm> (last accessed on 1 June 2007).

<sup>94</sup> Available at <http://www.stanford.edu/~jfearon/> (last accessed on 1 June 2007).

<sup>95</sup> Available at <http://pantheon.yale.edu/~ns237/index/research.html#Data> (last accessed on 1 June 2007).

<sup>96</sup> Available at [http://siteresources.worldbank.org/INTRES/Resources/DPI2004-no\\_formula\\_no\\_macro.xls](http://siteresources.worldbank.org/INTRES/Resources/DPI2004-no_formula_no_macro.xls) (last accessed on 1 June 2007).

political rights and civil liberties for each country for their year of entry into the risk set, and coded 0 if it fell above 3.5 and 1 if it was 3.0 or smaller.

As institutions conducive to Lijphart's "grand coalitions," I coded the presence of parliamentary systems and proportional representation electoral rules using the respective variables in *DPI2004*; if the war was terminated or punctured by a negotiated institutional agreement, I referred to its provisions to code these variables. For territorial decentralization, I created a dichotomous variable, which took the value of 1 if either federalism or autonomy was present, and 0 otherwise; when the relevant information was not available in *DPI2004*, I referred to Norris (2005). To code the number of veto points in each political system, I again relied mostly on *DPI2004* for information on the number of political parties that made up the administration, the number of legislative chambers, and whether the governing party(ies) had majority support in those chambers.

In parliamentary systems, the number of veto points equaled the number of parties that made up the governing coalition (which is 1 in case of single-party administrations) plus the number of legislative chambers where the executive did not have the support of the majority. In presidential systems, the president was coded as 1 veto point, and each legislative chamber where s/he lacked majority support constituted additional points. In case of semi-presidential systems, where an elected president with executive powers was present alongside an executive cabinet that emerged from the legislature, the president and the prime minister (or the cabinet) were coded as separate veto points if they represented different political parties; legislative chambers where neither the president's nor the prime minister's party enjoyed majority support were coded as additional veto points.

Where negotiated agreements provided guaranteed power sharing among different groups in form of quotas of representation in the legislature and/or the executive, those were taken into account in coding veto points. Hence, for instance, in the case of Bosnia and Hercegovina, a separate veto point was assumed for each of the three groups that were guaranteed seats in the presidency; given the extensive authorities it was empowered with, the position of the High Representative was considered to be an additional veto point. Although authoritarian regimes were typically single veto-point systems, some of the negotiated settlements did embody specific provisions for power sharing among the rivals (such as in Afghanistan in 1993 or in Nicaragua in 1979), which were considered in determining the number of veto points. I also created a dummy variable to account for the presence of guarantees for power sharing and representation.

I use these different variables and alternative datasets to construct and test competing duration models. The results, which illustrate the significance of decisions one makes in choosing which data and statistical model to employ, are presented and discussed in the next chapter.

## 6. Fighting Has Stopped, Can We Make Peace Last?

Once such a country stumbles into civil war, its risk of further conflict soars. Conflict weakens the economy and leaves a legacy of atrocities. It also creates leaders and organizations that have invested in skills and equipment that are only useful for violence. Disturbingly, while the overwhelming majority of the population in a country affected by civil war suffers from it, the leaders of military organizations that are actually perpetrating the violence often do well out of it (Collier et al. 2003, 4).

Once a civil war is underway, the primary roadblock in front of an insurgency is already overcome: it has solved its Rebel's Dilemma (Lichbach 1998) and organized an effective armed opposition against the government. Add to this the collective war-time memories that become available for leaders to capitalize on, societies emerge out of civil wars more prone to renewed violence than they ever were. Unless the war ends with the absolute military victory of one rival, thereby eliminating the capabilities of the other(s) to mobilize and fight, civil wars create a "conflict trap" as "hatred and other rebellion-specific capital accumulate during war, making further conflict more likely" (Collier and Sambanis 2002, 5). The data I collected supports this argument: Out of the 144 cases of potential<sup>97</sup> civil war termination since 1945, peace stood uninterrupted in only half by the end of 2004. Given that success is possible, however, can we identify any political institutions—more tractable than most other factors, such as the economic or social context—that induce cooperation and promote continued commitment to the post-war system?

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<sup>97</sup> I say "potential" as some of the cases fail right away and, therefore, they do not appear as war terminations in civil war datasets.

My discussion of the results of survival analyses, in which I focus on the effects of power sharing institutions and veto player structure, proceeds in three sections. First, I present my findings from Cox Proportional Hazards Models and place them in the context of existing literature. Next, I compare these results with those I get from Exponential and Weibull duration models, and I justify my choice of the more parsimonious Cox model. Finally, I compare findings I arrive at using my original dataset and two others, which follow different rules for case selection and an alternative definition of what constitutes failure. The comparison raises questions about the robustness of some of the conclusions and highlights the importance of making well-informed and theoretically-sound decisions in case selection and operationalization.

### **Cox Models: Does Power Sharing Work?<sup>98</sup>**

Hazard ratios estimated by Cox Proportional Hazards Models with the original set of cases I compiled (reproduced in Appendix 1) are presented in Table 6.1. As I have discussed in the previous chapter, estimation of proportional hazard models with covariates that violate the proportionality assumption—hazards over different covariate values are constant across time—results in biased and inconsistent estimates (Box-Steffensmeier and Zorn 2001; Kalbfleisch and Prentice 1980; Schemper 1992). It was, therefore, imperative that I test this assumption as the first step. The Grambsch and Therneau (1994) test of proportionality, results of which can be found in Table 6.2, did indeed indicate that decentralization has a time-dependent effect on the hazard rate of

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<sup>98</sup> All tests were run using STATA 8.0.



**Table 6.1 Cox Proportional Hazards**

	Model 1	Model 2	Model 3	Model 4	Model 5
Territorial Demand	0.76 (0.20)	0.86 (0.25)	0.84 (0.25)	0.85 (0.26)	0.82 (0.25)
Ethnic Fractionalization	2.17* (1.02)	2.25** (1.11)	1.98 (0.99)	1.82 (0.93)	1.80 (0.93)
Economic Development	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)
Primary Exports	0.13* (0.14)	0.11** (0.12)	0.12* (0.14)	0.098** (0.11)	0.11* (0.13)
War Termination	0.53** (0.14)	0.50** (0.14)	0.50** (0.13)	0.46** (0.13)	0.50** (0.14)
Third Party Enforcement	0.76 (0.25)	0.61 (0.00)	0.60 (0.21)	0.55* (0.20)	0.56 (0.20)
Decentralization		0.54* (0.19)	0.36** (0.15)	0.38** (0.17)	0.39** (0.17)
Decentralization*Time			1.00** (0.00)	1.00* (0.00)	1.00** (0.00)
Separation of Powers				0.87 (0.32)	
Electoral System				0.81 (0.24)	
Veto Points					1.16* (0.10)
Observations, <i>N</i>	129	126	126	123	123
Log-likelihood, <i>lnL</i>	-299.09	-286.76	-284.07	-273.18	-267.47
Likelihood Ratio $\chi^2$ , -2( <i>lnL</i> Null- <i>lnL</i> Model)	9.99 (df=6)	13.19 (df=7)	18.56 (df=8)	17.18 (df=10)	22.25 (df=9)
Prob > $\chi^2$	0.13	0.07	0.01	0.07	0.008

\* Significant at the 0.10 level. \*\* Significant at the 0.05 level.

post-civil war peace.<sup>99</sup> Therefore, in Models 3-5 I included an additional decentralization variable that is interacted with current values of time (*Decentralization\*Time*) to control for the time effect; the significance of that variable, albeit with a negligible effect in terms of magnitude (i.e., deviations from hazard ratio of 1 smaller than 0.01 in all cases), further confirms that the impact of decentralization on the hazard rate is not constant over time.

<sup>99</sup> I ran nonproportionality tests for Cox models with different specifications as well (e.g. Model 4 in Table 6.1), no other variable exhibited nonproportionality.

**Table 6.2 Grambsch and Therneau Tests for Proportionality**

	Estimated $\gamma$	$\chi^2$ Statistic	Prob > $\chi^2$
Territorial Demand	0.00048	0.00	0.99
Ethnic Fractionalization	0.017	0.02	0.88
Economic Development	-0.057	0.44	0.51
Primary Exports	-0.056	0.23	0.63
War Termination	0.14	1.20	0.27
Third Party Enforcement	0.12	0.93	0.33
Decentralization	0.22	4.13	0.04
Veto Points	0.099	0.58	0.45
Global Test		8.64	0.37

Models 4 and 5 are the primary models of interest as they include the political institutional variables under investigation. Models 1 through 3, on the other hand, contain fewer variables and their results are presented merely for comparison; as the log-likelihood ratio tests suggest, Models 4 and 5 fit the data better than the three more restricted models. Because the veto player structure is an alternative method of categorizing political systems (Tsebelis 2002), the veto points variable is modeled separately (in Model 5), rather than in conjunction with the more traditional variables that stand for inter-branch separation of government powers and the electoral system (in Model 4).

Estimates presented in Table 6.1 are hazard ratios or relative hazards, which are exponentiated coefficients ( $e^\beta$ ). As Equation 14 in Chapter 5 illustrates, a hazard ratio denotes the effect on the hazard rate of a unit change in a particular variable. A hazard ratio  $e^\beta$  with the value of 1 indicates that variable  $x$  which corresponds to the coefficient  $\beta$  does not interact with the baseline hazard rate to affect the overall hazard or the risk of death. When  $e^\beta < 1$ , an increase in the independent variable is associated with a decrease

in the hazard rate; when  $e^{\beta} > 1$ , on the other hand, the variable is found to increase the overall hazard rate.

According to the results from Model 4, neither the separation of powers (coded 1 if parliamentary and 0 otherwise) nor the electoral system (coded 1 if it has a proportional representation—PR—component and 0 otherwise) can be attributed any significant effects on the duration of post-civil war peace. Parliamentarism and PR electoral rules are the institutions that are most likely to induce the formation of coalition governments prescribed by Lijphart (1977) as one of the “core principles” of consociationalism; yet, they seem to be irrelevant for maintaining the commitment of civil war rivals to peace once it is established. Even the presence of power sharing guarantees through reserved seats or specific quotas (i.e. *ex-ante* guaranteed vs. institutionally-induced coalitions) fails to play any role in promoting consolidation.<sup>100</sup>

The number of veto points, on the other hand, has a substantial and significant effect on the hazard rate. The direction of the effect, however, is counter to the consociationalist argument, according to which commitment to peace can be secured by providing mutual veto rights—veto rights for all major players involved: My analysis reveals a veto points hazard ratio of 1.16. In other words, every additional veto point *increases* the hazard rate by 16 percent at any given point in time (holding other things constant). This, in fact, confirms expectations derived from the theoretical model I present in Chapter 2: Players, the majority in particular, might settle for a system with extensive veto points if war becomes too costly and the prospects of winning more on the

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<sup>100</sup> I tested the effects of this variable in various models with different specifications; I found it to be insignificant in all. I took it out of the models presented here to minimize collinearity. The same was true for the variable that measured the presence of democracy.

battlefield seem grim at some point. Once the war is over and the immediate pressures to compromise and settle are removed, players could seek to modify the system—both to increase their shares and to make up for the political costs of capitulation they suffered. Because the presence of too many veto points translates into institutional rigidity, however, change through legitimate mechanisms becomes difficult, if not impossible, thereby making relapse more likely.

Territorial decentralization is the only power sharing institution that is found to reduce the hazard rate. The correlation is robust, significant, and substantial: the hazard ratio associated with decentralization (presence of some form of federalism or territorial autonomy) is near 0.40, which suggests that the risk of failure for a decentralized system is about 40 percent of that for a unitary system. Unlike any of the other variables explored here, however, the effect of decentralization is *not* constant over time; the difference just described between unitary and non-unitary systems is valid when cases first become at risk. Looking at the estimates for the time-interacted decentralization variable, which has a hazard ratio that is statistically significant yet negligibly larger than 1, the difference in the risks of failure decreases with time, albeit very slowly. Although the magnitude of time-dependence is minute, a comparison of Model 2 with Models 3-5 shows that controlling for this interaction produces a major change in hazard estimates associated with the original decentralization variable (i.e. hazard ratio of 0.54 vs. 0.36-0.39). Interestingly, once I control for time-dependence, the highly negative effect of ethnic diversity on the stability of peace also disappears, leading to questions on the robustness of inferences commonly made about this variable.

The comparative case study I presented in Chapter 4 suggested that the presence or absence of territorial demands (i.e. secession or territorial autonomy) could be a critical factor in determining the outcomes of institutional bargaining among civil war rivals. I also expected this variable to be an important control on the effect of decentralization on post-war stability; territorial decentralization of state authority should be a more relevant factor in cases where the war was fought over territorial demands. Results in Table 6.1 indicate that this variable lacks any significant effects and decentralization is significant even when territorial demands (coded 1 if present, 0 otherwise) are controlled for.<sup>101</sup>

When it comes to the contextual, non-political variables, natural resource availability/dependence and the mode of war termination are the only two variables that are consistently significant across the different models. As the estimates from Model 5 illustrate, every unit increase in primary commodity exports (as percent share of GDP) is associated with an 11 percent *reduction* in the hazard rate at any given point in time. This is diametrically opposed to the common “resource curse” argument: the abundance of natural resources increases the attractiveness of civil war as a result of reduced opportunity costs, better rebel funding opportunities, and increased expectations of gains from war-time looting (Collier and Hoeffler 2004, 2005). The robustness of inferences made about natural resources and propensity to experience civil war, however, has been increasingly challenged (Lujala et al. 2005; Fearon 2005; Fearon and Laitin 2003; Ron 2005; Ross 2004).

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<sup>101</sup> Further analyses, presented in Table 6.5, illustrated that adding this control variable would have eliminated the significance of decentralization if the time-varying effect of the latter was not simultaneously controlled for. A comparison of models 6 and 7 makes this point for both the Cox and the Weibull specifications.

The mode of war termination—coded 0 for military victories and 1 for negotiated formal agreements and informal truces—turns out to be a key factor: estimates from all five models confirm that civil wars that end with unilateral victories are half as likely to experience relapse at any point than those that are terminated with negotiations. This is consistent with the general expectation in the field that peace after victories are more stable as the loser's capabilities to re-mobilize are eliminated (Wagner 1993). Licklider (1995), on the other hand, argues that while military victories might reduce the risk of renewed civil war, they do increase the propensity to experience genocides, which is equivalent to one player unleashing a systematic campaign to eliminate another without the means to defend itself.

Genocides, politicides, coerced regime changes, as well as renewed civil wars, are coded as failures in my original dataset. The findings regarding war termination indicate, therefore, that cases entering the risk set after military victories are less prone to experience any kind of relapse, not just civil war recurrence. In Table 6.3 I present estimates I acquired using two alternative datasets, one of which differs from the original in terms of case selection and rules for entry into the risk set (Alternative Data 1) and another that differs in terms of what constitutes failure (Alternative Data 2); in compiling the latter, I followed the norm in the field and coded only civil war recurrence as failure. A comparison of Model 5 war termination hazard ratios estimated using the original dataset (0.50) and Alternative Data 2 (0.42) confirms that the risk of any kind of regime failure after military victories is about half of that after negotiated settlements. If all we were interested in was to prevent regime failure once a civil war is terminated one way or another, the obvious prescription would have been 'let them fight it out till the end.'

**Table 6.3 Comparing Alternative Datasets**

	Alternative Data 1		Alternative Data 2	
	Model 4	Model 5	Model 4	Model 5
Territorial Demand	0.89 (0.31)	0.79 (0.28)	0.83 (0.29)	0.82 (0.29)
Ethnic Fractionalization	2.69* (1.55)	2.58 (1.51)	2.73* (1.64)	2.74* (1.63)
Economic Development	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)
Primary Exports	0.13 (0.18)	0.12 (0.17)	0.24 (0.29)	0.32 (0.38)
War Termination	0.74 (0.26)	0.76 (0.27)	0.36** (0.12)	0.42** (0.14)
Third Party Enforcement	0.63 (0.27)	0.52 (0.24)	0.56 (0.24)	0.55 (0.24)
Decentralization	0.16** (0.11)	0.15** (0.10)	0.73 (0.33)	0.65 (0.30)
Decentralization*Time	1.00** (0.00)	1.00** (0.00)	1.00 (0.00)	1.00 (0.00)
Separation of Powers	1.06 (0.46)		0.67 (0.29)	
Electoral System	0.91 (0.32)		0.75 (0.27)	
Veto Points		1.44** (0.22)		1.12 (0.12)
Observations, <i>N</i>	107	107	123	123
Log-likelihood, <i>lnL</i>	-197.03	-190.37	-208.63	-207.58
Likelihood Ratio $\chi^2$ , -2( <i>lnL</i> <sub>Null</sub> - <i>lnL</i> <sub>Model</sub> )	16.33 (df=10)	23.89 (df=9)	13.38 (df=10)	14.37 (df=9)
Prob > $\chi^2$	0.09	0.00	0.20	0.11

\* Significant at the 0.10 level. \*\* Significant at the 0.05 level.

These findings, however, say nothing about either the costs that would have to be incurred until ‘the end’ or the characteristics of “peace” that would follow.

Third-party enforcement, which tends to follow negotiated settlements and is irrelevant in case of military victories, is expected to reduce the risk of failure, at least in the short run, by addressing problems of commitment credibility (Walter 1999). According to the survival analyses executed here, this relationship lacks robustness as a

**Table 6.4 Exponential Hazards Models**

	Model 1	Model 2	Model 3	Model 4	Model 5
Territorial Demand	0.71 (0.19)	0.92 (0.28)	0.79 (0.25)	0.66 (0.23)	0.74 (0.48)
Ethnic Fractionalization	4.06** (1.95)	4.97** (2.54)	5.41** (2.75)	6.07** (3.27)	3.93** (2.15)
Economic Development	1.00 (0.00)	1.00* (0.00)	1.00* (0.00)	1.00 (0.00)	1.00 (0.00)
Primary Exports	0.15 (0.18)	0.09** (0.11)	0.04** (0.05)	0.03** (0.04)	0.02** (0.03)
War Termination	0.30** (0.08)	0.30** (0.08)	0.37** (0.10)	0.33** (0.10)	0.38** (0.11)
Third Party Enforcement	1.12 (0.38)	0.83 (0.30)	0.69 (0.25)	0.54 (0.21)	0.48* (0.19)
Decentralization		0.39** (0.14)	3.41** (2.15)	11.19** (7.82)	2.55 (1.70)
Decentralization*Time			1.00** (0.00)	1.00** (0.00)	1.00** (0.00)
Separation of Powers				1.10 (0.41)	
Electoral System				0.78 (0.24)	
Veto Points					1.60** (0.17)
Observations, <i>N</i>	129	126	126	123	123
Log-likelihood, <i>lnL</i>	-363.72	-351.40	-342.55	-331.66	-315.51
Likelihood Ratio $\chi^2$ , -2( <i>lnL</i> <sub>Null</sub> - <i>lnL</i> <sub>Model</sub> )	35.83 (df=6)	37.87 (df=7)	55.59 (df=8)	68.33 (df=10)	69.21 (df=9)
Prob > $\chi^2$	0.00	0.00	0.00	0.00	0.00

\* Significant at the 0.10 level. \*\* Significant at the 0.05 level.

statistical finding: the hazard ratio associated with third-party enforcement is significant in one Cox model (Model 4 in Table 6.1), a different exponential model (Model 5 in Table 6.4), and three Weibull models (Models 3-5 in Table 6.5). These suggest that estimates for this variable are highly sensitive to differences in model specification; it emerges as insignificant in all of the models tested with the alternative datasets.



**Table 6.5 Weibull Hazards Models**

	Model 1	Model 2	Model 3	Model 4	Model 5
Territorial Demand	0.71 (0.19)	0.92 (0.28)	0.79 (0.25)	0.66 (0.23)	0.74 (0.48)
Ethnic Fractionalization	4.06** (1.95)	4.97** (2.54)	5.41** (2.75)	6.07** (3.27)	3.93** (2.15)
Economic Development	1.00 (0.00)	1.00* (0.00)	1.00* (0.00)	1.00 (0.00)	1.00 (0.00)
Primary Exports	0.15 (0.18)	0.09** (0.11)	0.04** (0.05)	0.03** (0.04)	0.02** (0.03)
War Termination	0.30** (0.08)	0.30** (0.08)	0.37** (0.10)	0.33** (0.10)	0.38** (0.11)
Third Party Enforcement	1.12 (0.38)	0.83 (0.30)	0.69 (0.25)	0.54 (0.21)	0.48* (0.19)
Decentralization		0.39** (0.14)	3.41** (2.15)	11.19** (7.82)	2.55 (1.70)
Decentralization*Time			1.00** (0.00)	1.00** (0.00)	1.00** (0.00)
Separation of Powers				1.10 (0.41)	
Electoral System				0.78 (0.24)	
Veto Points					1.60** (0.17)
Observations, <i>N</i>	129	126	126	123	123
Log-likelihood, <i>lnL</i>	-363.72	-351.40	-342.55	-331.66	-315.51
Likelihood Ratio $\chi^2$ , -2( <i>lnL</i> Null- <i>lnL</i> Model)	35.83 (df=6)	37.87 (df=7)	55.59 (df=8)	68.33 (df=10)	69.21 (df=9)
Prob > $\chi^2$	0.00	0.00	0.00	0.00	0.00

\* Significant at the 0.10 level. \*\* Significant at the 0.05 level.

### Fully Parametric Models

As I discussed in the previous chapter, the Cox model is a semi-parametric proportional hazards model in that while the effects of the covariates are parameterized, the baseline hazard function is left unspecified; rather than being assigned a particular distributional form and being estimated accordingly, the time-dependent portion of the hazard function is simply not estimated. Fully parametric models, on the other hand, assume a specific

distribution—such as exponential or the Weibull—for the baseline hazard function, and they estimate the relevant distributional parameters. This approach requires a prior knowledge of the nature of the time-dependence of the hazard rate. Although I am interested primarily in the effects of institutional variables and not of time itself, I expect the hazard risk to be greatest when societies first come out of civil wars, when problems of credible commitment and security dilemmas (Walter and Snyder 1999) are most pronounced. Depending on the value its shape parameter takes, the Weibull model allows the hazard rate to monotonously increase or decrease with time. When this parameter is equal to 1, it is reduced to an exponential model, which assumes a time-invariant hazard rate.

Tables 6.4 and 6.5 show estimates from the exponential and Weibull models, respectively. The significance indicators provided for the shape parameter in Table 6.5 are results of the test that the log of  $\alpha$  equals 0, which is equal to testing for  $\alpha=1$ ; in this case, the null hypothesis that  $\alpha=1$  is clearly rejected for all five models, indicating that exponential models assume an incorrect specification for time-dependence. The scale parameter of less than 1 confirms that the baseline hazard rate goes down with time. A comparison of results from the exponential and Weibull models indicates that assuming an incorrect distribution might result in faulty inferences with respect to the covariates as well: the role of ethnic diversity, for instance, seems to be overestimated in the exponential models. The most striking discrepancy involves the single covariate with non-proportional hazards—decentralization. Although the hazard ratio associated with decentralization is similar to those estimated in Cox models when its time-dependence is not controlled for (i.e. in Model 2), the estimates from models with time interaction are

simply incomprehensible. The most extreme case is the 4<sup>th</sup> Weibull Model, according to which decentralized systems are 11 times *more* likely than unitary systems to experience failure when they first enter the risk set.

Given that the exponential hazard form is clearly incorrect, I do not focus on the estimates I get from those models except to point out how misspecifying the role of time could also create biased covariate estimates. The Weibull model, on the other hand, both assumes a theoretically-sound distribution for the baseline hazard rate—the estimates for the shape parameter indicate that the risk of failure monotonically decreases with time—and seems to fit the data well. How do I choose between the Weibull and Cox models, then? According to Box-Steffensmeier and Jones,

Among the models that use time-varying covariates, the Cox regression is usually the preferred model. ... If the standard errors for the Weibull are substantially smaller than those for the Cox model, the Weibull model would be preferred because of efficiency. If the standard errors are similar, the Cox model is preferred because of its less restrictive assumptions (1997, 1436).

Comparing the standard errors for the different covariates across the Cox and Weibull models, making the Weibull assumption does not seem to systematically produce more efficient estimates. Although some variables that are insignificant in certain Cox models do turn out to be significant in corresponding Weibull models, the opposite of this is also true. There is no variable the standard errors for which are systematically and substantially over-estimated in the semi-parametric form. Overall, the same number of covariate estimates (21) is significant (at the 0.05 and 0.10 levels in total) in the 5 Cox models and the 5 Weibull models.

Estimates for decentralization, on the other hand, are problematic across the Weibull models. Similar to what I discussed with respect to the exponential models, the

hazard ratio for decentralization in Weibull Model 2 (which does not include a time-interaction variable to control for non-proportionality) is significant and theoretically meaningful. Once the time-interaction term is added (in Models 3-5), however, the direction of the effect is reversed and its significance is retained in one but lost in two of the models. The fact that this discrepancy is observed for the only covariate that exhibits a time-dependent effect on the hazard rate, and that the estimates become problematic once the time-varying variable is included in the models, leads me to conclude that in the presence of non-proportionality it is better to go with the more parsimonious Cox model and leave the baseline hazard rate unspecified.

### ***Comparing Different Datasets***

As I briefly discussed above, I ran Cox duration analyses on two alternative datasets—one that differed on case selection and the rules of entry into the risk set, and another that differed in terms of what constitutes failure. In both cases, in other words, the operationalization of the dependent variable is different from what I used in compiling the original. A comparison of the estimates I get with the different datasets could be informative since these competing case selection and coding rules are traditionally used in the literature exclusively and without much second thought.

In Alternative Data 1, only those cases that experienced civil war terminations as coded by Sambanis (2004b) enter the risk set; negotiated settlements that fail to result in cessation of violence for a given—and arbitrary—length of time (which is 6 months in this case) to justify classification as war termination are simply ignored. As I argued in the previous chapter, this raises serious questions of selection bias, as only those

institutional arrangements that have passed a certain test are included in the study. In Alternative Data 2, cases enter the risk set based on the rules used in the original dataset; they exit, however, only if they experience another civil war (hence, lower levels of violence, coups, and genocides/politicides are ignored).

Table 6.6 presents results from Cox models estimated using these two different datasets. In case of the first alternative, war termination and primary exports lose their significance. The effects of the institutional variables, on the other hand, are magnified: The risk of failure for decentralized systems turns out to be about 15 percent (versus 40 percent with the original data) of that for unitary systems when they first enter risk. The hazard ratio associated with veto points indicates that every unit increase in the number of veto players increases the hazard rate at any given point by a factor of 1.44 (as opposed to 1.16 with the original data). These findings suggest that the particular selection bias typically committed by scholars in this field might over-estimate the role of institutional variables and under-estimate that of some contextual factors.

In case of Alternative Data 2, no institutional variable under investigation is found to have any significant effects on the hazard rate. Ethnic diversity and the mode of war termination emerge as the only factors that influence the risk of failure, which refers exclusively to civil war recurrence in this case. This could have major policy implications: 15 of the 64 cases that fail in the original dataset, the Democratic Republic of Congo (then Zaire) in 1978 for instance, survive and are right-censored in Alternative Data 2. Political institutions seem to be irrelevant if all that we are interested in is the prevention of new civil wars. If that is our only concern, two things can be done to

**Table 6.6 Comparing Decentralization Across Different Models**

	Cox			Weibull		
	Model 5	Model 6	Model 7	Model 5	Model 6	Model 7
Territorial Demand	0.82 (0.25)	0.83 (0.26)		0.75 (0.23)	0.79 (2.44)	
Ethnic Fractionalization	1.80 (0.93)	2.02 1.80	2.04 (1.04)	2.11 (1.09)	1.94 (1.00)	1.96 (1.00)
Economic Development	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)
Primary Exports	0.11* (0.13)	0.10** (0.11)	0.10** (0.11)	0.06** (0.07)	0.08** (0.10)	0.09** (0.10)
War Termination	0.50** (0.14)	0.51** (0.15)	0.51** (0.15)	0.58** (0.16)	0.52** (0.15)	0.52** (0.15)
Third Party Enforcement	0.56 (0.20)	0.57 (0.21)	0.59 (0.21)	0.50* (0.18)	0.52* (0.19)	0.54* (0.19)
Decentralization	0.39** (0.17)	0.59 (0.22)	0.54* (0.18)	1.63 (0.86)	0.62 (0.23)	0.55* (0.18)
Decentralization*Time	1.00** (0.00)			1.00** (0.00)		
Separation of Powers						
Electoral System						
Veto Points	1.16* (0.10)	1.17* (0.10)	1.17* (0.10)	1.22** (0.11)	1.22** (0.11)	1.23** (0.11)
Shape, $\alpha$				0.31** (0.03)	0.30** (0.03)	0.30** (0.03)
Observations, $N$	123	123	123	123	123	129
Log-likelihood, $\ln L$	-267.47	-269.92	-270.09	-227.10	-230.00	-230.28
Likelihood Ratio $\chi^2$	22.25	17.35	17.02	25.26	19.45	18.90
$-2(\ln L_{\text{Null}} - \ln L_{\text{Model}})$	(df=9)	(df=8)	(df=7)	(df=9)	(df=8)	(df=7)
Prob $> \chi^2$	0.008	0.03	0.02	0.00	0.01	0.01

\* Significant at the 0.10 level. \*\* Significant at the 0.05 level.

promote it—eliminate diversity (e.g. through ethnic cleansing) and/or let them fight it out to the end (i.e. do not attempt to mediate for a negotiated settlement). Prevention of civil war recurrence is obviously not our primary concern, however. If the goal is to reduce human suffering and political instability, regardless of whether it comes in the form of civil wars or genocides, then certain political arrangements should be endorsed over

others. As the models estimated with my original dataset suggest, decentralized political systems with few veto players could have the desirable effects; the dilemma is to reconcile this with minority demands for extensive veto rights, which are in most cases necessary to reach negotiated settlements in the first place.

Overall, my findings provide crucial insight on two fronts: Different political institutions associated with consociational power sharing—commonly prescribed for divided societies—provide rivals with contradictory incentives (see discussion in Chapter 2) and produce opposing effects on post-civil war stability. While geographic decentralization of power reduces the risk of relapse, the abundance of veto points increases the hazard rate. As my discussion of the competing models and the alternative datasets illustrate, this study also highlights the importance of decisions that pertain to case selection and model specification, which might shed light to some of the discrepancies one finds in the literature on societies embroiled in civil conflicts. I derive my conclusions using the Cox Proportional Hazards Model—more parsimonious than the fully parametric alternatives—and a dataset that overcomes systematic selection biases typically committed by large-N studies in this field.

## 7. “High Walls Make Good Neighbors”

Are some societies inherently trapped in a vicious cycle of violence because of certain economic conditions, social diversity, or political history? Can they be helped? Are there any political institutions that can render conflict-prone societies more conducive to stability, particularly following civil wars? International actors engaged in mediating, and in some cases imposing solutions to, civil conflicts around the world seem to adhere to an idea that there is a universally applicable prescription to managing conflict in such societies. Political institutions commonly associated with Lijphart’s principles of consociationalism (1969; 1977; 1999), coupled with provisions for third-party enforcement, have been at the core of the widely endorsed model. My findings, on the other hand, lend support to the argument that was conveyed to me by the now-deposed Turkish Cypriot veteran leader, Rauf R. Denktaş, as he vehemently defended his uncompromising stand: “separation brought peace in Cyprus, high walls can make good neighbors.”<sup>102</sup> The results of survival analyses on all cases of civil war termination between 1945 and 2004 indicate that territorial decentralization is the only power sharing institution that reduces the hazard rate of peace after civil wars. I further find that the presence of extensive veto rights, which is another component of consociationalist power sharing, significantly increases the risk of failure.

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<sup>102</sup> Interview conducted by the author in Nicosia, Cyprus, in January 2004.



## **Exploring the Microfoundations**

Studies in this field have so far relied almost exclusively on cross-sectional patterns of war and peace to extrapolate the effects of particular institutions. With the game theoretic model I present in Chapter 2 and the case studies that illustrate its empirical applicability, I explore the microfoundations of decisions leaders make pertaining to intra-state conflict and cooperation. More specifically, I investigate whether and how the promise of different political institutions provides players with different incentive structures. This approach delivers two major substantive contributions to the literature: It unravels the concept of consociationalism by illustrating how it confounds two different institutions that provide players, particularly the majority, with divergent incentives. It also proves how the success of any given institutional framework to motivate rivals to agree on a negotiated settlement varies not only across cases but also in the course of a specific conflict; the acceptability of any political system as a compromise to settle off the battlefield depends on the power each player expects to secure with it, as well as on the political costs it associates with compromise and what it anticipates to achieve from continued fighting.

I also adopt an incentive-based definition of consolidation: stability of peace or its consolidation requires that it is “self enforcing in the sense that all actors have incentives to adhere to the rules” (Weingast 2002, 679). This allows me to bridge the micro-level game theoretic approach with the macro-level statistical analyses, where I use the duration of peace as a proxy for consolidation. Identifying consolidation as a self-enforcing equilibrium, which is one of the potential outcomes of the single-round institutional bargaining game, is consistent with the widely accepted definition as the

system becoming the “only game in town” (Linz and Stepan 1996), which suggests a Nash equilibrium from which no player has the incentive to deviate from unilaterally, absent changes external to the game.

### **Unraveling Consociationalism**

Despite the attention it has received, the concept of consociational power sharing has been poorly developed. The problem goes back to Lijphart, who initially introduced the concept as a descriptive type of democracy—“deviant cases of fragmented but stable democracies will be called ‘consociational democracies’” (Lijphart 1969, 211)—and argued that “the essential characteristic of consociational democracy is not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system” (213). He further presupposed that the key to consociational power sharing would be “a willingness on the part of elites to cooperate” (218), in essence making the tautological argument that countries such as the Netherlands, Belgium, and Switzerland were able to establish sustainable democracies despite being fragmented because elites wanted to cooperate. The ultimate question is why they wanted to cooperate. My assertion is that institutions interact with given individual preferences, including those that might reflect prominent social cleavages (i.e. ethnic/religious/tribal identities), to determine individual behavior and social outcomes.

This approach reveals that the formal institutions that are most closely associated with mutual veto and segmental autonomy, which are two of the core principles of consociationalism as defined by Lijphart (1977, 25-52), could in fact produce opposite incentives. When assessing the value of any given power sharing system, players

consider not only the initial shares they are promised, but also the probability that this arrangement could be changed in the future. Minorities are likely to demand to maximize their initial shares as well as their veto powers, the latter both as a specific form of power sharing and as a signal of credibility of the majority's commitment to stick with the arrangement negotiated before demobilization is finalized. The majority player, on the other hand, is more likely to agree to share power *ex ante* if it believes it has a chance of changing the system to its advantage in the future; similarly, the smaller the amount of power it needs to concede initially, the more willing it would be to grant the minority veto rights. This points to a necessary tradeoff between veto rights and other forms of power sharing.

While at odds with the literature on consociationalism, as provision of mutual veto rights is endorsed alongside other forms of political power sharing, this finding concurs with the expectations I derive from my formal model of institutional bargaining between civil war rivals. Because of an external shock, such as a change in leadership or public opinion, a player might choose to go after an institutional change after the war ends. If the institutional framework is so rigid that the player has no chance of instituting this change through legitimate political channels (i.e. the number of veto points is too high), the player would consider the option of unilateral change through extra-systemic means (e.g. armed insurgency, genocide, military coup). This creates a dilemma for policy makers and institutional engineers, as minorities are likely to demand veto rights as a condition to stop fighting. However, as my formal analysis illustrates, the provision of veto rights and other forms of power sharing need not be simultaneously maximized; a well calculated tradeoff between the two could provide the solution. Nevertheless, the

higher the number of veto points, which many negotiated settlements tend to embody, the more vulnerable the post-war system would be, thus contributing to the instability of negotiated settlements relative to military victories.

### **No Universal Blueprint**

The analytical accounts of institutional bargaining in Bosnia, Kosovo, and Macedonia confirm the implications of my theoretical model: There is no magic formula that one can apply to prevent or end civil wars, even when conflicts share similar contextual characteristics and underlying grievances. Acceptability or success of any given formula is not constant even in the lifespan of a single conflict. Rivals might fail to agree on a given institutional framework at one point during the conflict, yet move on to settle on the very same framework at another point, as their expectations from continued conflict change. This is consistent with my model of strategic decision making (regarding war and peace), which takes into account not only the expected payoffs from a given political system but also the political costs associated with compromise and the expected utility of continued or intensified fighting.

A comparative analysis of the three cases reveals the extent of initial demands as a factor that might be instrumental in explaining the difference in outcomes—why it was possible to avert war in Macedonia, while a negotiated settlement could never be reached in Kosovo and could only be secured after four years of civil war in Bosnia. The demands each player went to war for influence the values they attach to any given proposal; as reflections of their constituencies' expectations, they also determine the political costs players expect to incur if they were to settle for a given compromise. Furthermore, the

distance between players' preferences clearly constrains the range of mutually acceptable arrangements. In this sense, secessionist demands, which naturally incite absolute rejection of those demands from the other player, severely restrict the availability of settlements that would meet the critical value for both players at the same time.

The fact that a compromise was eventually reached in Bosnia shows, on the other hand, that (in)compatibility of demands is not a determining factor on its own. If that was the case, the fate of Bosnia would not have differed from that of Kosovo, and the acceptability of a Dayton-like framework would not have varied in the course of the conflict since there is no indication that the underlying preferences of the Bosnian players changed. Nevertheless, they (particularly the Serbs) chose finally to settle after four years of fighting on a compromise with provisions almost identical to those they had repeatedly rejected before; the main factor behind the change was major transformations on the battlefield and regarding future military prospects. Similarly, in case of Macedonia, in 1992 and 1993 players dismissed plans with provisions identical to those endorsed at Ohrid; they became acceptable to the government only after the opposition mobilized into an armed insurgency.

### **Power Sharing vs. Majoritarian Democracy**

What makes democracy attractive as a form of government is the fact that it is a system of “organized uncertainty” in the sense that the winners are not predetermined, each player has some chance of winning at some point, and the uncertainty is bound by the rules of the game (Przeworski 1991, 13). When majoritarian democracy—where political power tends to be amassed in the hands of a single party that enjoys plurality or majority

of political support at a given period (determined typically by single-member district plurality type elections)—is installed in a society that is deeply divided between a majority and one or more minorities (in terms of population), outcomes are no longer “uncertain.” Once different identity groups are pitted against each other in a civil war, these identities effectively become strong determinants of political preferences, creating cumulative and particularly divisive social cleavages; majoritarian democracies, then, produce permanent majorities, leaving minorities with no incentive to agree to or comply with the rules of this system.

An effective post-conflict political system must convince the rivals to not only stop fighting but also stay off the battlefield and committed to peace once they demobilize. Consolidation of peace requires that all relevant players have a stake in its preservation, particularly when juxtaposed with their expectations from continued or renewed fighting. Power sharing institutions do just that. As I illustrate in Chapter 2, a majoritarian system essentially minimizes for minorities the share or amount of power they expect to get, while maximizing the political costs associated with accepting that settlement. Therefore, when a majoritarian offer is on the table, minorities’ response is determined almost exclusively by what they anticipate from continued fighting. Hence, holding other things constant, proposals with power sharing would be more likely to produce peace and those without would most likely end in continued war.

Decentralization, which turns out to be the only power sharing institution that increases the probability of peace consolidation, is different from other forms of power sharing in a significant way. It delineates separate spheres—territorial and otherwise—of self-rule, albeit with restrictions that depend on the level of devolution, and does not

necessarily require inter-group cooperation. Induced or guaranteed representation in coalition governments, on the other hand, oblige such cooperation. I believe, this could be partially responsible for the difference in the effects of different power sharing institutions on post-civil war peace and stability. If decentralization is territorial in nature and the rival groups are geographically clustered accordingly, this arrangement also has the advantage of separating groups who had been zealously killing each other until recently. I agree with the following assessment of Snyder and Jervis (1999, 17):

The security dilemma evaporates if the best defense is not a good offense but simply a good defense: if so, everyone can be secure simultaneously. This can be achieved by making the contending groups more compact geographically, by evening out imbalances of power and dramatic shifts in relative power, by deploying weapons that are most useful in positional defense and least useful in attack ... and by providing reliable monitoring of the military preparations of the contending groups. ... At its most extreme, this can lead to splitting a country into separate parts; in other cases, it can solidify ethnic divisions and loyalties, making a state figuratively if not literally a federation.

Given that my primary concern is whether and how peace after civil wars can be made more stable and how renewed violence can be prevented, the salience of sub-state identities in itself is not relevant.

### **Methodological Contributions**

This study combines different approaches that are often utilized separately in different strands of political science research. With the theoretical model and the historical narratives that I situate around that model, I seek to bridge the gap between the microfoundations of political behavior and the macro-political outcomes that are readily observed. In doing so, I also endogenize political institutions, which provides an opportunity to compare institutions that were adopted with those arrangements that made

it to the table but were dismissed along the process. This does not reveal a causal link, if it in fact exists, between certain institutions and political outcomes, but it does enhance our understanding of players' expectations from different arrangements. The case studies and the comparative case study design further led me to refine my statistical models as I gained crucial insights into the decision making processes of civil war rivals.

In the cross-sectional quantitative component of the research, in which I explore the effects of political institutions as exogenous variables, I introduce and employ duration modeling as the method of analysis. The family of duration models, or models of survival analysis, allows one to test the role of a set of independent variables and the role of time itself on the hazard rate, which is the probability of experiencing an event at any given point in time. This method of analysis also accommodates an inherent difficulty posed by questions of survival due to the right-censored nature of observations. Despite the prominence of the questions of political change, however, this method has remained a largely underutilized tool in the field.

Finally, I bring attention to problems of selection bias and atheoretical dependent variable operationalization that commonly afflict studies of post-civil war stability. I ran Cox duration analyses on two alternative datasets—one that differed on case selection and the rules of entry into the risk set, and another that differed in terms of what constitutes failure. In Alternative Data 1, only those cases that experienced civil war terminations as coded by Sambanis (2004b) enter the risk set; negotiated settlements that fail to result in cessation of violence for a given—and arbitrary—length of time (which is 6 months in this case) to justify classification as war termination are simply ignored, raising serious questions of selection bias. In Alternative Data 2, cases enter the risk set



based on the rules used in the original dataset; they exit, however, only if they experience another civil war (hence, lower levels of violence, coups, and genocides/politicide are ignored as forms of failure). The differences in the estimates I get with these competing datasets carry substantial implications since these alternative case selection and coding rules are traditionally used in the literature exclusively and without much second thought.

### **Considerations for Future Research**

This study illustrates the value of multi-method research, particularly the contributions attention to microfoundations or individual level incentives can make to our understanding of macro-level political phenomena (such as civil war and peace). The formal theory and analytical narratives built around it can shed light to issues that have been overlooked and help researcher refine their empirical models and theories. One need not abandon statistical analyses as a method of hypothesis testing in order to utilize these other approaches; they can compliment each other as I have shown.<sup>103</sup>

In terms of the literature on civil wars and post-civil war peace, investigation of micro-level incentives and decision making reveals that the link between civil wars and other armed insurgencies should be more carefully considered. I illustrate the empirical applicability of my model prior to and during the progression of civil wars in Bosnia and Kosovo, as well as during the course of the civil conflict in Macedonia, which never rises to civil war levels. My findings confirm what an increasing number of scholars have recently recognized: civil wars are best perceived “not as a distinct phenomenon, but

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<sup>103</sup> One exception that I am aware of in the relevant literature where the formal theoretical and the statistical approach were jointly utilized is Mason and Fett's study, "How Civil Wars End:" a major difference between their work and mine, however, is the emphasis I place on different institutions and incentive structures they produce, while they do not try to further specify the "utility that the actor will receive from the terms of the settlement" (1999, 548).

rather as one phase in a cycle of violence” (Sambanis 2004, 259; also see Lichbach, Davenport, and Armstrong 2004). This means that rivals in civil wars and other forms of civil violence juxtapose what they expect to get from settling for the present or proposed system with their expectations from the battlefield in a similar manner. Players, particularly the non-state actors or insurgents, are faced with the same hurdles of collective action in both cases. Hence, underlying causes of civil wars are not significantly different from insurgencies that, for one reason or another, have failed to sustain systematic violent opposition at civil-war levels. A major implication of this is that the literature on civil wars and conflict management could potentially gain a lot of insight from the contentious politics literature, which has paid more direct attention to understanding the microfoundations of dissent and repression.

I also show that the estimates for many variables that are often explored in studies of post-civil war stability are not robust over different datasets and different duration models, indicating the importance of decisions on model specification (especially regarding time-dependence), case selection, and dependent variable operationalization. I am not advocating a strict and universally approved definition of civil war or of post-war failure; it is essential, however, that researchers are aware of the implication of the decisions they make on these issues. Methodological convenience, for instance, does not suffice as a justification for using this or that operationalization of failure, any given statistical method without considering the validity of its assumptions, or any particular form of time dependence on the effect of any variable of interest on the hazard rate.

Finally, on a more substantive note, despite the hesitation among international policy makers and mediators to endorse decentralization or partition as a solution to civil

conflict, my findings confirm that this could be the only institution that can contribute to breaking the cycle of violence in many societies. Why this form of power sharing fares better than others is a crucial question that deserves further investigation. I strongly disagree with those that argue against decentralization and other provisions for power sharing that recognize and empower different rival groups as the building blocks of the society since their rejection is based on a normative assumption that one form of peace (i.e. a homogenous society with a single, national identity) is better than others. The strategy that would most likely produce that specific form of peace would be to let the rivals fight it out till the very end; as long as their interests as a separate group are not recognized and addressed, minorities would have no motivation to leave the battlefield before they cannot fight any longer. Some form of consociational power sharing, and territorial decentralization in particular, is necessary to provide all relevant players with a stake in peace.

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## Appendix 1

### Post-Civil War Cases, 1945-2004

Country	Entry	Exit	Comments
Afghanistan	15-Apr-92	15-Aug-92	Mujahideen take control from Soviet-installed Najbullah, but fighting among guerillas restart; Pashtun-dominated Taliban fights to overthrow Burhanuddin Rabbani and his Tajik-dominated Jam'iyat-i-Islam Party (S2004).
Afghanistan	8-Mar-93	10-Apr-93	Islamabad Accord is signed on 7 March 1993 between President Rabbani, Hekmatyar and many other factions (S2004). It calls for power sharing: Rabbani would remain the president, Hekmatyar would become the prime minister, and the cabinet would include other Mujahideen parties. Relapse occurs right away. Although S2004, SF, and Uppsala show no break in the war, I must code this accord as the beginning of a post-war case in order not to commit selection bias by omitting a fairly comprehensive institutional arrangement--it was not just a ceasefire--that failed right away. Violence intensifies again by April 10 ( <a href="http://www.cidcm.umd.edu/inscr/mar/chronology.asp?groupId=70003">http://www.cidcm.umd.edu/inscr/mar/chronology.asp?groupId=70003</a> ).
Afghanistan	21-May-93	22-May-93	On 20 May 1993 another peace agreement--with more explicit power sharing requirements--is signed in Jalalabad, providing 2 cabinet portfolios for each of the nine major factions (S2004). Relapse occurs right away.
Afghanistan	28-Sep-96	29-Sep-96	Taliban takes control of Kabul on 27 September 1996 and institutes a regime based strictly on Sharia. Tajiks, Uzbeks, and other rivals of Taliban continue to fight for control of the government (S2004). Uppsala codes non-stop "war" during 1978-2001, so I code the post-Taliban victory period as failing right away.
Afghanistan	7-Dec-01	1-Jan-03	By 7 December 2001 Taliban is ousted after the US invasion in October. A coalition of anti-Taliban factions (representing 4 ethnic groups--Pashtun, Tajik, Uzbek and Hazar) under the leadership of Karzai, takes over in accordance with the Bonn Agreement of power sharing (for an interim government) signed on 5 Dec. Because Uppsala codes no violence during 2002, I code relapse as a result of fighting between Taliban supporters and the government (and the US) restarting at the beginning of 2003.

Angola	31-May-91	1-Oct-92	Son Santos (MPLA, government) and Savimbi (UNITA) sign peace deal (Bicesse Accord--ceasefire and promise of separate elections for president and parliament) for democratic constitution, but fighting resumes following elections ("war" during 1975-94 according to Uppsala).
Angola	16-Nov-94	1-Dec-98	MPLA government and UNITA sign Lusaka Protocol (some power sharing in a national unity government but terms unclear); fighting restarts in June 1997 and becomes full-scale in late 1998 despite a ceasefire agreement signed in January 1998. Uppsala codes no violence during 1997 (so, casualties must have been smaller than 25) and according to S2004 during 1997 UNITA was still being incorporated into the government and large-scale fighting resumed in December of 1998.
Angola	4-Apr-02	RC	Following Savimbi's death, government and UNITA sign ceasefire deal in Luanda, demobilizing and transforming UNITA into a political party--institutional arrangements under Lusaka would still apply.
Argentina	20-Sep-55	1-Mar-75	Anti-Peron revolt flares up after Peron tries to suppress the influence of the Catholic Church in April 1955; it is crushed fast but violence restarts and a coup ousts Peron in September. He flees on September 19 (S2004). Starting with the electoral victory of the Peronists in 1973, terror engulfs the country. Uppsala codes only "minor" violence between the government on the one hand and the ERP/PRT and Montoneros on the other during 1973-74; violence rises to civil "war" levels in 1975. The military steps in in March 1976, stops the guerrilla activities but unleashes the "Dirty War" and the infamous "disappearances" (S2004, Uppsala, SF). Following Uppsala and S2004, I code the war as restarting at the beginning of 1975.
Argentina	25-Mar-76	26-Mar-76	I code the military take-over of 1976 as potentially ending the previous war; it in fact does crash guerrilla activities. However, given that it is followed by the "Dirty War" that is marked by government/military atrocities against all types of opposition, I code this post-war case as failing right away. Uppsala codes both 1976 and 1977 as "intermediate" violence, which provides further support for this coding. Because the "Dirty War" is technically not a civil war (no active and effective armed opposition), I do not code another post-war case following the ending of this period in 1983--it's a period of politicide.

Azerbaijan	12-May-94	RC	War follows the declaration of independence by Nagorno-Karabakh (end of 1991), ends with a ceasefire deal, creating de-facto ethnic Armenian control (continues to hold elections etc., acting as an independent republic). Uppsala shows no related violence after 1994.
Bangladesh	1-Sep-92	RC	Santi Bahini (armed wing of PCJSS), which represents the Chittagong Hills people ("Jumma"), first becomes active upon army's attempts to make room for the settlement of Muslim Bengalis in Hill Tracts (in 1971) and then starts fighting for secession (1974/5) (S2004). A formal peace agreement is signed in 1997, providing for autonomy, but violence stops with the ceasefire declaration of Santi Bahini in August 1992 following the establishment of three elected regional councils with some administrative and supervisory authority--limited autonomy ( <a href="http://web.amnesty.org/library/Index/ENGASA130012000?open">http://web.amnesty.org/library/Index/ENGASA130012000?open</a> ). No more violence thereafter (Uppsala).
Bolivia	16-Apr-52	RC	S2004 codes the 1952 MNR coup as a civil war, even though some other sources (such as Uppsala) code less than 1000 related casualties. S2004 cites a number of other sources that report 1000-3000 deaths. Even though there are insurgencies in 1952 and 1967, casualties do not warrant coding a failure. SF does not code any wars or genocides/politicides.
Bosnia-Herzegovina	21-Nov-95	RC	Dayton Peace Accord is signed on 14 December 1995.
Burma-Karen	1-Jan-51	2-Jan-51	S2004 codes the first Karen war for independence starting in 1948 and ending in 1950/51; COW2 concurs, but many others code one single war from 1948 on (e.g. SF, which combines the wars waged by different non-Burmese communities). In 1950 "Burmese government forces recaptured much of central Burma from Karen insurgents, as the Karen War of Independence failed, becoming a long guerrilla insurgency" ( <a href="http://www.onwar.com/aced/nation/bat/burma/fburma1948.htm">http://www.onwar.com/aced/nation/bat/burma/fburma1948.htm</a> ). However, the end point in 1950 or 1951 is not clear. Therefore, I code 1 January 1951 as the end date but it relapses right away (Uppsala codes "intermediate" violence for 1950-91).

Burma-Karen	28-Jan-95	1-Jan-97	S2004 codes the second war starting in 1991 (or 1993, unclear). Minorities At Risk reports a major government offensive against Karen camps in April 1991, which leads to resurgence in violence. In January 1995, "Myanmar's army won an important victory when it overran KNU's headquarters at Manerplaw on January 27. It was the first time Manerplaw had been captured since the guerrillas began fighting for independence more than 40 years ago" ( <a href="http://www.cidcm.umd.edu/inscr/mar/chronology.asp?groupId=77504">http://www.cidcm.umd.edu/inscr/mar/chronology.asp?groupId=77504</a> ). Although the violence seemed to have intensified in 1997 and onward, whether it is up to civil-war levels--particularly whether there are significant casualties on both sides--is unclear. There was a "provisional truce" between the KNU and the military government in January 2004. Overall, based on Uppsala's coding on levels of violence, I code the beginning of 1997 as the failure of peace.
Burma-Kachin	1-Jan-76	2-Jan-76	S2004 codes the Kachin war for its independence during 1961-1975. However, violence continues at "intermediate" levels during 1976-92 (Uppsala), so I code the war as ending at the beginning of 1976 but failure occurring right away. There was some kind of ceasefire deal signed between the KIO and the government in January 1993, after which violence seems to have stopped. However, because the period 1976-92 is technically not a war (although it counts as a failure of peace for my purposes) I do not code post-93 as another post-war period.
Burma-Shan	1-Jan-71	1-Jan-76	S2004's coding is unclear. Uppsala codes "war" during 1964-70 and "intermediate" violence during 1976-88 and 1993. I code the beginning of 1971 as the start of peace and the beginning of 1976 as the failure. Note that this is very imprecise.
Burma-CPB	1-Jan-54	2-Jan-54	The Communist Party of Burma fought to get rid of the existing regime since 1948, reaching levels of war during 1948-53 and 1968-78 and "intermediate" in between (Uppsala). S2004 coding is unclear, so I code the beginning of 1954 as the start of peace, which fails right away. Note that this is very imprecise.
Burma-CPB	1-Jan-79	2-Jan-79	Uppsala shows "intermediate" violence for 1979-88.

Burundi	1- Jan- 74	1- Aug- 88	Coordinated Hutu insurgencies against the government in the south and the east are met harshly, resulting in more than 100,000 people getting killed (S2004, SF). (Uppsala again codes no violence, hence assumes a genocide / politicide instead.) According to S2004 no war or massacre occurred again until 1988, but SF codes this genocide as ongoing until December 1973 (as opposed to the war, which is coded as ending in July 1972); I assume the massacres that continued until December 1973 were continuations of the 1972 incident, so I code the war as ending in Dec 1973 instead. In 1988 another massacre or war takes place, where thousands of Hutus are killed and many others are forced to flee. SF codes a genocide in August 1988 and an ethnic war from August 1988 on. In any case, massacre or war, 1988 marks the end of the post-73 spell of peace.
Burundi	11- Sep- 94	1- Jun- 95	Whether the 1988 incident is a short-lived one and another large-scale relapse occurs in 1991 (S2004), or war that starts in 1988 continues for years to follow (SF) is unclear. If I was to code August or September 1988 then the date for relapse is unclear. Therefore, I do not code post-1988 as a case; instead I code 10 September 1994 as the beginning of "peace." According to a report of the UN Secretary General, warring parties reached a power sharing agreement on 10 September 1994, upon which Ntibantunganya, a Hutu, was elected by the National Assembly as president, a Tutsi become the prime minister, and a coalition of 7 parties was formed ( <a href="http://www.un.org/docs/SG/SG-Rpt/ch4d-5.htm">http://www.un.org/docs/SG/SG-Rpt/ch4d-5.htm</a> [Accessed 28 May 2006]). The same report indicates that a new outbreak of violence occurs in June 1995, therefore I code this as the date of failure. (SF codes the war as ongoing from 1988 and S2004 codes it as ongoing from 1991.) A peace agreement is signed in August 2000 by the government and some rebels groups--not all--but it does not involve a ceasefire and fails to bring the war to an end. Because of the lack of a ceasefire and the fact that there were rebel groups that did not agree to be part of the negotiations, I do not code this as a settlement ending the ongoing war. Another agreement brokered in October 2003 suffers from the same deficiencies.

Cambodia	18-Apr-75	19-Apr-75	After 5 years of civil war and violence going on since 1967, Phonempenh falls to the control of Khmer Rouge; Lon Nol surrenders. Genocide--"killing fields"--ensues (GEN in SF) until the January 79 takeover by Vietnam. Unlike most other sources, S2004 codes a new war starting right after the victory of Khmer. Regardless of whether it is a new civil war or genocide/politicide, this post-war case fails right away.
Cambodia	24-Oct-91	25-Oct-91	Paris peace agreement is signed on 23 October 1991. Even though no war-level violence occurs afterwards (S2004, SF--there is a coup in 7/97), "intermediate" violence continues until 1998 (Uppsala). Therefore, I code immediate failure. The agreement installed the UN Transitional Authority along with a Supreme National Council with members of four factions.
Central African Republic	26-Jan-97	15-Mar-03	Peace agreement is signed in Bangui (government of national unity and peacekeepers) on 25 January 1997 after about a year of ethnic fighting and army mutiny (S2004). Large-scale violence does not recur but another military coup on 15 March 2003 removes the coalition government, which was formed after the UN-mediated elections following the Bangui agreement (SF). I code this incident as failure.
Chad	22-Aug-79	23-Aug-79	Most sources code a single war from 1965 until mid- or late 1990s (SF, S2004, Marshall). However, there was a settlement attempt through the Lagos Peace Accord (transitional unity government pending elections) in August 1979. Due to the ongoing war, I code this case as failing right away.
Chad	1-Nov-94	RC	Violence subsides substantially after 1994 (after Libya's withdrawal). I follow SF and code 10/94 as the end of the war. It is unclear whether S2004 codes 1994 or the April 1997 peace agreement between the government and FARF as the end. There is only "minor" violence during 1997-2002 and Uppsala codes no violence in between.
China	1-Oct-49	15-Mar-59	Mao Zedong's Communists win, proclaim the PRC, and drive the Nationalists to Taiwan. Repression of counter-revolutionaries between March and December of 1959, totaling about 50,000 dead.

China	1- Oct- 68	2- Oct- 68	Cultural Revolution pits insurgents against the Red Guards during 1967-69. The war ends with the establishment of the Revolutionary Councils in Sept 1968 according to S2004 but in July 1969 according to SF. I code the end of the war as the beginning of October 1968. However, a genocide/politicide follows right away, hence the characterization of the Cultural Revolution as a 10-year event (1966-76). Therefore, I code failure immediately following the end of the war.
China-Taiwan	1- Apr- 47	RC	Taiwanese insurgents vs. KMT government following the "2-28 incident". The rebellion was put down by the end of March. All of the sources show violence as ending that same year.
China-Tibet	24- May- 51	1- Feb- 56	As the Chinese civil war drew to a close, the Red Army moved into Tibet in 1949 to re-assert Chinese control over the territory; civil war ensued (during 1950-51). On 23 May 1951 Tibetan and Chinese delegations signed the 17-point agreement, which recognized Tibetan autonomy. Relapse occurred in February/March 1956 with a rebellion against the Chinese, which spread and became a strong guerrilla movement. It is crushed by April 1959 and is followed by a genocide that continues until Dec 1959 (SF, S2004). I code the latter as the end of the war.
China-Tibet	1- Jan- 60	RC	The rebellion is crushed by April 1959 and is followed by a genocide that continues until December 1959 (SF, S2004). I code the latter as the end of the war.
Colombia	21- Jul- 57	22- Jul- 57	"La Violencia" was technically punctured with the "Sitges Agreement" and the subsequent "San Carlos Agreement" (in effect until 1974), which provided for a power sharing arrangement with the Liberal and Conservative Parties ruling together as part of the National Front coalition (in addition to a rotating presidency, 2/3 majority requirement for legislation, etc.). However, D&S, SF, S2004, COW2, and Marshall all code a single civil war starting from late 40s and going into 60s (Uppsala codes "war" or "intermediate" only after 1980s!). Because all these sources show the war in Colombia as still ongoing after the agreements, I code it as immediately failing.

Colombia	1-Jan-67	1-Jan-78	The different dates given for the end of the war between the Liberals and the Conservatives include December 1960 (SF), 1962 (Marshall and D&S), 1969 (COW2), and 1966 (S2004); there is no clear termination point. I follow S2004 and code the beginning of 1967 as the start of the post-war period. Insurgencies led by groups like the M-19, FARC, and the ELN, who were excluded from the power sharing arrangement, intensified to war levels by 1978, when the government launched a major offensive against drug trafficking (S2004), and war has been ongoing ever since. (Some sources, such as SF, code the beginning of the war as 1984.) I code the date of relapse as January 1978.
Congo (Brazzaville)	15-Oct-97	1-Aug-98	Sassou-Nguesso of the Cobra militia seizes power from Lissouba in October 1997 marking the end of one war that has been ongoing since 1993 (S2004). SF and COW2 code the war as starting and ending in 1997, which is consistent with the Uppsala coding of only minor violence during 1993-4 and full-scale war in 1997; in any case one civil war ends with the takeover. Civil war resumed in August 1998 between the government-supported Cobra militia (and the military) on the one hand and the Ninja rebel group and supporters of the former president--the "Cocoye"--on the other (S2004).
Congo (Brazzaville)	31-Dec-99	1-Mar-02	On 29 December 1999 the government signs a peace agreement with the rebels, effectively ending violence until March 2002 when violence re-ignites (S2004). Uppsala codes "intermediate" violence during 2002.
Congo (Kinshasa)	26-Nov-65	1-Jul-66	Mobutu takes over on 25 November 1965, essentially bringing to end a number of post-independence rebellions--in Katanga, Kasai, Kwilu, and Eastern province. However, a mutiny in Kisangani (by FLNC, supporters of Tshombe--former president of the Katanga provincial government) aimed at overthrowing Mobutu occurs in July 1966; although it is quickly crushed, it reemerges in July 1967, this time turning into a full-scale war (S2004). I code the first one as marking the failure of this post-war case.
Congo (Kinshasa)	1-Dec-67	1-Nov-77	According to S2004, the Kisangani mutiny war ends in November 1967. FLNC, mostly former gendarmeries native to Katanga then in exile in Angola, stages two invasions into the Katanga (or Shaba--new name) province in November 1977 and then in May 1978. I code these invasions as the failure of the post-Kisangani mutiny case. (S2004 codes the two invasions as one civil war.)



Congo (Kinshasa)	1-Jun-78	2-Jun-78	The May 1978 invasion attempt is put down by the end of the month with outside help. However, according to SF, a genocide/politicide ensues and continues until the end of 1979. Therefore, I code this case as failing right away.
Congo (Kinshasa)	18-May-97	1-Aug-98	In April 1992, the Sovereign National Conference declares itself the sole legislative body of Zaire and goes on to elect a new prime minister (Tshisekedi), which starts a conflict not only with Mobutu (which intensified after the conference adopts a new constitution in the summer of 1992) over who has real authority but also with the former prime minister (Nguza) and his supporters in Shaba/Katanga; the two parallel governments are merged in 1994 and Tshisekedi is mostly marginalized. Although SF codes March 1992 as the beginning of a still ongoing civil war, not only is there not enough casualties to code this period as a war (Uppsala, S2004) but the parties and the issues related to this 1992-4 conflict were different from those of the 1996-7 war. The latter pitted Hutu militia (Rwandan Hutus operating from refugee camps in the DRC) and Zairian armed forces against a coalition of Tutsis (AFDL) led by Kabila. According to S2004, full-scale civil war starts in October 1996 and ends on 17 May 1997 when rebels capture Kinshasa and Kabila replaces Mobutu. Anti-Kabila insurgencies flare up in August 1998 (S2004) and instigate another civil war.
Congo (Kinshasa)	17-Dec-02	RC	There is a ceasefire agreement signed by the countries embroiled in this conflict in July 1999 in Lusaka (later also signed by MLC and RCD rebels); because its provisions deal primarily with a ceasefire (no discussion of political institutions or other arrangements), I do not code it as a potential end to the war. S2004 codes the war as continuing until the comprehensive peace agreement of 16 December 2002, whereby the government (now led by Kabila's son after Kabila is killed) agrees to share power in a transitional government with the rebels. I code this latter agreement as the beginning of the post-war case. Although "sporadic armed conflict continues in outlying regions" (SF), it does not rise to major levels (Uppsala codes not even "minor" violence after 2001).
Costa Rica	25-Apr-48	RC	Six-week long civil war, which starts after the National Republicans (of President Picado) annul the presidential election that would have removed their candidate; it ends when Figueres' forces enter San Jose after US helps cut off the route for help coming from Somoza/Nicaragua.

Croatia	15-Dec-95	RC	Insurgency and secession attempts by Croatian Serbs officially ended with the Dayton Accords.
Cuba	2-Jan-59	RC	Castro finally leads his guerrilla army into Havana, forcing Batista to flee.
Cyprus	16-Aug-74	RC	Civil war starts in December 1963 when the constitutional amendments imposed by Makarios prove unacceptable to the Turkish Cypriots. Although violence ends to a large extent after the deployment of UN peacekeepers in March 1964, another major disturbance occurs in 1967 when Greek Cypriot troops begin patrolling Turkish Cypriot enclaves, which incites fighting. In response, Turkey threatens to invade the island on behalf of the Turkish Cypriots, who establish the Provisional Turkish Cypriot Administration in Turkish-held areas on 28 December 1967. This starts the de-facto partitioning of the island. Relapse occurs when the junta in Athens supports a coup against Makarios, which would bring to power supporters of annexation with Greece (EOKA-B); Turkey invades/intervenes on 20 July 1974, secures the northern part of the island for Turkish Cypriots, reinforcing the partition. (The coup fails three days after Turkey's move.) De-facto partition has secured the lack of violence ever since; there have been numerous attempts at re-unification to no avail. Due to the lack of violence, I code the post-invasion period as post-war.
Djibouti	27-Dec-94	RC	Civil war started with the rebellion of mostly-Afar FRUD against the Issa-dominated government in 1991. It ended with an agreement, which recognized FRUD as a legal party, gave FRUD cabinet seats, and integrated it into the state army. A radical wing of FRUD had declined to settle and the government finally signed a deal with them in 2000. (None of the sources show the war as continuing after the 1994 agreement; Uppsala codes 1999 as "minor".)
Dominican Republic	1-Sep-65	RC	Consociationalists and Loyalists sign the "Act of Reconciliation," which calls for interim presidency and elections, on 30 August with the mediation of OAS; US intervened in April (SF, Uppsala, and D&S all code it as ending in 1965.)
El Salvador	17-Jan-92	RC	FMLN and government sign UN-mediated Chapultepec Accord.

Ethiopia	21-May-91	RC	Ethiopian People's Revolutionary Democratic Front joined forces with Tigray People's Liberation Front (TPLF) and forced the Mengistu regime down (EPLF winning control of Eritrea in the mean time).
Ethiopia-Ogaden	4-Apr-88	RC	Agreement between Mengistu and the Somalian government meant the removal of support for WSLF. While the conflict was not really resolved and the ONLF continued rebellion on-and-off, no major or systematic violence occurred (only "minor" according to Uppsala).
Ethiopia-Oromo	19-Jun-00	RC	Rebellion by multiple ethnic Oromo groups, who were being supported by Eritrea (coded as war in PITF and Marshall but nothing coded by Uppsala, and might be out of date range for S2004 and D&S); diminishes with the ceasefire agreement between Ethiopia and Eritrea.
Georgia-South Ossetia	15-Jul-92	1-Aug-04	Following ceasefire on 14 July 1992 more or less no violence and de-facto partition, separate government. Violence flared up again in July-August 2004--although the number of casualties might not have been large enough, it was serious enough to be followed by a ceasefire.
Georgia-Abkhazia	1-Oct-93	RC	Abkhazians defeat government army; de-facto autonomous/independent republic ever since. (S2004 and D&S code the ending as January 94 by taking into account the violence that resulted from the return of Gamsakhurdia to Georgia--they find not enough casualties to code as separate war; SF and Marshall code the latter as a separate civil war, while Uppsala code the two years corresponding to it as "minor". Marshall in fact codes another Abkhazian civil war from 1998 on but none other does and the source he bases it on is his prior work. My own research does not reveal any major incidences for that period either, so I don't code it as failure.)
Greece	17-Oct-49	RC	Three-year civil war ends with the defeat of communists. Military rules until the parliamentary elections in 1952.

Guatemala	2-Jul-84	3-Jul-84	S2004 codes three separate civil wars for 1966-72, 1974-84, and 1984-94, the breaking points are unclear; instead most accounts of the Guatemalan civil war refer to it as a 30 some-year war ending in 1996, and Uppsala shows continuous "intermediate" or "war" for 1968-1995. I combine the first two periods and code July 1, 1984 (election of a Constituent Assembly that would draft a democratic constitution, under General Oscar Humberto Mejia Victores) as the end of one war. I code it as re-starting the very next day since violence continued at high levels. (Note re 1958 coup against Arbenz: while included in D&S, apparently following COW, S2004 excludes this case as an international war (US-led invasion by exiles); Marshall and Uppsala find not enough casualties to be coded as war; S2004 report that Fearon and Laitin (2003) exclude the case for this same reason.)
Guatemala	30-Dec-96	RC	Following a heavily mediated peace process from 1994 to 1996, final peace accord signed between the government and the URNG on 29 December; it called for reduction of government forces, and demobilization and incorporation of URNG forces. S2004 code March 1994--referring most likely to the signing of human rights agreements between the rebels and the government, and the deployment of the UN Verification Mission--as the end date, but Uppsala shows ongoing "intermediate" violence through 1995 and most other sources refer to the 1996 peace accord as the end of the war.
Guinea	1-Apr-01	RC	Government forces crushed the rebellion that was being staged by insurgents infiltrating from borders with Sierra Leone and Liberia since about September 2000; the exact date for the entry into risk is approximate. SF codes a revolutionary war from 9/00 to 3/01.
Guinea-Bissau	2-Nov-98	31-Jan-99	While S2004 and SF code May 1999 as the end of the war, I code it as 1 November 1998 since that is the date for the signing of the Abuja Agreement, which called for a ceasefire, deployment of ECOMOG troops, as well as a joint transitional government (with members from President Vieira's government and the military junta); the fact that violence continued in Jan 1999 after a couple of months of ceasefire does not mean that the war had not ended--it ended unsuccessfully, only to recur in a few months. S2004 reports 31 January 1999 as the restart of violence.
Guinea-Bissau	8-May-	RC	General Mane ousts President Vieira, bringing to an end the civil war(s) which started with Vieira's dismissal of

	99		Mane as the army chief of staff.
Haiti	4-Jul-93	5-Jul-93	D&S code two wars (1991-94, 1995-96), while S2004 combines the two and codes as the end the October 1994 restoration of Aristide following the US-led military intervention. However, there was the Governor's Island Accord signed by Cedras (military) and Aristide, which called for the latter's restoration, on 3 July 1993, which obviously failed to accomplish what it was supposed to. Not coding this date as the end, I would be committing selection bias (just like the Abuja Agreement for Guinea-Bissau).
Haiti	15-Oct-94	12-Jan-04	On 12 January 2004 Aristide starts ruling by decree as the mandate of parliament runs out (since the elections that were due the past year were never held); this leads to demonstrations and rebellions, which ends in Aristide's exile in March.
India-Sikh	1-Jan-94	RC	Sikh militants fight for the independence of "Khalistan" (which includes Punjab). As S2004's investigation of all major datasets indicates, end date is unclear; he cites newspaper sources indicating some form of peace (through victory) by the end of 1993. Uppsala also shows violence ending after 1993.
India-Naxalite	1-Jan-72	RC	S2004 reports that "the movement declined in political power in 1972," yet no clear date or breaking point is given. SF reports that the war ended in December 1971 when it was "overwhelmed by events surrounding neighboring Bangladesh's independence war in 1971." So I code the beginning of 1972 as the end date. According to <a href="http://www.onwar.com">www.onwar.com</a> , Naga Underground Rebels agreed to lay down arms and accept the Indian constitution in November 1975; yet there is no information to suggest that the conflict was going on at war-levels between 1972 and 1975.

India-NE	1-Nov-58	28-Nov-90	<p>According to S2004: "The "northeastern states", which are the Indian states that lie east of Bangladesh, are home to multiple insurgencies that are best combined. Rebel groups in the 105 region both frequently clash and collaborate with one another." I follow him and code areas like Assam, Bodoland, Nagaland, Manipur, and Tripura together. The war in 1950s refers to that by the Naga separatists, which was put down by Indian forces in October 1958 (SF). 28 Nov 1990 is when the Indian government established military rule on the state of Assam, although some minor violence and insurgency was going on before that. S2004 code it as ongoing as of 1999 and there does not seem to be a reasonable end point since then Uppsala codes continuous "minor" war in Assam and Bodoland from 1994 on.</p>
Indonesia-Moluccas	6-Dec-50	19-Jan-99	<p>Indonesian government went into South Moluccas after it declared indepenence in the summer of 1950. By 5 Dec 1950, government forces succeeded in forcing the Moluccan forces to withdraw to the island of Ceram, which S2004 codes as the end of the war. Uppsala codes 1950 as the last year of any violence surrounding South Moluccas; however, there have been widespread reports of "communal conflict" between Muslims and Christian since January 1999. S2004 reports that about 2700-3500 Christian Muslims were killed by June 2000. According to a HRW report from 29 June 2000, the overall number by June was about 3000 and it cites witness report to assert that the government forces have also been involved: "There have long been reports that army and police weapons and ammunition have found their way into the hands of partisans, but reports of direct participation in the violence by members of the armed forces are now increasingly common, with Christian soldiers supporting Christian groups and Muslim soldiers supporting the Muslim side" (<a href="http://www.hrw.org/press/2000/06/indoback0629.htm">http://www.hrw.org/press/2000/06/indoback0629.htm</a>). While S2004 still codes this as "communal" and not civil war, and Uppsala's failure to show violence for this period suggests the same approach, it definitely points to the failure of peace at the least. An International Crisis Group report gives the 19 Jan 1999 as the start of the conflict in Ambon, spreading quickly to other parts of the islands (<a href="http://www.crisisgroup.org/text/index.cfm?id=1454&amp;lang=fr">http://www.crisisgroup.org/text/index.cfm?id=1454&amp;lang=fr</a>).</p>

Indonesia-Darul Islam	1-Apr-62	RC	A rebellion to establish Muslim theocracy started in late 1940s in West Java and was then joined by Islamist forces from Aceh and South Sulawesi. Uppsala shows "war" in 1953 and nothing more until 1958. S2004 also codes two separate wars--1953, and 1956-60 but the breaking points are very unclear. Most other sources, as S2004 himself recognizes, code one war from 1949 to 1962 or so. The leader of the movement Kartosuwirjo is captured by the government in April 1962 (to be executed later that year), which weakens the organization.
Indonesia	1-Sep-61	30-Sep-65	Opponents of Sukarno regime try to set up the Revolutionary Government of the Republic of Indonesia (PRRI, or Permesta) in Feb. 1958 but it is defeated in Aug 1961 (SF). I code the coup of 1965, which led to the removal of Sukarno and the installment of Suharto, as the relapse of this conflict--both non-territory related attempts to win control of the state.
Indonesia-Aceh	1-Jan-92	31-Aug-98	Free Aceh Movement (GAM) was effectively crushed by Indonesian government forces, which also abolished Aceh's special region status and declared it an Operational Military Zone in 1991. There is no clear exact date for government's victory, so I code as the beginning of 1992. Although the regime that followed was clearly abusive, there is no well-documented account of the number of casualties, so I do not code a relapse until the resumption of rebellion by GAM in August 1998, which marks the withdrawal of Indonesian armed forces from Aceh. (This is consistent with the coding of S2004 but not with SF, who code a single war ongoing since 9/98.)
Indonesia-Aceh	10-Dec-02	19-May-03	A peace agreement--in fact a loose framework, the details for which were to be discussed in the following months--was signed between the government and GAM; the former would grant Aceh autonomy, and the latter would disarm. However, further negotiations failed and Indonesia imposed martial law on Aceh on 19 May 2003. (There was yet another peace deal in August 2005, upon which rebels started disarming and government troops withdrew.)
Iran	12-Feb-79	RC	The Islamist Iranian Revolution ends when the Shah's army stops resisting and Tehran falls into the control of Khomeini's forces on 11 Feb 1979.

Iran-Kurds	1-Aug-84	12-Jul-89	SF and S2004 report that the Kurdish insurgency declines to sporadic guerrilla activity in 1984; relying on case studies, S2004 gives July 1984 as the date. Although none of these sources code renewed war in the 1990s, they all recognize that there is resurgence in violence. Uppsala codes 1990, 1993, and 1996 as "intermediate". Because the date is unclear, I use 12 July 1989, which Uppsala reports as when "the parties again met for renewed negotiations. The outcome of the meeting was that one of the members of the Iranian representatives shot dead the KDPI representatives" ( <a href="http://www.pcr.uu.se/database/conflictSummary.php?bcID=158">http://www.pcr.uu.se/database/conflictSummary.php?bcID=158</a> ).
Iraq-Shammar	1-May-59	RC	Shammar tribe's attempt to take over Mosul is crushed by government forces. I follow SF and code April of 1959 as the end of that war.
Iraq-Kurds	12-Mar-70	18-Mar-74	A peace agreement on 11 March 1970 between the Ba'ath Party and Barzani (KDP) ended the ethnic civil war that was going on since 1961. It promised autonomy but was never fully implemented. The Autonomy Law was enacted in 1974 to grant the autonomy, but the KDP rejected its imposition of limits (oilfields of Kirkuk would have also been left out of the autonomous area), which led to the relapse in March-April 1974. (Different datasets agree; the exact relapse date from S2004.) When Iran and Iraq sign a treaty in March 1975, Iran stops aiding the Kurdish insurgency; KDP falls apart into factions. Kurds again regroup and restart rebellion for autonomy taking advantage of the Iran-Iraq war. SF codes the new war as starting in September 1980 (and ending with the Al-Anfal campaign in March 1988), S2004 on the other hand follows COW2 and codes the restart as January 1985; Uppsala shows "intermediate" war ongoing all the way from 1976 to 1987, turning into "war" in 1988. Considering that there was no major breaking point that indicates the end of the war that started in 1974 anyway, I follow Uppsala and code the war as ongoing up until 1996.
Iraq-Kurds	31-Aug-96	RC	Iraq's invasion of Irbil marks the last major clash between Kurds and the Iraqi army (S2004).
Iraq-Shiite	1-Apr-91	RC	A Shiite rebellion in southern Iraq is crushed by Saddam's forces by the end of March.



Israel-Palestine	14-Sep-93	15-Sep-93	Following S2004, I code the first Intifada (in the West Bank and Gaza) as the first government-Palestinian civil war: "To be more consistent with our definition, which focuses on the internal aspects of the conflict and requires that a war against a recognized government be waged by an organized opposition, we recode the onset of this war to the start of the Intifada (uprising) in 1987. Moreover, it is unlikely that the sustained violence criterion is satisfied since 1947." The Oslo Accords, signed by Arafat and Rabin in Washington on 13 September 1993, is the agreement that was supposed to end the conflict--it could not. Although S2004 codes this particular war as ending in 1994 and another one starting with the Second Intifada in 2000, SF codes one single war ongoing from 1987, and Uppsala codes continuous "intermediate" war for 1955-2004, the framework that came out of the Oslo Declaration of Principles--together with follow-up negotiations--was supposed to settle the violent conflict. Because Uppsala shows ongoing violence, I code relapse as soon as the agreement takes place. (It is widely accepted that what led to the Second Intifada was the failure to implement the Oslo requirements, particularly Israel's withdrawal; final status talks that were supposed to take place within 5 years never took place.) (Further attempts to reach a peace agreement between the two sides--Camp David, Taba--never gave fruit.)
Ivory Coast	4-May-03	25-Mar-04	The war started as a coup attempt in 2002. Linas-Marcoussis Accords, a power sharing peace deal, is signed on 29 January 2003 between political parties and rebels; in May the army and rebels sign ceasefire. As S2004 concurs the developments in 2004 indicated the failure of this peace process: deadly clashes during the repression of a demonstration against the President in March seems to escalate the conflict, leading to what a Reuters alertnet report calls "an all-out offensive" by the government against the rebels in November 2004 ( <a href="http://www.alertnet.org/thefacts/reliefresources/11199664258.htm">http://www.alertnet.org/thefacts/reliefresources/11199664258.htm</a> ). Even though Uppsala shows "minor" violence for 2002-4, SF also codes the war as ongoing from September 2002.
Jordan	1-Aug-71	RC	Government forces vs. Palestinian guerrillas, ends with government victory. SF and S2004 agree that a major government offensive in July 1971 marks the end of the conflict.

Kenya-Somalis	1-Nov-69	RC	"Shifta (bandit) war" by ethnic-Somali separatists in Northern Frontier District ends with government victory (SF, S2004).
Kenya	1-Oct-93	RC	Communities aligned with the Moi regime were pitted against those associated with the opposition--"civil war by proxy" (S2004). SF and S2004 both code the end as 1993 (September 1993). S2004 notes however that violence continued this period but the extent of this is unclear (definitely not another war or genocide). So, I code peace as ongoing.
Korea, South (ROK)	1-May-49	RC	An uprising on the island of Cheju, led primarily by the communist Korea Labor Party, is mostly crushed in April 1949 by South Korean and US forces (S2004).
Laos	22-Feb-73	27-Mar-75	The Vientiane agreement signed between the royalists and the Pathet Lao establishes a ceasefire and provides for the formation of a provisional government of national unity (a coalition). No violence between 1973 and 1975 (S2004), but on 27 Mar 1975 PL breaks the ceasefire, and in December 1975 it takes over the whole government, abolishes the monarchy, and creates the Lao People's Democratic Republic. Insurgencies by different right-leaning groups and tribes, particularly the Hmong rebels, continue for decades to follow but does not rise up to the level of civil war (S2004).
Lebanon	1-Aug-58	13-Apr-75	Attempts by President Chamoun to change the constitution to extend his mandate led to strong opposition and eventually armed rebellion; the instigating event is typically proclaimed to be the 8 May 1958 assassination of a journalist. The war turned eventually into a Muslim-Christian war although that was not the case at the beginning. On 31 July 1958 General Chebab is elected the new president. Relapse with the war of 1975-1989. The instigating bus event is taken as the day of relapse: 13 April 1975.
Lebanon	14-Oct-90	RC	The Taif Accord is approved by the Lebanese parliament on 22 October 1989 but clashes continue and President Aoun, who rejects the agreement, is not ousted until Syrian forces attack the presidential palace on 13 October 1990.

Lesotho	1-Nov-98	RC	SF codes a Revolutionary War between August 1998-October 1998, Marshall codes civil violence with 1000 killed, Uppsala codes only "minor", and S2004 does not mention at all. I follow SF. Upon LDC's overwhelming electoral victory in May 1998 opposition becomes agitated, the government calls on Southern African Development Community countries to intervene; they are met with strong resistance from a rebel military faction. A deal between government and political opposition is reached in October to form a multiparty authority until next elections; order is restored and most foreign troops leave in October.
Liberia	9-Sep-90	10-Sep-90	Gio- and Mano-supported NPFL, led by Charles Taylor, invades from Ivory Coast to take over the Krahn-dominated central regime of Doe. By September 1990 Taylor controlled most of the country--except Monrovia. In the mean time Prince Johnson split from NPFL, formed INPFL and executed Doe in September 90; fighting continued between forces loyal to Taylor (Mano) and Johnson (Gio), as well as with Krahns (which formed ULIMO under Gen. Nimblay). Following S2004, because the initial goal--to oust Doe--was achieved in September 1990, a couple of ceasefire and peace agreements were signed in November and December, but Johnson and Taylor continued to fight for total control of the state, I code one war as ending in September 1990 and another one starting right away (Uppsala shows "intermediate" for 1991 and 1993-5, and "war" for 1992.)
Liberia	26-Jul-93	1-Apr-94	The Cotonou Accord between interim government of the time and rebel groups (IGNU, ULIMO, NPFL): ceasefire, ECOMOG, demobilization, as well as power-sharing Transitional Government (5-member Council of State to take unanimous decisions). Fighting resumes at least sometime in April 1994, if not before, leading to renewed ceasefires, negotiations, etc. (see UNOMIL report at <a href="http://www.un.org/Depts/dpko/dpko/co_mission/unomilFT.htm">http://www.un.org/Depts/dpko/dpko/co_mission/unomilFT.htm</a> ). Namely, Akosombo and Abuja Agreements follow in 1994 and 1995 respectively. Whether new civil wars could be coded prior to either of these accords is unclear. Therefore, I only code Cotonou and code it as failing soon afterwards. New civil war starts in 2000.
Liberia	13-Sep-94		Akosombo Accord modifies and builds upon the Cotonou Accord with one of the major changes being with regards to decision making in the State Council--no longer consensus, only majority (5 vs. 3).

Liberia	26-Aug-95	6-Apr-96	The Abuja Agreement--power sharing among rebels in a transitional government--becomes effective on 26 August 1995 but violence resumes in April 1996. (SF codes the war as ending in 1993, marked with a precursor agreement to this one. S2004 states "In 1994, the signing of the 1993 Cotonou agreements would establish a transitional government, but since the previous government was also a part of the 135 agreement and it was also an interim government, we do not code this as a new war, involving new rebel parties against a new government.") (onwar.com codes one war 1989-1995.)
Liberia	19-Jul-97	1-Sep-00	Hostilities end upon Taylor's victory of ECOWAS-supervised elections (onwar.com, S2004). Opposition culminates into LURD attacks from the bases in Guinea in September 2000, which starts another full-scale war (SF, S2004). (Attacks had started a couple months earlier but there is no obvious date so I code the beginning of Sept. as the end date.)
Liberia	15-Aug-03	RC	In August 2003, Taylor is forced to flee and rebels sign a peace deal in Ghana (Accra Peace Agreement), providing for a national unity government ("all-inclusive Transitional Government"--mainly of three warring parties); UN peacekeepers are stationed soon after (SF).
Mali	7-Jan-91	26-Mar-91	The Tamanrasset peace deal, which included provisions not only for demobilization but also for autonomy to northern regions, was signed between the government, the MPA (Touareg or Berbers), and the FIAA (Arabs) on 6 Jan 1991. (SF and S2004 code single war from 1990 to 1995.) I code this peace deal as the end of one war and the coup against the government that signed it as its failure, after which violence flares up once again. "The Transitional Government [after the coup] failed to take any significant steps towards honoring the agreement of Tamanrasset. Instead, it started a violent repression that forced tens of thousands of nomads to flee to the neighboring countries" (Lode 1997, <a href="http://www.prio.no/page/Publication_details/Publication_detail_channel/9429/44327.html">http://www.prio.no/page/Publication_details/Publication_detail_channel/9429/44327.html</a> ).
Mali	12-Apr-92	13-Apr-92	National Pact signed in Bamako between transitional government and MFUA on 11 April 1992. Because civil war is reported as ongoing between 1990 and 1995 (SF and S2004), I code this case as failing right away.

Mali	28-Mar-96	RC	Various community-level, local negotiations took place during 1994 (the government was not involved), and by March 1996 major demobilization and disarmament occurred (also the government controlled and called back its troops from the North). The National Pact, which was agreed to in 1992 stayed in effect (S2004; Humphreys and ag Mohamed 2003; Lode 1997).
Moldova	22-Jul-92	RC	Russian speaking Slavs living in provinces to the east of Dniestr wanted Russian to be reinstated as official language (Romanian became official language in 1989), and the provinces they live in to either be joined with Russia or be given autonomy. On 2 September 1991, regional leaders voted to join Russia, formed parallel institutions and violence escalated. The violence subsided with the ceasefire agreement signed between Russian President Yeltsin and Moldovan President Snegur on 21 July 1992, whereby they formed a joint peacekeeping force in the region. In the years that followed negotiations between the Transdniestrian leadership and the Moldovan government continued, whereby the latter offered some form of autonomy and the former pushed for independence. On May 8, 1997 "Memorandum on Basic Principles in Relations between Moldova and Transdniestria" was signed; yet Dniestrian calls for creating a confederation composed of two sovereign states (SF, S2004, onwar.com). (Uppsala codes violence only during 1992.)
Morocco-W.Sahara	7-Sep-91	RC	Although Western Sahara is technically an internationally recognized state, the war between POLISARIO and the Moroccan government is in fact a civil war fought between a group that has been fighting to win back its independence which Morocco violated by annexing the area in 1976: "the most of the violence took place after annexation, so this allows us to include it under our definition" (S2004). S2004 and onwar.com code the ceasefire of 1991--UN Settlement Plan, which proposed a referendum to decide what happens to Western Sahara--as the end of the war; despite other negotiations in later years, they could never agree on the terms of the referendum, so it was never held, and in 2001 US and UN proposed a "third way"--limited autonomy under Moroccan sovereignty--that was obviously rejected by POLISARIO. Uppsala codes no violence starting from 1990. Although the conflict remains unresolved, the war ended and there has been no relapse.
Mozambique	5-	RC	RENAMO and the government sign the "General Peace

	Oct-92		Agreement" on 4 Oct 1992.
Nicaragua	18-Jul-79	1-Feb-82	On 17 July 1979 Somoza is finally forced to resign after the Sandinistas (FSLN) control much of the state and their government in exile gains widespread support. With US support, anti-Sandinista groups begin fighting the Contra war against the government in 1981 (SF, S2004). (They ruled under a 5-member Junta of National Reconstruction (later it become 3)--two Sandinistas, and three others, but power remained primarily in the hands of the Sandinistas.)
Nicaragua	24-Mar-88	RC	In March 1988, Ortega signed a ceasefire agreement (Sapoa) with the Contras, whereby he agreed to provide amnesty for all Contra rebels, hold elections, etc.
Nicaragua-Miskitos	10-Dec-84	RC	The Miskitos people, who later join the Contras, fight against the Sandinistas in what turns to be an ethnic civil war. SF and D&S code this as a separate war. S2004 combines this with the Contra war: "A separate onset can be coded in 1981 for the purposes of distinguishing between ethnic and non-ethnic war, though this would require more detailed data on deaths in 1981 to justify coding the Miskito violence as a separate civil war." I follow SF and code the end of this war as 12/84, which marks the signing of Bogota Accords between the government and a couple of indigenous groups living on the Atlantic Coast. It called for a ceasefire, and further negotiations to figure out the details of promised autonomy.
Nigeria-Biafra	13-Jan-70	RC	Ibos in Biafra fight for secession but government suppresses by January 1970 (SF, S2004, onwar.com). No more violence afterwards (Uppsala).
Nigeria-Maitatsine	1-May-85	RC	Maitatsine, an Islamist cult, fights government forces in the North from 1980 until the last major rebel attack in April 1985 (SF, S2004).
Oman	1-Apr-76	RC	Dhofar rebellion, in which Marxist insurgents (DLF) fought an "an eventual combined force of Omani, Iranian, and British Special Forces troops" during 1964-76 (S2004). According to SF, the dates are June 1970-March 1976.
Pakistan-Baluchi	1-Aug-77	RC	"Baluchi rebellion against central authority, backed by opposition National Awami Party is suppressed by military using indiscriminate violence against civilians" during February 1973-July 1977 (SF; S2004 concurs).
Pakistan	13-	RC	Musharraf's coup reportedly ends Sindhi-Muhajir violence

	Oct-99		(SF, S2004).
Papua New Guinea	24-Jan-98	RC	Due to continuous levels of violence the war over the island of Bougainville is typically coded as ongoing from 1989 to 1997/98 (SF, S2004, onwar.com; even though Uppsala codes only "minor" violence). Although there were some agreements signed before (e.g. Honiara Declaration of 1991), those were merely commitments to solve the conflict through negotiations, which did not happen until 1998. Therefore, I also code the war as ending in January 1998 with the signing of the much more concrete Lincoln Agreement, which paved the way for further negotiations on more extensive autonomy, elections for the regional parliaments, etc. Final political status is negotiated in 2001 and implemented with the constitutional changes of 2002, but civil war is not ongoing after 1998.
Paraguay	21-Aug-47	RC	Government of Morinigo--with the help of Colorados--crushes the rebellion by a coalition of Febreristas, Liberals, and Communists, led by Colonel Franco (S2004, onwar.com).
Peru	1-Jan-97	2-Jan-97	Leftist guerrillas associated primarily with the Shining Path fight the Peruvian government and terrorize the people; they are defeated by 1995/6. SF codes the end as April 1997 while S2004 codes it as 1996 (exact date unclear). Fearon and Laitin (2003) and COW2 and codes it as sometime in 1995. onwar.com codes it as ongoing in 1999, while Uppsala codes war during 1988-93 and "intermediate" during 1994-99. I follow S2004 and code the war as ending at the end of 1996 but I code peace as failing right away due to Uppsala's records of continued "intermediate" violence.
Philippines	1-Jun-54	1-Oct-72	Huk (Hukbong Magpapalaya ng Bayan) Rebellion--communist uprising to gain control of the government--seemed to have been defeated in 1954 by the Philippine government with the help of the US when Turac (leader of the rebellion) surrendered and was arrested (onwar.com, S2004). NPA, which was also associated with the Communist Party just like the Huks and was created by former Huk fighters, becomes active in 1972, so I code this peace as ending then (S2004, SF, onwar.com).

Philippines-Moro	24-Dec-76	1-Jan-77	Muslim Moros fight for autonomy/independence in southern Philippines. MNLF and the government sign the Tripoli Agreement for peace--providing for an autonomous region for the Muslims--on 23 Dec 1976. However, war does not end and violence continues right away (onwar.com, S2004, SF). Because onwar.com reports that "after a lull in the fighting, the truce broke down in 1977" I code failure as of the beginning of 1977.
Philippines-Moro	19-Jul-96	20-Jul-96	Another peace agreement, again with provisions for the implementation of the Tripoli agreement, is signed by MNLF and the government on 18 July 1996. While this agreement "led the MNLF to become largely integrated into the government forces" (S2004, 185), splinter groups such as MILF continue to fight for the same causes (MNLF also breaks the ceasefire in following years). According to Uppsala, "war" in 2000 and "intermediate" during 1993-99 and 2001-04. Therefore, I code the post-agreement period as failing right away.
Russia-Chechnya	1-Sep-96	1-Aug-99	The Khasavyurt Agreement is signed on 31 August 1996; it defers the issue of Chechnya's political status until later. Relapse occurs in "9/99 with the bombings in Moscow in September 1999 and the following Moscow offensive in Chechnya" (S2004). According to SF, "attempts by Chechen fighters to extend control to neighboring Dagestan in August 1999 trigger new war in Chechnya as Russian forces attempt to impose central authority over the autonomous province." The war has been ongoing since (Uppsala, SF, S2004).
Rwanda	1-Dec-66	1-Sep-90	The Tutsi uprising that starts in 1962/3 is crushed by Hutus by November 1966 (SF). The period of calm is broken with the incursion of Tutsi RPF rebels from Uganda, which prompts intense inter-ethnic fighting, in September/October 1990 (SF, S2004).
Rwanda	5-Aug-93	6-Apr-94	Arusha Accords (with power sharing quotas) signed between the RPF and the Hutu-dominated government on 4 August 1993 put a halt to the war for a while. Giving up power (e.g. control of the military) as part of Arusha's implementation angered Hutu extremists, which led to the systematic massacre of Tutsis by Hutu extremists and parts of the Rwandan military starting in April 1994. Whether the post-genocide violence (which continues up until the end of 1998--see Uppsala, SF) constitutes another civil war is unclear, so I do not code the end of 1998 as another post-civil war case.



Rwanda	01-Aug-2001	2-Aug-01	Hutu militias (Interahamwe) launch major attacks from the Democratic Republic of Congo, where they were driven to by 1998, in May 2001 but it is crushed by the Rwandan army in about two months (SF). However, Uppsala codes "intermediate" violence between these groups during 2002 (and "war" during 2001), so I code this case as failing right away.
Senegal	31-Dec-04	RC	Rebels (MFDC) fighting for the independence of the Casamance region, which is geographically and ethnically distinct from the rest of the country and happens to be the most fertile region in Senegal, and the government sign a peace deal on 30 December 2004. Although a ceasefire was agreed upon in December 1999, which leads to SF's coding of the war as ending in that period, it did not address political status and was not a comprehensive agreement; furthermore, Uppsala codes that "intermediate" violence continued during 1999-2001 and 2003. Therefore, I code the war as ending only at the end of 2004 ( <a href="http://www.un.org/ecosocdev/geninfo/afrec/vol19no1/191senegal.htm">http://www.un.org/ecosocdev/geninfo/afrec/vol19no1/191senegal.htm</a> ).
Sierra Leone	1-Dec-96	25-May-97	The Abidjan Agreement signed on 30 November 1996 ends the violence between the RUF and the government temporarily. Mutinous soldiers (AFRC) join RUF rebels, however, and overthrow President Kabbah in May 1997 (SF, S2004).
Sierra Leone	1-Jun-01	RC	Lome Agreement (with provisions for a national unity government that would incorporate RUF as a political party) signed on 7 July 1999. Although "intermediate" violence continued through 2000 and, according to S2004, "the end-date of this war is 5/2001 (when the Lome accords actually began to be implemented)" (195) I code the end date also as May 2001, thereby not coding any failure associated with the Lome Accords. (SF codes March 2002, which marks the lifting of state of emergency, as the end.)

Somalia	28-Jan-91	18-May-91	"Siad Barre regime [which causes large-scale civilian deaths through repression and anti-insurgency operations starting from 1988] is increasingly challenged by rebellions of Somali National Movement, based on northern Issaq clan, and United Somali Congress, based on southern Hawiye clan. Barre regime collapses [on 27 January 1991] but chronic violence among clan-based warlords in south prevents establishment of effective central government" (SF). I code the first war as ending with Barre's overthrow and, following S2004, I code the declaration of Somaliland's independence in May 1991 as the start of the new war. Uppsala shows continued war through 1992 and "intermediate" violence during 1993-96. Many datasets show war as ongoing still in 2004; Uppsala shows nothing for 2002 and 2004, but this might be because it considers the violence to be amongst different rebel groups and not between them and a given government. Although there were a couple of declarations and agreements during 1997-99, these were not signed by the majority of rebels (S2004, 197), so I do not code them as ending the ongoing war.
Somalia	30-Jan-04	1-May-04	An agreement is reached in Kenya among many rebel leaders and the existing transitional central government to stop fighting and form a Transitional Federal Government. Because violence in Mogadishu and elsewhere continues and the questions of Somaliland and Puntland have still not been resolved (i.e. the government lacks control of areas it claims), I follow SF and code this war as ongoing and the peace that started with the agreement in Kenya as failing in May. (BBC reports upsurge of fighting which kills more than 100 people in May/June 2004, see <a href="http://news.bbc.co.uk/2/hi/africa/country_profiles/1072611.stm">http://news.bbc.co.uk/2/hi/africa/country_profiles/1072611.stm</a> ).
South Africa	28-Apr-94	RC	27 April 1994 marks the day of the first democratic elections, which leads to the formation of the Government of National Unity under the interim constitution. (Apartheid laws are abolished in 1991 but fighting between ANC and Inkatha ensues until 1994.) (S2004)

Sri Lanka	1-Jul-71	1-Jan-89	Marxist JVP attempts to takeover the government from the hands of a more moderate coalition led by Bandaranaike in April/May 1971; it is crushed by mid-June 1971 (onwar.com; consistent with S2004 and Uppsala). In 1988/89 JVP utilizes the Sinhalese objections to the government's negotiations with the Tamils (LTTE) and starts another insurgency, which incites another civil war. The exact date is unclear, so given that Uppsala codes no violence during 1988 and "war" during 1989, I code failure at the beginning of 1989.
Sri Lanka-Tamils	30-Jul-87	31-Jul-87	Tamil insurgency, led primarily by the LTTE, against the predominantly Sinhalese Sri Lankan government started in 1983. On 29 July 1987 an agreement signed between Sri Lanka and India--many refugees were going into the Indian state of Tamil Nadu--provided for an autonomous region in Sri Lanka for the Tamils and Indian peacekeeping forces (IPKF) to be stationed (S2004, onwar.com). Reportedly demobilization failed to occur and the agreement was never implemented, hence the coding of a single war by most datasets (SF, S2004). However, it would be selection bias to exclude this failed arrangement, so I code it as ending the war, with another one starting right after. (Uppsala codes "intermediate" violence during 1985-88 and "war" during 1989-2001).
Sri Lanka-Tamils	1-Mar-02	1-Jan-03	In February 2002, Tamil Tigers and the government sign a permanent ceasefire deal. In December 2002, after the Tamil rebels drop demands for their own state, they agree to power sharing and a federal structure (see comments of leaders and the body of the agreement at <a href="http://www.tamilnet.com/art.html?catid=13&amp;artid=7937">http://www.tamilnet.com/art.html?catid=13&amp;artid=7937</a> ). At least sporadic violence seem to continue and large areas continue to be held under rebel control, and no agreements can be reached regarding the form of power-sharing and decentralization that is supposed to take place. Because Uppsala codes "intermediate" violence in 2003, I code peace as failing at the beginning of that year. (Violence intensifies in 2005 and the two sides reassert their commitment to the 2002 ceasefire in 2006.)
Sudan-South	1-Apr-72	1-Jul-83	Non-Muslims of southern Sudan (Anyanya) start fighting for independence in 1950s; the war ends with the Addis Ababa peace agreement signed in March 1972, providing for regional autonomy and power sharing in the central government (S2004, 208). Southern rebellion resumes under SPLM/SPLA leadership when the Muslim government violates the previous agreement in 1983 (SF).

Sudan-South	1- Nov- 02	RC	While SPLA and the Muslim government sign the Machakos Protocol on 20 July 2002, it provides the general framework for solution--South would have the right to seek self-determination in 6 years and North will be able to institute sharia. Parties agree in October 2002 to respect the ceasefire as negotiations on the particulars continue (S2004, SF). This effectively ends the violence in southern Sudan (further agreements, particularly regarding power sharing, are signed in 2005), while another rebellion starts in Darfur in 2003, which turns into a genocide of non-Arabs in the region by government supported Arab Janjaweed militias (SF). (In May 2006 a peace agreement is signed between main rebel groups in Darfur and the central government.)
Syria	1- Mar- 82	RC	SF codes the 1982 Muslim Brotherhood uprising and its defeat as a genocide/politicide. However, after a careful case study S2004 concludes that this was in fact a civil war since "the Muslim Brotherhood was an armed insurgent group intent on overthrowing the Syrian government" and there were significant casualties on both sides (though it was a lot more on the side of the insurgents) (212, 213). The revolt, centered in the cities of Hama and Aleppo, was crushed in February 1982 (SF).
Tajikistan	28- Jun- 97	RC	On 27 June 1997 the government and the UTO sign the General Agreement on the Establishment of Peace and National Accord, which provides for power sharing in a coalition government and also in the National Reconciliation Commission that is supposed to enforce the implementation of the agreement (SF, S2004). Uppsala codes no violence during 1997 and only "minor" during 1998.
Thailand	1- Jan- 84	RC	Maoist guerrillas rise up against the Thai government in mid to late 1960s until the insurgency collapses with mass defections in late 1983 (SF).
Turkey	1- Mar- 00	1- Jun- 04	PKK vs. the Turkish government from 1984 until Ocalan's capture in 1999. The war technically ends with the unilateral declaration of ceasefire by the PKK in Feb 2000. In May 2004 PKK (or Kongra-Gel) announces it will end the ceasefire and violence in the southeast re-escalates (even though it probably does not rise to the level of another civil war).

Uganda-Baganda	1-Jun-66	RC	In 1966 President Obote (after ousting Mutesa--leader of the Baganda people) suspends the constitution, creates a one-party state, and takes away regional autonomy, centralizing power, which sets off a civil war with Baganda rebels. The government quickly and brutally establishes control (SF, S2004). (Uppsala codes no violence at all related to this incident.)
Uganda	11-Apr-79	1-Dec-80	Amin's regime vs. UNLA (with Tanzania support) during 1971-79. On 10 April 1979 the rebels and Tanzanian forces take over Campala, ousting Amin. Obote is reinstated, Amin's supporters rebel and are "slaughtered on massive scale" during 1980-86 (SF). I code relapse in December 1980 (SF, S2004). SF codes this as genocide, S2004 codes it as another war.
Uganda	1-Feb-86	2-Feb-86	NRA (under Museveni) fights the Obote government from 1980 on. Obote is overthrown by General Okello and a group of UNLA soldiers on 27 July 1985; former Amin supporters are invited back to Uganda to help fight against NRA. NRA takes over Kampala in January 1986, after which many Acholi groups formed the Uganda People's Defense Army and fought the military. Although S2004 codes the new war as starting in 1990, Uppsala codes continued "war" during 1981-89, "intermediate" in 1990 and "war" again in 1991, so I code the post-war case following Museveni's takeover as failing right away.
United Kingdom	10-Apr-98	RC	Following S2004 (though recognizing that this is an ambiguous case "as the sustained violence criterion is not clearly satisfied throughout the period and there is no single year with more than 500 deaths"), I code the war as ending with the Good Friday Accord of 10 April 1998.
USSR-Lithuania	1-Jan-53	1-Jan-91	Lithuania fights against the Soviet occupation and rule; it is crushed by 1952 (S2004; exact date not clear). I code the declaration of independence from USSR as relapse.
USSR-Latvia	1-Jan-48	1-May-90	Latvia's fight against Soviet rule is crushed by 1947 (S2004). I code the declaration of independence from USSR as relapse.
USSR-Ukraine	1-Jan-51	24-Aug-91	Soviet forces crush the Ukrainian insurgency by 1950 (S2004). I code the declaration of independence from USSR as relapse.
USSR-Estonia	1-Jan-49	20-Aug-91	The Estonian insurgency is crushed by 1948 (S2004). I code the declaration of independence from USSR as relapse.

Vietnam	1-May-75	RC	Communists of South Vietnam (Viet Cong), supported by North Vietnam, start fighting the South Vietnam's Diem regime in 1960. The war becomes internationalized in 1965, finally coming to an end on 30 April 1975 when Saigon falls, President Minh surrenders, and the Socialist Republic of Vietnam is soon proclaimed (SF, S2004).
Yemen	1-Apr-48	26-Sep-62	Imam Yahya is assassinated and reformers take over in Feb 1948, but by March Yahya's son (Ahmad) defeats the coup and restores the old regime with him on the top. On 26 September 1962 another coup forces the new king (Ahmad's son) to flee and establishes the Yemen Arab Republic in North Yemen.
Yemen-North	1-Jan-70	RC	Civil war between royalists and those loyal to the YAR continues until early 1970 (SF, S2004).
Yemen-South	1-Feb-86	RC	Rival factions of the Yemen Socialist Party fight for control of the government and lasts only a couple of days. It began on 13 January 1986 and is over by the beginning of February (SF, S2004).
Yemen	1-Aug-94	RC	In May 1990, the former Yemen Arab Republic (YAR-north Yemen) and the former People's Democratic Republic of Yemen (PDRY-south Yemen) formally reunify to form the Republic of Yemen. However, relations are strained due to disagreements over power-sharing. In 1994 the South tries to secede and full-scale civil war ensues in April/May 1994. It ends when northern forces capture Aden in July 1994.
Yugoslavia-Kosovo	1-Jul-99	RC	Federal Republic of Yugoslavia revokes Kosovo's autonomous status and the Democratic League of Kosovo under Ibrahim Rugova declares independence and established a parallel government in 1990. KLA is formed in 1996 and fighting escalates in 1998. After NATO gets involved in March 1999, the war ends in June 1999. Although there was renewed instability in 2004, it does not constitute relapse. After the end of the war de-facto autonomy was established under interim UN civilian administration.

Zimbabwe	22-Dec-79	RC	ZANU/ZAPU vs. white-dominated government from 1972 until the Lancaster House Agreement in December 1979, which ended white-rule, paved the way for elections, and promised 20% of parliamentary seats for whites (see the document at <a href="http://zwnews.com/issuefull.cfm?ArticleID=6623">http://zwnews.com/issuefull.cfm?ArticleID=6623</a> ). A violent campaign is launched in 2000 to seize white-owned land and brutal repression of any opposition is commonplace but it does not rise to war--not even "minor" violence--or genocide/politicide levels (SF, Uppsala).
Zimbabwe-Ndebele	23-Dec-87	RC	Ndebele people supporting ZAPU vs. the ZANU/Mugabe regime in Southwestern Zimbabwe (Matabeleland) from early 1980s until the merging of the ZAPU with ZANU (predominantly Shona) on 22 December 1987. This war is not related to the white-black conflict that was the basis of the first war, therefore, this does not constitute relapse for the first case.

RC=right-censored, takes on the value 31-Dec-04

S2004=Sambanis(2004)

SF or PITF=State Failure and Political Instability Task Force, 1955-2004

Uppsala=Gleditsch et. al (2002); updated dataset 'Armed Conflicts, 1946-2004'

D&S=Doyle and Sambanis (2001)

## Appendix 2

### Cox Proportional Hazards Estimation Procedure

The likelihood function for the Cox model is partial in that it does not make use of all information available, and contains fewer parameters than the full likelihood function characteristic of fully parametric model.<sup>104</sup> It has the form

$$L = \prod_{j=1}^D \frac{\exp(\beta'X_{(j)})}{\sum_{k \in R_j} \exp(\beta'X_k)}, \quad (1)$$

where  $j$  indexes ordered failure times so that  $j = \{1, 2, \dots, D\}$  and  $D$  represents the number of observed failures, assuming that there are no ties (i.e., only one failure occurs at each failure instant);<sup>105</sup>  $X_{(j)}$  denotes the value of  $X$  for the individual that fails at the  $j$ th failure instant;  $R_j$  is the risk set at the  $j$ th failure instant;  $X_k$  refers to the value of the  $k$ th individual in the risk set such that  $k = \{1, 2, \dots, N_j\}$ , where  $N_j$  represents the number of individuals in the risk set  $R_j$  at the  $j$ th failure instant.

The function that comes after the product sign is simply the factor contributed to the overall likelihood at each failure instant.<sup>106</sup> To illustrate more concretely how this works, I follow the example I gave in Figure 2. The likelihood factor contributed by the second failure  $f_2$  corresponds to that by individual  $i_3$  and is represented as

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<sup>104</sup> Cox 1975 is the main source for this section.

<sup>105</sup> There are a variety of methods of dealing with ties. The “Breslow method” is used as default in STATA and is based on averaging across all possible sequences of failure.

<sup>106</sup> Individual failures are assumed to be independent of each other.



$$L_{i_3} = \frac{\exp(\beta'X_{i_3})}{\exp(\beta'X_{i_2}) + \exp(\beta'X_{i_3}) + \exp(\beta'X_{i_4})}. \quad (2)$$

What distinguishes the likelihood function expressed in Equation (1) from those that correspond to fully parametric models is that only the *order* of failure times is taken into account in the former. There is no need to consider the actual length of time it takes failures to occur, the distribution of which defines the parameterization of the baseline hazard function, because the baseline hazard function is left arbitrary in this model. Cox illustrates that MLE can be used to estimate  $\beta$ 's in the partial likelihood function (1975). Even though the estimates are likely to be not as efficient as if a fully parametric model was used, the asymptotic properties of the estimates still hold true for large samples (273): one can expect to get unbiased parameter estimates using the partial likelihood function. Without estimating the nuisance parameter,  $h_0(t)$  that is, parameters  $\beta$  for the whole sample are thereby estimated by maximizing the following log-likelihood function:

$$\ln L = \sum_{j=1}^D \left( \beta'X_{(j)} - \ln \sum_{k \in R_j} \exp(\beta'X_k) \right). \quad (3)$$

To get parameter estimates, the first derivative of  $\ln L$  with respect to  $\beta$ —the score function—is solved for  $\beta$ , while asymptotic standard errors are estimated by taking the square-roots of the inverted negative expected values of the second derivatives of  $\ln L$  with respect to  $\beta$ .