Why Is It So Difficult to Reach a Stable Peace in Conflicts Involving Warlords?

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UNIVERSITETET I OSLO
29 May 2007
Acknowledgements

First and foremost, I would like to thank my supervisor Prof. Jon Hovi (University of Oslo) for his seemingly endless patience and willingness to see me on short notice. His comments and advice have been invaluable.

I am grateful to A/Prof. Anne Julie Semb (University of Oslo), Dr. Scott Gates (PRIO) and Prof. Annett Seegers (University of Cape Town) for pointing me in the right direction at the beginning of my work with this thesis. Also, I owe thanks to Dr. Stig Jarle Hansen for filling me in on the history of, and ongoing events in, Somalia.

I would like to thank the Oslo Center for Peace and Human Rights for providing me with a desk and the equipment I needed to write this thesis. I am grateful to the staff of the centre for giving me the time to work on the thesis, and especially to Special Advisor for Africa, Geir Sjøberg for his encouragement and help with locating sources and specialist in the field.

The librarians at the Norwegian Nobel Institute Library, the Library at PRIO and the African Studies Library, University of Cape Town, have been most helpful in locating sources and giving advice. The literature list would be much shorter without them.

This thesis would not be possible without all those that helped me get through the emotional challenge it has been to write it; my partner, Siv Aulie; my parents, Turid and Hjalmar Hassel; my fellow students, Synne Brekke, Gro Mette Moen, and Venusia Vinciguerra; my co-workers, Anette Frølich, Sana Majeed, Silje Rivelsrud; and; all my friends.

I am grateful to you all,

Stina Hassel

Oslo, June 2007
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Chapter 1: Introduction

In 2005 alone, the world saw seventeen armed conflicts, all of which were civil wars (SIPRI 2006). Civil wars often entail regional effects, great economic costs, and cause immense human suffering (Sambanis 2002:215-17). In many civil wars the parties, as well as international actors, have recognized this and there have been numerous attempts at negotiated settlements. But as Stedman (2002:1) points out, conflicts often break out again when well-intended peace agreements fail. He cites the conflicts in Angola, Rwanda and Liberia to illustrate how great the costs of failed peace processes are. Two of the three civil wars Stedman highlights are conflicts in which warlords have played a significant part. Both in Angola and in Liberia there have been numerous failed efforts at ending the conflict. In Angola 350 000 people died after the conflict broke out again in 1993, and in Liberia 150 000 lost their lives.

That a peace process does not result in peace is not a phenomenon confined to Angola and Liberia. In the period 1940 to 1992 there were 72 incidents of civil war\(^1\). In 62% of these conflicts the parties engaged in negotiations that led to the signing of a peace agreement. Of the signed agreements, only 57% were successfully implemented (Walter 2002:5-6).

The high numbers of civilian deaths in civil wars, and Walter’s findings, indicate how difficult, but nevertheless important, it is to achieve lasting peace settlements in civil wars. The will and capability to end civil wars is a matter of life-or-death for millions of people. Civil war is a broad category of conflicts, and a strategy that has worked in settling one conflict might prove ineffective or even counter-productive in another

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\(^1\) Walter selected her cases based on the coding criteria used by the University of Michigan’s Correlates of War project (COW). COW defines a civil war as a conflict that (1) takes place within a recognized state, (2) results in at least a thousand deaths per year, (3) involves the national government, and (4) experiences effective resistance from both rebels and the government.
conflict. Civil wars might differ in several ways, depending on, among other things, what type of actors are parties to the conflict. In this thesis I consider civil wars involving (one or more) warlords. MacKinlay (2000:60) argues that the standard international response to civil wars -disarmament, demobilization and elections- often fails in conflicts involving warlords because this strategy fails “to understand the significance of the warlord, his urge to survive, his network of vested interests and his imperative to resist a peace process at all costs.” In other words, there are inherent features in a warlord’s nature that indicate he has less to gain from peace than other actors. Due to this, it might be particularly difficult to achieve peace in conflicts involving warlords.

1.1 Research Question

Why is it so difficult to reach a stable peace in conflicts involving warlords? Because conflicts involving warlords are highly diverse, it is impossible to provide a final answer to this question. However, it is possible to say something general about (1) the conditions for a lasting peace, and (2) why these conditions are difficult to achieve in conflicts involving warlords. This is what I do in this thesis.

1.2 Research Design

The existing body of literature on warlords is rather small. A great deal of this literature is case specific. In addition, there have been attempts to create a definition of warlord that is applicable both today and for historical cases. There have been few attempts to establish how one can best relate to warlords in settlements of civil wars. Because of this lack of literature it has been impossible for me to base this thesis exclusively on literature considering warlords.
The causes and nature of civil war in general and how to end them in particular, have received much more attention from scholars (Fearon 1995; Hegre, Gates and Gleditsch 2001). However, very often this literature is too general to be able to say much about the conditions for a lasting peace in conflicts involving warlords. A part of this body of literature also focuses explicitly on how to solve conflicts where ‘ethnic’ groups fight over access to land and resources (See for example Horowitz 1985). The problems in these types of cases often differ greatly from the problems in cases involving warlords.

To merge two bodies of literature is a challenging task and I have therefore needed a strong framework to be able to do so. I found this framework in the theory of self-enforcing agreements developed by game theorists. Using game theory has several helpful aspects.

In game theory one strips the nature of a situation down to the number of players, a set of strategies for each player, a set of possible outcomes, payoffs that each player receives from each of the possible outcomes, and the rules of the game (Hovi 1998:3-4). These five factors are often referred to as the game structure. These simplifications have two main advantages. It requires that assumptions be made explicit. Explicit assumptions make it easier for others to establish as to what cases the conclusions apply, and where the conclusions’ applicability ends. Secondly, the analytical clarity of the model ensures that the analysis and the conclusions follow from the assumptions (Gates and Humes 1997:5-8). In verbal arguments, words are often used (intentionally or not) to cover holes in the argumentation or to hide assumptions that the argument is built on. This makes it more difficult to uncover logical inconsistencies in the argument.
The downside of modeling is that the simplifying assumptions may result in that the model fails to represent the complexity of reality. This is a valid critique that serves to emphasize the limitations of modeling. One can minimize the cost of simplification by making sure that one includes those features of reality that are essential, and excluding those that have little impact (Morrow 1994-7). Also it is important to be aware that any representation of reality is a simplification. Not even the most in-depth case study can fully reflect reality, and it is often easier to determine what is left out and what implications this has in game theoretic models than in case studies. In game theoretic models the reader is made aware of the simplifications made -something that makes it easy for the reader to determine whether the simplifications affect the conclusions such that they would not hold if applied to reality. When using other methods, such as case studies, it is often much more difficult for the reader to establish the impact of the simplifications as the simplifications are not obvious.

When applying game theory to political science, it is useful to see the research process as three separate stages. In the first stage, conceptualization, one specifies the formal game structure. Secondly, one solves the model by finding the equilibrium or solution of the game. The final stage involves interpreting the results and looking at the implications of the findings (Gates and Humes 1997:10-12).

In this paper I will use noncooperative game theory. Noncooperative game theory does not assume that the players are able to make binding commitments (Hovi 1998:4). Clearly, it lies in the nature of civil wars that the actors are not able to make binding commitment. This is underlined by the percentage of failed peace settlements in civil wars mentioned above.

Specifically, I will use possibly the most famous of all game theoretic models, namely the Prisoner’s Dilemma. In a Prisoner’s Dilemma there are two players that
can choose either to cooperate or to defect, or in other words to comply with the peace agreement or to violate it. For both parties defection will give a better result no matter what the other party does. The dilemma emerges because if both defect they will both do worse than if they both cooperate (Axelrod 1984:7-8). To solve the dilemma one has to be able to create conditions or develop strategies that cause both parties to cooperate. The reason I have chosen the Prisoner’s Dilemma model is that it represents the worst possible situation where there is a possibility that both parties will cooperate, so that a peace agreement can be successfully implemented.

I will use a number of examples to illustrate the theoretical discussion. As far as possible I have tried to find illustrative examples involving warlords. Where this has been impossible I have turned to other related general examples in the hope that these will also be able to throw some light on the theory’s implications. By relying both on verbal theories, formal models and illustrative examples, this thesis aims to contain both richness of detail and clarity of argumentation.

1.3 Plan

Chapter 2 will focus on the nature of warlords, drawing upon the existing literature on warlords and on more general theories of actors in armed conflicts. In particular I will draw on theories by K. J. Holsti, Mary Kaldor, Robert Jackson, and Paul Collier.

At the beginning of Chapter 3 I outline different types of self-enforcing agreements. The rest of Chapter 3 will be used to discuss strategies for making the warlord unable to sabotage the peace process. I consider three such strategies; killing the warlord; militarily defeating the warlord; and arresting and prosecuting the warlord for war crimes and/or crimes against humanity. I will point out that the consequences of making the warlord unable to challenge the peace process are uncertain.
In Chapter 4 I will discuss situations in which the warlord is able to violate the peace agreement, but where he does not see it as being in his best interest. The Chapter identifies four conditions that need to be present in order to achieve a self-enforcing agreement, and examines the different strategies that parties in a Prisoners' Dilemma might adopt. The discussion will focus on how one can alter a warlord’s cost-benefit-analysis by the use of sticks and carrots.

In some situations it will be impossible to achieve a self-enforcing agreement in civil wars where a warlord is among the parties. In chapter 5 I will therefore consider the potential effectiveness of different types of external enforcement.

Chapter 6 will summarize the argument and main findings of the thesis.
Chapter 2: Warlords

2.1 Introduction

In much of the literature written by journalists, ‘warlord’ is used as a derogatory term. It is easy to define warlords in a negative way because a warlord’s power is not based on traditions or elections, but on armed force (Hills 1997:36). In academic writing, terms that carries moral judgement or evokes strong emotions in writer and reader ought to be avoided so that the analysis is not coloured by emotion.

Many scholars have defined ‘warlord’ in more neutral terms: however, a consensus on the specific characteristics of a warlord has not yet emerged (Rich 1999a:xi). In this chapter I will therefore look at the existing literature and attempt to come up with a definition that is functional for my intentions.

We define phenomena in order to distinguish them from other phenomena. Categorising the world in this way is necessary to be able to say something about causation. When wishing to analyse how one can end conflicts involving warlords it is of essence to define a warlord in such a way that he can be clearly distinguished from other actors as other actors are likely to respond differently than warlords to the different strategies discussed.

In this chapter I will discuss some of the existing definitions of warlords, before I go on to examine some of the characteristics in more detail. I will especially look closer at a warlord’s motivation and the environment he operates in. Finally, I will

\[^2\] I will consequently refer to the warlord as he and him, because all the cases I use the warlord has been a man. However, there is nothing in the warlords (alternatively, warladies) nature that indicates that women can not become warlords. As a
establish the criteria I use to recognize a warlord in this thesis. Throughout the thesis I will use the term ‘warlord’ to refer to the warlord himself and the term ‘warlord group’ to refer to the warlord’s followers and foot soldiers. These followers and foot soldiers will be referred to as warlord soldiers to distinguish them from soldiers belonging to other armies. Some of the authors I refer to use the term ‘warlordism’, which probably is meant to indicate the activities the warlord engages in. Finding the term unclear I will not use it.

2.2 Existing Definitions of Warlords

There are as many definitions of warlords as there are authors writing on the topic. A closer look at these definitions and a discussion of them will throw light on the nature of warlords and help us understand how we best can define warlords. I will start by looking at an understanding of warlords that is far from my own.

In William Shawcross’ often cited book *Deliver Us from Evil. Warlords and Peacekeepers in a World of Endless Conflict* the term warlord is used in a significantly broader sense than in most other writings on the topic. Shawcross declines to define warlords, but, among others, names men like Saddam Hussein, Slobodan Milosevic and Pol Pot as warlords (Shawcross 2000:14). From the list of warlords given by Shawcross one can deduce that he sees state leaders that do not comply with international law and human rights, as well as actors in civil wars with political motivations, as warlords.
A better term for the actors Shawcross is referring to might be strongmen (alternatively, of course, strongwomen). Strongmen are national leaders in political systems where the institutional power relationship is skewed to their advantage (Ng’ethe 1995:252-53). The state power is concentrated in the strongman’s hands. The main difference between warlords and strongmen is, as will become clear in the following discussion about warlords, that the strongman claims that he holds state power, while the warlord operates within a state he does not officially rule. It is possible for both strongmen and warlords to operate within the same state. In these cases the warlord operates in the areas that the strongman does not control. This implies that strongmen sometimes rule quasi-states.

Shawcross’ broadening of the concept warlords to also include strongmen render his concept of warlord difficult to use for analytical purposes (Jones 2004:127-8). Generally, when a concept becomes too broad it loses its analytical utility because we can no longer use the term to predict and explain the actions of those actors that fall under the concept, simply because they are too diverse. It is therefore necessary to define warlords in a narrower sense.

William Reno does not establish a clear definition of warlords as actors either. Rather, he defines what he calls warlord politics. Warlord politics is recognized by that the ruler does not create state institutions and bureaucracies that work for the collective good. Instead he ensures that economic resources are centred on his hands so that he is able to buy “the loyalty of some” and buy “weapons to coerce others” (Reno 1998:1). Reno’s warlords then buy services from foreign firms to fill some of the roles the state normally has (Reno 1997b:493).

As Marten (2007:47) points out Reno “defines warlords by their style of political economy”, something that leads him to blur “the distinction between warlordism that
threatens state control over territory and states that are ruled by former warlords” (Marten 2007:47). This is because in cases where warlords become elected heads of state, they often continue to operate much in the same way as they did when they were warlords. Charles Taylor of Liberia is an example of this. And as Marten (2007:47) points out, “warlords who become state leaders are no longer warlords”. As long as Reno’s definition of warlords does not allow us to distinguish between warlords and those that were warlords, but are now elected heads of state, it is too broad and too vague. I therefore now turn to authors who define warlords by listing a set of criteria actors have to meet to qualify as warlords.

The first of these authors is Robinson (2001:123). According to him, warlords have to meet five criteria. First, they operate in collapsed states. There is a significant amount of literature on state collapse that I will discuss below. Second, they are motivated by “narrow commercial self-interest” as opposed to so-called political motivations. This characteristic plays into the greed and grievance debate discussed below. Third, they achieve their goal by the use of armed force. According to Robinson, a warlord must have access to armed force that is self-sufficient. I will argue below that this requirement is problematic. Fourth, warlords are willing to use the means necessary to defend their interest even if it is in conflict with international law. As I understand Robinson here he sees warlords as actors that might terrorise civilians, and that the security he provides is at best arbitrary. And lastly, warlords do not have a democratic mandate. Warlords are not elected and can therefore not be held accountable by the population.

Jackson’s (2003:137-39) criteria for warlords differ from Robinson’s. According to Jackson, warlords have to meet the following five criteria. First, warlords operate where there is no central power that can control them or provide an alternative form of governance. Second, they “use violence to reassert local power” (Jackson 2003:137). Warlords rule through the use of random violence. Third, warlords
develop their own internal structures, similar to gang mentality. These structures can be recognized in that they differ from the structured hierarchy of modern militaries (Jackson 2003:138). I will discuss this feature when looking at Mary Kaldors ‘new wars’ in section 2.5.3. Fourth, warlords take over some of the functions of the state, i.e. taxation and building of infrastructure. Fifth, warlords engage in international trade. Jackson points out that warlords have traded across borders throughout history, and that this phenomena is therefore not inherently connected to globalism as we know it today (Jackson 2003:138-39).

In contrast to Jackson and Robinson, Marten (2007:47) only operates with four conditions. According to her first criterion, warlords are men that use force to seize territory when the central authority collapses. Second, they are motivated by self-interest. Also, Marten contrasts self-interest with political or ideological motivations. Third, a warlord’s “authority is based on charisma and patronage” (Marten 2007:48). Here Marten disagrees with those, like Robinson and Reno, who argue that a warlord’s authority is based on fear. Marten argues that warlords need militias to support them and that achieving this will be much cheaper if the militia men and women have some feeling of loyalty towards the warlord. Lastly, a warlord’s way of ruling results in fragmentation of political and economic structures. Warlords disrupt free trade and attempts to establish monopolies.

The problem with all three of these authors is that they do not establish whether the requirements they list are sufficient or necessary. If we assume that they see all of their requirements as necessary, it might create problems. Say for instance that a warlord stops to trade on the global market for a period of time then he would, by Jackson’s criteria, not be a warlord anymore. Jackson also argues that warlords fulfil some of the functions of the state. He includes this requirement, at least in part, to be able to distinguish warlords from bandits (Jackson 2003:138). It is important to be able to distinguish warlords from bandits, but fulfilling some of the functions of the
state seems a difficult requirement to meet, also for many warlords. In my view, it will therefore be better to focus on the warlord’s armed forces and his ability to hold pieces of territory when the goal is to distinguish warlords from bandits. It will therefore be more appropriate to assume that if an actor fulfils one of the three sets of criteria listed above, it is sufficient to call him a warlord. However, it is a weakness in the definitions developed by Robinson, Jackson and Marten that they leave it to the reader to speculate about the state of the criteria. Especially, if they see their own criteria as sufficient, and not necessary, it would have been helpful if they had said something about which criteria one could exclude, and if one criteria could be replaced by another.

I will now compare and contrast the different sets of criteria above. For simplicity’s sake, let us start with what these authors agree upon. All three agree that warlords operate in areas where there is no effective state, and that warlords take control of territory by the use of armed force. Robinson also adds that warlords use of violence is indiscriminate as a criteria of its own. Jackson explicitly agrees to this, and there is no reason why this should be a controversial issue. Even though Jackson and Marten do mention that warlords are undemocratic, or list this as one of their requirements, it is clear that they would agree with Robinson that warlords are not elected.

Scholars emphasise different sources for the warlord’s authority. Some authors argue that warlords get their way by using force and terrorizing the population (Robinson 2001:126, Thomas, Kiser and Casebeer 2005:125). This style of leadership is often referred to as a ‘regime of terror’. The term was coined by E.V. Walter (1969) in his nominal work on the Zulus in Southern Africa. A regime of terror “include certain states of war as well as certain political communities” where relationships are “controlled by the terror process”. A system of terror implies “that all the individuals within it are involved, in one role or another, actually or potentially in the terror process”(Walter 1969:6). Regimes of terror might be an alternative to the elimination
of a group of people. Instead of doing away with the group, rulers may control the
group with terror (Walter 1969:14).

Walter (1969:29) makes an important point about consent: “We identify order with
consent, but we also equate violence with the absence of order. Therefore, from the
self-evident half-truth that order is based on consent, we move confidently to the half-
false converse that violent governments are not based on consent.” (Walter 1969:29)
Even though the warlord tends to terrorize the population, this does not necessarily
mean that he has no support. Rather the terror increases the incentives to co-operate
(Walter 1969:289).

Other scholars have recognized some of the wisdom in Walter’s analysis. Marten
(2007:47), points out that a warlord needs foot soldiers, and that maintaining a militia
is easier and cheaper with a certain level of legitimacy. Chan (1999:164) writes that
warlords “secure allegiance through a combination of that force and articulation,
allied sometimes with charisma or claims to certain ancestries more compelling to
their adherents”. Peake adds his voice to this and (2003:182) agrees that a warlord
has “a personal and charismatic form of leadership”. Jackson sees these bonds
between a warlord and his people as the same type of bonds that can be found in
gangs. In addition, a warlord’s foot soldiers might for example worry about their
security and this might be sufficient motivation to join the warlord. As Keen
(2000:23) points out “It may be safer to be in an armed band than outside one”

I think it is necessary to be open to a warlord’s authority being based on at least two
factors. Some people feel allegiance towards a warlord based on some sort of bond.
Other people see belonging to a warlord group as their best option, as the warlord
provides for them, and if they stood outside the group they might become a target for
it.
There is also some disagreement when it comes to a warlord’s motivation. Even though many scholars agree that a warlord is motivated by economic self-interest, some, like Jackson, want to emphasise other motivations. Jackson hints at this when he argues that “Warlords are not irrational anarchists, but an alternative form of governance system” (Jackson 2003:132). This implies that when there is no functioning state that can guarantee for people’s safety, their security concerns can be so grave that it results in warlord groups. In this sense security concerns might be a motivation factor for both the warlord as well as his followers. In the next section of this chapter I will deal with the greed versus grievance debate that deals with the issue of actors’ motivation in civil wars in more details. Through this discussion it will become clear that motivations are complex and consist both of economic and non-economic factors. However, what is clear is that actors motivated by pure political ideology are not warlords (Marten 2007:47).

As Jackson (2003:138-39) and Reno (1998:2) argue, warlords also trade internationally. They sell natural resources on the global market and receive arms and ammunition in return. In some cases, the warlords’ trading routes and other cross border activity is so significant that it “disrupts authority in other states” (Reno 1998:2).

To sum up, the different definitions emphasise different features of warlords. What different authors emphasise is to some extent determined by which aspects of the warlord’s nature they are interested in. Economists focus on the economic features of warlords, while political scientists are more interested in a warlord’s relationship to the state. Scholars with a military background tend to focus on a warlord’s armed forces.
Before I establish my own criteria for warlords, I will look closer at warlords’ motivations, discuss the military component, and consider the environment the warlord operates in. The idea is that this will help me develop a useful definition.

### 2.3 Greed or Grievance?

In recent decades there has been a heated debate among civil war scholars over whether actors in civil wars are motivated by greed or grievance. ‘Greed’ in this debate represents economic reasons for civil war, while ‘grievance’ represents political (in the word’s widest sense) motivation. Since warlords are actors in civil wars, this debate also has something to say about what motivates warlords.

In the second half of the 1990s we saw a reaction to the literature that had explained civil wars with irrationality, such as the “ancient hatred”-argument (See among others (Kaplan 1994)). This body of literature argued that academics belonging to the “ancient hatred”-school failed to recognize that civil wars are not only a breakdown in an existing system, but “frequently involve the emergence of another, alternative system of profit, power and protection in which conflict serves the political and economic interest of a variety of groups.”(Berdal and Keen 1997:797). Among others, Fearon (1995) and Morrow (1985) have emphasised war can be a rational choice. Cilliers argues that the war in Angola was rational for some actors because it gave them access to resources. However, she points out that the war only was rational because the actors had short time horizons: in the long run everyone loses from war (Cilliers 2000:6).

Collier and Hoeffler (2000b) set greed up against grievance as explanatory factors of civil war in an often cited World Bank report. They used the share of primary commodity exports in gross domestic product (that were supposed to measure the
availability of lootable resources), the proportion of young men in society and their level of education (as an indicator of how easily they could be recruited as soldiers) to measure economic agendas in civil war. Grievance was measured by looking at “the extent to which the society is fractionalized by ethnicity and by religion” (Collier 2000a:95), the ownership of land, degree of political rights and the rate of growth per capita income in the preceding five years. The report concludes that “The extent of primary commodity exports is the largest single influence on the risk of conflict” (Collier and Hoeffler 2000b:26). The proportion of young men also has an impact, but the level of education is more important. These factors multiply if present at the same time. Among the factors used to measure grievance, economic decline is the only one that matters. Inequality has no impact on the risk of civil war, and the results for political repression were ambiguous. Surprisingly, Collier finds that ethnic and religious divisions reduce the risk for civil war (Collier 2000a:97-98).

According to Collier (2000a:98-100) the reason why greed, rather than grievance, results in civil wars is that rebellions motivated by grievance suffer under a collective action problem. This problem has three parts. Firstly, “Justice, revenge and relief from grievances are “public goods” and are thus subject to the problem of free-riding.” (Collier 2000a:98). In other words, all those who suffer under the current regime will experience the fruits of a successful rebellion, but only the ones participating in the rebellion will pay the cost. Under given circumstances, this means that it will be logical for individuals not to take part in the rebellion, but leave it to others to sort out the problem. The second problem follows from this: the higher the number of people participating in the rebellion, the lower the cost of the rebellion for each of them. This means that people are more likely to join big rebellions than small, although all rebellions have to start out small. This is called the coordination problem. The last problem that meet the (would be) leaders of grievance-based rebellion is that of time-consistency. The leaders of the movement must convince the followers to bear the cost before they get the reward. The followers can not be sure
that the leader will follow up on his or her promises, and is therefore even less likely to join the rebellion.

Greed motivated rebellions do not suffer from collective action problems because the benefits from the rebellion can be distributed only to those who bear the cost. Neither do these types of rebellions have a great number of participants because it is easier to access riches than it is to access power. The time consistency problem also vanishes because riches can be distributed throughout the rebellion. (Collier 2000a:98-100)

Not surprisingly, Collier and his followers have been met with harsh critique. Collier has been criticised for not distinguishing between different types of natural resources. Lujala, Gleditsch and Gilmore (2005:559-60) have looked closer at the relationship between diamonds and conflict. They found that diamonds that are lootable and easy to access without much equipment and training, can be used to finance ongoing conflicts, while diamonds that are difficult to access (i.e. needs to be mined) “may even depress the risk of conflict onset and incidence”. These results are confirmed by the findings that it is the production of diamonds, not the discovery of diamond deposits, that influence the chance for conflict. Michael Ross (2003) agrees with Lujala, Gleditsch and Gilmore that the lootability of resources matters. He studies fifteen conflicts and finds that “lootable resources negatively affect nonseparatists conflicts, and unlootable resources negatively affect separatist conflicts”. The results in these two studies serve to illustrate that the context of specific cases matters a great deal when it comes to causes of conflict. Le Billion (2001) has found that resources close to the centre of the state discourage rebellion because it can be more easily controlled by central authorities. Resources located in remote areas on the other hand, encourage rebellion.
Other scholars have criticized the way Collier and Hoeffler equates the pursuit of economic resources with greed. Hansen (2007:9) asks the question “do people wage war in order to loot or do they loot to be able to wage war?” He replies to his own question that this might vary from case to case. Warfare is a very expensive exercise and there can be no doubt that for some actors it would be impossible to engage in such activities without financing at least some of it through looting.

A more fundamental problem with the Collier and Hoeffler analysis is the way greed and grievance are held up against each other as opposing poles. David Keen (2000) points out that it is necessary to find out if greed can result in grievance which again can motivate rebellion and legitimize greed. It is not difficult to imagine that it can also work the other way around. Individuals who have experienced not having their most fundamental needs met might react by trying to get as much riches as possible for themselves if given the chance. Such behaviour might look like greed to an outside observer.

It seems that Collier and Hoeffler also have recognized that the greed-grievance distinction is problematic, and in their 2003 World Bank Report *Breaking the Conflict Trap*. “Collier’s team has offered a weaker formulation of the greed thesis that places increased emphasis on the *opportunity* for organized violence” and “the feasibility of rebellion”(Ballentine and Sherman 2003b:4). Further they point out “that there is a growing agreement that economic factors matter to conflict dynamics” but much disagreement has been provoked by “the loaded normative connotations of the terms “greed” and “grievance””, and that it is not clear what the terms are meant to capture. The Ballentine (2003a:260) volume contains six case studies of civil wars often assumed to be driven by the quest for economic resources, and they conclude that in none of the case studies could economic factors alone explain conflict. Rather, they found that the outbreaks of strife were caused by an interaction of economic incentives, ”socioeconomic and political grievances, interethic disputes, and security
dilemmas” (Ballentine 2003:260). However, they also point out that the case studies show that "combatant access to economic resources” is a significant “factor shaping a permissive opportunity structure for sustaining hostilities and has had important effects on the duration, intensity, and character of conflict” (Ballentine 2003:265).

Other writers have balanced economic motives up against other types of motives. David Keen (2000:26-27) argues that “war might be a continuation of economics by other means” and that there is therefore “more to war than winning”. However, Keen’s argument is more moderate than that of Collier. He argues further that violence in civil wars serves two broad purposes; either the violence is political, or it serves as a tool for avoiding to have to comply with the law (Keen 2000:23). Economic, security and psychological reasons belong to the last category. In other words, the violence or the war is not always the mean, sometimes the violence is an end in itself. During wartimes it might be easy to get away with actions that would otherwise be harshly punished. Keen (2000:29-31) lists pillaging, claiming protection money\(^3\), control of trade, exploitation of labour, and claiming land and aid, as short-term benefits of violence.

Increasingly, there seems to be emerging an agreement among many scholars that most conflicts are created and maintained both by economic and political factors. Charles Cater (2003:41) looks at Angola, Sierra Leone and the DRC (three conflicts often given as evidence for the overriding importance of economic factors in causing civil wars) and finds that the armed conflicts are “caused by cyclical patterns of state failure and mobilization of resources for insurgency – each having interrelated economic and political dimensions.” However, lootable resources seem to have a much stronger impact on the duration and intensity of the conflict than on its

\(^3\) For more detail on how violent entrepreneurs both plunder and provide security against plunderers to companies and private individuals during civil wars see Mehlum, Moene and Torvik (2002).
commencement. Carter (2003:41) also finds that “external processes of regionalization, privatization, and globalization” are of importance for the outbreak and course of internal wars.

Berdal (2005:688) has argued that part of the reason for the greed-hypothesis popularity is media’s coverage of warlords. Berdal’s argument might serve to point out that warlords are motivated by greed. Recall from the beginning of the chapter that several scholars argue exactly this. However, if there is something we should learn from the greed versus grievance debates it is that motivations and causes are mixed, and likely to change over time.

It seems reasonable to conclude that warlords are likely to have stronger economic incentives than most other actors in civil wars. However, this does not mean that warlords never have non-economic motivations. Reno (1997b:498-99) for instance recognizes that warlord Charles Taylor of Liberia was in part motivated by security concerns.

2.4 Military Component

To my knowledge, all researchers in the warlord field agree that an important characteristic of a warlord is the military component. Robinson (2001:126) has set as one of his five defining features that a warlord needs to have access to significant armed forces that are self-sufficient. These forces need to have some land and air mobility. If the nature of the region is such that navy power is important, then the warlord should command some of this too. Here Robinson underlines that it is an absolute necessity for a warlord to have access to armed forces. It is the military power that makes it possible for a warlord to provide security and services to his followers, and enables him to create a regime of terror. This in turn is what creates his
authority. Robinson does not specify what he means by self-sufficient, but it is unlikely that he means that warlords must be able to produce their own weapons, because he refers to Taylor of Liberia as a warlord, and Taylor did not produce his own weapons, but depended on importing them (Reno 1997b:499). In addition, if one interprets Robinson’s criteria in this sense, very few, if any, actors could be classified as warlords. Even most states are not self-sufficient in the widest meaning of the term when it comes to military equipment. It is therefore more sensible to take self-sufficient to mean that the warlord group does not only rely on one source for its arms and ammunition. I agree with Robinson that it is not sufficient for a group to have access to light arms only to be counted as a warlord group. It also needs access to some heavy arms. This is important because it serves to distinguish warlords from groups of international criminals that normally do not have access, or the use for, such heavy arms.

When speaking of the importance of armed force in warlord groups, it is important to be aware of the fact that warlord groups do not have professional military units as we know them from western democracies. Warlord groups do not act in accordance with conventional military doctrine. The warlord ‘army’ rarely has a rank-and-file system, and does not follow the rules of military conduct. Rather, a warlord has personal control over his foot soldiers (Rich 1999b:5). As we shall see below, this is in accordance with Kaldor’s criteria for ‘new wars’.

Note that the fact that an actor needs to have access to significant arms effectively distinguishes warlords from other actors such as international criminals, bandits and terrorists. In part because such groups normally do not have access to heavy arms, and in part because it implies that warlords hold territories of some significance since the forces need to be located somewhere.
2.5 Environment

Recall that warlords operate in collapsed or collapsing states that they only control parts of. This means that warlords are sub-state actors. It is impossible for warlords to exist in well functioning states that effectively control their territory, collect taxes from their citizens and render services and provide security in return. In such states it is unattainable for armed groups like warlords to exist for two main reasons. Firstly, an effective state would be able to disarm and dismantle such warlord groups. Secondly, there is little incentive for people to join such groups since the state provides for them. Scott Gates (2002) shows how recruiting members become more difficult for armed rebel groups the closer they are to the state in geographic proximity. It is important for rebel groups to have a remote sanctuary where they are allowed to grow. “Typically, such sanctuaries are in remote territories well away from the center of the government.” (Gates 2002:126) Clearly, the weaker the state, the less able it is to compete with the warlord group. Also, the more difficult certain parts of the territory are to access for state forces, the greater the chance that a warlord can find the sanctuary he needs.

This means that warlords are not able to destroy and weaken well-functioning states and they are therefore not the cause of state weakness and state failure. Rather, warlords are a consequence of, or response to, failing states. When a state fails to provide, say security for its citizens, other actors, like warlords, fill this need. When analysing warlords it is important to understand the mechanisms of weak states because without this environment it would be impossible for warlords to exist. The environment also says something about the warlord’s opportunities. A better understanding of a warlord’s options can generate insights on how one might limit these opportunities and make a peace process more likely. I will thus now look more closely at state failure.
2.5.1 Quasi-States

Jackson (1990) distinguishes between juridical statehood and empirical statehood. Juridical statehood means that the territorial unit has internationally recognized borders and is treated as a state, with the rights and responsibilities that follow such a status, by the international community. Empirical statehood demands much more; a functioning state that has the power and ability to protect human rights and provide socioeconomic welfare to its citizens. Empirical statehood is what has traditionally justified the state. States have the right of life because they provide services and security to its citizens. However, many former colonies only provide benefits to a small elite, if any at all, and Jackson therefore calls them quasi-states (Jackson 1990:21).

Another way of understanding the difference between quasi-states and other states is by reference to positive and negative sovereignty. Negative sovereignty is based on international recognition only. A state is not able to defend itself against military threats and the domestic political system is weak and unstable. However, it still experiences a form of sovereignty because no one intervenes. In theory at least, the state is able to do as it likes domestically without interference from other states or organizations. Negative sovereignty is therefore a formal condition that says nothing about how the state functions in practice. In contrast, positive sovereignty is a substantive condition. States that enjoy positive sovereignty are able to defend their citizens and territory against attack from other states and from internal groups. Maintaining this ability over time results in that the state becomes legitimate both in the eyes of its own population and the international system. Quasi-states, then, only enjoy negative sovereignty, which means that they primarily are sovereign only on paper. They are not able to act on the legal and formal sovereignty they possess (Jackson 1990:26-31).
In earlier times, before the current international order, quasi-states would not exist for
long. They would be invaded by other states or in other ways incorporated into new
and more effective units. This stands in sharp contrast to today’s system where state
borders are mostly treated as permanent, and where the territorial legitimacy of the
state is taken as given, even if it has collapsed internally. This lack of competition in
the international system explains how it is possible for quasi-states to survive

This argument was made popular by among others Charles Tilly (1985:170), who has
used European history to argue that “war makes states”. Mohammed Ayoob
(1996:38) agrees with Tilly arguing that the intrastate conflicts in the ‘third world’
after World War II is a part of state formation reflecting the one that has already
taken place in Western Europe, and that if a stable state system is the goal, these
conflicts cannot be avoided. This historical determinist argument is also used by
Holsti (1996:40), that in weak states the issue of statehood will be determined, at least
in part, by war.

Other scholars disagree with this analysis and view internal warfare, at least in some
cases, caused by “the ‘rational’ pursuit of economic goals on the part of individual
and powerful groups within society.” (Berdal and Keen 1997:816). William Reno
(2000:44) also explains civil wars “with reference to economic motivations that are
specifically related to the intensification of translational commerce in recent decades,
and to the political economy of violence”. This debate is strongly related to the
debate surrounding the warlords’ motivation above.

It seems useful to look at the strength or effectiveness of states along a continuum
(Holsti 1996:90-91). At one end we find states that have both juridical and empirical
statehood and both negative and positive sovereignty. The citizens see the state as
legitimate and are loyal to it. At the other end we find quasi-states. In these states there is a continuous battle for power and the citizens are loyal to different factions. Often these states are recognized in that the government’s control does not expand beyond the capital, the state is strongly personalized and not based on a social contract (Holsti 1996:102-6). Warlords operate in territories that resemble quasi-states. In states located close to the middle of the continuum the central government effectively controls the whole territory, except one distant and difficult-to-access province, that is controlled by warlord(s). The disorder and violence need not spread to the rest of the country.

In the literature, quasi-states are often referred to as failed or failing states (see among others Gros 1996, Helman and Ratner 1992/93), and collapsed and collapsing states (Zartman 1995). In this thesis I will refer to these states as quasi-states or weak states.

Often geographical factors can help explain why some states have problems functioning and controlling their territory. Le Billon (2001) points out that “the greater the distance or difficulty of access from the centre of control, the greater the cost of control” The case of Afghanistan illustrates how geographical factors can make a state difficult to govern and thus make space for warlords. I will return to this example in Chapter 3 and 5.

An important implication of the absence of strong states is that international borders become less important. This has several reasons. Firstly, weak states are not always able to control their own borders, and people and goods can therefore cross international borders as if they did not exist. Secondly, as Herbst (1997) argues, in precolonial Africa, control used to be exercised over people, not land. The borders drawn by the colonial powers seldom matched these units and ethnically diverse states were therefore created. Many people therefore have strong ties to communities
across national borders. The borders, thus, become less important for these people. Thirdly, as I will discuss in more detail later, in some regions of the world, rulers in one state interfere in neighbouring states for their own benefits. The minimal importance of borders can be seen in the nature of the conflict. Several scholars have argued that there has been a change in the nature of warfare since the Second World War, in which states were the important units. Today there are few interstate wars. Most armed conflicts today are internal, fought by sub-state actors (SIPRI 2007). I will look at this change by using Holsti’s notion of ‘wars of a third kind’ and Kaldor’s notion of ‘new wars’. I will argue that these frameworks throw only limited light on conflicts involving warlords.

2.5.2 Wars of a Third Kind

Holsti (1996) distinguishes between types of war based on the purpose of the war, the role of civilians during wartime, the institutions of war, and the duration of the war. When two or more of these criteria changes there has been a transformation into a new type of war. In his book, Holsti discusses three different types of war; institutionalized war, total war and what he calls wars of a third kind. Institutionalized war sometimes goes under the name limited war because war became increasingly more controlled through the era of Enlightenment. Permanent professional armies, as opposed to mercenaries, were established, and unwritten codes of conduct started to emerge. The wars were marked by tactic and strategy, few surprises and little hatred. The ideal was to separate war from the civilian sphere and the wars often lasted only for short periods (Holsti 1996:29-32). Limited war is of course contrasted with total war. Gradually, armies came under the control of the nation state and the codes of conduct were formalized in the Geneva Conventions, and war became total in three senses. The armies and the weapons became more effective and could thus inflict greater damage. Civilians, in addition to combatants, became the target of warfare. The goal of warfare changed from negotiated peace treaties to unconditional surrender and occupation (Holsti 1996:32-36). Both
institutionalized and total wars are often called Clausewitzian war due to Clausewitz’s much quoted definition: “war is a continuation of politics by other means”. In other words, war is institutionalized when it has a political purpose defined by the state. War can also be a mean of conflict resolution when two states disagree. “War is thus rational” (Holsti 1996:2-3).

Wars of a third kind are also called ‘peoples’ wars’ and they are a result of brutal occupation and recognized by the asymmetric power relations among the parties. Since the weak party cannot measure up to the other party in military strength and resources, the weak party’s military forces are not organized in a traditional way, and as a result of this “there are no fronts, no campaigns, no bases, no uniforms, (...) and no respect for the territorial limits of the state.” (Holsti 1996:36) All of this fits pretty well with the nature of conflicts involving warlords, but wars of a third kind have an additional feature. The weak party also fights a battle for the hearts and the minds of the population, attempting to build a support base that later can be a support base that will result in political power. This form of warfare is often associated by guerrilla strategies as promoted by Mao Tse-tung and Che Guevara. Taking this into consideration it becomes clear that, even though warlords do not organize their military forces in a traditional way, they do not fight wars of a third kind because their motivation is different. However, Holsti briefly mentions a fourth type of war which he places before institutionalized and total war in the linear development he stipulates. He does not give this type of warfare a name. Since it is historically the first type of warfare, I will here call it, for the sake of simplicity, ‘the first kind of war’. This form of war is recognized being fought between groups of armed men and women that Holsti refers to as “marauding mercenary bands” (1996:27-28). He cites the Hundred Years War as an example of this. These kinds of wars are also recognized by a low level of hostilities. Taking into consideration that Holsti (1996:28) equals this form of war with contemporary Somali and Afghanistan situations, it is puzzling that scholars have insisted that conflicts involving warlords ought to be classified as wars of a third kind (see for example Rich 1999c:85).
However, I think this common mistake is caused by the fact that the first and the third kinds (which strictly speaking then becomes the fourth kind) of warfare have much in common. The military units are not arranged according to ‘modern’ military principles, there are no clear fronts, declarations of war or major battles. In addition, in these two forms of war the state is not the central unit. The major difference between these two types of warfare is the goal. While leaders of the third kind of war attempt to win the people in order to win political power, the leaders of the first kind of war are mainly concerned with their personal profit and rarely use the same rhetoric as leaders of people’s wars do.

2.5.3 New wars

Mary Kaldor uses the term ‘new wars’ to describe the same shift as Holsti in warfare, but her emphasis is somewhat different, and potentially more useful when attempting to understand conflicts involving warlords. These ‘new wars’ are by many analysts called internal wars because they are, in contrast to ‘old wars’, not fought between two or more state units, but by different factions that are, at least partly, from within the same state. Kaldor points out that this terminology is misleading because the factions fighting these wars have many trans-national links to other states, international organizations, firms and global markets. One cannot understand these wars without reference to globalisation. According to Kaldor the ‘new wars’ differ from the ‘old wars’ in their goals, their methods of warfare and how they are financed.

The goal of warfare has changed from being geo-political or ideological to be about identity politics (Kaldor 1999:6). Identity politics is recognized by the fact that the claim to power is based on an identity that can be linguistic, ethnic, religious etc. In a sense most wars are about identity, but in earlier wars identity tended to be linked to the state or to forward-looking projects. The new wave of identity politics builds on
the past and is therefore exclusive where the old identity politics was inclusive. As already pointed out, the goal warlords wish to achieve is personal benefits. This means they are in no way motivated by ideology. Nor are they motivated by the geopolitical concerns in the traditional sense. Warlords sometimes desire to hold specific geographical areas, but this is not because these areas are especially important for political strategies. If a warlord is interested in a specific area, it is normally because it contains great natural resources. In short, a warlord’s motivation differs from actors’ motivation in ‘old wars’, but clearly this does not automatically mean that a warlord is motivated by identity politics.

Secondly, the mode of warfare is different in the ‘new wars’. Because the goals of the wars have changed, so have the methods used to achieve them. The new warfare has a lot in common with guerrilla warfare, but does not attempt to win the hearts and the minds of the people. More specifically, the parties in the conflict try to get rid of everyone that does not have the ‘right’ identity. This can be achieved by force or by terrorizing the population using a combination of political, economic and psychological means. The military units are no longer organized in strict hierarchies. Rather, the military is highly decentralized and consists of many different groups. The advances in military technology has been important, even though these groups do not often have access to the most advanced and expensive military technology, they have benefited from advances in light arms and communication technology (Kaldor 1999:8). Warlord groups are structured in much the same way as the groups motivated by identity politics and they also use different means to terrorize the population to ensure their loyalty. The relatively recent developments in military technology have made warlord groups more effective because they can recruit younger soldiers and communicate more effectively over longer distances. However, warlords rely less on political argumentation and more on attempting to ‘buy’ the population by providing security and basic commodities for them, combined with terror.
The third feature of ‘new wars’ is the increasing globalization of the war economy. Like the mode of warfare the economy has also been decentralized. ‘New wars’ do not generate employment like the World Wars did. Rather, this results in a decrease in production, high unemployment rates and limits to normal trade. The ‘normal’ economy is replaced with plunder, black markets and dependence on external assistance. This is also how the armed groups finance themselves. Even though the war put restriction on the normal trade, this does not mean that there is no trade. Those groups that control natural resources sell these resources to neighbouring countries or on the international market. The new sources of income “can only be sustained through continued violence so that the war logic is built into the functioning of the economy.” (Kaldor 1999:9). This third feature of Kaldor’s ‘new wars’ is what makes it possible for warlords to operate. They depend on the global market and willing neighbours to sell their natural resources. The foreign aid that often is the international community’s response to armed conflict makes it possible for a warlords to feed their soldiers. Ultimately, Kaldor argues here that actors in ‘new war’ are motivated by greed in contrast to actors in old wars who had more legitimate political motivations for their warfare.

Kalyvas (2001:102) usefully sums up the distinction between ‘new’ and ‘old’ civil wars as follows. ‘New wars’ are motivated by greed, have little popular support and are marked by unnecessary violence. ‘Old wars’, in contrast, were caused by collective grievances and therefore had broad popular support. In addition, violence were controlled and only used when necessary in ‘old wars’.

Several scholars have pointed out that Mary Kaldor’s ‘new wars’ are not new at all. Kalyvas (2001:117) argues that even though civil wars differ from each other, the distinction needs to be strongly qualified. Berdal (2003) points to three difficulties
with this claimed newness. First, Kaldor fails to look at the full range of motivations and how they might change over time. Second, despite the “Clausewitzean” era of warfare, there are other historical periods that offer an abundance of conflicts well suited for comparison with the so-called ‘new wars’. Third, and linked to the first point, there is a tendency to simplify and “exaggerate the relative importance of global process in sustaining civil wars” (Berdal 2003:490).

To sum up, Kaldor’s ‘new wars’ are not new. Rather, they are a type of conflict that the superpowers during the Cold War prevented by creating other conflict dynamics. Contrary to popular belief, warlords are not a modern phenomenon. There are many historical examples. The Chinese warlords in the first half of the 20th century might be the most famous (McCord 1996:795) but far from the only examples. Another example is the Scandinavian Vikings (Jackson 2003:134-35).

2.6 Conclusion

This chapter has made it clear that defining the term warlord is not a simple task. Several scholars have defined warlord, but an agreement on criteria and the definition seems to be difficult to achieve. Despite the obvious difficulties it is necessary to define warlord for the purpose of this thesis. Below I list and briefly discuss the criteria I use to define a warlord.

1. A warlord operates in areas where there is no functioning state. The warlord takes advantage of the state’s absence to invade and control territory.

2. A warlord has access to, and control over, significant armed resources. He is willing to use these armed resources with disregard for international law and human rights.
3. A warlord’s activities have a significant economic aspect.

4. A warlord is mainly motivated by securing his own survival and personal enrichment, not by political or ideological goals.

5. A warlord’s authority derives in part from his control over armed forces, and in part from the fact that he provides for people.

The first three criteria are necessary conditions. An actor can not be a warlord if he is not in control of territory or armed forces or does not engage in economic activity. However, it is not necessary that he controls the same piece of territory at all times.

The three first characteristics are not sufficient because then the definition could include state leaders. The two last criteria are not necessary, but their presence can be taken as a strong indication that we are dealing with a warlord. However, a warlord might have other sources of authority, such as ethnicity or clan belonging. It is always difficult to determine actors’ real motivation from what they claim is their motivation. It is therefore difficult to let a definition of warlord rely heavily on motivation.
Chapter 3: Self-enforcing Agreements: Inability to defect

3.1 Introduction

In this chapter I look at how one can create a situation where a warlord is unable to violate a peace process. I consider three potential strategies; killing the warlord, militarily defeating him, and arresting and prosecuting the warlord. The Angolan case will be considered at length. In part to illustrate the argument, and in part to show how difficult it might be to achieve permanent and stable peace when dealing with warlords. First, I will outline the nature of the different types of self-enforcing agreements.

3.2 Types of Self-Enforcing Agreements

A self-enforcing agreement is an agreement where all parties comply with the agreement as long as the other party or parties do so. In addition, no external enforcement mechanism is needed to keep the agreement in place. Issues or actors that are not formally a part of the agreement in question are defined as ‘external’ (Hovi 1998:85). The parties establish the agreement because they gain more from cooperation than from acting unilaterally (Telser 1980:27). This we can be certain of because it is highly unlikely that any party would consent to an agreement it does not see as beneficial (Hovi 1998:86). In a self-enforcing agreement there is no external threat of punishment. If party A violates the agreement, the only punishment that party A might experience is that party B suspends or terminates the agreement. Party B has no other resources for punishing party A (Telser 1980:27).

There are three general types of self-enforcing agreements. In the first type of agreement none of the parties have an incentive to defect, simply because defecting inflicts cost on themselves as well as on others (Hovi 1998:86). An example of this is
international agreements about aviation. The 1952 Air Transport Agreement between Great Britain and Norway stipulates the rules which international flights between the two countries must follow. Note here that the parties have no conflicting interests, but rather a coordination problem. Each party needs to know what the other parties are doing in order to avoid fatal accidents. The parties have no incentives to cheat (Hovi 1998:87). It is difficult to imagine a situation where the warlord does not have an incentive to defect from the peace process, therefore this form of self-enforcing agreement will not be discussed any further in this thesis.

In the second type of self-enforcing agreements, party A will receive a higher benefit if she or he defects and party B continues to stick with the agreement. Party A clearly has an incentive to defect in such a situation. If party B is aware of this he is unlikely to enter into the agreement in the first place. Thus it becomes important for party A to show that he is unable to defect. If party A is not willing or able to do so, party B can create conditions that will make party A unable to violate the agreement. In situations of armed conflict, a way of achieving that party A is unable to violate, say a cease fire, is to disarm the party (Hovi 1998-90). Since the task of this thesis is to say something about how one can make warlords put down their arms, this analysis will focus on whether the strategy will be effective in dealing with warlords, not the other parties to the conflict. The nature of warlords taken into account, it is highly unlikely that they themselves will create conditions that will make them unable to violate the agreement. This leaves us with the option that the other parties to the agreement make the warlord unable to breach it. As far as I can see, this can be done in three ways, killing the warlord, arresting him or defeating him by military force so that he no longer has any military power.

In the third form of self-enforcing agreements, at least one of the parties has an incentive to defect from the agreement, and the party or parties are also able to do so. In these cases the opposing party is not able or willing to remove the option of
cheating. This leaves us with the option of checking the party’s incentive to defect. This can be done by threatening to suspend or terminate the agreement if one of the other parties defect (Hovi 1998:90). In other words, one uses carrots and sticks to make the parties comply with the agreement. In the case of a conflict involving warlords, the carrots will be the agreement itself and the benefits it will result in, i.e. absence of these cost of war and peaceful access to natural resources. The stick will be that the peace process breaks down and the parties continue the costly fighting with possible extra support to the side that did not violate the conflict. Self-enforcing agreements using carrots and sticks will be discussed in Chapter 4. In contrast, the remaining of this chapter will consider the prospects for self-enforcing agreement where the warlord is unable to defect.

3.3 Agreements where the Warlord is Unable to Defect

3.3.1 Killing the Warlord

I use the Angolan civil war to throw light on the killing the warlord as a strategy. The conflict in Angola, like so many conflicts on the African continent, escalated when the colonizing power, Portugal, left in 1975. There were three main fractions, each drawing support from different ‘ethnic’ groups and being formed as liberation movements to fight for independence from Portugal. The MPLA held the capital and the two others, FNLA and UNITA, joined forces to fight the MPLA (MacQueen 2006:135-36). The FNLA suffered from internal conflict, and after being militarily defeated by the MPLA in the beginning of 1976, the organization dissolved (Krska 1997:77). This leaves us with the MPLA and UNITA, the latter headed by Jonas Savimbi. This was close to the end of the Cold War, and the superpowers still took interest in local conflicts. The MPLA received support from the USSR and Cuba, while FNLA and UNITA were supported by the regional power South Africa as well as the United States and Zaire (now the Democratic Republic of Congo) (MacQueen 2006:135-36). MacQueen (2006:137) points out that, as the Cold War came to an end, it was widely believed that the ongoing conflict in Angola was a conflict that
would end with the Cold War and the withdrawal of the support from regional and
global power, simply because UNITA would not be able to sustain the fight for long
without external support. Gradually, at the end of the 1980s both Cuban and South
African troops pulled out of Angola (Krska 1997:77-78) and international pressure
was put on the parties to negotiate a peaceful settlement (MacQueen 2006:137). The
pressure lead to the signing of the Bicesse agreement at the end of May 1991. This
agreement provided for the creation of a unified national army and elections. In
retrospect, the Bicesse agreement has been criticised for having too short a time span,
for not ensuring disarmament before elections, and for an election system based on
the winner-takes-all principle (MacQueen 2006:137-38). When Savimbi lost the
presidential election he claimed that the election had not been free and fair and took
up arms. The country thus quickly returned to full scale civil war (Krska 1997:89-90).

As armed conflict again broke out, once more there was a need for negotiations. This
time it was not clear what it would take to ensure Savimbi’s commitment, and when it
came to signing the Lusaka Protocol this was not done by Savimbi because he
claimed that he could not travel to Lusaka due to security concerns. This and several
other incidents made it difficult to determine Savimbi’s position. The peace process
in the 1990s was marked by UNITA’s efforts to stall the process without rejecting it
outright. However, the danger of leaving UNITA and Savimbi outside the process
was fully understood. The Lusaka process culminated in the inauguration of the unity
government in April 1997, where UNITA’s appointed ministers came, but Savimbi
himself failed to attend. Again Savimbi was citing security concerns as the reasons
for his absence (MacQueen 2006:138-42). This time the return to war was more
gradual, but again it was UNITA that was the main culprit. In the beginning of 1999,
the United Nations recognized that Angola had once again returned to full scale civil
war (MacQueen 2006:142-43).
With the collapse of Mobutu’s Zaire, UNITA’s last external support vanished (International Crisis Group 2003:207) and UNITA would not have been able to maintain its operations, had it not been for the diamond mines it controlled. As General Arlindo Pena, UNITA’s former chief of staff, put it: “diamonds are UNITA’s lifeblood. Without them UNITA would not be able to maintain its options (…)” (as quoted by Le Billon 2005:125). However, despite the income from illegal diamond trade UNITA came under increasing military pressure, and in the beginning of 2002 the MPLA controlled Angolan national army set in the final offensive that resulted in UNITA retreating towards the Zambian boarder, and in the deaths of several of its commanders. Finally, on the 22 February Savimbi was killed and the body showed to the media for the world to see (MacQueen 2006:144).

This left the MPLA with two options, they could either military defeat UNITA completely, which seemed to be rather simple at the time and that military hardliners were in favour of, or they could give in to external pressure and go for a negotiated settlement. It quickly became clear that what remained of UNITA had no strong desire to continue the war as a unified force, and the leaders of MPLA therefore gave in to the international pressure and took the initiative for peace talks with what remained of UNITA (MacQueen 2006:145). However, after Savimbi’s death there was no clear leadership within UNITA, since the group’s second in command, Antonio Dembo, was killed a few days after Savimbi. Throughout his time in power Savimbi had become increasingly autocratic and paranoid and most of the leadership had either been killed or had fled fearing for their lives (Le Billon 2005:122-23). In the end, it was UNITA’s secretary-general Pail Lakamba that successfully claimed the leadership\(^4\) and participated in talks with the MPLA. These talks were not real negotiations, since UNITA no longer had any other options. The parties quickly agreed to a permanent cease-fire, an amnesty for all crimes committed during the

\(^4\) Note that this ‘military’ leadership gave way to a more political one under Isaias Samakuva (MacQueen 2006:148)
conflict, and that UNITA should be demilitarized, except for some units that were to be included into the national army (MacQueen 2006:145-46).

Many have argued that Savimbi was the reason why the conflict lasted so long, and that the conflict came to an end because he died. As Thomas L. Friedman put it: “The two things keeping this war going now is Mr. Savimbi’s ego and diamonds.” (quoted in Krska 1997:76). In my opinion, it would be more correct to argue that the diamonds made it possible for Savimbi to continue fighting. Others have argued that the civil war in Angola would have ended even if Savimbi had survived, because UNITA as a military organization had lost almost all external support and Savimbi had through his paranoid and autocratic rule gotten rid of most of his talented military commanders. Both these views hold part of the truth. UNITA was weakened and it was highly unlikely that it would be able to regain the military strength it had in the 1980s and 1990s, but from Savimbi’s actions during the peace process in the 1990s, it seems clear that he would never accept a negotiated settlement where he was not given significant political power. It therefore seems reasonable to argue that if Savimbi had not been killed, the conflict would have lasted until UNITA had been militarily defeated. The death of Savimbi consequently shortened the war (MacQueen 2006:149-50).

The case of UNITA and Savimbi leaves us with two lessons. Firstly, the warlord’s personality and the role he plays might be a hinder to the peace process. Secondly, it is important to cut the warlord organization off from its external support in order to weaken the organization as such, so that it has fewer options. This second point will be elaborated in the next section of this chapter.

Jonas Savimbi was killed in a military campaign, rather than assassinated. A targeted killing of a warlord is also a possibility, but this strategy could run into several
problems. Firstly, there are practical problems with the strategy. Warlords are concerned for their personal safety and often surround themselves with bodyguards. Furthermore, more often than not, there is no knowledge about their exact location. This often makes it very difficult, even with large resources at hand, to succeed with an assassination plan. Taylor of Liberia is a good example of how warlords fear for their lives. Taylor has been known to “quickly punish signs of independence or wavering allegiance among his associates” (Reno 1997b:498). After one of his rivalling warlords, Prince Johnson, kidnapped, tortured and killed, then Liberian President Samuel Doe, Taylor destroyed the bureaucratic structures in his territories and replaced potential rivals with his own followers.

Secondly, many will argue that assassination is illegal under international law. Assassination in this context is understood as the deliberate act of killing a warlord. There is no specific mention of assassination in international law, but the Hague Convention prohibits “treacherous” acts against enemies (Eichensehr 2003). Which acts qualify as treacherous is of course a matter of interpretation. Other authors have argued that the assassination is illegal under international law based on that the right to life is one of the most fundamental human rights laid down in the International Covenant on Civil and Political Rights, the Universal Declaration on Human Rights, as well as in several regional human rights frameworks (Ruys 2005:4). According to this view, even warlords have the right to life, and assassinating them is therefore in conflict with international law. I will not spend more time on the extensive body of literature surrounding the issue of (il)legality of assassination. For the purpose of this thesis it will suffice to indicate that breaking international law might be an additional cost of assassination.

A final problem with the assassination strategy is the unpredictability of the consequences. In the Angolan case UNITA chose to settle for peace, but as already discussed there was a combination of factors that lead to this. If UNITA had not been
so weak militarily at the time, the outcome might have been different. There is reason to believe that assassination of a warlord leading a strong armed group might not always lead to peace. There are no guarantees that the warlord group will continue to act as a unit under a new leadership more positive to the peace process. There are at least three other options. The warlord group might disintegrate and split into several fractions or dissolve completely and become armed individuals without any leadership at all. Such situations might be problematic because it will not be clear which leaders one should negotiate with. When taking into account a warlord’s personal and autocratic leadership, this is not an unlikely option since there is seldom a clear ‘deputy’ warlord, and in the period after the death of the warlord there is likely to be a scramble for power. This might result in the warlord group breaking up into several new factions. Alternatively, a new leader for the armed groups might emerge, but he might take an even more hostile stance towards the peace process than the previous leader.

3.3.2 Defeating the Warlord

Conflicts that end with military defeat and victory often result in a more stable peace than conflicts that end with negotiated settlements. This indicates that military victory over warlords might be the strategy that secures the most stable peace. However, it might be very difficult to achieve this goal. As Morrow (1985) points out, “wars are rarely resolved by the complete destruction of one side”. Conflicts involving warlords often last so long because it is difficult to win decisive military victories over them. In some cases the opposing forces have attempted to defeat a warlord for decades without succeeding. The conflict in Angola, for example, lasted forty years (Rosen 2003:54).

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5 According to Barbra Walters (2002:6) were only 43% of signed bargains in civil wars successfully implemented in the period 1940-1992
There are three main reasons why warlords are difficult to defeat militarily. Firstly, warlords do not need to hold a specific geographical area in the same way as nation states depend on defending a specific territory. At the very least, government forces will be required to hold the capital, and will most likely be seen as an invading force if they crossed into neighbouring countries. In contrast, warlord groups can, if threatened, pull back further into the forest or even across the border to a neighbouring state that supports them. Here they can recruit new soldiers and train and equip them before returning to the country of origin to continue the fight. Taylor of Liberia is a good example of how insignificant a border may be to warlords. Taylor’s men entered Liberia from Sierra Leone in 1989. The men had been trained by the Bukinabè and Libyan military (Adebajo 2002a). In periods, Taylor also occupied parts of neighbouring states, referred to as ‘Taylorland’ (Reno 1997c:12). If the opposing force represents the government (which they can not be said to do in Liberia) they do not have the same opportunity of pulling out of areas to regain strength.

Secondly, a warlord’s forces do not always carry uniform. Nor do they clearly distinguish themselves from civilians. This makes it easier for the warlord soldiers to blend in with non-combatants and thus more difficult for opposing forces to find and defeat them.

Lastly, warlord groups tend to hold significant natural resources which they convert to money and use for military equipment. As long as the warlords control such resources, they are able to buy both new weapons and renewed allegiance which makes them difficult to defeat. As Stephen Ellis (1998:165) notes, Taylor “discovered that he could export the goods with which to maintain his rule”.
To be able to convert natural resources into weapons, a warlord needs support from regional and international actors in order to convert the natural resources they control into money and weapons. Military victory over warlords is therefore likely to come easier if it is combined with an effort to alienate the warlord from his external supporters. Stig J. Hansen (2003:67) argues that if one is able to successfully cut off supply lines, especially for weapons, and prevent the warlord from selling goods on the international market, this will weaken the warlord’s ability to rearm and pay for renewed loyalty.

Again, we can use Angolan UNITA as an example. From its very beginning, UNITA targeted diamond mines and from the 1980’s the organization trained its people in diamond-sorting and started to invest in mining equipment. Without willing buyers, these investments and the production of diamonds would not have been productive. UNITA exported its diamonds through Mobutu’s Zaire, and when his regime collapsed, through Zambia, Burkina Faso, Côte d’Ivorie, Togo and Rwanda to a diamond-trading company called Glasol, based in Antwerp (Le Billon 2005:127). It was the income of the diamond trade that financed UNITA, but the organization increasingly lost supporters and access to markets. First, the end of the Cold War and the end of apartheid caused UNITA to lose support from the U.S. and from South Africa (MacQueen 2006). The end of the Cold War also made it possible for the UN to impose embargoes on UNITA for not respecting the 1992 elections. In September 1993 the UN imposed an oil and arms embargo on UNITA (International Crisis Group 2003:207), and in 1997 the sanctions were extended to include the refusing of entry and transit visas to UNITA officials, closing of all UNITA offices abroad and denying planes originating from Angola permission to land or over-flight if this was not authorized by the government in Luanda (MacQueen 2006:143). In 1998 the UN targeted the financial base of the UNITA by freezing the organization’s external assets and by imposing embargoes on the import of Angolan diamonds not certified by the Luanda government. The effect of these embargoes were doubted at the time, but they had a cumulative effect that cannot be ignored (MacQueen 2006:144). This
is illustrated by the fact that in 2001 UNITA fighters started increasingly to engage in banditry as the supply lines eroded (International Crisis Group 2003:210). As UNITA lost supporters and had its access to the international market restricted, the organizations’ military forces grew weaker. As shown in a previous section of this chapter, UNITA became so weak militarily due to its lack of external support and lack of resources that they were close to being militarily defeated.

Kofi Annan, then Secretary General of the United Nations, issued a report acknowledging that African states sometimes play important roles in supporting and instigating conflicts in their neighbouring states (Secretary General 1998:13). Again we can use Taylor’s Liberia as an example. There is evidence that Taylor has supported rebels in both Sierra Leone and in Côte d’Ivoire (Sriram and Ross 2007:51).

In addition, Taylor was able to financially support his operations due to access to international markets. In 1995 alone the warlords of Liberia exported rubber for $27 million, timber worth $53 million and diamonds and gold worth approximately $300-500 million (Atkinson 1997:9). This indicates that the warlord had few problems sending goods across national borders and accessing international markets.

Despite the fact that in international relations there is a tendency to analyse security at the national or state level, or look at the global patterns of security (and conflict), there is theoretical support for the importance of neighbourhoods. When the goal is to understand the interplay between different states in a region, it is useful to draw on Buzan’s and Wæver’s (2003) regional security complex theory (RSCT). According to RSCT a security complex is “a set of units whose major processes of securitisation and desecuritisation, or both, are so interlinked that their security problems cannot reasonably be analysed or resolved apart from one another” (Buzan, Wilde and Wæver 1998:201). This means that the world is divided into regions that have their
own patterns of amity and enmity. The main reason that security concerns for most states are regionalized is that most threats to a state’s security have difficulties travelling over great distances (Buzan and Wæver 2003:45). In other words, the world is divided into different areas that are marked by different types of security interaction. Some regions, like Europe (except the Balkan sub-complex), are characterized by friendly interaction, while other regions, like Africa, are characterized by conflict. This means that a state’s security is, to a strong degree, formed by its neighbourhood. For the purpose of this paper it will not be necessary to go into the details of RSCT, but it will be useful to look at what this theory can teach us about the nature of conflicts in Africa, where many warlords operate.

Buzan and Wæver (2003:chapter 8) argue that the ongoing problems in sub-Saharan Africa are a result of the failure of the postcolonial state and the subsequent importance of non-starter actors. This has resulted in a great difference between juridical or formal sovereignty and empirical sovereignty for most sub-Saharan African states. State borders are not as significant in Africa as in many other parts of the world. Since state borders are weak, very few ‘domestic’ crises are contained within the state in which they originate. According to Buzan and Wæver (2003:221-29) there are several reasons for this. In addition to the weak empirical sovereignty, other entities than the nations, such as ethnicity, clan and family, are important as a basis for identity. This tendency is reinforced by the fact that those who govern the states are often more concerned with their own personal interests than building a state that can serve the people. Regionalism are often more important in Africa than in other parts of the world. This is expressed in the ideology of pan-Africanism and the existence of the African Union and numerous other regional organizations.

However, the greatest challenge to African states is the large number of insurgency groups. They come in different forms, warlord groups being one of them. These groups show that control of the state is not necessary for political, military, and
especially economic success. Insurgency groups often have support from other African states and cooperate with other international actors such as NGO’s and international business. When attempting to understand such actors it becomes meaningless to look at interaction between states, because: “In most of Africa, the main lines of security interaction take place either within states or across state borders by non-state actors.” (Buzan and Wæver 2003:229). This means that most interstate security dynamics results from so called spill-over, where conflict in state A spill over into state B in form of refugees, trade routes for weapons and natural resources. In addition, the government in a state may provide support to insurgent groups in a neighbouring state both militarily and economically.

What is significant for the topic of this thesis is that sub-Sahara Africa as a region is marked by a specific type of security interaction where states ally with and support insurgence groups in neighbouring states. This support is prompted by factors such as common identity, ideology, or cause (Buzan and Wæver 2003:247-48). As already pointed out, many warlord groups will not be able to survive over extended periods of time without external support, and alienating them from their supports might therefore be an effective way to end the armed conflict. However, to achieve this might be difficult. Buzan and Wæver (2003:45) emphasise that the patterns of enmity and amity at the regional level are durable, and cutting off support to warlords is therefore unlikely to be easy. On the other hand, Buzan and Wæver (2003:249) point out that since African states are so weak, actors from outside the continent can have a great impact on the security relations with use of few resources. They are, however, quick to add the modification that real commitment is needed.

Also Pugh and Cooper (2004) acknowledge the importance of neighbours or what they call ‘regional conflict complexes’. These complexes “are characterized by the cross-border spill-over of violence, the empowerment of borderlands as sanctuaries for combatants and nurseries for recruits and also as centers of shadow economy
activity, and the intraregional commercial and other connections that make for prolonged and intractable conflicts” (Pugh and Cooper 2004:2). Goodhand (2004:45) calls regional conflict complexes ‘bad neighbourhoods’ with reference to Afghanistan. He underlines how the countries surrounding Afghanistan “continue to pursue political, economic, and other interests” in the country (Goodhand 2004:48).

The Angolan, Liberian and Afghan cases illustrate that conflicts involving warlords are not contained within the state’s borders, this also finds theoretical support. That warlords rely on interstate interactions means that it might be possible to weaken a warlord by cutting him off from his international relations.

3.3.3 Arresting the Warlord

The third alternative strategy that can prevent a warlord from violating an agreement is to have him arrested and tried in court for crimes against humanity or war crimes. Normally, people are tried in the courts of the states where they are citizens or in that state where the alleged crime was committed. However, since warlords operate in weak states, their home states might not be able, or willing, to try them. This leaves us with the option of trying the warlord before an international court. There are two international systems that allows for trying warlords. Warlords can be tried by Special Courts created by the United Nations to investigate crimes committed on a specific territory within a given time frame. These Courts are sometimes put in place as a response to armed conflicts. Warlords can also be tried before the International Criminal Court (ICC). To be able to determine if it is possible to bring warlords before the ICC I will now discuss the criteria that have to be met before any case can be tried before the court.
The ICC was established on the 1st of July 2002 when the Rome Treaty entered into force after having been ratified by 60 states (Plessis 2003:6). The ICC can prosecute individuals, not entities, for genocide, crimes against humanity and war crimes (Engelbrecht 2003:62) that took place after the 1st of July 2002. The court operates according to the principle of complementarity, which means that the national courts have the right to prosecute crimes committed by their citizens, or on their territory, without any interference from the ICC. However, the ICC can override national jurisdiction if the state shows that it is unwilling or unable to prosecute the alleged crime in a satisfactory manner, or if the crime is so grave that it justifies intervention. The ICC can be triggered into action in three ways. A case can be brought before the court by a state party. Alternatively the Prosecutor of the ICC (with authorization of the Pre-Trail Chamber) can take the initiative to investigation a specific situation. Lastly, the UN Security Council can refer a situation to the court (Cassese 2003:351-53). The ICC has jurisdiction if the state where the alleged crimes were committed is party to the Statute, this is called territorial jurisdiction. The court also has what is called national jurisdiction, if the person that allegedly committed the crime is a citizen of a state that has ratified the Statute (Plessis 2003:6). The ICC, having no law enforcement agents of its own, relies on the member states to execute summons and warrants (Cassese 2003:358).

This outline of the jurisdiction of the ICC should have made it clear that the court will be restricted in attempts to bring warlords to court, and so far no such attempts have been made. Firstly, the states where the alleged crimes were committed, or the state where the alleged perpetrator is from, must have ratified the Rome treaty. By the 1st January 2007 104 countries had done so. Somalia and Angola, for instance, were not among these 104 states (International Criminal Court 2007). Secondly, the criteria for jurisdiction above must be met. If these criteria are fulfilled, then the ICC can, in theory, prosecute the warlord. However, the alleged perpetrator also needs to be in the possession of the court, since ICC does not perform trials in absentia (Buflod, Sannes and Aasebø 2006:816, Article 63, Statute of the International Criminal Court).
As already mentioned, the ICC relies on its member states to extradite the warlord in question. Because warlords operate in weak states and/or are able to hide from state authorities, this might not be straightforward. I will use the case of Ugandan rebel leader Kony to illustrate how difficult it might be for the ICC to have individuals extradited.

Joseph Kony became the leader of the Lord’s Resistance Army (LRA) in 1987 (Sriram and Ross 2007:48). The LRA operates in Northern-Uganda, and also Southern-Sudan and the Democratic Republic of Congo (DRC) (Bolle 2006). The LRA is notorious for targeting civilians and for abducting children and turning them into soldiers (Sriram and Ross 2007:48). In July 2005 the ICC issued a warrant for the arrest of Kony and four other prominent persons from the Lord’s Resistance Army (LRA) for war crimes and crimes against humanity (International Criminal Court 2005). The situation in the northern part of Uganda was referred to the ICC by the Ugandan government (Sriram and Ross 2007:56). When Kony was indicted he left Uganda for the DRC. Despite the fact that the DRC has ratified the ICC Statute, Congolese authorities did not arrest Kony and hand him over to the ICC (Sriram and Ross 2007:58). Some has argued that the ICC indictment of Kony is the greatest problem in the Ugandan peace process because Kony demanded amnesty before signing a peace deal (Bolle 2006). The Ugandan government has offered Kony amnesty in exchange for a peace deal despite the fact that Uganda is party to the ICC Statute, and Sudan, which is not party to the ICC Statute, is willing to provide a safe haven for him (Sriram and Ross 2007:58).

The ‘Kony-case’ illustrates that it might be difficult for the ICC to lay hands on a warlord. Besides this practical matter, an indictment can also threaten a peace process. If a warlord expects that he will be arrested and sent to The Hague for trial if he turns up for peace negotiations, this is an additional incentive for him to stay in the
bush and continue the war. Many will say that the Ugandan authorities have given up the prospects of justice in return for a chance of achieving peace.

An alternative to the ICC is what has been called ‘mixed’ or ‘internationalized’ courts and tribunals. Mixed courts are judicial bodies that consist of members both from the state where the crimes have been committed, and by members of international community. In addition, these courts have often been set up by an international agreement and are not part of the states’ normal judicial bodies. The Special Court for Sierra Leone is an example of the latter. Such mixed courts are often created as a response to an emergency situation, such as a civil war with widespread atrocities, and when the normal judicial system has broken down for some reason. In addition, mixed courts can be a sensible solution when the national judiciary cannot be seen as neutral, as for instance in the aftermath of ethnic conflict (Cassese 2003:343-44). Since warlords operate in states with weak state institutions, it is seems reasonable to argue that mixed courts might be a more appropriate way of prosecuting warlords than national courts. No prosecutions of warlords in mixed courts have been completed. However, the ongoing trial against Taylor under the Special Court for Sierra Leone can shed some light on these issues.

The Special Court for Sierra Leone was created in 2002 by the UN and the local government to try individuals that have allegedly participated in the major violations of international humanitarian law and Sierra Leonean law in Sierra Leone since 30th of November 1996 (Jalloh and Marong 2005:75). The court indicted Charles Taylor, then President of Liberia, in March 2003 for crimes against humanity and war crimes. Taylor is seen as the main sponsor of the Sierra Leonean rebel group, the Revolutionary United Front (RUF) (Baker 2004:1490) The indictment was made public in June the same year as Taylor attended peace talks in Ghana (Vines 2003:22), to maximize the chances of his arrest. Ghanaian authorities did not,
however, arrest Taylor as they are legally bound to do. Instead they provided him with the government jet to fly back to Liberia (Baker 2004:1490).

The indictment caused Liberian rebels to intensify their efforts to overthrow Taylor, who in August 2003 escaped to Nigeria. As a result, Liberian peace talks moved forward, in a way they are unlikely to have done had Taylor stayed in the country (Vines 2003:22). Nigerian President Obasanjo offered Taylor ‘protective custody’, and guaranteed for his security together with South Africa and Namibia. Nigeria came under increasing pressure from the Special Court and human rights organizations (Baker 2004:1490), and finally caved in to the pressure in March 2006 and agreed to extradite Taylor (Sæbø and Nærland 2007). He was arrested when he tried to cross the border between Nigeria and Cameroon. Later that year he was transferred to the UN prison in The Hague, where the trial is to be held for security reasons (Sriram and Ross 2007:59).

Even though Taylor was no longer a warlord at the time he was indicted and the trial has just started, this example shows that it might be possible to prosecute warlords before mixed courts.

3.4 Conclusion

This chapter has focused on the option of making a warlord unable to sabotage a peace process. I have argued that this is difficult. However, if one has large resources at hand and the will to suffer create cost it is not impossible to kill or defeat the warlord. Prosecuting the warlord is also an option, but the threat of arrest might force the warlord to continue the war. In additions to the difficulties of putting these strategies into reality, the consequences of them are also uncertain.
Chapter 4: Self-enforcing agreements: Carrots and Sticks

4.1 Introduction

So far I have discussed situations where a self-enforcing agreement is possible because the warlord is unable to defect or can be deprived of such ability. As was made clear in the previous chapter, creating such conditions are not always possible, therefore I will look at situations where the warlord is able to violate the agreement. To avoid that the warlord uses the option of not complying with the agreement, it is necessary to create conditions where the warlord benefits more from peace than from war.

In this chapter I look at the Prisoners’ Dilemma as a formal representation of the situation. The reason I have chosen to use the Prisoners’ Dilemma is because it represents the worst case scenario, in the sense that, if an agreement can be reached in a Prisoners’ Dilemma situation, it can also be reached in situations where the odds are more in favour of agreement. Prisoners' Dilemma situations are the worst possible situation where an agreement still is possible. However, there are situations that are worse in the sense that an agreement would be impossible under the given circumstances.

4.2 One-Shot and Finitely Repeated Games

To structure the informal argument made above I will use the classic game theoretic model called the Prisoners’ Dilemma. Formally this game is presented in Figure 4.1, which has been adopted from Brams (2003:103).
Here, the two players, column and row, rank the outcomes from best to worst, 4 being the best outcome and 1 being the worst. We assume that both players are free to choose whichever strategy they like (Brams 2003:102), and that the game will only be played once. As we see from Figure 1, the best possible result, if you consider both players, will be achieved if they both cooperate, but this will not be the outcome. The reason for this is that if a party chooses to cooperate, it risks getting its lowest pay-off, 1, since there is no guarantee that the other player also will choose to cooperate. Instead, a rational player will chose not to cooperate and the result of the game will be continued conflict with the pay-off 2,2. This outcome is what is called Nash equilibrium. Nash equilibrium is a stable solution because none of the parties can do better by choosing another option unilaterally (Brams 2003:103). Individual rationality will lead the parties to play defect even though they both would benefit if both chose cooperation. Defection is the dominant strategy since this is the strategy that will benefit the player most, no matter what the other player does (Morrow

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**Figure 4.1: A Prisoners' Dilemma**
1994:263). Even if Player A could be absolutely certain that Player B will cooperate, it would not be rational for Player A to choose cooperation, as Player A would be guaranteed the highest possible pay-off, 4, by choosing to defect.

For some, this might seem nonsensical. If we look at the overall situation, both parties will be better off when they both choose cooperation over defect. This becomes more evident when one takes into consideration that the Prisoners' Dilemma is a game of partial conflict, not one of total conflict. In games of total conflict, a player’s preferences are the reverse of the other’s, so that what one player gains, is a direct loss for the other (Brams 2003:103). Sharing a cake, or any other limited resource, is an example of this. In the Prisoners' Dilemma the parties can achieve benefits from cooperation which they cannot achieve unilaterally, but this alone will not be a strong enough incentive to choose cooperation as long as the parties do not trust each other (Hopmann 1996:74). In a situation where armed conflict has lasted for a long time the parties often have several failed peace processes behind them. In Liberia, for example, the warlords signed fourteen peace deals, but only the last, The Abuja II Agreement was implemented (Adebajo 2002a:599). According to Adebajo (2002b:50), one of the reasons for the failure of the first thirteen peace deals was “the mutual suspicions of rival warlords and their fears of disarmament if the others reneged on the deal”.

The Liberian example illustrates well how lack of trust between the parties in the conflict effectively puts an end to peace processes. In addition, it is understandable that when Party A has observed that Party B has failed to comply with previous agreements, and vice versa, the little trust and goodwill that might have been there has been shattered. It is also clear that it is difficult to build trust under conditions of long-term armed conflict. The solution to the dilemma might therefore be to create conditions where the parties do not have to trust each other to know that the opponent will choose to cooperate. This can be achieved by forming the situation in such a way
that parties automatically will hurt themselves if they do not play cooperate. However, this is not possible as long as the parties know the time horizon of the game.

The logic of the Prisoners’ Dilemma game changes depending on the time horizon the players have. What I have discussed so far is the solution to a so called one-shot game, where players know that they will interact only once. As I have shown the players will always choose defection when they know it is the last game. This logic does not change in cases where the players know the exact numbers of games they will play. Assume that the players know they will play exactly 40 times. Many might think that it would be rational to play cooperate in the first periods of the game to establish a good reputation so that the opponent also will play cooperate. But this is not the case, since both players are able to predict that they will both defect in the final stage of the game. If we apply backwards induction it becomes clear that since the defection at the last stage can not be punished it will be rational for both players to play defect in the second last stage of the game, and then it will be rational to defect in the third last stage of the game and so on until we reach the first round. This logic also applies to cases where: (1) the players are unaware of the precise number of interactions, but (2) know that there will be an end to the game at some point, and (3) at the beginning of each round there is a positive probability that the game will end after that stage. In cases like this, the parties will play each round as if it was the last and therefore defect (Hovi 1998:91-92).

4.3 Indefinitely Repeated Games

In cases where the players know that there is no limit to the number of rounds they will play, or when they know there is a limit but they do not know when exactly, and there is always a positive probability that they will play another round, the logic changes (Hovi 1998:93). These games are called infinitely repeated games, a
somewhat misleading term because it is impossible that the games actually last forever. However, the point is that parties in the game at the beginning of each round think that the game will last another round. The probability of future games is reflected in the discount factor. The discount factor is determined by two elements. Firstly, it represents the chance of the game continuing one more round (Hovi 1998:93). Secondly it echoes the players’ “impatience for rewards” (Morrow 1994:38), i.e., to what degree the players weigh future against current cost and benefits.

In indefinitely repeated games, in contrast with finitely repeated games or one-shot games, cooperation can be self-enforcing because there is room for punishment or retaliation. Since Game 1 is followed by Game 2, each party knows that if it defects in Game 1, the other party will punish it in Game 2 by terminating the agreement (Barrett 2003:273, Hovi 1998:93). As already explained in finite Prisoners' Dilemma games it is a dominant strategy for both actors to play non-cooperation. That the Prisoners' Dilemma game is indefinitely repeated does not imply that it now becomes a dominant strategy to play cooperate, because if Player A plays cooperate no matter what Player B does, the latter’s best reply will be to always play defect. Rather, for a Prisoners' Dilemma game to be self-enforcing four conditions must be present.

### 4.3.1 Four Conditions for Self-Enforcing Agreements

First, both parties must gain more from cooperating with each other than they can gain from acting alone. The larger the difference between the two, the greater the chance of the agreement being self-enforcing (Hovi 1998:95). If the punishment for non-cooperation is suspension of the agreement for a period of time, rather than total termination, then the cost of restoring cooperation also ought to be included into this equation (Morrow 1994:266). The cost of restoring the agreement is a part of the cost
of non-cooperation together with the cost of having a period of time where no agreement is in place.

Second, non-compliance must be detectable. If it is possible for one or both of the parties to breach the agreement without the other party finding this out, there will of course be no punishment (Hovi 1998:97). In practise this means that Party A consequently plays defect, while Party B plays cooperate, or vice versa. Also the result of each game will be located in the bottom left cell or the top right cell depending on which of the players is cheating. When discussing The North Pacific Fur Seal Treaty Barrett (2003:37) comments that “If non-compliance cannot be observed, then it cannot be punished. Effective monitoring is a prerequisite for enforcing compliance.” It is essential that when agreements are created to control behaviour, the other party, or a third party (i.e. an actor set to monitor the agreement), is able to observe behaviour (Hovi 1998:97). If it is necessary to use a third party for monitoring the agreement it is no longer a self-enforcing agreement. I will deal with cases like these in Chapter 5.

Third, the players must care about the future (Hovi 1998:93), because if they do not, the game will turn into a one-shot game since future punishment will not act as a deterrence. As mentioned earlier, the importance the players place on the future is reflected in the discount factor.

Lastly, the threat put forward needs to be effective. The effectiveness of threats are determined by several factors. Most of the literature discussing these factors is written in a Cold War context with focus on nuclear deterrence. However, the general conditions that need to be in place for a nuclear threat to be effective can be generalized to apply to any kind of threat that has as a goal to ensure a certain
(in)action by the other part. I will now therefore look closer at Phil Williams’s three requirements for successful deterrence.

According to Williams (1975:69), deterrence is “an attempt by party A to prevent party B from undertaking a course of action which A regards as undesirable, by threatening to inflict unacceptable cost upon B in the event that the action is taken.” In the context of threats in a Prisoners’ Dilemma then, party A is afraid that party B will violate the agreement and party A therefore threatens to terminate the agreement if party B does not comply. For the threat to be a successful deterrent, party B must see termination of the agreement as an “unacceptable cost”.

The threat in itself is not enough to ensure deterrence and compliance. Williams (1975) states that three criteria must be met for deterrence to be effective. Firstly, communication is of the essence. The parties need to communicate which actions and inactions will be punished, and what form the punishment will take (Williams 1975:70). The higher the certainty of punishment of a given action the higher the effectiveness of the threat. It is thus important to limit ‘grey areas’ in the agreement so that insecurity is limited (Williams 1975:71). This can be achieved by making the agreement the parties sign as specific and detailed as possible.

Secondly, the party needs to be capable of carrying out the threat (Williams 1975:73). Capability does not only refer to material and physical ability to carry out the threat. The actor also needs to be able to assess and influence the opponent’s perceptions of the threat (Williams 1975:74). Capability is therefore also about being able to create a threat that the opponent sees as grave enough to comply with your wishes. If Party A does not possess the material capability to create a threat that Party B will comply with, Party A can try to alter Party B’s perceptions of the threat, so that Party B comes to see the threat as imposing “unacceptable cost”.
Lastly, the threat must be credible (Williams 1975:75), meaning that there must be an intention to carry out the threat (Morrow 1994:40). However, it is somewhat misleading to only focus on the intention to carry out the threat when one determines credibility. A threat’s credibility becomes meaningless if it is not public knowledge (Barrett 2003:68). It is how the opponent views the threat (not the actual credibility of the threat) that determines the opponent’s actions. If the opponent does not see the threat as credible, the player threatening proves the threat’s credibility by implementing the threat. It would therefore be more correct to argue that it is how the threat is perceived that determines its effectiveness, not its actual credibility. Note that in repeated games, the problem of the perceived credibility of the threat is only likely to be a problem in the first round of the game. This is because learning will take place. If Party A does not believe Party B’s threat is actual in Game 1, and if Party B carries out the threat in Game 2, Party A will have learned by the start of Game 3 that B’s threats are credible.

I will now look at how these requirements can be met in cases of self-enforcing agreements. In the case of self-enforcing agreements the parties can threaten to punish each other in two ways. Either they can threaten to suspend the agreement for a given period of time, or they can threaten to terminate the agreement (Hovi 1998:90). Capability in material terms is normally not a problem in Prisoners' Dilemmas because the parties are able to terminate or suspend the agreement. However, as I will discuss below, the fact that the parties are able to carry out the threats does not necessarily mean that it would be rational for them to do so.

The issue of communication in cases of peace process could fill many papers on its own and I will therefore, for the purpose of this thesis, simply assume that communication will not be a problem in cases of self-enforcing agreements because
the agreement might be in a written form, and the parties have the opportunity to make clear what will be seen as a violation of the agreement and how it will be punished.

But threats in cases of self-enforcing agreements often have a severe credibility problem. Williams (1975:75) points out that threats often have a credibility problem when both sides are able to harm each other because if Party A implements a threat, Party B will do the same. Assuming that Party A could predict that Party B would respond in this way then Party A would only implement its own threat if it was prepared to suffer the cost of Party B’s threat. If Party B knew that Party A was not prepared to suffer this cost, deterrence would fail. Clearly this problem is enforced and becomes more direct when the punishment aimed at the other party, also is a cost for the punisher. This is the case for termination and suspension of the agreement. Terminating or suspending the agreement will directly harm the party that implement the threat, since also this party will suffer under the absence of agreement.

When looking at the credibility of the different types of threats, it is useful to see the threats as strategies in Prisoners' Dilemma game. I will now look at three different strategies that the players can adopt.

4.3.2 Grim Trigger

If the parties play Grim Trigger, any violation of the agreement by the other party will be met with defect in all future periods of the game, or in other words, termination of the agreement (Barrett 2003:277). The Grim Trigger strategy faces a fundamental credibility problem. Why would any player choose eternal punishment (for both parties) instead of mutual beneficial cooperation (Morrow 1994:268)? The party imposing the punishment is probably harmed much more by their own act of
terminating the agreement than by the original violation by the other party (Barrett 2003:277). The threat termination of the agreement is therefore not believable and thus fails to deter.

Grim Trigger’s credibility problem becomes even more obvious if one illustrates it with an imaginary example. Consider a state that has signed a peace agreement with a warlord operating on its territory. After a short period of time, the warlord violates the agreement by not handing in his weapons at the time and place stipulated by the agreement. According to the Grim Trigger strategy, this should mean that the state should terminate the agreement and never cooperate with the warlord again. This reaction is not rational when one takes into consideration the cost of further war would have for the state. It would be far more believable that the state would break off the cooperation with the warlord for a period of time, and at a later stage renegotiate the agreement so that the warlord had fewer options to violate the agreement, or less to benefit from doing so. However, under the Grim Trigger, negotiation of agreements is not an option.

Nevertheless, as Barrett (2003:277) points out“(…) the Grim strategy is credible in the sense that it is a subgame-perfect.” A sub-game is a part of the game that is complete so that it can be treated as a game on its own. “A set of strategies is a subgame perfect if for every proper subgame, the restriction of those strategies to the subgame forms a Nash equilibrium” (Morrow 1994:129). This means that a strategy is sub-game perfect if it results in the highest possible outcome for the players in that subgame. In addition, each threat presented in the game will be credible in the sense that no player will unilaterally benefit from backing out (Farrell and Maskin 1989:327). The Grim Trigger strategy is therefore individually rational, but for an agreement to be self-enforcing, it also needs to be collectively rational. An agreement is collectively rational if the parties cannot gain anything by collectively changing the agreement (Barrett 2003:xiii). As discussed above, both parties will gain from not
playing Grim Trigger. Barrett (2003:xiii) states that collective rationality is similar to renegotiation-proof equilibriums.

Hovi (1998:101) makes the same point as Barrett, stating that the threat of termination of the agreement in an infinitely repeated Prisoners' Dilemma is not renegotiation–proof, because it is in the best interest of both parties to continue the cooperation instead of punishing each other. The reason that the Grim Trigger strategy is not a self-enforcing agreement is that the parties have a strong incentive to renegotiate the agreement when it has been violated (Morrow 1994:278). Imagine that Party A violates the agreement in some minor way in Game 1, knowing that this will lead to punishment in Game 2, Party A contacts Party B before the beginning of Game 2 in an attempt to renegotiate the agreement. Party A would argue that there should be no punishment because it would harm both parties. It will be rational for Party B to accept this renegotiation of the agreement so that the parties continue to cooperate. And Party A can therefore know that she or he will not be punished if they violate the agreement, thus the Grim Trigger is not a credible strategy (Myerson 1991:410-411). I will therefore look at some other retribution strategies to see if their use can secure that the agreement becomes self-enforcing.

4.3.3 Tit-for-Tat

Instead of terminating the agreement, the wronged party can choose to suspend the agreement for a period of time depending on the type of violation and what kind of retribution strategy they adopt. There are two main strategies to choose from. The most famous is the Tit-for-Tat strategy. The effectiveness of this strategy was firmly established by Robert Axelrod (1984) in his book *The Evolution of Cooperation*. When playing Tit-for-Tat, the players start by cooperating and continues to do so unless the other party violates the agreement (Axelrod 1984:viii). In other words, Player A plays in Game 2, what Player B played in Game 1 and vice versa. The Tit-
for-Tat strategy is not a subgame-perfect (Barrett 2003:278). In situations where both players chose to play non-cooperate, they could both gain from unilaterally deviating from the Tit-for-Tat strategy in the next round of the Game, because alternating between the pay-offs 1,4 will be better than always ending on 2,2. “So it would be irrational for a player to implement the punishment move in tit-for-tat if the other player is also expected to implement tit-for-tat thereafter.” (Myerson 1991:326) If Player A violates the agreement and is punished by Player B, player A will be better off by just accepting the punishment and continue to play cooperate, than to punish Player B, because this would ensure that the cooperation would continue instead of an endless circle of retaliation. This shows that the Tit-for-Tat strategy is not rational.

The Tit-for-Tat strategy should not be confused with the strategy where the player always plays cooperate (Myerson 1991:325), even though the strategy assumes that both players start off by playing cooperate this does not necessarily mean that they will continue doing so. This leads to a second weakness of the Tit-for-Tat strategy. The players have to choose from two equilibria. If they at any stage start to play non-cooperation, they will both continue to do so endlessly. This means that there are two types of equilibria in repeated Prisoners’ Dilemma games, one where the parties always cooperate and one where they do not (Barrett 2003:272). There is a need to moderate the strategy so that one can avoid ending up in the non-cooperation equilibrium. In Axelrod’s (1984:176) own words, the strategy “is not forgiving enough.” Therefore there is a need to moderate the strategy so that it becomes more forgiving.

4.3.4 Getting-Even

Suppose that Player A chooses a strategy where it plays cooperate even when Player B plays defect, unless Player B has played defect more times than Player 1 has played non-cooperate. This strategy is often called Getting-Even (Myerson 1991:326). The
Getting-Even strategy is sub-game perfect (Barrett 2003:279), but for it to be a self-enforcing solution it needs to be collectively rational as well as individually rational. Recall that the Grim Trigger strategy was not collectively rational because it was not renegotiation-proof. We therefore need to show that the Getting-Even strategy is not vulnerable for renegotiation.

According to Farrell and Maskin (1989:327-328), it is irrational for the players to choose mutual defection just because one of them cheated once, when they can renegotiate themselves back to an equilibrium of cooperation. If Player A plays Getting-Even in response to Player B’s violation, Player A will receive the highest possible pay-off in the game, 4 (given that Player B also plays Getting-Even, in other words play cooperate). Player A therefore has no incentive to renegotiate the agreement, and Player B can therefore do no better than follow the Getting-Even strategy. The Getting-Even strategy is therefore renegotiation-proof and self-enforcing.

I have now discussed three different strategies that the parties can use to achieve a self-enforcing agreement facing Prisoner’s Dilemma. The reader might have noticed that the requirements for an agreement to be self-enforcing have changed throughout this discussion. All the three strategies fulfil the necessary requirement of providing Nash equilibrium. If there had been no Nash equilibrium the agreement could not be self-enforcing. In addition, I have argued that the Tit-for-Tat strategy does not satisfy the requirements of a self-enforcing agreement because it does not provide the players with a subgame perfect equilibrium. The Tit-for-Tat strategy is therefore not collectively rational. A subgame perfect equilibrium is the second requirement of a self-enforcing agreement. However, I then pointed out that the Grim Trigger does not result in a self-enforcing agreement because even though it has Nash equilibrium and a subgame perfect equilibrium, it is not negotiation proof. Only the Getting-Even strategy also fulfils the requirement of being negotiation proof and can therefore
provide the parties with a self-enforcing agreement. These differences are summarized in the table below. Another way of understanding this is by thinking that the Grim Trigger and Tit-for-Tat makes cooperation possible, but since they are not renegotiation proof strategies, defection is also an option for the players. When a strategy is renegotiation proof the players must cooperate (Damme 1991:207).

<table>
<thead>
<tr>
<th></th>
<th>Nash Equilibrium</th>
<th>Subgame perfect equilibrium</th>
<th>Renegotiation-proof equilibrium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tit-for-Tat</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grim Trigger</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Getting-Even</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Table 4.1

Morrow (1994:266) sums up which factors will promote cooperation in a Prisoners’ Dilemma game:

1. The value the players place on the future increases.
2. The reward from cheating decreases.
3. The punishment gets more painful.
4. The reward from cooperation increases.
5. The cost of restoring cooperation increases.

I will now determine whether this is possible to achieve in situations involving warlords.
4. 4 Application

According to Morrow (1994:266), the first factor that can increase the chance of cooperation is the value the warlord places on the future increases. For the future to become more important it is necessary that the present becomes comparatively less important (Hovi 1998:93). For an actor to be able to value future pay-offs higher than current pay-offs, she or he must be confident that they will be alive in the future. A warlord’s everyday life might be very insecure. Warlords risk being killed in battle or assassinated by an opponent or internal rivals. An example of the latter is the Liberian warlord and self-declared President of Liberia, Doe, who was kidnapped, tortured and killed by his rival warlord Johnson (Kapusinski 2001:244-48). In an environment where everyone fears for their safety on a daily basis, there is little incentive to invest in the future. As discussed in the previous chapter, the state might choose killing the warlord as a strategy, as they did eventually in Angola (MacQueen 2006:144). In choosing this strategy, the Angolan state made future negotiations with Savimbi increasingly difficult because his chances for survival were diminishing. If the state desires future peace agreements with a warlord, it should therefore guarantee the warlord’s safety so that it becomes more rational for the warlord to give up short-term benefits for long-term advantages.

The second option is to decrease the reward from cheating (Morrow 1994:266). As argued before, warlords earn their money by trading with natural resources on the international market. An often cited example of this is Taylor of Liberia who sold 343, 000 cubic meters of tropical timber over a two year period in the early 90s. France imported most of this timber, but also Germany, Britain, Italy, the Netherlands, Spain, Greece and Turkey bought timber from ‘Taylorland’ (Lowenkopf 1995:98). When the warlord’s profit comes from natural resources sold on an international market one can reduce the benefit in two ways, either by cutting the warlords’ access to the natural resource, or by cutting the warlord’s access to the
international market. The first can be achieved through military means, and therefore will not be discussed here. Limiting the warlord’s access to the international market might be accomplished by putting in place sanctions and boycotts or by controlling the market in some way. The Kimberley Process Certification Scheme (KPCS) is an attempt at the latter. Under the KPCS every government of a state producing raw diamonds must issue certificates guaranteeing the diamonds are not from a conflict area (Grant and Taylor 2004:394). The Kimberley scheme is based on that the diamond industry polices itself. According to the NGO Global Witness (2006:1), this is a fundamental flaw in the system, because the diamond producers, sellers and merchants certifies themselves, with no external control. According to a United Nation’s Report Ivorian rough diamonds (that are ‘illegal’ conflict diamonds) have entered the legal market after being certified by Ghanaian and Malian authorities (United Nations 2006:51-52). Once diamonds are cut it is almost impossible to determine their origin. This together with the fact that diamonds often are sold in mixed parcels makes ‘diamond laundering’ relatively simple to get away with (Orogun 2004:158). Nevertheless, measures like the KPCS do make it more difficult for warlords to trade on the global market and might force him to sell his goods on the illegal market for a lower price.

Thirdly, Morrow (1994:266) argues that the chance for cooperation will increase if the punishment becomes more painful. But as we have seen in the discussion on Tit-for-Tat, Grim Trigger and Getting-Even see above, this is not as simple as Morrow argues. The most painful punishment will be a termination of the agreement, in other words, the Grim Trigger. Recall that this strategy is not credible. We must therefore understand Morrow’s requirement to mean that the more severe the actual punishment is, not the threat, the higher the chance of cooperation. When dealing with warlords, the government can for instance make it clear to the warlord that if he breaches the agreement, not only will the government continue the armed conflict, but it will also increase its efforts to defeat the warlord by bringing in new forces or weapons.
The fourth way of promoting cooperation is to increase the pay-off from cooperation (Morrow 1994:266). This can be achieved through so called side payments⁶. Side payments allow that party that gains the most form the agreement to compensate the party that gains less, or nothing at all (Barrett 2003:78). I have argued in Chapter 2 that warlords might have more to benefit from war than from peace (for a more detailed discussion of this see the next section). Side payments might be an effective way of altering this relationship. According to Barrett (2003:235-36), side payments increases the strategy space. Strategy space refers to the same as bargaining space, namely the range of agreements that are acceptable to both parties (Hopmann 1995:43).

Side payments are often cash payments but might also take the form of other valuables (Barrett 2003:78). When dealing with warlords, it might be a solution to give them a certain amount of money for every time period they comply with the agreement. Alternatively, the state can grant the warlord the ownership of a certain natural resource, for example a gold mine or a forest area. Often in international relations, side payments are not seen as a just or right solution, because, in a sense, it is a matter of ‘buying’ actors.

Another way of looking at the issue of side payment, that might cloud the moral concern, is what Sebenius (1983) has called adding issues. He argues that in many cases it is possible to enlarge the bargaining space or even create one where it was none existent by linking issues together and discussing them as a part of a ‘package’. The underlying logic is of course the same as with side payments, the ‘winner’

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⁶ Side payments are a form of external enforcement. Other types of external enforcement will be dealt with in Chapter 5.
compensates the ‘loser’, but the first will still be better off than if there had been no cooperation (Sebenius 1983:50).

Side payments or adding of issues might be effective if the warlord’s main motivation is greed. However, it has negative moral and practical implications. “Buying” warlords in this manner might send signals to other warlords and potential warlords that their acts will not be punished by death or being tried in court for war crimes or crimes against humanity. Rather their actions will be rewarded by large sums of money or ownership of great natural resources. The possible pay-off might motivate new actors to become warlords. In addition, many will see it as morally reprehensible to reward benefits to actors that have done nothing to deserve them.

Lastly, the government can increase the cost of restoring cooperation (Morrow 1994:266). The cost of restoring cooperation is a part of the cost of violating the agreement in cases where the punishment is suspension of the agreement. This factor is likely to have little impact compared with the four aspects above.

4.5 Alternative Models

So far I have discussed how an agreement can be enforced if the parties are trapped in a Prisoners' Dilemma. However, there are three questions I have not dealt with so far. First, is the Prisoners' Dilemma game symmetric? Second, how strong are the incentives for cheating? Third and most fundamentally, is the warlord and the state playing a Prisoners' Dilemma at all? Based on the definition of warlords in Chapter 2, it is far from given that warlords value peace higher than war, as Figure 4.1 assumes. I will therefore look at some alternative models and see what implications they would have for possible cooperation.
For each model, we can calculate how high the discount factor must be for a self-enforcing agreement to be possible. Assuming that the state plays Grim Trigger, the required (minimum) value of the warlord’s discount factor is given by the following formula:

\[ W \geq \frac{T - R}{T - P} \]

Where:
- \( T \) = the Temptation to defect
- \( R \) = the Reward from mutual cooperation
- \( P \) = the Punishment for mutual defection

If we apply this formula to Figure 4.1 we find that the warlord’s discount factor must be at least 0.5 (\( w \geq 0.5 \)):

\[ W \geq \frac{4 - 3}{4 - 2} = \frac{1}{2} \]

We can now compare the chances for cooperation in different versions of the Prisoners’ Dilemma. The smaller the discount factor, the more the warlord favours current over future benefits (Morrow 1994:38). In other the words, the smaller the discount factor, the less patient the warlord, and hence the more difficult it is to achieve a self-enforcing agreement.

In the following analysis one of the parties to the conflict is assumed be a warlord. I will not specify what kind of actor the warlord’s opponent is. However, it is likely that the opponent might be the state in the country where the warlord operates or, if there is no state, representatives of the international community or political forces from the warlord’s country that are in favour of peace. For the sake of simplicity I call this actor the state, even though it might be a non-state actor.
In interstate and intrastate war, it is normally assumed that all actors favour peace over war. This is reflected in the model, with peace having a higher pay-off than war. In this situation peace might be difficult to achieve due to a problem of cooperation. One player does not trust the other player to also choose peace over war. This is the dilemma in the Prisoners' Dilemma as discussed above.

As discussed in Chapter 2, warlords might benefit more from war than other actors. In particular, the warlord might benefit more from continued war than the state. This idea is reflected in Figure 4.2.

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<table>
<thead>
<tr>
<th></th>
<th>Peace</th>
<th>War</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peace</td>
<td>3, 3</td>
<td>0, 5</td>
</tr>
<tr>
<td>State</td>
<td>5, 0</td>
<td>1, 2</td>
</tr>
</tbody>
</table>
```

**Figure 4.2**

Figure 4.2 is also a representation of a Prisoners' Dilemma. We see how it would be rational for both players to choose war if the other party chooses war. Also if one of them chooses peace, the other can always gain more by choosing war than by choosing peace. However, this does not mean that an agreement can be achieved as
easily in Figure 4.2 as in Figure 4.1. To see this it is useful to calculate how high the
discount factor has to be to make a self-enforcing agreement possible in Figure 4.2:

\[ W \geq \frac{5 - 3}{5 - 2} = \frac{2}{3} \]

Thus the minimum value of the discount factor that is compatible with a self-
enforcing agreement is 2/3 in Figure 4.2, as compared to ½ in Figure 4.3. This means
that a self-enforcing agreement requires a more patient warlord in Figure 4.2 than in
Figure 4.1.

Figure 4.3 shows a third situation, in which the difference between the warlord’s pay-
offs in the two top cells is greater than in figures 4.1 and 4.2. This means that the
warlord has a greater incentive for cheating in Figure 4.3.

\[
\begin{array}{c|cc}
\text{Warlord} & \text{Peace} & \text{War} \\
\hline
\text{Peace} & 3, 3 & 0, 10 \\
\text{State} & & \\
\text{War} & 5, 0 & 1, 2 \\
\end{array}
\]

\textbf{Figure 4.3}^\text{7}

\textsuperscript{7} Note that, in this case one of Axelrod’s requirements for a Prisoners’ Dilemma, 2R>S+T, is not met. However
there are several other authors that do not add this requirement.
Calculating the lowest possible discount factor consistent with a self-enforcing agreement gives:

\[ W \geq \frac{10 - 3}{10 - 2} = \frac{7}{8} \]

Thus, the warlord must be even more patient in Figure 4.3 than in Figure 4.2 for a self-enforcing agreement to be possible.

A final possibility to be considered here is that the warlord and the state are not trapped in a Prisoners' Dilemma at all. Instead their payoffs might look like this:

<table>
<thead>
<tr>
<th></th>
<th>Peace</th>
<th>War</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peace</td>
<td>4, 2</td>
<td>2, 4</td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
</tr>
<tr>
<td>War</td>
<td>3, 1</td>
<td>1, 3</td>
</tr>
</tbody>
</table>

Figure 4.4
Here the warlord prefers continued war over mutual cooperation and peace. This means that it is impossible for the state to punish the warlord by suspending or terminating the agreement. Hence, a self-enforcing agreement is therefore impossible.

Snyder and Diesing (1977:45-46) call the warlords preferences in Figure 4.4 for deadlock preferences and point out that the main difference between a Prisoners' Dilemma and a Deadlock game is that in the Prisoners' Dilemma there is a possible compromise that both parties would prefer to no agreement. In deadlock situations no such compromise is available. According to Stein (1990:78-80), the warlord’s deadlock preferences define the game, so that there is nothing the state can do within this structure to compel the warlord to comply with the agreement, except from make it impossible for the warlord to break the agreement as discussed in Chapter 3.

4.7 Conclusion

In this chapter I have shown that under some circumstances it is possible to create self-enforcing agreements with warlords even if he or she is able to violate the agreement. I have used the Prisoners' Dilemma to illustrate when it is possible to create such an agreement, and when a self-enforcing agreement would be impossible.

In cases where the parties are not locked in a Prisoners' Dilemma, the state has three general options. The state can try to alter the warlord’s cost-benefit-analysis by applying the strategies discussed in this chapter to either increase the benefits of peace, decrease the benefits of war, or both. The second alternative is to create a situation in which the warlord is not able to violate the peace agreement, like I have discussed in Chapter 3. The last alternative is external enforcement that will be discussed in the next chapter.
Chapter 5: External Enforcement

5.1 Introduction

As we have seen, there may be cases where it is impossible to create conditions under which warlords and state can enter into peace agreements that are self-enforcing. This does not necessarily mean that peace is impossible in these cases. External enforcement mechanisms might be used to create peace under such circumstances. According to Hovi (2005:131), enforcement is external “if it involves either the resort to an enforcement mechanism that is not addressed by the relevant agreement, or a third party which is not itself a signatory” to the agreement. It might be useful to understand external enforcement as the opposite of internal enforcement. In the context of Prisoners' Dilemma situations, internal enforcement is suspension or termination of the agreement, while external enforcement is a mechanism connected to something or someone outside the original agreement. External enforcement might be more effective than internal enforcement as the consequences can be more severe or because external threats can be more credible (Hovi 2005:133).

The main focus of this chapter will be whether the different types of external enforcement can be used to ensure that warlords comply with agreements they have signed. As already pointed out, I assume that the state will comply with the agreement as long as the warlord does so. I will therefore spend the major part of this chapter discussing how the different external enforcement mechanisms can impact on a warlord. Nevertheless, I will in part discuss how the strategies will impact on the warlord by contrasting this with how the same strategies would work on a state.

5.2 When are Self-Enforcing Agreements Impossible?

When looking at Prisoners' Dilemma situation Hovi (1998:102) argues that it is difficult to achieve self-enforcing agreements under three different circumstances.
The first is when the parties are engaged in a one-shot game. Based on the discussion in Chapter 4 we now know that self-enforcing agreements are impossible in all finite games. However, in cases where the players are a state and a warlord, the game is likely to be repeated indefinitely, at least in the sense that the parties do not know when their last interaction will be. Agreements between states and warlords can therefore potentially be self-enforcing.

The second case where self-enforcing agreements are difficult to achieve is when one of the parties has a very strong incentive to violate the agreement. As Figure 4.3 in Chapter 4 illustrates, this might be the case for warlords, who often have more to earn from continued war and less to gain from peace than other actors.

The third reason that can make a self-enforcing agreement difficult to achieve is that one or both parties are impatient, meaning that they are not willing or able to wait for future benefits. As discussed previously this might apply in cases where the warlord lives in a very insecure environment and is highly uncertain whether he will be alive next week.

According to Barrett (2003:64-65), third party enforcement is necessary if the parties’ threats and promises are not credible. Recall that the threats made in indefinitely repeated games are credible because the parties are able to prove the credibility of their threats in the first rounds of the game if it is necessary. The same applies to promises that are nevertheless notoriously incredible in intrastate conflicts that have lasted for a long time, and where the parties have several failed peace processes behind them. Even though both threats and promises might have a credibility problem, these problems are not necessarily equally severe for both. In many cases it will be sufficient to carry out a threat once to show that it is credible. Proving the credibility of promises is not always that easy, especially when the promise is to do
something gradually over a long period of time (i.e. handing in weapons), or when the promise is to abstain from an action (i.e. attacking the opponent’s forces). Acting in accordance with the promise for a period of time might increase the promise’s credibility, but there might still be a chance that the promise will be violated in the end.

5.3 Types of External Enforcement

5.3.1 Reputation

Reputation here refers to how trustworthy a player is seen to be by other actors. In other words, reputation reflects the player’s credibility. If a player has very high credibility it would be sufficient for the opponent if he promised that he would comply with the agreement. Good reputations create trust. The reason that reputation can act as an external enforcement mechanism is that players with good reputations experience an additional cost if they breach promises or do not implement threats, namely a blow to their reputation (Hovi 1998:103).

The Israeli state policy of not entering into negotiations with terrorists is a good example of how reputation can work. The purpose of this policy is to make it less attractive for terrorists to take hostages because they will not receive ransom money or other benefits in return for the hostages. Maintaining this reputation is not without cost for Israel. The cost might be the lives of the Israelis that are captured (Dixit and Nalebuff 1991:146). As the events of the summer 2006 show us, the cost might be much higher than the lives of the hostages. War broke out between Israel and Lebanon in July 2006 after Hezbollah kidnapped two Israeli soldiers (BBC 2007). As many as 1200 Lebanese and 160 Israelis were killed in the conflict (Mail & Guardian 2007).
Hovi (1998:103) notes that reputation might be a double-edged sword as it may mean that a player with a good reputation is not willing to participate in deals with uncertain pay-offs because he will risk his reputation if he chooses to withdraw. This is true, but there is also another reason why reputation might be a double-edged sword. If a player has a reputation for not following up on his word, reputation can not serve as an external enforcement, rather it has a negative effect on the changes for an agreement.

As I have touched upon before, warlords often have a poor reputation. In many cases they have already violated several peace agreements. The 2004 peace settlement that lead to the establishment of the Transitional Federal Government (TFG), was the fourteenth peace agreement signed by Somali warlords since 1991 (Cornwell 2004). However, even this time, peace was only temporary for the Somali people, and in the first half of 2006 the Islamic Courts “fought and won a four-month war in Mogadishu” (International Crisis Group 2006:5) The TFG has now reclaimed the city with help from Ethiopian troops, and even though there are still occasional flare ups of violence, the TFG declared victory over the Islamic Court insurgents in late April this year (Duhul 2007). Also in Liberia the warlords have signed fourteen peace agreements where only the last, the Abuja II Agreement, was implemented (Adebajo 2002a:599).

This means that reputation will likely have a negative effect on the chances for an agreement, since it will be difficult for the state to believe a warlord’s promises. The state on the other hand might have a good reputation since it has probably never even had a chance to violate previous peace agreements before the warlord has done so.
5.3.2 Hostages

Agreements can also be enforced with the use of hostages. In armed conflicts both sides often take prisoners of war. There have been examples of peace agreements where the parties agree that they will exchange prisoners of war after they both have fulfilled their other obligations under the agreement (Hovi 1998:105).

The peace treaty signed by Anglo-Saxon King Alfred and his Viking adversary, Guthrum, stated that: “hostages shall be given as a pledge of peace and as evidence so that one may know no fraud is intended” (Lavelle 2006:290). Here the hostages served as a guarantee to ensure that the parties complied with the agreement. The hostages also served as a tool for demonstration of the king’s power (Lavelle 2006:295).

This strategy assumes that prisoners of war or other hostages have a value to the parties. A warlord is not likely to have the same relationship with his foot soldiers as the state has with its soldiers. In most cases, states have a public opinion to take into account. For the warlord public opinion is, at best, not as important. For the warlord, the prisoners of war will mostly be of value if they can be used in future battle. If the soldiers will be returned only after the terms of the agreement have been met and these terms are such that future war will be impossible (i.e. if the warlord has handed in all his weapons) holding prisoners of war will not serve as an external enforcement mechanism. It is unlikely that a situation will come about where the state has persons in custody that mean so much to the warlord that he is willing to implement a peace agreement that he would not otherwise accept. However, if the warlord has captured government soldiers it is more likely that these can be used effectively as hostages to ensure that the state fulfils its obligations under the agreement.
5.3.3 Security

The same logic applies to securities as to hostages. Here the parties hold objects that are seen as valuable by the other party. In international relations states sometimes hold territory originally belonging to another state as a guarantee for compliance with an agreement. After World War I, the Versailles Treaty outlined the victors’ right to hold German territory west of the Rhine until Germany fulfilled its treaty obligations (Hovi 1998:106-07).

It is difficult to see why a warlord would voluntarily hand over possessions that could be used as security by the state. However, the state might take possession of some of the warlord’s valuables by force. Here two options come to mind. Either the state can seize territory containing valuable natural resources, or it can appropriate the warlord’s bank accounts and set the condition that the warlord will only have it back if he fulfils his part of the peace agreement. Doing so might also make continued war increasingly difficult for a warlord since he is cut off from some of his income. However, it may be very demanding on a state’s resources to cease some of the warlord’s possessions by force.

The state, on the other hand, can offer a warlord some of its possession as a guarantee for compliance with the agreement. This would increase the states incentives for complying with the agreement. However, if the items left in a warlord’s care also had value for the warlord it will increase the warlord’s incentives for violating the agreement so that he could keep the valuable items. Ideally, the items should therefore only be of value to the state, and not the warlord.
5.3.4 Irreversible Investments

In some cases it is possible to make a player invest in something that will have no value if he does not comply with the agreement (Hovi 1998:108). In such cases, the player agrees to punishment if he does not follow through. Note, that the investments must be irreversible. If we look at the investments as a contract, it becomes clear that the agreement to accept punishment for cheating is renegotiable. It would be easy for the party that has violated the agreement to ask for the investments back, on the condition that he will not violate the agreement again. If he at the same time threatens to terminate the agreement should the other party refuse the new conditions, it will be rational for that other party to accept the renegotiated agreement. As already discussed, agreements that can be renegotiated do not hold if they are violated (Dixit and Nalebuff 1991:149). However, if the investments are irreversible, they can not possibly be renegotiated.

An everyday example of an irreversible investment is the contracts individuals write with a commercial fitness centre, where they agree to pay a monthly fee for a year. This fee has to be paid whether you use the fitness centre or not. In other words, the investment is irreversible and you gain nothing from it if you do not use the facilities offered by the centre.

Many possible investments made by the warlord come to mind here. The warlord could for example invest in infrastructure of different kinds in areas that are controlled by, or could easily be controlled by the state’s military forces so that this infrastructure would be destroyed if the armed conflict continued. However, it might be difficult to get a warlord to agree to invest in this way. There are no reasons why a warlord should agree to make these investments.
It might be easier to ensure the state makes irreversible investments, but the same problem will occur here as when the state gives security to the warlord. If the state, for instance, builds infrastructure in an area this will increase a warlord’s incentives to occupy this area so that he can use the infrastructure for his own purposes.

5.3.5 Third Party Guarantees

The last type of external enforcement takes place when an actor that is not part of the original agreement “undertakes to guarantee (…) the fulfilment of a treaty” (Hovi 1998:107). The United Nations often serves as guarantor of peace agreements, but peace agreements can also be enforced by so-called “coalitions of the willing” or by individual states, both with and without UN authorisation.

Also, in conflicts involving warlords there have been attempts by third parties to guarantee the peace agreement. An example of this can be found in Liberian history. In August 1995 all major factions in the Liberian civil war signed the Abuja Agreement that entailed cease fire and the establishment of a transitional government. The ECOMOG (Economic Community of West African States Cease-Fire Monitoring Group) that had already been present in Liberia since 1990 (Aning 1999:335) took the responsibility for enforcing the cease-fire (Howe 1996:145). ECOMOG were among other tasks overseeing the disarmament of combatants (Aning 1999:345).

ECOMOG experiences several problems. Its legality, motives and neutrality have been questioned by many (Sesay 1996:396). In addition, the warlord Charles Taylor killed dozens of peacekeepers (Adebajo 2003:63). Nevertheless, after they realized that they had to include the warlords in the peace agreements, a relative peace was achieved and democratic elections held (Adebajo 2002a:618-22).
International peacekeepers meet many problems when dealing with warlords. The international community’s experiences in Somalia in the 1990’s (see below) illustrate this. So does the ongoing situation in Afghanistan. Despite the fact that the US led 2001 invasion of Afghanistan toppled the Taliban regime NATO, that took over the responsibility for the mission in the summer of 2003, has not had an easy task (Carp 2006). In 2004, the United Nations regarded Afghanistan as the worlds second worst country to live in (Radnitz 2004:515). Despite the fact that NATO has a total force of 30 000 in Afghanistan (NATO 2007) and the country successfully held democratic elections in 2004 (Maloney 2005:24) the security situation in Afghanistan is not improving. Taliban is again growing stronger and has “re-gained control over half of Afghanistan” and the violence is increasing (The Senlis Council 2006). Increasingly NATO soldiers are the targets of attack (see among other newspaper reports, Haugli 2007).

That third party guarantees meet practical problems on the ground, does not mean that they are unnecessary or without effect. Barbara Walter (2002:26) writes, “Unlike the combatants themselves, third parties can guarantee that groups will be protected, violations detected and promises kept”. In her credible commitment theory of successful settlement of civil wars, she argues that it is necessary to create credible commitment before parties in intrastate conflict will be willing to sign and implement peace agreements. While power-sharing pacts create credible commitment in the long run, third party security guarantees do so in the critical disarmament and integration phase of the peace process (Walter 2002:26-31). Here I will focus only on the latter.

In cases where there is an equal power balance between the parties, third party verification will be sufficient, because the parties can punish each other for violations if they have the right information. On the other hand, if the power balance is very
uneven, there is a need for a peacekeeping force on the ground to protect the weakest party (Walter 2002:26-27). If the parties know that a third party will verify and enforce compliance this makes cheating more costly, and the parties will therefore choose to comply with the agreement (Walter 2002).

However, as Hovi (1998) points out, a third party’s commitment might also suffer under a credibility problem. Walter (2002:40) recognizes this problem and points out that even well funded and functioning peacekeepers like the US and NATO have failed to react to blatant violations of the peace agreements they were set to monitor. Further she argues that the parties are more likely to implement the peace agreement the more confident they are in the third party’s commitment. The third party’s commitment is measured by how many troops the peacekeepers deploy on the ground and where the soldiers are stationed (Walter 2002:41).

Stedman (2002:5-6) argues that Walter’s indication of commitment is “less helpful” for three reasons. Firstly, “numbers of troops do not imply strategic intent”. The presence of troops does not necessarily mean that they will be used to deter violence and force the parties to comply with the agreement (Stedman 2002:5). The troops’ mandate is at least as important as their number. Forces that have a peacekeeping mandate are lightly armed observers, not enforcers. Peace enforcement on the other hand “is the threat or use of nondefensive military force to impose, maintain or restore cease-fire.” (Paris 2004:38)

Secondly, “numbers of troops do not imply commitment” (Stedman 2002:5). The UNOSOM II operation in Somalia in 1993 illustrates this well. UNOSOM II replaced the UNOSOM I/UNITAF force in March 1993 and the forces’ mandate was to disarm Somali militias (Patman 1997:518). UNOSOM II had approximately 28 000 military and police personnel on the ground in Somalia (United Nations 1996). Nevertheless,
the US announced that it would withdraw its troops within 6 months after losing 18 soldiers in Mogadishu (Stedman 2002:5). The 1995 exit of the UN forces has been said to resemble more “a retreat than a withdrawal” (Chopra, Eknes and Nordbø 1995:99). The fact that a mission crumbles when 18 peacekeepers are killed, shows that it is not the number of troops on the ground that indicates commitment to a peace process.

Thirdly, the numbers of troops present in different countries, at the very least, needs to be weighed against the specific challenges in that conflict, such as size of country and number of opposing troops (Stedman 2002:6). A small number of troops might be able to oversee an agreement where the one side is almost defeated militarily at the beginning of the process, but unable to do so in cases where both parties are still operative militarily.

Despite the problem of operationalization of third party commitment, it seems clear that third parties might enforce agreements that the parties themselves are not able to implement.

5.4 Conclusion

This chapter has outlined five different types of external enforcement. There are two general mechanisms at work here. Firstly, the parties might alter the pay-offs, as is the case with reputation, hostages, security and irreversible investments. Alternatively, the parties can use someone else to guarantee for their commitment to the agreement.

However, it is important not to ignore the fact that third parties, like the original parties to the agreement, also have a credibility problem. The literature on how to solve this problem is large, and the limits to this thesis do not allow me to enter into
the many debates in the field. It is adequate here to note that the third party credibility problems can be solved.
6. Summary and Main Findings

6.1 Summary

This thesis has considered why it is so difficult to achieve a stable and long-lasting peace in conflicts involving warlords. To answer this research question I have used the theory of self-enforcing agreements. The analysis proceeded in three steps. First, I considered the possibility of rendering a warlord incapable of continuing armed conflict by killing him, defeating him militarily, or arresting him. Second, I considered the conditions under which threatening to suspend or terminate a peace agreement involving a warlord might render the agreement self-enforcing. Finally, I considered whether external enforcement can be effective in sustaining a peace agreement when a self-enforcing agreement is not possible. Throughout, I have relied on game theory (sometimes supplemented with other theories), and used illustrative examples to strengthen my arguments.

6.2 Main Findings

None of the three strategies for making a warlord incapable of violating the peace process are particularly promising. All of them run into significant practical problems because it is difficult to get direct access to a warlord. The two first strategies involve military campaigns and are therefore very costly in human and material terms. However, it might be possible to weaken a warlord by cutting off his supply lines before starting a military campaign against him. Arresting a warlord might be a cheaper option, but threat of arrest might leave a warlord with no other option than to continue the war.

A self-enforcing peace agreement requires that the parties are patient, in the sense that they value future benefits sufficiently highly compared to current benefits.
Because warlords tend to be impatience, it is difficult to create self-enforcing peace agreements in conflicts involving warlords.

Finally, the use of external enforcement mechanisms is unlikely to ensure that warlords lay down their arms. First, a warlord is unlikely to have a record of keeping promises, and will therefore have little to lose in terms of reputation by violating a peace agreement. Second, it is hard to imagine the use of hostages or securities to sustain peace involving a warlord. Third, it is unlikely that a warlord will agree to make significant irreversible investments.

While the conclusions are largely pessimistic, the picture is not entirely dark. In particular, third parties might sometimes help ensure a stable peace. However, third party enforcement demands proper commitment and the willingness to incur significant costs by the third party over extended periods of time. This suggests that we should not expect third party enforcement to succeed very often.
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