



Rwanda's Arusha Accords: A Missed Opportunity

Lindsay Scorgie

ABSTRACT – The Arusha Accords – signed on August 3, 1993 by Rwanda's two warring factions, the Government of Rwanda (GoR) and the Rwandan Patriotic Front (RPF) – are an extraordinary testament to the fact that even the most well-crafted negotiation cannot be considered an accomplishment until implemented. Indeed, despite ostensibly ending Rwanda's three year civil war, the fastest and most systematic genocide the world has ever seen took place just nine months after the Accords were signed. Thus this paper will look at the specific factors of the Arusha negotiations that helped to create an environment conducive to implementation failure. Through examining specific bargaining tactics that were employed throughout the Arusha process, this paper comes to the conclusion that the Arusha Accords were very much a missed opportunity – there was the potential for the negotiations to truly succeed and establish a lasting peace for Rwanda.

RÉSUMÉ – Les accords Arusha, signés le 3 août 1993 par les deux partis rwandais opposés; soit le gouvernement du Rwanda (GdR) et le Front patriotique rwandais (FPR), sont des témoins extraordinaires du fait que même les négociations les mieux organisées ne peuvent pas porter la mention 'accomplie' tant qu'elles n'ont pas fait leurs preuves. En effet, malgré une soit-disant fin, la guerre civile du Rwanda qui dura trois ans et qui fut le génocide le plus rapide et efficace que le monde ait jamais vu, a eu lieu à peine neuf mois après la signature de ces accords. Cet article traitera donc des facteurs particuliers des négociations Arusha qui ont contribué à la création d'un environnement propice à l'échec de l'implantation. En examinant les méthodes précises de négociation employées durant les procédures Arusha, cet article en vient à la conclusion que les accords Arusha ont été une occasion manquée. Les négociations possédaient réellement le potentiel de réussite d'établissement d'une paix durable au Rwanda.

The Arusha Accords – signed on August 3, 1993 by Rwanda's two warring factions, the Government of Rwanda (GoR) and the Rwandan Patriotic Front (RPF) – are an extraordinary testament to the fact that even the most well-crafted negotiation cannot be considered an accomplishment until implemented. Indeed, despite ostensibly ending Rwanda's three year civil war, the fastest and most systematic genocide the world has ever seen took place just nine months

after the Accords were signed¹. This paper looks at the specific factors of the Arusha negotiations that contributed to the implementation failure. It begins by examining the institutional barriers of the negotiations: namely the ‘two-level game’ structure², which weakened the GoR’s bargaining strength (in comparison to the united and highly organized RPF) to the point that many members of the government team viewed the entire peace process as a highly disadvantageous, ‘win-lose’ situation. Nevertheless, both bargaining teams had just enough trust in the third parties that were running the negotiations to ultimately sign the Accords. However, the second topic that this paper will examine is how those third parties failed to sustain trust and a positive spirit into the implementation phase. In so doing, they allowed a ‘spoiler’ faction to gain prominence and mutually-reinforcing institutional and strategic barriers to develop; these prevented the agreed-upon Arusha protocols from materializing and led the bargaining parties (particularly the GoR) to perceive the negotiations in distributive bargaining terms³. Not only were the extremists unhappy with the peace process, but more importantly, the moderates within the GoR were unsatisfied as well. Considering themselves to be the ‘losers’ of the negotiations, they became quite susceptible to recruitment by the spoiler group and abandoned their commitment to peace during the implementation phase. To have ensured that the negotiations were not perceived as ensuring a ‘victor’s deal’ for the RPF, integrative tactics – designed to directly counter the effects of the institutional and strategic barriers – should have been employed both during and after the negotiations. Such tactics would ultimately have moved the parties from a distributive to an integrative bargaining mindset and illuminated the many win-win opportunities that did exist.

Before delving into the topic of institutional barriers, it is important to briefly address Rwanda’s tumultuous history, in order to gain a clear understanding of the dynamics of the negotiating process. This nation of seven million people consists of two main groups: the Hutu, 85 percent of the citizenry, and the Tutsi, around 15 percent (Jefferson, 1992). Before the age of colonialism, the people of (what is now known as) Rwanda lived together quite harmoniously. The terms ‘Tutsi’ and ‘Hutu’ were primarily socially and politically constructed categories, rather than ethnic ones: Tutsi referred to cattle owners, and the name Hutu was designated to cultivators (Gourevitch, 1998). Although the Tutsi came to be thought of as elite because cattle were an important asset, the terms were ultimately very fluid and flexible. Unfortunately, the country’s social cohesion did not survive European colonialism’s practice of ‘ethnic’ differentiating. With the German acquisition of Rwanda in 1885 and the subsequent introduction of racial hierarchy theories such as the ‘Hamitic’ hypothesis, ethnicity developed into a potent force and the Tutsi were upheld as the superior race, while the Hutu were made subservient to them (Watson, 1992). Conditions worsened after World War I when Rwanda was handed over to the Belgians who further entrenched the ‘ethnic’ divide (Shawcross, 2000). Resentment over their repression steadily increased among the Hutu population until 1959, when violent uprisings broke out. That year, 20,000 Tutsis were killed and large numbers were forced to flee the country (“Rwanda,” 2001). Rwandan independence was granted three years later; Tutsi dominance officially came to an end and power-hungry Hutus filled the political void left by the Belgians.

¹ “Between April and June 1994, an estimated 800,000 Rwandans were killed in the space of 100 days. Most of the dead were Tutsis - and most of those who perpetrated the violence were Hutus. [...] Recruits were dispatched all over the country to carry out a wave of slaughter.” (“Rwanda,” 2001).

² “Putnam, in his *Diplomacy and Domestic Politics: the Logic of Two-Level Games* (1988), discusses in detail how international negotiations resemble a ‘two-level game’, where the chief negotiator, usually the head of government, must interact with and solve problems in two arenas: acceptable deals with the international partners, and ratification of any deal within the relevant domestic institutions” (Özkeçeci Taner, 2001-2002).

³ Distributive bargaining is an approach to negotiation characterized by competitiveness and the view that fixed goods or resources must be divided up between disputants, so that one party’s gain entails a corresponding loss for the other party. It can be contrasted with integrative bargaining, a cooperative approach that seeks to bridge the interests of both parties and explore alternatives, in an attempt to maximize goods and resources so that all parties may experience gains (Conflict Research Consortium, 1998).

The scars from colonial rule lingered during the next few decades. Hutu leaders were determined to retain power for themselves rather than repairing the psychological damage done by the colonizers, and thus used Tutsis as scapegoats for their political problems, widening the societal division (Hintjens, 1999). This strained 'ethnic' environment reached a climax in October of 1990 when the RPF – a rebel army consisting largely of exiled Tutsis who had established themselves in Uganda – invaded Rwanda and demanded an end to Tutsi discrimination, the right for the thousands of Rwandan refugees to return home, and most of all, inclusion of Tutsis in the government (Jefferson, 1992). This event not only marked the beginning of a three year civil war, but within days also signalled the start of regional mediation attempts in the form of summits to help reconcile the parties' differences. While this pre-negotiation phase proved unsuccessful in halting the war or inducing President Habyarimana to implement political changes, the summits were still important in laying the groundwork for the Arusha Accords – the topic to which this paper turns next (Adelman & Suhrke, 2000).

As can be seen by the history recounted above, by the early 1990's Rwandan society had become characterized by ethnic and political tensions that were deeply ingrained into the psyche of the population. As Ami R. Mpungwe (1999) – the Tanzanian who would act as chief facilitator of the Arusha Accords – said regarding the nature of the Rwandan problems, "these conflicts [...] are extremely tenacious because they revolve around the fundamentals of human life: land, safety, security, identity, recognition, esteem and unhindered opportunities for human development as a whole" (p. 1). The Arusha peace process was thrust into this hostile environment. The first actions towards formal negotiations were taken in June of 1992, when a stalemate led the two warring parties to convene in France to establish terms for a peace process to take place in Arusha, Tanzania. The Tanzanian facilitating team carefully prepared for the negotiations by adopting an incremental approach, which began with the least contentious issues, and abandoned the 'summit' strategy in favour of a more inclusive peace process (Adelman & Suhrke, 2000). Their efforts appeared to pay off immediately, for only two days into the formal negotiations, on July 10, 1992, a cease-fire was reached and an agreement was made for the Organization of African Unity (OAU) to deploy a Neutral Military Observer Group to monitor the cessation of hostilities (Mpungwe, 1999). During this first phase another negotiating body was established: the Joint Political Military Commission (JPMC). This was to act as a back-channel to the official negotiations, where members of the two teams could meet to talk, complain, and 'hammer out' the tricky issues in an informal atmosphere (Adelman & Suhrke, 2000).

The momentum from these positive developments continued into Arusha's second phase, which ran from August 7-18, 1992, and quickly saw consensus reached on the rule of law (Mpungwe, 1999). What is known as 'Arusha III' settled issues concerning a new 'Broad-Based Transitional Government' (BBTG), in which the powers of the president would be reduced to merely ceremonial ones (Adelman & Suhrke, 2000). Severe concessions from the GoR, as evident in the Arusha III protocol, became a trend during the subsequent negotiations of Arusha IV, V, and VI. During the fifth stage, for example, the RPF insisted that the 'coalition pour le defense de la republique' (CDR) – the most extreme, right-wing faction of the GoR group – be excluded from both the negotiations and any future government (Adelman & Suhrke, 2000). The RPF got their way, and President Habyarimana's negotiating team was not only severely weakened, but his government, now reduced in numbers and voting power, was marginalized from 'the new order' (Adelman & Suhrke, 2000). Eventually, on August 4, 1993, the last round of negotiations were concluded and celebrations broke out as President Habyarimana and Colonel Alexis Kanyarqenge, the Chairman of the RPF, signed the final agreement. Many observers at the time argued that the Arusha Accords were the most successful resolution to an African conflict in history, and had been virtual 'textbook mediation': all of the important parties had been present (although it is debated whether the CDR should have been excluded), efforts were made to go past simple agreements and address the causes of the conflict, and a neutral mediator had led the process (Stettenheim, 2002). Most importantly, the GoR and RPF had come to

agreement on issues that had been plaguing Rwanda for decades, namely: the principles of law, power sharing, the repatriation of refugees, and the integration of the military (Adelman & Suhrke, 2000). However, in reality the negotiations were flawed, and those flaws would prove divisive when it came to implementation.

The institutional barriers that arose out of the GoR's internal structure were perhaps the most serious impediment to a successful conclusion in the Rwandan peace process. Negotiation experts Michael Watkins and Susan Rosegrant (2000) describe how one of the most common obstructions to negotiation agreements are 'institutional barriers': "internal political and organizational dynamics within institutions that complicate negotiations between them" (p. 57). While institutional barriers did not actually prevent the GoR from signing the peace agreement, they nevertheless had an influential role in the failed implementation of the Accords. The barriers weakened the bargaining ability of the GoR to such an extent that the team was unable to achieve any significant gains during the peace process, which left the extremists, and even many moderates, unsatisfied when the time came to implement the agreement.

Coherent internal politics of a negotiating team are critical for any bargaining success. As Watkins and Rosegrant explain, "Agreement at the negotiating table calls for a critical mass of support – a winning coalition – for the agreement within each side" (p. 70). In the GoR's case, however, a united front was impossible as the team consisted of three separate factions, all reporting to different centres of power; these included representatives from Habyarimana's ruling political party, the MRND; members of the extremist group the CDR; and representatives of various opposition parties (Jones, 2001). The effects of having so many groups within one team were exacerbated by the fact that the CDR was extreme in nature, while the opposition parties were on the whole quite moderate and much more interested in seeing a new party in power than in securing Hutu dominance (Perlez, 1992). In fact, many members of the various parties that formed the opposition were sincerely devoted to reform within the government – so much so that they were in agreement with the RPF on numerous issues (Jones, 2001). With such polarized differences within this so-called team, it is no wonder that the leader of the GoR delegation, Foreign Minister Ngulinzira, declared that it was often harder to come to agreement within the GoR itself than with the RPF (Stettenheim, 2002). Naturally, this 'two-level game' structure, in which as much time was spent on 'negotiating the intra-Hutu power dynamics of a future government' as was spent bargaining with the RPF, hurt the GoR's bargaining strength (Stettenheim, 2002).

What Watkins and Rosegrant (2000) term 'organizational weaknesses' further exacerbated the team's inability to carry-out negotiations effectively. As the authors state, "an effective negotiating team must be internally organized and authorized to devote sufficient resources to the process. Representatives must [...] have the authority to make commitments on behalf of their sides" (p. 72). The GoR team was exceptionally weak in this regard as, although Ngulinzira had been designated spokesperson for the group, his moderate stance on issues often upset not only the extremists, but Habyarimana as well. In fact, a recurring pattern during the Arusha negotiations was of Ngulinzira making conciliatory proposals, only to have Habyarimana step in and veto his authority. Not surprisingly, the 'two-level game' situation and chaotic structure of the GoR materialized significant losses for them at the negotiating table. One set of negotiations in particular conveys the amount of concessions the GoR was forced to make in comparison to the RPF. On the sensitive issue of the composition of the national army, the GoR suggested a 15 percent share for the RPF, which was followed by a counter-offer of 50-50 from the RPF (Adelman & Suhrke, 2000). The lop-sided negotiation dance that ensued consisted of only the GoR making concessions, and consequently the outcome was a national army composed of 50 percent Tutsis. Thus, the GoR's bargaining inability, and sense of inferiority that developed as a result, are critical to explaining both the process of the negotiations and what would follow – for the settlements appeared to them as victories for the RPF rather than a fair settlement for both sides.

It is necessary at this point to briefly compare the fractured, undisciplined, and ineffective GoR team to that of the RPF, which was a group highly driven by its goals, as well as strongly united, and skilled in negotiating. The source of the RPF's strength stemmed from their military superiority which was apparent almost immediately after the civil war broke out. The "well-clad, fed, and equipped" army quickly gained ground and was prepared to continue fighting indefinitely until its demands were met by the Habyarimana government (Watson, 1992, p. 54). As RPF member and future leader of Rwanda, Paul Kagame said in 1992, "the best way to fight is protracted war, because the ultimate solution is political. War is to create pressure to force the government to break down completely or realize the need for a negotiated settlement" (Watson, 1992, p. 55). Having spent decades in exile fighting in the Ugandan National Resistance Army, most RPF members were more than willing to fight for a few more years if that meant political and societal reforms for Rwanda. Their patience was one of their major advantages. As author Howard Raiffa (2003) notes, "[...] the bargainer who is willing to wait longer, to probe more patiently, to appear less eager for a settlement will be more successful" (p. 78). This also relates to the issue of a strong 'best alternative to a negotiated agreement' (BATNA), which was perhaps the RPF's most valuable asset. However, as Watkins and Rosegrant (2000) explain, "attractive alternatives are not just sitting there waiting for you; you usually have to develop them" (p. 115). And indeed, that is what the RPF did. As they gained confidence in their ability to damage the GoR through insurgency, the RPF decided to use that strength in fighting to demonstrate that they had an alternative to the negotiations – an alternative so strong, in fact, that at times it was more advantageous to fight than to bargain.

And thus through events like the February 1993 offensive – in which the RPF left the negotiating table, resumed fighting, and within just two days had made it to within 20 miles of Kigali, displacing thousands of people from Rwanda's 'bread-basket' region along the way – they successfully demonstrated to the GoR that if substantial concessions were not made, they would achieve their demands through force (Adelman & Suhrke, 2000). This ability to dictate the course of negotiations was enhanced by the profoundly negative effect the RPF's warfare had upon the Rwandan government, especially in economic terms. As author Joel Stettenheim (2002) notes, the civil war severely distressed the Rwandan economy; for example, the internally displaced people upset food production, the land held by the RPF was the principle export route for the country, and the formerly blossoming tourist industry had been obliterated. The GoR, then, effectively had no BATNA – negotiations to end the war were imperative for their survival. That, coupled with institutional barriers that equated to little bargaining ability, contributed to "the final version of the Arusha Accords reading like a victor's deal, rather than a general settlement between relatively equal sides" (Adelman & Suhrke, 2000, p. 149).

Authors Roy J. Lewicki, David M. Saunders, and John W. Minton (2001) explain how crucial it is that both parties come away from negotiations feeling positive when they state, "parties who do not think they got the best agreement possible, or who believe that they lost something in the deal, frequently try to get out of the agreement later or find other ways to recoup their losses" (p. 59). Thus, the institutional barriers of the GoR bargaining team were, in many ways, the catalyst behind the failure of implementation of the Arusha Accords, for they prevented many members of the group from feeling positively about the agreement. It is consequently crucial to ask whether there were any measures that could have been taken to combat these weaknesses of the GoR, and to have created a more level playing field for the teams (while being careful, of course, to ensure that a group such as the extremists did not gain too much strength). Two strategies in particular stand out as possible solutions to this dilemma. The first revolves around the issue of concessions. It is widely acknowledged that the Boulware strategy – "making a reasonable opening and remaining firm" – usually only serves to antagonize the opposing team (Raiffa, 2003, p.48). As Lewicki, Saunders and Minton (2001) note, parties enter into negotiations with the expectation that both sides will be making some concessions – that there will be give-and-take. Thus, when one team refuses to make any substantial concessions, it not

only results in a tangible loss for the other, but signifies a lack of respect and recognition towards their interests and legitimacy (Lewicki et al, 2001). While the RPF did not explicitly make use of the Boulware strategy, their bargaining tactics nevertheless had the same effect. Their superior negotiating position meant that it was possible for them to achieve their demands without making reciprocal concessions. Yet while this strategy seemingly brought them success during the negotiations, it proved detrimental for them in the long-run. Thus, to have ensured that the GoR did not feel antagonized, the RPF needed to make at least a few substantial concessions during the peace process.

This corresponds with the second possible approach: the strategy of 'log-rolling'. Although both parties no doubt perceived the Arusha Accords as a distributive bargaining situation – as, during the negotiations, the final outcome was perceived as a win-lose situation by many of the GoR members – there were in fact many sound opportunities for win-win agreements to be made. The technique of log-rolling is one of many tactics that Lewicki et al (2001) categorizes under the general heading of 'generating alternative solutions' for integrative bargaining, and which basically entails trading-off among issues where there is a difference of preferences to be exploited. An area especially conducive to the log-rolling strategy concerns preferences regarding time: "often one party has a lot to gain in the present, while the other has more to risk in the future" (Lewicki et al, 2001, p. 104). This was certainly the case in the Arusha Accords, where the GoR, especially Habyarimana's party, were very focused on achieving gains for the present, such as stopping the war and improving the economy. The RPF on the other hand, was much more patient; their main concern was a change in the government, and they were prepared to wait, if necessary, to achieve that goal. Thus, log-rolling around these different preferences could have induced an agreement that ensured the GoR's concern with current issues, while at the same time guaranteeing long-term profits for the RPF. Furthermore, if more attempts had been made to address the parties' interests, rather than just their stated positions, this opportunity would have revealed itself. What becomes clear is that while the GoR suffered from institutional barriers, and while the RPF did indeed have an attractive 'best alternative to a negotiated agreement' (BATNA), the GoR team did not have to walk away from the Arusha Accords feeling like 'losers'. The potential did exist to make a win-win situation out of this apparent imbalance in negotiating power.

Unfortunately, such integrative tactics were never employed and the stage was set for a hostile implementation environment. Despite newspapers around the world claiming that the Arusha Accords and the peace they promised were 'the real thing', it is evident in the remarks made by Habyarimana and Kanyarengwe after the signing, that there were at least some Rwandans who were aware of the vulnerable state Rwanda was left in at the conclusion of the peace process ("Peace accord in Rwanda," 1994, p. 1; "Accord ends," 1993, p. 1). Habyarimana stated, for example, "this is a key and decisive step. However [...] it will be necessary to change our behaviour [...]" ("Peace accord in Rwanda," 1994, p. 2). Similarly, as Kanyarengwe addressed Rwandans shortly after the signing, he said, "peace only becomes an irreversible reality if the causes of war disappear or are disappearing... Today's signing only marks a very important step in the process towards peace" ("Peace accord in Rwanda," 1994, p. 2). If the third parties had paid more heed to these comments, and if the amount of energy and effort given to the negotiations had also been invested in implementation, the Accords might have succeeded. However, actions by extremists created a strategic barrier that the third parties were unable to overcome, and the fate of the peace process was sealed.

The spoiler problem in the implementation phase had its roots in the exclusion of the CBR from the negotiation process. This, in addition to the fact that agreements during the subsequent negotiations characterized the future 'Broad-Based Transitional Government' as a power-sharing arrangement with the Tutsis (a characterization that, for the political hardliners, amounted to political suicide) spurred fury within the extremists and led them to violent action throughout early 1993 ("Violence follows," 1994). Board member of Africa Watch, Alison Des

Forges, argued that this was a sign that “[...] those who are opposed to the accords at the highest levels of the government are trying to indicate that the country is ungovernable without their collaboration” (“Violence follows,” 1994, p. 2). Leader of the CDR party, Colonel Bagosora, also publicly stated at the time that “the extermination of the Tutsis would be the inevitable consequence [...] of the implementation of the Arusha accord” (“Colonel Theoneste,” 2004, n.p.). It is unfair to blame those observing the peace process for not having detected the genocidal impulses of the extremists; it is only in retrospect that these appeared so obvious. Nevertheless, it is disconcerting that so little attention was given to finding a means for controlling the spoilers during the implementation phase. In fact, when the UN Assistance Mission in Rwanda (UNAMIR) arrived in Rwanda to act as observers of the cease-fire, they had not even been informed that the extremist faction existed. As former assistant to General Romeo Dallaire, Major Brent Beardsley stated, “When UNAMIR went for the tactical mission in August 1993, we only knew of two parties that signed the agreements [...] but in November we realized there was a third force on the side of the Rwandan government which planned to derail the Arusha Peace accord” (“Third Force,” 2004, p. 1). Indeed, the spoilers steadily recruited more and more moderates who were upset with the final provisions of the Accords. As author Bruce D. Jones asserts, “this combination of spoilers and losers created a constellation of opposition to peace that nurtured the...genocide movement” (Jones, 2001, p. 159).

The issue of how to handle extremists is an age-old concern that has bedevilled conflict resolution, and there is still no clear consensus on the subject (Adelman & Suhrke, 2000). This is certainly true of the Rwandan case, where academic analyses of the peace process differ widely on whether or not the CDR should have been incorporated into the negotiations. There are those like author Mahmood Mamdani (2001) who state that “the Arusha Agreement was signed stillborn, mainly because it failed to take account of the extremist CDR” (p. 211). Indeed, even the Tanzanian and American teams involved in the peace process often argued that it was “better to have the hardliners inside the tent, pissing out, than outside of the tent, pissing in” (Mamdani, 2001 p. 212). And yet, there are others like author Christopher Clapham (1998) who claim that “the incorporation of such groups [CDR] into the Arusha process could only have aborted the process itself” (p. 206). What is virtually indisputable, however, is that the CDR extremists were not adequately managed and that a better strategy should have been adopted by the third parties involved. In Stephen John Stedman’s (1997) thorough analysis of the role of spoilers in peace processes, it is stated that “spoilers need not destroy peace – if custodians create robust strategies, seek international consensus behind the strategy, and recognize the much maligned force of normative power” (p. 44). A ‘robust strategy’ is said to consist of, first and foremost, a diagnosis of the situation: spoiler type, spoiler numbers, and the locus of the spoiler (pp. 44-45).

In the situation of Rwanda, a poor diagnosis led the third parties to target Habyarimana as the main threat to the peace process (Stedman, 1997). Although it is unclear to exactly what degree Habyarimana was a hardliner, it is now generally recognized that he was a great deal more moderate than the CDR faction (Kuperman, 1996). In fact, it was most likely the extremists – who had called Habyarimana’s signing of the Accords “an act of high treason” – who assassinated Habyarimana on April 6, 1994 as he was flying back from Tanzania after making an agreement to uphold the Arusha Accords (Des Forges, 1999, p. 9). Thus Habyarimana (who was at most a ‘limited spoiler’, using Stedman’s (1997) terminology) experienced the bulk of the pressure and threats from the third parties to uphold the peace process, while the CDR (a ‘total spoiler’ and thus committed to all-or-nothing strategies) was virtually ignored during the implementation phase, and consequently given a green light to follow through with their plans. Not only was the third party diagnosis of the extremists very poor, but their strategy of completely excluding the hardliners from the negotiations and future government without a solid plan to contain them was also faulty. Third parties naively put faith into what was supposed to be a robust UN peacekeeping force that would counteract the extremists (“U.N. approves troops,” 1993, p. 1). However, having just suffered the Somalia debacle, the UN was by no means ready

to wholeheartedly commit itself to a peacekeeping mission. Consequently, those whom Stedman (1997) calls the custodians of peace – “international actors whose task it is to oversee the implementation of peace agreements” – failed in more than one way to secure a safe environment in which to implement the Accords (p. 12).

The inefficiency of the third parties in managing the extremists was a major contributor to the strategic barrier that developed in the wake of the signing of the Accords. Strategic barriers are another of Watkins and Rosegrant's (2000) ‘barriers to agreement’. Identified as arising “[...] when negotiators’ rational efforts to advance their interests interact in pernicious ways[,] [b]arriers of this type flourish when uncertainty prevails about the size (or even the existence) of the zone of possible agreement, when the parties feel vulnerable and uncertain about each other’s intentions [...]” (p. 60). One aspect of strategic barriers especially relevant to the Rwandan situation relates to the subject of ‘insecure agreements’. Those settlements that are insecure in nature have the adverse effect of subsequently ‘shrinking the pie’ (Watkins & Rosegrant, 2000, p. 62). The negotiators worry over the accords’ sustainability and this induces them to act in conservative and defensive ways (Watkins & Rosegrant, 2000). This was certainly the situation in Rwanda after the signing of the Arusha Accords. Both the RPF and GoR had perceived the negotiations in distributive terms and were still suspicious and distrustful of each other even after the signing. What made it possible for them to commit themselves to an agreement in the first place was the trust that the third parties had successfully built into the process; for the implementation phase to succeed, it was crucial that trust be maintained (Mpungwe, 1999). Yet, as can be seen with the handling of the extremists, international actors failed to carry over into the implementation phase a strategy to combat parties’ mutual insecurities. Consequently, a strategic barrier developed in which uncertainties about implementation abounded, and it became increasingly unlikely that the negotiating teams would actually try to implement the Accords.

The third parties’ lack of attention to the growing climate of distrust allowed further events to have disproportionately negative impacts. First, it had been envisaged by the Tanzanians, OAU, and other observers that the critical twenty-two month transitional period, immediately following the signing of the Arusha Accords, would be overseen by a UN force on the ground – a force that was supposed to arrive just thirty-seven days after the conclusion of negotiations (Adelman & Suhrke, 2000). It was three weeks after those thirty-seven days, however, before a resolution was even passed to create the force (Des Forges, 1999). The additional two months it then took for any substantial number of peacekeepers to arrive in Rwanda, combined with the force’s weakness in terms of both numbers and mandate, not only delayed the development of the ‘Broad-Based Transitional Government’, but also fuelled the climate of insecurity (“New government,” 1994, p. 1). Despite warnings from governments, such as Belgium, that, “current developments in the situation in Rwanda are not encouraging [...] the prolongation of the current political deadlock could result in an irreversible explosion of violence”, the international community still gave relatively little attention to the Rwandan situation (UN, 1996, p. 244). In this insecure environment, the extremists were then able to manipulate exogenous events to their advantage. A case in point was the assassination of Burundi’s Hutu Prime Minister by Burundian Tutsis. Rwandan Hutu extremists turned this event into an opportunity to portray the RPF and their ‘collaborators’ – supposedly, Tutsis and moderate Hutus – as a significant threat to the ‘peace’ (“An uneasy peace,” 1994). As Kagame stated at the time, “normally what is happening in Burundi should not affect events in Rwanda, but there is also the possibility that some people in the first place who are not interested in the success of the peace agreement may use the events in Burundi to derail the very process we are starting” (“An uneasy peace,” 1994, p. 2).

It is indisputable that, at this point, the third parties involved in the Arusha Accords, and the wider international community, should have attempted to restore some sense of security to Rwanda. It was obvious that nearly all factions within the GoR, as well as the RPF, shared the perception that implementation had turned into a strictly distributive bargaining situation. Instead

of experiencing the joint benefits that were to come as a result of the Arusha Accords, the parties were more polarized than ever, and by April 6, 1994 the extremists had begun the genocide. It is thus necessary to consider what could have been done during the implementation stage to change the distributive bargaining (combative, and 'win-lose') situation into an integrative (cooperative, and 'win-win') one, and thereby prevent the genocide. Watkins and Rosegrant (2000) suggest several means for overcoming strategic barriers, including using "outside guarantors – involving powerful external parties as guarantors of the agreement with the understanding that they will punish non-compliance" (p. 64). This should have been the role of the UN, but as Dallaire said in February 1994, "the minute there is a significant cease-fire violation by either side, my mandate does not exist here anymore" (Kuperman, 1996, p. 9). The third parties should have ensured that the follow-through mechanisms planned for in the Accords, were observed and enforced; this would have involved continued active efforts to sustain a sense of trust and security, as well as monitoring regional events to keep potentially destabilizing acts under control. As Stettenheim (2002) asserts, the ultimate failure of the Arusha Accords "underscore the deep responsibility of third parties to maintain their full commitment once having accepted the burden of involvement" (p. 236). This should not be understood as a dismissal of the role played by the third parties: in many ways they were successful in using integrative solutions throughout the peace process. However, if they had prevented the development of such a strategic barrier, the legacy of their involvement in the situation might stand in a better light today.

Had the 163 articles that make up the "Peace Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front" – with their call to 'spare no effort in promoting national unity and reconciliation' – actually materialized into action, the world would not stand in remembrance of one of the most horrific genocides ever ("Peace agreement," 1993, p. 3). There are some who maintain that Rwanda was a situation in which it did not matter how well-crafted the negotiations were, for it was ultimately not a conflict conducive to resolution via bargaining (Clapham, 1998). However, this paper has attempted to demonstrate that there were numerous ways in which the distributive appearance of the situation could have been overcome, and a win-win outcome might have been achieved. The use of a non-Boulwarean strategy by the RPF, along with the tactic of log-rolling to exploit the teams' preferences, could have been applied to the institutional barriers during the negotiations to achieve a better outcome for the moderates. A more careful approach to the extremists and regional developments, on the part of the third parties, could also have overcome the strategic barrier and secured a trusting environment in the implementation phase. The Arusha Accords, therefore, were very much a missed opportunity – the potential existed for the negotiations to establish a lasting peace for Rwanda.

REFERENCES

- Accord ends 3-Year civil war in Rwanda. (1993, August 5). *The New York Times*, p. A12.
- Adelman, H., & Suhrke, A. (Eds.). (1999). *The Rwanda crisis from Uganda to Zaire: The path of a genocide*. New Jersey: Transaction Publishers.
- An uneasy peace. (1994, January-February). *Africa Report*. Retrieved March 1, 2004 from the World Wide Web:
<http://80infotrac.galegroup.com.myaccess.library.utoronto.ca/itw/infomark/857/576/7326>.
- Clapham, C. (1998). Rwanda: The perils of peacemaking. *Journal of Peace Research*, 35(2), 193-210.

- Conflict Research Consortium (University of Colorado). (1998). Distributive Bargaining. *International Online Training Program On Intractable Conflict*. Retrieved October 30, 2004 from the World Wide Web: <http://www.colorado.edu/conflict/peace/treatment/distbarg.htm>.
- An uneasy peace. (1994, January-February). *Africa Report* Retrieved March 1, 2004 from the World Wide Web: <http://80-infotrac.galegroup.com.myaccess.library.utoronto.ca/itw/infomark/857/576/7326>.
- Des Forges, A. (1999, March 11). Leave none to tell the story: Genocide in Rwanda. *Human Rights Watch*. <http://www.hrw.org/reports/1999/rwanda/Geno1-3-11.htm>. March 1999.
- Gourevitch, P. (1998). *We wish to inform you that tomorrow we will be killed with our families: Stories from Rwanda*. New York: Picador USA.
- Hintjens, H. M. (1999). Explaining the 1994 genocide in Rwanda. *Journal of Modern African Studies*, 37, 241-286.
- Jefferson, N. (1992). The War Within. *Africa Report*, 37(1), 62-64.
- Jones, B. D. (2001). *Peacemaking in Rwanda: The dynamics of failure*. London: Lynne Reinner.
- Kuperman, A. J. (1996). The other lesson of Rwanda: Mediators sometimes do more damage than good. Retrieved March 1, 2004 from the World Wide Web: http://muse.jhu.edu/journals/sais_review/v016/16.1kuperman.html.
- Lewicki, R. J., Saunders, D. M., & Minton, J. W. (2001). *Essentials of Negotiation*. New York: McGraw-Hill Irwin.
- Mamdani, M. (2001). *When victims become killers: Colonialism, nativism, and the genocide in Rwanda*. Princeton: Princeton University Press.
- Mpungwe, A. R. (1999, April). *Crises and response in Rwanda: Reflections on the Arusha peace process*. Retrieved March 1, 2004 from the World Wide Web: <http://www.iss.co.za/Pubs/monographs/No36/CrisisAndRes.html>.
- New government is delayed as violence rocks Rwanda. (1994, February 24). *The New York Times*, p. A13.
- Özkeçeci Taner, B. (2001-2002). How to study foreign politics: Systematic constraints vs. domestic politics and decision-making structure. *Perceptions: Journal of International Affairs*, VI(4), n.p. Retrieved October 30, 2004 from the World Wide Web: <http://www.mfa.gov.tr/grupa/percept/VI-4/binnur.ozkececi.htm>.
- Peace accord in Rwanda may be the real thing. (1993, September-October). *Africa Report*. Retrieved March 19, 2004 from the World Wide Web: <http://80-infotrac.galegroup.com.myaccess.library.utoronto.ca/itw/infomark/857/576/7326>.
- Peace agreement between the government of the Republic of Rwanda and the Rwandese Patriotic Front. (1993, August 3). *International Conflict Research* (INCORE). Retrieved March 20, 2004 from the World Wide Web: <http://www.incore.ulst.ac.uk/cds/agreements/pdf/rwan1.pdf>.
- Perlez, J. (1992, June 1). Violence roils Rwanda's embryo democracy. *The New York Times*, p. A11.
- Raiffa, H. (2003). *The art and science of negotiation: How to resolve conflicts and get the best out of bargaining*. Cambridge: Harvard University Press.
- Rwanda: How the genocide happened. (2001, June 7). BBC News. Retrieved March 20, 2004 from the World Wide Web: <http://news.bbc.co.uk/1/world/africa/1288230.stm>.

- Shawcross, W. (2000). *Deliver us From evil: Peacekeepers, warlords and a world of endless conflict*. New York: Simon & Schuster.
- Stedman, J. S. (1997). Spoiler problems in peace processes. *International Security*, 22(2), 5-53.
- Stettenheim, J. (2002) "The Arusha Accords and the failure of international intervention in Rwanda. In Greenberg, M. C., Barton, J. H., & McGuinness, M. E. (Eds.), *Words over war: Mediation and arbitration to prevent deadly conflict* (pp. 213-236). New York: Rowman & Littlefield.
- Third force 'Planned to destabilize the Arusha Peace Accord. (2004, February 5). Africa News Service. Retrieved March 2, 2004 from the World Wide Web: <http://80-infotrac.galegroup.com.myaccess.library.ca/itw/infomark/857/576/7326>.
- U.N. approves troops for Rwanda. (1993, October 6). *The New York Times*, p. A17.
- United Nations. (1996). *The United Nations and Rwanda: 1993-1996*. New York: United Nations Reproduction Section.
- Violence follows peace agreement in Rwanda. (1993, March-April). *Africa Report*. Retrieved March 1, 2004 from the World Wide Web: <http://80-infotrac.galegroup.com.myaccess.library.utoronto.ca/itw/infomark/857/576/7326>.
- Watkins, M., & Rosegrant, S. (2001). *Breakthrough international negotiation: How great negotiators transformed the world's toughest post-Cold War conflicts*. New York: Jossey-Bass.
- Watson, C. (1992). War and waiting. *Africa Report*, 37(6), 51-55.