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Conflict Recurrence in Rwanda and Burundi

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CONFLICT RECURRENCE IN RWANDA AND BURUNDI

by

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Abstract

This thesis argues that the different reactions of the population and rival elites to executive attempts to extend term limits in Rwanda and Burundi reflect the different ways civil wars ended in these two countries. In Rwanda, a military victory resulted in institutions that placed less constraint on the ruling party, while in Burundi, a negotiated settlement placed comparatively greater constraints on the ruling party. As a result, the major party in Rwanda was more powerful than the major power in Burundi, and thus more capable to co-opt or coerce the opposition. This paper uses a most-similar case design to test the hypothesis that civil wars that end in negotiated settlements are more likely to become unstable than a civil war that ends in a military victory when executives attempt to extend their term limits and finds that the civil war outcome was instrumental in explaining the divergent reactions in both countries. This paper has important implications for those interested in post-conflict situations and executive term-limit extensions.

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Introduction

In recent years, Africa has seen an increase in the number of executives that seek their term limits. From 2000 to 2015, 15 African leaders attempted to extend their term limits, with the majority of them succeeding (LeBas 2016). In Burkina Faso, President Blaise Compaoré's attempt to extend his term limit was met with massive public demonstrations, including setting the National Assembly building on fire. Two dozen Burkinabe were proclaimed dead, and the protesters marched on the presidential palace the next day, demanding the resignation of the president. Due to the turmoil, Compaoré was forced to flee unceremoniously to the Ivory Coast (Frère and Englebert 2015). Meanwhile, the president of the Republic of the Congo, Denis Sassou Nguesso, was able to successfully hold a constitutional referendum on extending his term limits, facing little opposition in the process. Concurrently, Nigerian President Goodluck Jonathan succeeded in getting the courts to extend his term limit, but only to hand over power peacefully after losing an election to Muhammadu Buhari (Riedl 2015). Based on these examples, there appears to be a large variety in the responses to term limit extensions. Why did the president fail in the face of stiff opposition in Burkina Faso, but easily succeed in the Republic of the Congo?

In an attempt to answer this question, this paper will focus on two recent cases in Rwanda and Burundi. In 2015, the president of Burundi, Pierre Nkurunziza, sought to validate his running for a third term by forcing the country's Supreme Court to rule that his interpretation of the constitution was legitimate. The constitution, which was formed in 2005 after a series of

negotiations to end a civil war, said that the president could only serve two terms (Nkurunziza won elections in 2005 and 2010). Nkurunziza argued that because he was elected by an indirect vote in the legislature in 2005, he could constitutionally run for another term. In the fallout from this declaration, there were widespread protests, a failed coup, political assassinations committed by both the government and the rebels, and a violent suppression of civil society. The country is currently becoming increasingly unstable, as political killings and increased ethnically charged rhetoric have increased in the absence of any political settlement in the negotiations between the opposition and the government (UNIIB 2016). In response to the crisis, the UN Security Council expressed “great concern” and the African Union released a statement calling on all sides to “show restraint”.

Table 1: Selection of Attempts to Extend Term Limits in Africa and the Responses to Term Limit Extensions

Country	Success	Response
Nigeria	Yes	Peaceful Transition
Burkina Faso	No	Overthrown
Rep. of the Congo	Yes	Little Resistance
Burundi	Yes	Widespread Unrest
Rwanda	Yes	Little Resistance

In Rwanda, the process of extending term limits progressed in a much more peaceful manner. President Paul Kagame was able to pass a referendum on the constitution that changed

the constitutional term limits from two seven-year terms to three seven-year terms plus two additional five year terms, extending the time he would be able to constitutionally hold power until 2034 (Seburanga and Gatesire 2016). However, the response to this action was the complete opposite from what happened in Burundi. There were no violent protests or failed coups in Rwanda. The international reaction was lackluster as well, with the US saying that Kagame would “serve his country best by stepping down” and the EU voicing concern over the speed at which the vote would take place. The fact that there is such a disparity in reactions to extending term limits in these two cases, despite the two leaders attempting the same thing, poses the question why one country spiraled into instability while the other one did not.

This paper argues that the main reason for these different outcomes in Rwanda and Burundi was how the civil wars ended in each country. In Rwanda, there was only one party that remained at the end of the civil war, the Rwandan Patriotic Front (RPF), which was able to determine the structure of the government and the military unilaterally. As a result, it was able to create institutions that perpetuated its rule over time. In Burundi, the civil war ended in a negotiated settlement, which resulted in the dominant party, the National Council for the Defense of Democracy – Forces for the Defense of Democracy (CNDD-FDD), not being able to fully control government institutions, despite being the strongest party. The rigid institutions of the peace agreement prevented the major party from completely eradicating the opposition, giving the opposition incentive to defend the constitution and the major party incentive to disobey it.

While Rwanda and Burundi share numerous historical, cultural, ethnic, and geographic similarities, one important distinction between them is that Burundi’s civil war in the 1990s

ended in a negotiated settlement between the government and various rebel groups, while Rwanda's civil war was won unilaterally by the rebel group, the RPF. In Burundi, an increasingly dominant party, the CNDD-FDD, has faced conflict with an increasingly marginalized opposition, with tensions intensifying around electoral cycles and climaxing in the current crisis. Conversely, in Rwanda, the ending of the civil war provided the RPF with the power and the legitimacy to comprehensively shape the post conflict state. In seeking to explain the Burundi and Rwanda cases, this paper will assess the framework of previous conflict recurrence theories on their ability to explain the outcomes in Rwanda and Burundi. The similarities between Rwanda and Burundi enable the use for a most-similar case design to understand why Burundi became unstable while Rwanda did not. The similarities between the two countries allows this paper to control for other possible causal factors, thus strengthening the analysis.

This paper will start out with a brief discussion on the background of Burundi and Rwanda, followed by a short summary of the literature on how civil wars affect their recurrence. Then, it will paper will discuss the development of the post conflict states in Rwanda and Burundi, detailing their development chronologically. Afterwards, the paper will assess how well the various theories of conflict recurrence explain why Rwanda is stable and Burundi is not. This will be followed by a brief discussion on the implications of the findings on power sharing agreements, term-limit extensions, and policy choices.

Background

For most of its post-colonial history, Burundi was ruled by a Tutsi majority government who ruled over the majority Hutu population, using the Tutsi controlled army as an enforcer. Burundi saw widespread ethnic violence in 1972 and 1988. In 1993, after pressure from the international community to democratize, then President Pierre Buyoya agreed to hold elections, which was won by Hutu Melchior Ndadaye. Ndadaye was assassinated shortly after assuming office by the Tutsi army, which was afraid of losing its position of privilege. The Burundi Civil War began in 1993 with widespread communal and ethnic killings following the killing of Hutu President Melchior Ndadaye. Following the underwhelming negotiations between Ndadaye's primarily Hutu party FRODEBU and the Tutsi power brokers in the army, the CNDD split from FRODEBU and took to the bush to achieve its means through armed insurgency in 1994. FRODEBU limped on as the major party in government, but the majority Tutsi army progressively took command of the government, culminating in a coup in 1996. Shortly after its break with FRODEBU, the CNDD quickly established itself as the dominate rebel group. The CNDD joined Palipehutu-FNL as the two primary Hutu combatants during the war, both fighting the Tutsi dominated army. However, strained relationships, occasionally breaking out into overt conflict, characterized the relationship between the two major Hutu insurgencies. Early on in its tenure, the CNDD was rife with internal power struggles, which eventually precipitated the creation of a new, more militant group, the CNDD-FDD. The CNDD still remains as a marginal political party under the leadership of its original leader, Leonard Nyangoma.

The death of President Melchior Ndadaye and his close confidants left a severe power vacuum within the government. The resulting infighting and general ineffectiveness towards the

Table 2: Most Similar Systems Design and Explaining Different Political Outcomes

Determinate of Civil War	Rwanda	Burundi
Ethnic Makeup (Denny and Walter 2014)	85% Hutu, 14% Tutsi 1% Twa	85% Hutu, 14% Tutsi 1% Twa
Colony (Blanton, Mason and Athow 2001)	Germany followed by Belgium	Germany followed by Belgium
Previous Conflict (Fortna 2004)	Yes (1959, 1994)	Yes (1972, 1988, 1993)
Economy (Collier, P., Hoeffler, A. and Söderbom 2011)	Rural Agrarian	Rural Agrarian
Geography (Fearon and Laitin 2003)	Hilly Grasslands	Hilly Grasslands
Civil War End	Rebel Victory	Negotiated Settlement
Political Outcome	Extended Presidential Term with Stability	Extended Presidential Term without Stability

massive problems facing the country left the army in control of most state institutions still in operation. Following this disorder, former Tutsi president Pierre Buyoya, who previously lost power in the 1993 elections, took back power from the transition government in a coup in 1996

(Wolpe 2011, 13). This act was met by an embargo by Burundi's neighbors, prompting the new regime to engage in negotiations with the opposition, which formally included FRODEBU but also included clandestine talks with the CNDD-FDD.

Formal negotiations to end the civil war began in 1998 in Arusha, Tanzania. The talks pitted the Buyoya's UPRONA government and smaller Tutsi parties (known as G10) against the FRODEBU opposition and smaller Hutu parties (known as G7). Notably, this phase of the negotiations excluded the CNDD-FDD and the FNL (Wolpe 2011, 46). The early period of negotiations was under the direction of Tanzanian statesman Julius Nyerere and was mired by several problems, such as questions of trust in-between the parties, the impartiality of the Tanzanian mediators (many Hutu refugees were in Tanzania), and the inclusion of smaller parties and several other cleavages that separated the groups (Wolpe 2011, 45-48). When Nyerere passed away in 1999 and Nelson Mandela took control of the negotiations, talks progressed at a much quicker pace. Mandela's inclusion affected the peace process by putting greater pressure on the parties. Many of the parties, both Hutu and Tutsi, had serious reservations about the peace agreement up to the day of the signing, but because of the strong international presence at the ceremony, including the presence of Nelson Mandela and Bill Clinton, the parties were pressured into reaching an agreement (Wolpe 2011, 55). The South Africans also played a strong role in drafting the new agreement, which was influenced by the power sharing provisions that were implemented in South Africa. South Africa also acted as a third-party guarantor, providing 700 troops to implement the agreement (ACCORD 2007, 28). The South African led African Mission in Burundi (AMIB) transitioned to a UN peacekeeping force (ONUB) before the elections. The ONUB was subsequently scaled down after the elections in 2006 (ACCORD

2007, 32) The new Arusha Accord agreement mandated that Buyoya (UPRONA) would be president of the transition government for half of its mandate, followed by Domitien Ndayizeye (FRODEBU) for the second half, which was carried out successfully. The CNDD-FDD entered into negotiations in 2002, and ultimately signed an agreement with the government in 2003. The FNL carried on its insurgency until it signed a peace agreement with the CNDD-FDD led government in 2006.

This new agreement set out a regiment of rigid power sharing institutions based on ethnicity. The president was mandated to have two vice presidents, one Tutsi and one Hutu. The legislature was divided on a 60% Hutu to 40% Tutsi. Additionally, the security forces also underwent reform. The army's upper echelon was to consist of 60% former army officers and 40% CNDD-FDD members. The lower level police force's officers was to observe a 65%-35% army-to-CNDD-FDD quota. Throughout the lower levels of the security apparatus, a 50-50 Hutu-Tutsi split was to be implemented (Samii 2014).

For most of its post-colonial history, Rwanda was dominated by a Hutu government after its Belgian colonial masters ended their support for the Tutsi monarchy that previously ruled the country. In the early 1960's sporadic attacks launched by increasingly marginalized Tutsis in Burundi and Uganda against the now Hutu dominated government prompted increased oppression towards Rwanda's Tutsi population. In response to this violence, approximately 200,000 Tutsis left Rwanda as refugees. The refugees that left Rwanda and fled into Uganda later became principal supporters of Yoweri Museveni's National Resistance Army (NRA),

which took control of Uganda in the 1980's. Many of the leaders that formed the core of the RPF, including Paul Kagame, began their military careers as military officers in the NRA.

Rwanda's civil war started in 1990 with the invasion of the RPF from Uganda. After setbacks in 1991 and 1992 where the insurgency was largely contained, the RPF launched an invasion that marched all the way to the outskirts of the capital, Kigali, before it was stopped by international intervention. This greatly intensified the pressure on President Habyarimana. He faced the dual pressures of his Hutu allies that were poised to lose power in a negotiated settlement, and the international community who was pressing for a peaceful settlement. In 1993, the government and the RPF signed a peace agreement that was brokered by the international community. However, neither side showed much commitment towards the agreement. This was due to the increasing strength of the Hutu extremists within the government and the reluctance of the RPF to compromise, knowing they were the stronger side. The assassination of President Habyarimana in 1994 paved the way for "Hutu Power" extremists to take control of the government and provided the spark for the genocide in early 1994 (Mamdani 2001, 216). In 1994, the RPF managed to defeat government and militia forces and stop the ongoing genocide, therefore taking control of the state and its future. When the RPF took Kigali and rooted out the génocidaires, the RPF found itself inside of a torn apart country with sparse support from any group within Rwanda. In addition to the genocide that left 1 million dead, there were 3 million refugees, 2 million abroad and 1 million internally displaced out of a pre-war population of 7.8 million (Reyntjens 2004). There were massive crop failures, devastating Rwanda's primarily agricultural economy. The previous regime had withdrawn all funds from the banks in the process of fleeing to Zaire, and everything looted had been taken already (Reed 1995). While

these factors hobbled the RPF in the immediate aftermath of the war, it also enabled the RPF to reconstruct Rwanda in its own image by creating new institutions. The RPF was able to mold the government and the military in its image. As this paper will show later, the RPF created institutions that gave the semblance of power-sharing, but really installed control in the hands of a small RPF/Tutsi elite.

Theories of Civil War Recurrence

How a conflict ends has critical implications towards the probability that it recurs. In this paper, conflict recurrence is broadly defined as “the resumption of conflict after a given peace spell”. This broad definition has been used by other researchers looking at the length of peace after civil war (Mason et al. 2011, Hartzell and Hoddie 2003). It is important to note that while the current situation in Burundi cannot be classified as a civil war, the events that unfolded in Burundi in 2015 fall on a spectrum of violence. While it may not have met the formal definition of a “civil war” used by political scientists, the total collapse of the peace agreement and the ensuing violence that killed hundreds surely do not signify a “peace”.

Scholars of conflict recurrence have suggested that factors relating to economic conditions, how the war ended, level of democracy, security sector reform, third party intervention, and power-sharing arrangements all have an effect on if a civil war will recur. First, economic conditions can have an effect on the recurrence of conflict, with the poorer a country is, the more likely conflict will recur there (Collier, P., Hoeffler, A. and Söderbom 2011). In 2015, Burundi GDP per capita was approximately 300 US dollars in 2015, compared to Rwanda’s \$700 GDP per capita. In 2014, Burundi’s GDP growth rate was approximately 4.6%, while Rwanda’s GDP growth rate was 7.6 in 2014 (World Bank 2016). Another factor mentioned in the literature is that when countries don’t have security guarantees from third party actors, it is difficult to implement negotiated settlements (Walter 2002, Fortna 2004). When the civil war ended in Burundi in 2005, Burundi received a third-party intervention in the South African military to watch over elections. Rwanda had no third party intervention after the RPF won the civil war in 1994. Scholars have also theorized that the level of democratization in a

post-conflict country can also affect the chance for a civil war breaking out again, with countries that are more democratic being less likely to have conflict recur (Walter 2015). In 2014, Freedom House ranked Burundi as being “partly free” and Rwanda as being “not free” (Freedom House 2014).

Another major focus in the literature regarding conflict recurrence is how a civil war ends affects the chance of it recurring. Some of the literature has theorized that civil wars that end in negotiated settlements are more likely to recur than civil wars that end in a rebel victory (Licklider 1995, Werner 1999, Toft 2010). One reason for this finding is that when a single actor wins, either the government or the rebel group, that party has the option of forcefully demobilizing the other party by force, preventing the onset of a new civil war for the near future. In contrast, negotiated settlements are likely to contribute to the restart of a civil war for several reasons. One is that civil wars that end in negotiated settlements leaves no one side fully satisfied with the outcome (Werner 1999). Settled civil wars also can create veto blocks that can prevent the government from carrying out its wishes (Licklider 1995, 685). Another problem is that negotiated settlements leave the organizational capacity of all actors intact, leaving the possibility of armed conflict becoming reignited if any party feels dissatisfied with the implementation of the peace treaty (Toft 2010, 15). Ethnic civil wars ended by a negotiated settlement likely to fail because they leave a group’s organizational structure intact (Downs 2004).

While there is a body of literature that states that military victories lead to more stable outcomes, there is also a large body of research that explains how to make negotiated settlements

more robust. Two of the most widely cited factors that are credited to improving the vitality of negotiated settlements are (1) power sharing agreements and (2) third-party peacekeeping arrangements (Quinn and Mason 2007, Fortna 2004, DeRouen, Lea, Wallenstein 2009, Walter 2001). One theory states that power sharing agreements that divide power between combatants in key sectors of the government, like the military and the executive, can be helpful because they provide institutional safeguards for the parties (Hartzell 1999, 18). Other researchers have found that third party peacekeeping arrangements are helpful because they ensure that these power sharing agreements are implemented (Walter 2002). Similarly, scholars have also theorized that power-sharing institutions will foster democracy, which will in turn result in a more substantial peace. Burundi's post-civil war environment possessed these elements, with power sharing agreements in several key sectors as discussed above, and a strong third party in South Africa that made sure the power sharing arrangements were implemented.

One of the principal mechanisms that scholars suggest makes democratic power sharing useful for government stability is that power sharing institutions give smaller actors a part in the decision-making process and check possible government abuses (Graham, Miller, and Strom 2017). However, the inverse of this can play a factor. In the case of Burundi, the dominant party, the CNDD-FDD was somewhat constrained by opposition parties due to provisions in the constitution. While studies on power-sharing discuss the incentives for smaller parties to adhere to power sharing agreements, they neglect the incentives for a major party to undermine such arrangements. If President Nkurunziza felt that the CNDD-FDD's was greater than what was institutionally allocated, then it makes sense that the CNDD-FDD and Nkurunziza would show a

disregard for democratic norms. Additionally, this would also explain why the opposition parties are so keen for the government to adhere to the “spirit of Arusha”.

While these theories have received strong empirical support, there is a problem with applying these theories with the Burundi and Rwanda cases. The principal problem is that the reasoning in these theories primarily applies to civil war recurrence in the short term. These theories mainly explain why civil wars recur or what determines the length of peace. What they do not explain is why a long peace might fail, or conversely, what keeps a long peace going. While these theories may help explain cases like Burundi and Rwanda immediately after the end of the civil war, it is important to note that it has been 12 years since the end of the civil war in Burundi and 21 years since the end of civil war in Rwanda. Civil war recurrence may play out differently if recurrence takes place after two years or twenty years, based on conditions related to how a settlement is implemented years down the road, change in international donor activities and views, and other possible factors. For example, if a researcher looked at the resumption of conflict in Burundi after the 1972 genocide using a short-term timeframe of five years, they would not have taken into account the ethnic violence in 1988 and 1994, suggesting that the peace spell is just a temporary occurrence and not a long term solution to systemic conflict. Additionally, previous studies of power sharing and civil war recurrence have used primarily quantitative methods analyzing large-N studies. While these methods may present a general pattern of power sharing and civil war recurrence, they lack the fine-grained analysis that a case study provides. Lastly, researchers have found that the longer a negotiated settlement lasts, the less likely it will recur. However, Burundi became unstable 10 years after the agreement was

first implemented. This provides the opportunity to see potential flaws in how negotiated settlements are structured.

How could a negotiated settlement fail after a long period of time, even if its initial implementation was successful? To answer this question, this paper will look at the regimes that were created in Rwanda and Burundi as a result of how the war ended. Recent scholarship has shown that when rebel groups are the victors in a civil war, they are more likely to create strong authoritarian parties (Lyons 2016, Kumar and De Zeeuw 2008). This was the case in Rwanda, where the RPF won a military victory and could create a monopoly on power and repress any political opposition. Conversely, in Burundi, the war ended in a negotiated settlement between the government and the non-violent opposition, to which the CNDD-FDD later signed on to. Under this agreement the CNDD-FDD became the most powerful group, but not the only group in power, contrary to the RPF in Rwanda. This created a political context where instead of an authoritarian regime existing in the aftermath of the civil war, the CNDD-FDD was in control of an electoral autocracy, where there is a dominant party, but other political parties can compete in elections (Kailitz 2013). In electoral autocracies, scholars suggest that the principal party can either co-opt or repress their rivals to maintain their rule (Magaloni 2008). However, in a post-civil war context like Burundi where tensions between the Hutu CNDD-FDD and the Tutsi/rival Hutu FNL are high, the ability of either party to credibly commit to a strategy of co-optation remains low (Magaloni 2008). After the third-party intervener departed, the weak institutions are insufficient to overcome distrust resulting from the civil war between the CNDD-FDD, the FNL, and the former Tutsi government officials. This would create a situation where the CNDD-FDD would look to completely repress the remaining opposition and the opposition would resist to be

repression. Due to this, the constitutional crisis triggered by Nkurunziza seeking to extend his term limits created a situation where the CNDD-FDD was seeking to create a monopoly in the government while the opposition was trying to prevent its demise. Based on this discussion, we can formulate a hypothesis.

H1: Executives who attempt to extend their term limits are more likely result in the countries instability when that country had a civil war end in a negotiated settlement than if it had a civil war end in a military victory.

Civil War Outcome and Instability: Burundi

The Burundi Civil War began in 1993 with widespread communal and ethnic killings following the killing of Hutu President Melchior Ndadaye. Following the futile negotiations between Ndadaye's primarily Hutu party FRODEBU and the Tutsi power brokers in the army, the CNDD-FDD split from FRODEBU and took to the bush to achieve its means through armed insurgency in 1994. The CNDD-FDD joined Palipehutu-FNL as the two primary Hutu combatants during the war. In 1996, former Tutsi president Pierre Buyoya took power from the transition government in a coup (Wolpe 2011, 13).

The new power sharing constitution was approved by national referendum in 2005 with national elections taken place later in the year, all under the watch of the 5,500 strong U.N. mission ONUB (ACCORD 2007, 30). Despite the lack of a peace agreement with the FNL, the elections went on relatively smoothly, with the CNDD-FDD winning an absolute majority in all elections. The ethnic quotas outlined in the constitution were also respected by all parties. After the elections, the only viable rival to the CNDD-FDD was FRODEBU, which underwent significant party split in reaction to its devastating loss to the CNDD-FDD, leaving the CNDD-FDD in a dominant position in the government (Reyntjens 2006, 128). Despite its victory in the elections, the CNDD-FDD felt encased in a power sharing arrangement that it had not negotiated itself, but had belatedly joined on later (Vandeginste 2009, 76).

As a result, between the 2005 elections and the 2010 elections, the CNDD-FDD undertook several measures to consolidate its control over the state. One way the CNDD-FDD tried to control the state was to intimidate opposition groups and the citizenry. These actions manifested themselves in the CNDD-FDD mobilizing its quasi-military youth group, the

Imbonerakure, to intimidate local officials, sometimes with CNDD-FDD approval (HRW 2009). Also, in 2006, the government arrested several opposition politicians on vague “coup plotting” accusations (Curtis 2012). Another incident included arresting a member of a rival political party and 37 of its members (HRW 2009). In the run up to the elections in 2010, the CNDD-FDD tried to “arrange the legal and institutional context so as to make sure that it could not lose the election” (Vandeginste 2011, 352). However, incumbent President Nkurunziza’s attempt to manipulate the elections by packing the electoral commission (CENI) with people favorable to him proved unsuccessful because of the various power-sharing provisions that required the CNDD-FDD to possess a 2/3 majority in the National Assembly, which it failed to achieve (Vandeginste 2011). Despite this, the elections in 2010 were characterized by a climate of intimidation on the opposition and civilians by the CNDD-FDD in the weeks leading up to the elections (HRW 2010). Burundi’s election cycle takes place with communal elections, followed by presidential and legislative elections, all occurring in quick succession of each other in a period of four months (HRW 2010). After the communal elections, when the opposition parties received much less votes than they had anticipated, the FNL (who signed a peace treaty with the government in 2009), FRODEBU, and several smaller parties joined in a collation, ADC-Ikibiri, and boycotted the elections, citing such problems such as lack of secret ballots and voter intimidation (HRW 2010). However, the main EU election observer declared the elections generally free and fair. Given the option of abandoning one of its only African “success stories” or having a possible repeat of the disastrous 1993 elections, the international community’s response that all parties should continue in the electoral process was mild and ignored by actors within Burundi (Vandeginste 2011). The boycotting of the elections by every party minus the

CNDD-FDD and Buyoya's UPRONA party allowed the CNDD-FDD to dominate the presidential and the legislative elections. The fallout from the 2010 elections can be seen in this way as a precursor to the fallout of the 2015 crisis. The electoral process was followed by a crackdown on civil society, opposition parties, and the civilian population, resulting in reports of politically motivated violence (HRW 2010). There were also reports of former combatants from the FNL returning to the bush to resume conflict after its leader, Agathon Rwasa, disappeared from the country (Vandeginste 2011, 330). If the power-sharing provisions of the constitution limited the ability of the CNDD-FDD from completely dominating the country and setting up a one party state after the 2005 elections, then this constitutional safeguard was limited even further following the 2010 elections. The CNDD-FDD and its satellite parties received a 4/5 majority in both the National Assembly and the Senate, nearly giving Nkurunziza the power to alter the constitution if he so chose (Vandeginste 2011, 330). Remarkably, the ethnic provisions of the power sharing provisions were widely respected in the government after the 2010 elections (Vandeginste 2011). This restraint is possibly due to the decreased threat of the Tutsi army after the integration of the armed forces. With this threat decreased, the cost of breaking the Arusha Constitution were most likely greater than the gains to be expected from removing Tutsi's from the government

The Burundi electoral crisis in 2015 was not an isolated event, but the climax of a long process that had been unfolding since 2005. The spark to the current crisis was the controversial decision for President Nkurunzizia to run for a third term. The constitution mandated that presidents could only serve two terms, while Nkurunziza claimed that because he was elected by an indirect vote in the National Assembly in 2005 he was able to run for a second elected term in

2015. The pre-election atmosphere was rife with a tense opposition to the increasingly authoritarian CNDD-FDD (Daley and Popplewell 2015). In the run up to the 2015 elections, the CNDD-FDD cracked down on opposition groups. The CNDD-FDD made it extremely difficult for opposition groups to organize public meetings, passed legislation restricting the media and public gatherings, and intimidated and harassed critics of the regime (Van Acker 2016). A new characteristic of the 2015 campaign was the strong presence of a strong civil society and public expression of dissatisfaction with the regime. For example, in 2014, there were popular protests in the capital, Bujumbura, over the detention of a Burundian human rights activist (Van Ecker 2016, Jones and Wittig 2016, 207). These protests were encouraged in part because of intensifying cleavages within the CNDD-FDD itself. An open letter signed by high ranking CNDD-FDD members, including the president's personal spokesman, decried Nkurunziza's plans to run for a third term against the spirit of the constitution (ISS 2015). Internal rifts were also highlighted by the dismissal of the head of the National Intelligence Services and the head of the Civil Cabinet of the Presidency, both of whom were fighters in the civil war with Nkurunziza (ISS 2015). Much of the opposition over the third term was a result of the increasing authoritarianism of the Nkurunziza regime. In 2014, a constitutional amendment that was considered an affront on the "spirit of Arusha" failed in the Assembly by one vote (Daley and Poppelwell 2016, 2). Factors like this and the increasing crack down on civil society worried many that the CNDD-FDD was about to make Burundi a one party state.

Operating in this tense and uncertain environment, the deposed head of the National Intelligence Services, Godefroid Niyombare, launched a coup in May of 2015 against Nkurunziza while he was at an East African Community summit on the Burundi crisis. While it

remains unknown if Nkurunziza had knowledge of the coup beforehand or organized it himself to provide an opportunity to purge the government (Vandeginste 2015), the coup failed and Nkurunziza began to purge the army (Daley and Popplewell 2016). In the aftermath of the failed coup, the government decided to go along with the mandated electoral cycle like they had in 2005 and 2010. Like in 2010, the opposition boycotted the elections in a coalition known as CNARED, composed of the FNL, FRODEBU, and UPRONA. This time, however, the international community condemned the elections as being unfair. Despite this, the CNDD-FDD won with a large majority (Jones and Wittig 2016, 208). In the fallout of the elections, the African Union (AU) proposed to send in a stabilizing force into Burundi, but backed down as a result from a strong negative response from the Burundi government and the uneasiness of the AU heads of state (Jobbins and Ahitungiye 2016, 214). Currently, the EAC is attempting a dialogue between the government and the opposition, but currently it has yielded no results (Jobbins and Ahitungiye 2016, 215). A silver lining of the conflict so far has been that the cleavages between the government and the opposition seem to be over political and not ethnic issues, maintaining one of the most consistently successful goals of the 2005 constitution (Vandeginste 2015, 632). Most grievances against the government are focused on the CNDD-FDD's and President Nkurunziza's increasing domination of the government, and not against an increasing Hutu hegemony within the government.

Civil War Outcome and Stability: Rwanda

Following the end of the genocide in mid-1994, the victorious RPF wasted little time consolidating its control over the government. When developing the post conflict state, the RPF said that it would adhere to the Arusha Accord. The Arusha Accords was the agreement reached in 1993 between the RPF and the ruling party, the National Revolutionary Movement for Development (MRND), which included several power sharing agreements between the two sides. However, this agreement failed to stop the resumption of the civil war and genocide in 1994. In reality, there was little “power sharing” in post conflict Rwanda. The RPF instituted a new system that created a dominate executive, chaired by a RPF president and vice president, that was hidden behind a multi-party legislature (Reyntjens 1996, 237). This arrangement stated that if the government was unable to make the decision, the president would be able to govern in a “sovereign way” (Reyntjens 1996, 237). Given that there needed to be a 2/3 majority to pass legislation, the RPF took 8 of the 21 portfolios, giving it effective control over the government. While simultaneously controlling the portfolio, the RPF also possessed a majority in the legislature (Reyntjens 1996, 237). In addition to this, 4 of the 6 Supreme Court justices, 80% of the mayors, and almost the entire army and intelligence service were Tutsi’s, even though Tutsis only made up 14% of the population (Reyntjens 2004, 188).

The RPF also undertook a policy of shutting out civil society. Several civil society groups, like the Collective of Alliances and Leagues for the Defense of Human Rights in Rwanda (CLADHO), the Rwanda Association for the Defense of Human Rights and Civic Liberties (ADL), and the Rwandan Association for the Defense of Human Rights (ARDHO) were pressured by the RPF to stop shedding light on the regimes various human rights abuses.

The ADL's leader was killed under suspicious circumstances, ARDHO leadership was replaced by the regime, and CLADHO, watching the events unfolding around it, decided to stop criticizing the regime (Longman 2011, 29). While the RPF stated that it would hold up the Arusha Accords, it quickly banned the MRND and the Collation for the Defense of the Republic (CDR), citing that they were implicated in the genocide. While the banning of parties that were implicated in the genocide is not controversial, the fact that the RPF took the government positions that were allocated to the MRND shows that the RPF could have an ulterior motive of political gain by increasing their number of government positions at the expense of a rival (Niesen 2010, 719). In 2001, former president (who was replaced by current president, Paul Kagame) Pasteur Bizimungu attempted to form a new political party, the Party for Democracy and Regeneration (PDR). The RPF declared that this new party was a threat to public safety claiming the PDR was riling up ethnic divisionism (Niesen 2010, 716). Similarly, the RPF was able to disband the second largest party, the Republican Democratic Movement (MDR), shortly before the 2003 parliamentary elections. The government declared that the MDR was guilty of implementing a "divisionist" strategy. The government did this while providing little evidence, and arresting a number of high ranking MDR politicians (Longman 2011, 33). The Rwandan government also tightly controlled elections in this time period. The first local elections, held in 1999, were carried out in an unscrupulous manner. The fact that candidates had to campaign on an individual basis (parties were only allowed at the national level) and that people had to use a queuing system to vote for their preferred candidate brought into dispute whether or not the elections were free and fair (Longman 2011, 38).

The practices of the RPF past 2003 can be seen as a continuation of the policies it pursued in the past. In 2003, the new constitution was voted on and was passed by referendum with 93% voting yes. It is important to note that not a single dissident voice was allowed to speak out against the constitution during the campaign (Reyntjens 2004, 185). The constitution approved in 2003 was much like the one in 1994, a document created to legitimize the regime under the guise of “democratic governance”. President Paul Kagame was elected by 95% of the vote in an election that was mired in irregularities and fraud at nearly every level of the electoral process (Reyntjens 2004, 186). Up until the current date, the RPF continued its policies of banning any credible opposition, suppression of the media, and holding unfair elections. To regulate opposition parties, the RPF organized all opposition parties into a Forum of Political Parties. This organization is granted the power to approve all of the candidates that political parties put forward for parliament. This governing body is completely dominated by the RPF and is also formalized as a constitutional body (Longman 2010, 33). The government also continued to accuse and abuse opposition parties, harassing the Centrist Democratic Party, the Liberal Party (PL), and the United Democratic Forces (FDU-Inkingi) among others (Longman 2010, 34). The government justified the suppression of political parties by continuing the implementation of the “genocide ideology” doctrine. The government’s vague interpretation of what “genocide ideology” is gives it almost a blank check to crack down on any parties that step out of line. An example of this “genocide ideology” being applied liberally is when the RPF banned the FDU-Inkingi for saying that Hutu’s were also victims in the genocide (Jones 2016). This “genocide ideology” doctrine has also been used to stifle the media and civil society in Rwanda. The RPF used this charge to dismantle and replace the leadership of one of Rwanda’s most vocal human

rights groups, the Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR) (Beswick 2010, 240). The RPF has also been effective in using more covert means to silence dissent, using methods such as “enforced disappearances”, threats, and intimidations, such as in 2004 when five former high ranking MDR members disappeared (Beswick 2010, 243). While the use of enforced disappearances has decreased in recent years, its use has helped spread rumors of the regimes reach. This idea of RPF strength has effectively come to have a stranglehold civil discourse, where the perception of the regime and its response to dissidence has created an atmosphere of fear and self-censorship (Beswick 2010, 244).

Another feature of the post conflict environment of Rwanda is Rwanda’s relationship with the international community. Despite the strong authoritarian nature of the RPF regime, Rwanda still receives a large portion of its budget from donor money. In 2007, Rwanda received \$700 million dollars in developmental assistance from the donor community, almost matching the funds it received after the genocide (Samset 2011, 271). One of the reasons it is seen favorably in the eyes of the donor community can be seen as somewhat of a “guilt complex” in the donor nations (Reyntjens 2004, 199). Rwanda also receives a high amount of donor funds because Rwanda represents a case of “good enough democracy” that promotes stability, technocratic governance, and high economic growth, which gives justification to overlook the RPF’s authoritarian tendencies (Hayman 2011, 127).

Comparative Analysis

How well does the conflict recurrence literature explain the Burundi and Rwanda cases?

In Burundi, the negotiated settlement was a major part in the process that would lead to the current instability. Even though the settlement had several power-sharing provisions and the support of a third-party intervention, it still failed. Part of the reason for its failure is that while a negotiated settlement can change the structure of a government, it could not change the way politics was conducted (Van Acker 2016, 5). The Arusha process was one in which the actors negotiated and discussed how to share control of the state. The apparatuses of the state were then used by leaders in neo-patrimonial ways that distributed the resources to their loyal followers. However, because of the CNDD-FDD's initial popularity in the post-conflict society, due to the FNL's absence, FRODEBU's history of cooperation with Buyoya's regime, and the credit it gained for its armed struggle (Reyntjens 2005), it was able to dominate these state apparatuses through its success in the 2005 elections and consolidate its power at the expense of the opposition. This system repeated and intensified during the 2010 elections, and eventually reached its zenith in 2015 where the country exploded in turmoil (Vandeginste 2015). In addition, a negotiated settlement might exacerbate this process, not abate it. In the peace negotiations, the concessions that parties were awarded were based on military strength. Because of this fact, parties could use power sharing as "a way to buy time and readjust to political circumstances" (Curtis 2012). When a party had enough strength, it could afford to "renegotiate" the terms of the agreement not through civil discourse, but through coercive measures (Werner 1999, 929). This explanation seems to give support to the theory that elections becoming increasingly dominated by a single party undermine the stability and democratic principles

offered by negotiated settlements (Toft 2010). The Burundi case also suggests that power sharing agreements and third party security guarantees may be necessary but not sufficient in securing the long term implementation of negotiated settlements, and that the international community (the UN, AU), needs to pay closer attention to events leading up to elections in post-conflict settings, and not a narrow focus on election day.

In Rwanda, after the civil war, the government systematically rooted out any credible opposition to its regime. Indeed, the RPF went through great lengths to incapacitate opposition in the aftermath of the civil war. This can be seen in the RPF's incursions into the Democratic Republic of the Congo (DRC) to destroy the Interahamwe militia and displace the Hutu refugees either further into the DRC or back into Rwanda. The RPF also brutally put down internal insurgencies in 1997 (Reyntjens 2004, 186). Another aspect of post conflict Rwanda was the legitimacy it received from the international community. The guilt the international community felt from its turning a blind eye to the conflict and its desire for an "African success story" that had a high growth rate and a seemingly inclusive government gave the RPF a longer leash to act with impunity than most post conflict countries. In light of these reasons, the RPF's military victory looks like a primary reason for the current stability in Rwanda. The military victory had a large part in the stability of Rwanda after the passing of the referendum to extend Paul Kagame's term limits. The process to stifle opposition parties, civil society, and credible elections that culminated in the lack of response to the 2015 referendum was in large part set in motion by the fact that the RPF was given the tools to design the post conflict state in its own image because of its status of the victor. The victory won by the RPF not only enabled it to defeat opposition in the short term, but the victory also gave the RPF the opportunity to create institutions that allowed

the RPF to both continue its domination of the political sphere and crush opposition before it arises.

Alternative Explanations

Apart from the way the civil war ended, what could help explain why conflict sprung up in Burundi and not in Rwanda in 2015? In this section, this paper will examine three alternate explanations, focusing on economic conditions, the type of regime in each country, and the media. While this doesn't amount to a comprehensive review of the possible factors, like the success of disarmament, demobilization, and reintegration campaigns or the effects of transitional justice, that led up to the events of 2015, these appear to be the most obvious and potentially significant factors that might have significantly affected the situation.

Poor economic conditions can have a negative effect on civil war recurrence. Living conditions may influence whether or not an individual would join a rebel group. Scholars have noted that circumstances such as poor economic conditions or openness of the government to the decision making process, result in a higher probability for civil war recurrence (Walter 2015, 385). There is also evidence that poor economic conditions can also lower the opportunity cost for rebellion (Collier and Hoeffler 1998, 565). On the surface, an economic argument is plausible. In 2014, the GDP per capita in Rwanda was 2.4 times higher than the GDP per capita in Burundi, had a higher score on the Human Development Index, and had higher GDP growth (World Bank 2016, UNDP 2014). This would suggest that the economic conditions in Rwanda gave people little incentive to rebel against the government relative to people in Burundi. However, a closer analysis of Rwanda determines that these figures do not tell the whole story. Economic growth is highly centralized in the hands of the Rwandan government, leaving most people employed in an insecure and low paying informal sector of the economy (Ansoms and Rostagno 2012, 438). In addition to this, Rwanda's various economic policies have left many

youths unskilled and unemployed, possibly putting the country at risk (Ansoms and Rostagno 2012, 439). While it is obvious that Rwanda performed better economically than Burundi going by conventional measures, the positive effect of this economic performance on the average Rwandan is debatable, thus reducing its explanatory power. However, given the intensity of the Rwandan genocide, it is possible that Rwandan citizens favor stability over a democratic government, decreasing the chance that they would protest Kagame's continued rule

While the previous analysis seems to weaken the explanatory power of a "grievance" hypothesis, it does not take care of economic strength as an indicator of state strength. The fact that Rwanda has a higher GDP than Burundi would indicate that the Rwandan government has a greater amount of resources than Burundi's government, making it more likely for conflict to break out in Burundi (Fearon and Laitin 2003). There are some signs that this plays an important role in these two cases. The fact that military personnel spoke against the regime could be a sign that the Nukrunziza government lacked the capital to buy off rivals. In addition, the fact that protesters were able to demonstrate in the streets at could be a sign of state weakness. On the other hand, the RPF has a system where it gives funds to supporters of the regime, especially the military (Behuria 2016). This short analysis suggests that the state capacity of the regime itself could play a potentially powerful role in explaining the divergence in the Rwandan and Burundi cases.

Another problem was that many of the government officials and opposition parties that spoke out against the regime reportedly were frustrated with the lack of access to the neo-patrimonial flows of government resources (Vandeginste 2015, 635). In Rwanda, the

government doesn't only have the capability to effectively shut out opposition (see above), but it also has a structure to effectively co-opt potential challengers. The RPF and the military have a large number of staple industries under their control that effectively allow them to disperse resources efficiently to include powerful actors in the government (Behuria 2016, 14). While more direct, this argument is not completely different from this paper's main argument. As shown in this paper, the type of government that existed in Rwanda and Burundi was in large part derivative from the outcome of the civil war. From this perspective, the type of government that existed in post-conflict Burundi and Rwanda may be a step in the causal chain of how civil war termination affects civil war recurrence.

The last alternative explanation pertains to the media's influence in Burundi as compared to Rwanda. This paper has already detailed the role the media played in Burundi when Nkurunziza announced his intentions to run for a third-term, where the media covered the protests that proliferated in the aftermath of the President's decision. This contrasts with the nature of the media in Rwanda, where the media has recently been suppressed and largely self-censoring (Beswick 2010). However, in recent history, the relationship between the media and the government in Rwanda and Burundi has been characterized by a legacy derived from the Genocide, self-censorship, and the systematic harassment of journalists (Longman 2011, Kane and Bizimana 2016). If the development of the media in both countries seems to parallel each other, why was the media reaction in one Burundi so different. A possible explanation is that the Burundian government was not seen as being powerful, and that the media was emboldened by the recent release of journalist Bob Rugurika in February 2015 after popular protests and heavy international pressure secured his release (Frère 2016).

All four of these alternative explanations explain the variation in reactions to the decision of the executives to extend their term limits in 2015, but fail to undermine the argument that the outcome of the civil wars played a central role in the divergent paths of Rwanda and Burundi. The economic reasoning comes short on the point that common Rwandans face a similar economic situation to common Burundians. The state capacity and government type arguments are both potentially functions of civil war outcome, reducing their independent explanatory power. The media argument is can also be seen as a function of civil war outcome, in that if a civil war victory creates a stronger party that controls the government, then they will be able to control the media effectively, where a dominate party that takes power after a negotiated settlement would have less capacity to control the media because of institutional constraints.

Conclusion and Future Research

In 2015, the presidents of both Rwanda and Burundi tried to extend their term limits. The president of Rwanda was able to do this successfully with little opposition. The president of Burundi was only able to do this in the face of stiff opposition while putting his country on the edge of greater instability. This appears puzzling as both countries are similar in several different ways. To solve this puzzle, this paper has attempted to show that the disparity in the reaction to the term limits was caused by a long process that began with the ending of Rwanda and Burundi's civil war. The RPF's unilateral victory in Rwanda allowed the RPF to shut out any opposition and consolidate its hold on the state, while in the negotiated settlement in Burundi placed the country where an increasingly marginalized opposition and civil society was in conflict with an increasingly dominate and authoritarian CNDD-FDD. This conflict intensified over time, especially during elections, until the CNDD-FDD appeared to be in position to totally take control with the president's decision to run for a third term in 2015. Economic factors have comparatively less explanatory power when trying to unravel the puzzle of Burundi's instability and Rwanda's stability. The type of regime has a strong explanatory effect on the situation, but it can largely be seen as an aftereffect of how the conflicts ended.

Another important factor in these two cases is Rwanda and Burundi's relationship with the international community. In both Rwanda and Burundi, the international community has accepted the increasingly authoritarian natures of both countries in return for purposes of maintaining short term stability in two of Africa's "success stories". The Burundi case shows that heavy involvement in the immediate aftermath of a conflict is not enough, and that the

international community needs to do a better job ensuring the democratic principles of a negotiated settlement are carried out on the ground if they do not want them to fail.

In this paper, I hypothesize that civil wars that end in a negotiated settlement are more likely to recur because the party resulting party will be weaker. Due to the major party being weaker, their ability to coerce or co-opt potential rivals will be diminished compared to a case where a rebel group won a civil war. Additionally, a party that takes power after a negotiated settlement by definition has to share power with other parties whose organizational structure was not destroyed after the civil war, meaning that there is a viable opposition to compete against the ruling party. However, after a rebel victory, the rebel group had a greater access to resources while also not having to compete with other political parties after the settlement. Furthermore, negotiated settlements are most likely to break down when faced with a constitutional crisis of some form, like an unconstitutional maintenance of power. This paper tested this theory using a most-similar case design, using Rwanda and Burundi. The 2015 crisis was the combination of opposition to Nkurunziza's regime both by within CNDD-FDD opposition and other opposition parties. These events break the already fragile bonds holding together a negotiated settlement because they usually represent an event where the major party or dominate actor seeks to dominate power at the expense of other actors. Events turn violent because violence is accepted as a legitimate form of political means in post-conflict situations. In Rwanda, opposition to the major parties rule, both within the RPF and outside it, was prevented from developing after the civil war.

Appendix A: List of Abbreviations

RPF - Rwandan Patriotic Front

CNDD-FDD - National Council for the Defense of Democracy – Forces for the Defense of
Democracy

FRODEBU – Front for Democracy in Burundi

FNL- National Forces for Liberation

AIMB - African Mission in Burundi

ONUB – United Nations Operation in Burundi

UPRONA – Union for National Progress

CENI - Independent National Electoral Commission

MNRD - National Revolutionary Movement for Development

CLADHO - Collective of Alliances and Leagues for the Defense of Human Rights in Rwanda

ADL - Rwanda Association for the Defense of Human Rights and Civic Liberties

ARDHO - Rwandan Association for the Defense of Human Rights

CDR - Collation for the Defense of the Republic

FDU-Inkingi – United Democratic Forces

PL - Liberal Party

PDR - Party for Democracy and Regeneration

LIPRODHOR - Rwandan League for the Promotion and Defense of Human Rights

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