

# Reflections on the Abidjan Peace Accord

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This paper was written in early January, 1997, one month after the signing of the Abidjan Peace Accord. The legitimate government of Ahmed Tejan Kabbah that signed the agreement with the Revolutionary United Front was overthrown on 25 May, 1997. The other key signatory to the agreement, the rebel leader, Foday Sankoh, has been in detention in Nigeria since March, 1997. His arrest coincided with a major split in the RUF, which was to have grave consequences for the agreement (RUF, March 1997). Sankoh refused to send representatives to the critical demobilisation and disarmament committee, thereby undermining the work of the Peace Commission, and making it difficult for the government to proceed with the disarmament process. He also refused to meet with the UN representatives in Côte d'Ivoire, and opposed the decision to send a 720-member United Nations peacekeeping force to help secure the peace. He called instead for a smaller force of 50 to 60 members (RUF, January 1997). All four Freetown-based RUF members on the key Peace Commission, which was set up to direct the work of the provisions of the Peace Accord, seemed keen to end the war, and declared their support for the new leader, Philip Palmer. The accord could not be implemented, however, as Palmer's leadership was contested by the bush commanders of the RUF who declared their loyalty to Sankoh. There were renewed conflicts between the RUF and the Kamajoi militia, on the one hand, and between the Kamajoi militia and the Sierra Leone army on the other. The latter had become very unpopular among rural people who accused it of collaborating with the RUF in destabilising the countryside. The military coup of May 25 confirmed the alliance between the RUF and the military as both groups announced a new so-called joint 'people's army'. Sankoh was invited to serve as the deputy leader, and several members of the RUF bush fighters were given posts in the new junta. Despite the setbacks in its implementation, the Abidjan Peace Accord is still seen by the ousted government, the international community and broad sections of Sierra Leoneans as the key framework for the resolution of

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the crisis. The article examines the constraints to, and the opportunities associated with, the implementation of the accord within the context of a democratising, war-torn society — the type that was in place before the armed seizure of power by the military and the RUF. The complete isolation of the junta and the resolve of Sierra Leoneans and the world community to reinstate the legitimate government underscore the need to understand the full ramifications of the Accord.

### **Introduction**

The signing of the Peace Accord in Abidjan on 30 November, 1996, between the Government of Sierra Leone and the Revolutionary United Front was intended to mark the official ending of Sierra Leone's five and half years of war (Peace Agreement 1996). The war has ravaged much of the country's rural areas, killed more than 10,000 civilians, left hundreds of innocent bystanders maimed and traumatised, displaced almost a million and a half people from their homes and livelihoods, orphaned thousands of young children, and imposed financial and social burdens on much of the relatively stable population. One major consequence of the war, which post-war reconstruction efforts will have to tackle very quickly and decisively, has been the transformation of the country from a predominantly rural society of small, sparsely populated and widely dispersed villages into pockets of dense urban settlements. If one goes beyond the rhetoric of the main combatants, there is no doubt that this has largely been an anti-rural war. Medium-sized provincial towns like Bo, Kenema, Makeni and Koidu have suddenly become large urban settlements as villagers seek refuge in them as ultimate bastions of safety. And the capital, Freetown, could well have grown from a pre-war population of roughly half a million people to one million — if not, indeed, more.

The mass nationwide jubilation that greeted the signing of the Accord should be seen as a potent indicator of the basic unity of the country and the long-standing determination of most people to put an end to what they have all along rightly regarded as a senseless war. It is safe to conclude that although the country appears battered and exhausted as a result of the war, it is ready to face the serious tasks of reconstruction, rehabilitation and development as a single united entity. It is against this background of unity, hope, dedication to heal the war wounds, and to prevent a recurrence of the events that led to the war that I attempt to review the Abidjan Peace Accord. What does the Accord offer Sierra Leone? What are its strengths and limitations? Who among the key actors is likely to gain or lose from its implementation? Is it likely to provide sustainable peace? What steps should

be taken to ensure that the basic commitments made by the combatants to consolidate the peace are honoured and implemented?

### **Summary of the Accord**

The Accord contains 28 articles and a short annex. Both sides to the conflict agreed to end the war 'with immediate effect', to ensure that 'a total cessation of hostilities is observed forthwith', and to give 'the establishment and consolidation of a just peace' a priority (Articles 1 and 2). A National Commission for the Consolidation of Peace will be established 'within two weeks of the signing of (the) agreement' to monitor the implementation of the provisions of the Accord. An eight-man team of Government/RUF appointees was announced by President Kabbah, comprising on the government side Sama Banya, Sheka Mansaray, Desmond Luke and Joe Jackson, and on the RUF side Fayia Musa, Ibrahim Deen-Jalloh, Mustapha Alie Bangura, and Philip Palmer.

Banya, Jackson and Luke have a history of flirtation with the discredited government of the All Peoples Congress, although Luke enjoys the distinguished record of being the only Cabinet minister to have resigned from the government of Siaka Stevens — i.e. if we exclude the controversial resignation letter of the late Finance Minister, Mohamed Fornah. To his credit, Luke has also been an implacable critic of military rule. Mansaray is a top level professional bureaucrat and Coordinator of the peace process at State House. Jackson taught Chemistry at Fourah Bay College before joining the APC government, and Banya is a medical doctor by training. One can assume that Deen-Jalloh, Musa, Palmer and Bangura constitute part of the top brass of the RUF. Musa is a well known spokesman of the RUF, and a former student of Njala University College. Palmer, an engineering graduate, is reputed to be a key strategist and a top RUF commander. Deen-Jalloh has been part of the negotiating team at Yamasoukrou in Côte d'Ivoire, a former teacher at Bunumbu Teachers College who, with his wife Agnes (sister of ex-military leader Maada Bio), joined the RUF when the college was over-run by the rebels. And Bangura is understood to be a Press Officer of the organisation.

This eight-man Peace Commission will establish, co-ordinate and facilitate the work of six new bodies, viz. a Socioeconomic Forum, Citizens' Consultative Conferences, A Multi-Partisan Council, a Trust Fund for the Consolidation of Peace, a Demobilisation and Resettlement Committee, and a National Budget and Debt Committee (Article 3). The Accord accords the Peace Commission tremendous powers in the pursuit of its mandate. For instance, the Commission has the power to organise its work 'in the manner

in which it deems most appropriate' and to make its findings public; it will be provided with an office, 'adequate communication facilities and adequate secretariat support' to carry out its duties; it can make recommendations on measures to help the implementation and development of the provisions of the agreement; it can prepare 'preliminary legislative drafts' that are necessary for the implementation of the agreement; it has the right to inspect 'any activity or site' that is linked to the implementation of the Accord; and no action can be taken by Government or the RUF on any matter relating to the Accord without consulting the Commission. Both the Government and the RUF 'undertake to comply with the conclusions of the Commission' (Article 3).

The proposed Trust Fund will provide funding for the implementation of the Accord (Article 3). Yearly Citizens' Consultative Conferences will be organised to ensure popular participation in the national political process (Article 4). Combatants will be disarmed in designated Assembly Zones, and their demobilisation and reintegration into society will be done 'as soon as practicable' after the disarmament (Article 5). The Government and the Commission, assisted by the 'International Community', are entrusted with the responsibility to look after the welfare of encamped combatants (Article 5). The Demobilisation and Resettlement Committee, whose membership should not exceed seven persons, and which should be established a month after the signing of the Accord, will 'co-ordinate the encampment, disarmament, demobilisation and resettlement of the RUF/SL combatants' (Article 6). Combatants should be in the Assembly Zones — to be identified by the Demobilisation Committee — not later than three months from the signing of the Accord (Article 7).

The International Community will be asked 'to help supervise and monitor the encampment, disarmament, demobilisation and reintegration processes.' A Joint Monitoring Group (JMG), comprising of representatives of the Government and the RUF, will observe the work of these activities at all stages (Article 8). In addition, a Neutral Monitoring Group (NMG) from the International Community, which shall be deployed for an initial period of three months, will be responsible for monitoring breaches of the cease-fire (Article 11). The Peace Commission will, 'as a priority', make recommendations on the restructuring of the military. RUF combatants who wish to enlist in the national army 'can become part of the new unified armed forces within a framework to be discussed and agreed upon by the Commission' (Article 10). The South African mercenary outfit, Executive Outcomes (EO), will be withdrawn 'five weeks after the deployment of the NMG', confined to barracks and supervised by the JMG and NMG (Article 12). Other foreign troops will be repatriated not later than three months after

the deployment of the NMG 'or six months after the signing of the Agreement, whichever is earlier' (Article 12).

The RUF will be allowed to register as a political movement within 30 days of the signing of the Accord (Article 13), and the International Community will be approached to contribute resources to a trust fund that will help the RUF to transform itself into a political party (Article 17). No judicial action will be taken against 'any member of the RUF/SL in respect of anything done by them in pursuit of their objectives as members of that organisation up to the time of the signing of (the) Agreement'. Furthermore, legislative and other measures will be taken to ensure that RUF combatants and political exiles will be able to enjoy their full civil and political rights within the framework of the law (Article 14). The mandate of the existing National Unity and Reconciliation Commission will be expanded to help heal the wounds of the war, and to promote civic education, national unity and reconciliation (Article 15). An Ombudsman will be created to raise the standards of accountability, probity and integrity in the public service (Article 16). There will be a reform of the electoral system to ensure full participation of citizens and their organisations in the political process, as well as the independence and integrity of the National Electoral Commission (NEC). The RUF, the Government and other political parties will nominate people of 'professionalism, integrity and objectivity' to the NEC not later than three months after the signing of the Accord. No member of NEC will be eligible to hold political office in 'any government formed as a result of an election they were mandated to conduct' (Article 18).

The Government and the RUF agree to respect the basic civil and political liberties of all individuals as enshrined in international declarations of the United Nations and the OAU, and the principles and rules of international humanitarian law, and to release all political prisoners and prisoners of war (Articles 19&21). An independent National Commission on Human Rights will be established to promote human rights education, monitor violations and institute legal proceedings where appropriate. It will seek technical and material assistance from the UN High Commissioner for Human Rights, the UN Centre for Human Rights and the African Commission on Human and People's Rights (Article 20). The independence of the judiciary will be strengthened, and the existing Judicial and Legal Service Commission will be reconstituted to help defend the independence of the judiciary from both the state and political parties. Representatives from the lay public will be appointed to join judges, other legal officers and civil servants, who already constitute the Legal Commission (Article 24). There will be a review and re-orientation of the Police Force in order to deepen its professionalism and

respect for the rule of law, and to protect it from political, ideological and social pressures. Furthermore, the Police Council will draw its membership from a broad section of society to ensure that it upholds its 'truly civilian and non-partisan character' (Article 25).

In the pursuit of the goals of reconstruction, rehabilitation and development special attention will be given to 'rural and urban poor areas, war victims, disabled persons and other vulnerable groups' (Article 22). The values of grassroots participation, the empowerment of rural communities and the urban poor in productive activities and decision making processes, and the equitable distribution of national resources would inform the socioeconomic policy of the country. In this regard, the agreement lists ten areas where action is needed to improve the quality of life of the population — primary health care for all; affordable and quality housing in rural and poor urban areas; free and compulsory education up to the junior secondary school age; clean drinking water and sanitation; job opportunities, especially for the youth; technical, marketing and credit facilities for agriculture; food security; regulation of environmental degradation and exploitation of natural resources, as well as prohibition of monopolies; provision of roads, transport and communication facilities, energy and rural electrification; and debt relief to allow for funds to be diverted from debt servicing to the tasks of rebuilding the economy and society (Article 26). A broad-based Socioeconomic Forum will be responsible for the elaboration and pursuit of these objectives (Article 27). The Government of Côte d'Ivoire, the UN, the OAU and the Commonwealth will act as 'moral guarantors' to the Accord (Article 28). The annex of the Accord calls for a nationwide sensitisation programme, which will inform the public about the reality of the end of hostilities, the reasons for demobilisation, the opportunities for reintegration of combatants, and the need for reconciliation. This programme will be pursued by both the Government and the RUF.

### **A Power Sharing Model?**

In many ways, the Accord represents a variant of the power sharing model, which has emerged as a standard mechanism for rebuilding sharply polarised societies and those torn by wars, most of which have turned out to be unwinnable and of doubtful ideological pedigree. The power sharing model is informed by two important characteristics. Firstly, the main parties to armed conflicts operate from a position of relative weakness — i.e. after a long period of stalemate in the battlefield warring parties gain sufficient knowledge about the limitations of their respective powers and the futility of continuing with the war. Once this stage is reached, actors are expected to act rationally by choosing the path of peace, which may help them to convert their

weakness into renewed strength and to conserve some of the gains they have made in the war. Secondly, the relative weakness of the actors demands an active role for external facilitators, financiers and guarantors. These should be neutral, firm and effective in helping the actors to convert their weak-weak situations into win-win outcomes (for a related discussion see Adekanye 1997; Horowitz 1985; and Lijphart 1977).

The Abidjan Accord embodies these two characteristics. After five years and eight months of war, and a rapid turn over of governments (four in all), the idea gradually emerged among government circles, particularly those of Maada Bio and Tejan Kabbah, that only a political settlement could end the carnage, allow people to rebuild their lives, and strengthen the resolve of government to get on with the business of development. Despite its 'tough guy' posturing in previous governmental peace overtures, the RUF has also been devastated by the war — it has lost many of its combatants, including some of its top commanders; it is unable to hold on to any territory of significance or popularise its message to the public; it is hated by the vast majority of villagers and urban dwellers for its employment of a savage methodology of exterminating or maiming the very people it seeks to liberate; and, particularly in the last few months before the signing of the Accord, it suffered very serious set-backs in the battlefield from the Kamajoi militia—modern-day traditional hunters and rural-based fighters — who were determined to defend and reclaim their villages and root out all traces of RUF activities from their localities (see Muana, this volume).

As we have seen, the Accord also makes very liberal references to the role of the 'International Community', which is expected to help with funding, monitoring of the agreement and the cease-fire. Given the destructive effects of the war on the country's productive structures and revenue base, and the weakening of its national institutions, the combatants have no alternative but to turn to the International Community for assistance to end the war and rebuild the country. The UNDP, various other UN organisations, the OAU, the Commonwealth, key Western countries, the Red Cross, Nigeria, and indeed, the government of Côte d'Ivoire, have played actively supportive roles. Special emphasis must be given to the efforts of Côte d'Ivoire in facilitating and supervising the whole process. From the time the Red Cross helped to transport the top RUF cadres from the Gola Forests in Sierra Leone in February 1996 and accommodated them in Yamasoukrou, to the signing of the agreement in November 1996, President Konan Bedié and Foreign Minister Amara Essy gave the peace negotiations and the ultimate goal of signing the Accord a top government priority. This exemplary pan-African dedication to duty should be applauded. Their behaviour contrasts sharply

with that of their former president, Houphouët Boigny, who provided support to Charles Taylor, and by extension, the RUF, and made several attempts to thwart the peace initiatives of the West African Peacekeeping Force, ECOMOG, in Liberia (Tarr 1993). International Alert, the London-based conflict resolution NGO, was also instrumental in getting the RUF to adopt the path of peace, although government functionaries in all three regimes of Valentine Strasser, Maada Bio and Tejan Kabba, as well as many ordinary Sierra Leoneans, were highly critical of its objectivity and close relations with the RUF.

Perhaps, it is worth mentioning the view of some private sources in Europe that the politics of the elections for the post of Secretary General of the United Nations fed into the process that led to the signing of the Accord. It should be recalled that Amara Essy was one of the four African candidates that vied for Boutros Gali's job when it became clear that the US was not going to drop its veto on the renewal of Boutros Gali's tenure. The French were keen on having a Francophone person on the job and solidly threw their weight behind Essy. But Essy was not known outside of the Francophone world and Sierra Leone. It was felt that the signing of the Sierra Leone Peace Accord in which Essy was a key player would considerably raise his visibility and boost his chances of getting the UN job. The sources maintain that much carrot and stick was used by both France and Côte d'Ivoire to get Sankoh and his team to sign the Accord. The French media was full of praise for Essy as the only one of the four candidates vying for the UN post who has solved an African problem — the Sierra Leone war. There was reference to TV pictures in which he was shown flying in a helicopter with some of the combatants and other neutral observers into the bush to get the RUF to sell the peace deal to its commanders. Those who are good in investigative journalism and in prying open the French and Ivorian archives may one day tell us what the 'carrot' in the deal contained.

The Abidjan Accord draws from the experiences of a number of other agreements on power sharing, such as the Angolan, El Salvadoran and Cambodian peace agreements (Action for Southern Africa; Boyce 1995; Utting 1994) in such key areas as encampment, disarmament, demobilisation and reintegration of combatants, as well as in the creation of joint institutions to facilitate the peace process. For instance, the RUF is expected to play major roles in the Peace Commission and its six sub-institutions for managing the peace, in the composition and reform of the National Electoral Commission, in the supervision of the encampment of Executive Outcomes, in the restructuring of the army, and in the shaping of the country's socioeconomic policy. The Accord differs, however, from other well known



power sharing agreements, since the RUF has not been given any post in the government, does not enjoy any representation in parliament, and is not in charge of any local government, district or province. The main reason for this difference is the unique character of Sierra Leone's road to peace. Unlike many previously authoritarian war-torn countries that were forced to establish extensive power sharing arrangements, Sierra Leone had successfully organised multi-party elections in February 1996 without the participation of the RUF. Those elections brought in a new government which was not associated with the causes of the war.

The Abidjan Accord had to take into account the existence of a functioning constitution, and a pluralistic parliament and government, all of which enjoyed wide popular legitimacy. Thus the Accord gives equal authority and treatment to the RUF and the Government on matters relating to war and peace but not to wider issues of politics and governance, where government is expected to have much leverage. The only established national institutions that will be subjected to the rules of power sharing are the military and the National Electoral Commission. In other words, the institutions that represent the commanding heights of politics remain relatively intact. The RUF is simply being asked to play the legal game like everyone else, and to wait for the next elections when it can test its popularity at the polls if it wants to gain access to the dominant political institutions. However, as we shall see later, the Accord has a potential to extend the frontiers of power sharing in major ways, which could change the course of politics in the country. It may also greatly empower the RUF as a legitimate political organisation — something that the RUF itself has failed to do in five and half years of destructive bush war.

### **The Gains of the RUF**

Perhaps, the biggest winners in the Accord are the RUF. Here is a movement which waged brutal war on Sierra Leoneans for more than five years without ever administering a key territory (apart from the brief take-over of Koidu and Pujehun), and whose leaders should (under normal circumstances) be facing a war crimes tribunal, but who are now being given enormous opportunities by a democratically elected government and the international community to redeem themselves as civilised people with a genuine cause to pursue. Indeed, during the last few months leading up to the signing of the Accord, the RUF was in a state of disarray, after losing most of its key military bases, combatants and commanders to the Kamajoi militia. In a recent interview in *Concord Times*, Foday Sankoh himself acknowledged the positive role of the Kamajoi militia in influencing the course of the war.

Indeed, a new hypothesis is making the rounds in Sierra Leone, courtesy of statements from captured RUF commanders and combatants, that some of the Kamajoisia are 'super rebels' — i.e. they were part of the RUF before decamping to the Kamajoi movement. Captured commanders and combatants maintain that this explains why the Kamajoisia have been more effective than the army — i.e. the former know all the hideouts, strategies and tricks of the RUF, and their knowledge of the bush is just as great as, if not better than, that of the RUF. Whether some of the Kamajoisia are former rebels or not, their role in the war has been decisive in changing the balance of power on the ground.

The Accord seeks to rescue the RUF from its position of weakness and isolation. As we have seen, the RUF will not only play major roles in the newly created institutions, the National Electoral Commission, and the proposed new army, it will be immune from all legal charges for its brutalisation of rural people and other obnoxious acts of war; and it will be given funds to set itself up as an effective political party. Given the priority which the Accord has justifiably given to questions of encampment, disarmament, demobilisation, and reintegration, as well as the overall national emphasis on reconstruction, rehabilitation and reconciliation, one should not rule out the possibility of the RUF emerging as a major player in the political process. Its strategic location in the institutions that will govern the peace process gives it advantages in the allocation of the resources that will be forthcoming to support the peace process and reconstruction plans. Other opposition political parties are bound to envy this privilege, which war and determination to commit atrocities have given to the RUF. Given the embeddedness of corruption in public life, we should not rule out rent-seeking behaviour from some of the actors who will have access to the anticipated peace-building resources despite the rhetoric about accountability, probity and integrity. This has been the experience in all countries that have been swamped with new resources for post-war reconstruction. If this happens, it will constitute an additional source of revenue for combatants to that which exploitation of the forest resources and mining, as well as the looting of the private property of villagers, had provided during the war.

One major drawback to the legitimatisation of the RUF as a serious political force is its image problem. For now, most Sierra Leoneans hold it largely responsible for the horrors of the war. It is going to be very difficult to overcome this image problem. However, it is instructive to note that already the RUF is working on this problem. Its leader, Sankoh, has threatened to take legal action against newspapers that publish 'false reports' about the RUF. It was able to secure a major concession from the

Government in the Yamasoukrou and Abidjan negotiations to be given 'access to the media in order that (it) may be heard and informed', to enjoy the freedom to 'mobilise and demonstrate freely', 'to communicate politically', 'to organise effectively', and 'to set up appropriate infrastructure' (Article 19). With money, organisational entrepreneurship, commitment, time and a possible failure of established political parties to deliver the promised goods to the public, the odds against the RUF could well be surmounted.

It is important to note that the opportunities associated with the re-integration of ex-combatants may encourage ordinary people with no history of association with the war to swell the ranks of the RUF in order to access the peace-building resources. In addition, extra dividends could be derived from the provision in the Accord which grants ex-RUF combatants the opportunity to decide whether they wish to join the new national army or not. Whereas one section of the Accord talks about the down-sizing of the army, no limit has been placed on the number of combatants who will be allowed to join the new army. Given the very high levels of unemployment in the country, one can imagine non-RUF street youth joining an RUF that now enjoys government approval in order to reap some of the benefits of re-integration. It is the responsibility of the government and political parties, as well as civic and community groups to ensure that the RUF does not maximise its potential gains in the Accord. This can be achieved by playing the democratic game fairly, checking state and opposition party excesses, and ensuring that the basic economic and social problems of the poor, especially those of the youth, are concretely addressed.

### **The Gains of the Government**

Government also stands to gain a lot from the Accord. Despite the inability of the RUF to hold on to, and administer, any territory of significance, they did succeed in making large areas of the country inaccessible, and almost paralysed the productive base of the country. Official mining of diamonds, gold, rutile and bauxite, as well as agriculture in the productive areas of the South and East were severely disrupted. Only the bold and the armed could venture into those areas. It is not surprising that the war had to drag on for so long as the RUF and sections of the army competed among themselves to access the resources of the forest. Food production in the fertile area of Kabala and certain parts of Tonkolili District was also undermined. Artisanal fishing and agriculture suffered a serious blow in Bonthe and Moyamba Districts. The net effect has been a sharp drop in government revenues, and the collapse of social services and basic infrastructure. The war also sucked away much of the limited revenue that was still accruing to government as

the size of the army and its various needs and demands expanded, especially during the military regime of the NPRC. The Accord will give the government the opportunity to focus on its very ambitious programme of reconstruction and development, which it unveiled to the public in June, 1996, and which fed into the medium term reconstruction plan that formed the basis for the pledge of US\$ 212 million by donors in the Geneva donors' meeting in September of the same year (United Nations Department of Humanitarian Affairs, 1996). It should be obvious that these plans stood no chance of succeeding if the war continued.

It ought to be emphasized that the Accord is likely to boost the government's chances of raising funds from the international community for its reconstruction and development programme. As the war expanded into virtually every sector and region of the country, most bilateral aid agencies, the UN and the international financial institutions became skeptical about the chances of Sierra Leone ever recovering from the war in one piece. Indeed, the country was being used by Western political analysts as an archetypal case of 'the anarchy that is gripping West Africa' (Kaplan 1994). Mention Sierra Leone in donor circles in 1992-95 and you would get a very strange look or obtuse comment about how the situation looked hopeless.

Three major things happened between February 1996 and May 1997. First, Sierra Leone became the only country in recent years that was able to organise relatively free and fair elections in a period of war. Second, it joined the ranks of a few countries in the world which have prevented the military from holding on to power and thwarting the democratic aspirations of the people, when the NPRC government of Maada Bio was forced to heed the verdict of the Bintumani Conference for elections to take place on the scheduled date of February 26, 1996 and to gracefully vacate power when the results produced a clear winner. The alleged shadow NPRC government party, John Karimu's National Unity Party, could only manage about 5 per cent of the popular vote (Kandeh 1996). Third, the rebel movement signed a peace agreement with the elected government. In short, Sierra Leone was able to prove superficial critics like Robert Kaplan and his Afro-pessimist associates and sympathisers wrong. Government and Sierra Leoneans overseas need to vigorously sell these hard won assets to the international community.

Compared to the RUF, which has been given legitimate access to public institutions by the provisions of the Accord, the government as *government* has not gained anything new on the issue of participation in political institutions. Indeed, many of the articles of the agreement do act as a constraint on the power of government to act unilaterally. But RUF

participation in the institutions that will govern the peace process will allow the government to monitor and regulate the behaviour of RUF members much more than it has been able to do before the agreement was signed. In other words, the RUF and government are now locked in a marriage of convenience similar to the unholy alliance between the ANC and the National Party in South Africa. Indeed, when I saw in the English language newspapers in Dhaka, Bangladesh (where I was attending a conference at the time the agreement was signed), pictures of the embrace between President Kabbah and rebel leader Foday Sankoh, my mind went back to the thoughts and feelings I had when Mandela decided to shake the hands of Frederick de Klerk — the latter being a symbol of evil and guardian of the despicable and grossly inhuman system of apartheid.

The government of Sierra Leone should use its enforced marriage with the RUF well. It should drive home the crucial point to the RUF that there is a trade-off between the privilege it has been given in the newly created institutions, including its immunity from war crimes prosecution, and the need to honour the agreement and create lasting peace in the country. As the RUF gets entangled in the kick-backs or dividends of the peace-building process, the government and the public should insist that it should produce tangible peace-yielding results in exchange for its new privileges. There are sufficient provisions in the Accord to enforce this demand. Indeed, the government is on very firm moral ground as a non-participant in the horrors that overwhelmed the countryside. The situation would have been difficult if it were the APC or the NPRC governments that signed the agreement.

### **New Opportunities for the Public?**

If the Accord is implemented to its letter, the public will reap a lot of benefits from the peace process. Incidentally, some of the benefits may arise from the provisions that the RUF insisted upon, which reflect its poorly articulated rhetoric of revolutionary change. As we have already pointed out, the biggest losers in the war have been the public, especially the rural public. They lost their economic assets, homes, farms, loved ones, and parts of their bodies, and have found it difficult to travel freely as they wished. It has been reported that the countless road blocks around the country were removed after the signing of the Accord to allow the people to reclaim their rights of free movement and to drive home the point that the war had ended. Large numbers of displaced people have returned home. The Accord thus offers the public the opportunity to focus on the efforts of rebuilding lives and homes and to recreate disarticulated or deformed markets and productive systems.

Previous efforts to do this without the backing of an agreement had ended in failure as villagers faced fresh attacks from the RUF and disloyal soldiers.

There are also concrete provisions in the agreement which hold promise for the Sierra Leone public. The first is the commitment which the government, through the Accord, has given that the country's electoral system would be reformed, and that the autonomy and integrity of the National Electoral Commission would be strengthened. I have argued in the past that the constitutional system that ushered in the new government and parliament is flawed for socially divided societies. Whereas the electoral system of proportional representation was used to produce a very plural parliament with five parties, the rules governing the presidential elections were such that they could produce only one winner. In a plural society with deep social cleavages, pluralism in both legislative and executive branches of government may be important as a mechanism for minimising violent conflicts. Under this arrangement, all major groups and sections of society would be represented, through the dominant political parties, in both parliament and government as a matter of right rather than as a result of the goodwill of the government in power.

President Kabbah has, of course, played the balancing game well, but having some of the major political parties that draw their support from certain parts of the country exclusively in the opposition is likely to make the next elections another life and death matter. I would suggest that the idea of a run-off election to choose a single leader be changed to allow parties that score a certain percentage of the popular votes in the first and only round of the presidential elections the opportunities to be represented in government. Under this model, the president would be given the authority to discuss appointments with the parties concerned and to dismiss ministers who in his judgement have failed to perform satisfactorily. President Kabbah, as a great conciliator, already practices this model in an informal way with the parliamentary parties that have decided to work with his government. The procedure needs to be institutionalised to give it a much broader scope than what obtains now.

A plural executive system has the advantage of protecting ordinary people from the excesses of politicians. Our post-independence history — African history generally — is littered with politicians without visions of the national interest or commitment to the causes of the poor. Politicians have always used the poor to get into power and to turn that power against the poor when they are in office. Also, given the loss of imagination which political parties have shown in devising workable programmes of governance and development, and given the unquestioned hegemony that the international institutions

currently enjoy in the policy spaces of these countries, it is better to minimise the violence which political parties are likely to inflict on the poor in the competition for power, than to bank on the possibility that these parties will pursue innovative pro-poor policies that will be different from the reigning development orthodoxy and what ruling parties in government are already pursuing.

The truth of the matter is that none of our parties outside of government has the capacity to develop coherent and effective policies that would address the key challenges that confront us today as a nation. The parties in government have been able to work out reasonably coherent development programmes because they are in government — and thus enjoy the services of national bureaucrats and international development agencies — and not because of any superiority they enjoy in the realm of ideas over opposition parties. Minimising the propensity for violence that is embedded in winner-takes-all elections will indeed allow the poor, the disadvantaged and other deprived social groups the space they require to exert pressure on public institutions and to develop themselves 'autonomously' of entrenched vested interests. Poor or rural people should not shed an additional ounce of blood for the privileges of politicians and so-called 'revolutionaries' who are likely to run the new peace-building institutions.

The National Electoral Commission will be at the centre of the debate on the promised electoral reforms. The Accord's affirmation of the need to strengthen the professional integrity and competence of the NEC should be applauded. The decision to bar NEC members from holding political office in a government 'formed as a result of an election they were mandated to conduct' is also very much in order. This provision, which must have been insisted upon by the RUF, is an indictment on the appointment of James Jonah, former NEC Chairman, as our chief envoy in New York with cabinet rank after he had courageously and competently organised the February 1996 elections.<sup>1</sup> Jonah discharged his duties with impeccable honesty and

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1 The second round of the presidential elections produced some rather strange outcomes: the voter-turnout in some districts, such as Pujehun, Bonthe and Kailahun, was much higher than the registered voters. The loser, John Karefa-Smart, lodged an official complaint. This led to an arbitrary reduction of the votes of the winning candidate, Ahmed Tejan Kabbah, by the Interim National Electoral Commission to a figure that corresponded to a 100 per cent voter turnout in the affected districts. Karefa-Smart accepted the final results in the interest of peace (United National People's Party 1996; Kande 1996).

impartiality and refused to be intimidated by the military boys. He showed exemplary qualities that we have not been accustomed to associating with public officers. However, I have always personally felt that he should not have jumped into bed with the winners, especially as the country was now operating a pluralistic constitution. He should have stayed to consolidate and deepen the professional basis of the organisation — the only public institution that I felt proud to identify with throughout my adult life as a Sierra Leonean.

It is also important to point out potential dangers that may affect the professionalism of NEC if all political parties are asked to nominate members to that body (Article 18). While there is value in having a broad-based professional membership in the NEC to check possible governmental biases, it is important to give NEC officials absolute autonomy in the running of the organisation. In other words, NEC officials should not be accountable to those who nominate them to the organisation. Accountability to outside parties will paralyse the organisation and destroy its professionalism and independence. The only way to get round this problem is to treat the word 'nominate' in the Accord literally. Nominated candidates will then go through rigorous scrutiny by parliament, the press, civic organisations and the public in general. Once a final list is agreed upon, there should be firm rules that would guarantee the autonomy of those who are appointed to work in the organisation. To ensure that the NEC officials themselves do not create an unacceptable institutional oligarchy, they should be mandated to carry out their work in transparent ways. In other words, political parties, the press and civic and community groups should have the right to inspect at any time the books and activities of the NEC, and even to attach individuals of their choice to NEC offices to monitor the activities of the organisation on a full time basis.

A second area in which the Accord is likely to provide opportunities to the public is in the commitments made in Article 26, which deals with socioeconomic development. Indeed, full implementation of the provisions in this article will constitute a solid guarantee against future wars. Most of the issues reflect already existing commitments at the international level, which the government has upheld as a participant in the World Summit meetings that have produced them — the most notable being the Copenhagen Plan of Action on the World Summit for Social Development of 1995. It is useful and refreshing to note that a renewed commitment has been made at the national level by the government to pursue these vital objectives, which are likely to change the quality of life of the poor. The RUF's early vision of radical social change may have contributed to the reaffirmation of these laudable objectives in the Accord. Even though the RUF worked hard to get



the government to include these issues in Article 26 as a condition for signing the Accord, it should not be assumed that they will be the most committed in their implementation. Civic groups, the press and the interested public should ensure that the proposed Socioeconomic Forum has teeth and is not just a talking shop. Work should proceed to flesh out the details of the ten points plan of social development in Article 26, to provide quantitative and qualitative data on the problems to be combated, and to set time frames for implementation of agreed policies. It will help to popularise this section of the agreement if civic groups can float a movement to be called 'The Article 26 Movement for Socioeconomic Development'.

Thirdly, the commitment to restructure the army opens up possibilities to address in very serious ways the security needs and defence structure of the country. The war demonstrated that our modern standing army was incapable of providing the necessary security to the populace when it was most essential for it to do so. Indeed, there were many reports which implicated some of the soldiers in the brutalisation of people in the countryside and in the looting of private property. Some of them also tried to violently disrupt the February 1996 elections. Our women had to force them to retreat through mass demonstrations. The greatest indictment on our military was when a mercenary force, the Executive Outcomes, was brought in by an army leader to boost security. In the end, it was largely the decision of villagers to create a model army along the lines of our traditional defence systems that brought the RUF to its knees. This raises the question of whether the country should simply integrate willing RUF combatants into the army and create a much smaller conventional force, or whether it should raise its sights and go for a more thorough review of our national security system? It is extremely important to draw the appropriate lessons from the spectacular success of the Kamajoi militia. The government and the public should seize the initiative to organise debates, workshops and conferences on the future of Sierra Leone's security system.

Three people on the Leonenet e-mail Discussion Forum, Patrick Muana, Kelfala Kallon, and Saffa Kemokai have done a lot of thinking on this subject and have consistently called for a national security system that respects the local needs of communities (Sulima Web Page). Their views need to be seriously taken up in debates about the restructuring of the army. As a variant of their contributions, I think that it is quite possible to think of a security system without a large standing army. Our traditional defence systems in which able-bodied men (this time including women) are taught basic methods of defence, the 'secrets' of the forest, and community traditions and values, and who could be mobilised at short notice in periods of external

attack, is worth thinking through to see how they could be adapted to modern conditions.

The Kamajoisia militia has been effective because of its attachment to community values and traditions and knowledge of the forests (Muana, this volume). Why don't we start from what has worked and try to see how a professional national force that is built from the ground up could be created, in which all our youth would be exposed to the values of our community institutions, the secrets of our forests, and use of modern weaponry and strategies? With our bitter experience of the war, and the government's proposed plan for decentralisation, the question of devising local defence systems that are linked to wider national structures has undoubtedly become an imperative. The government and the public cannot afford to evade this important issue anymore. A properly functioning security system that enjoys some degree of local accountability will make it extremely difficult to plan or make coups, and will deter small pockets of invaders before a bigger force is mobilised to support them. Indeed, the fact that the war did not overwhelm our major towns is an indication that our war was actually fought with small weapons and small groups of rebels. A well trained local defence group with national backing would have been able to repel the first group of invaders in Bomaru in 1991. In addressing this issue, efforts should, of course, be made to ensure that local defence forces do not become local war machines. Rethinking the concept of standing armies may help to prevent such an occurrence. Given the utter lack of professionalism of the national army and its questionable loyalty, it is absolutely important for Sierra Leone to buy into a regional security system like that of ECOMOG as a medium term programme of stability and defence.

A fourth positive fallout of the Accord is the decision to withdraw the Executive Outcomes from the war. I personally think that the circumstances that led to the EO's invitation into Sierra Leone should have constituted sufficient grounds for an impeachment of the government that took that decision if we were operating a fully democratic system. It is rather painful to think that it was a military regime that took the decision. Why do we pay our soldiers if they cannot defend us? The only time that I found myself absolutely agreeing with the IMF was when it forced the government to reduce the exorbitant fees that the EO was receiving as a result of the defence contract it signed with the NPRC. The reported one and half million dollars a month that the EO was getting could have been used to improve the professional competence and morale of our army. On a rough estimate, each soldier out of an assumed army strength of 10,000 could have received about US\$ 150 a month, which is about 150,000 leones — about eight times or so

of what they were being given to sacrifice their lives for the nation. A smaller and better motivated force of 5,000 (already three times the size of the pre-war force) could have received about 300,000 leones for each soldier a month — more than what university professors and top civil servants receive. This package could have acted as an incentive for military discipline and to lure our soldiers away from the temptations of mining and other illicit acts.

The EO soldiers are mercenaries. They were not fighting to save Sierra Leoneans because they loved Sierra Leoneans. They were fighting because of the huge amount of money they were getting and the prospects which military engagement offered them to tap the rich mineral resources of the country. There is even a logical reason why the EO will not be fully committed to peace, since its material interests are absolutely tied up with war. We could very well have seen a situation where the RUF threat is reduced to a level that would have highlighted the EO's contributions, but with some low-intensity level of war allowed to simmer in order to justify the continued relevance of the EO in the maintenance of security. This could have produced a no-win-no-lose situation. In a fragile political situation like the one we have in Sierra Leone, it would have been very difficult to monitor the activities of the EO if it had decided to pursue this strategy. Besides, the history of destabilisation and dirty tricks of this bunch of soldiers in the anti-apartheid struggles in Southern Africa is enough to shock any serious-minded pan-Africanist or nationalist to hear that the EO was brought in to fight wars in West Africa — home to three of Africa's legendary pan-African leaders: Edward Blyden, Kwame Nkrumah and Amilcar Cabral.

Surely, during the debates in Yamasoukrou when the RUF was insisting on the withdrawal of the EO as a condition for signing the Accord, I supported the government's position that it would be an act of folly to heed the RUF demands, given the shaky security situation on the ground. It was also the case that the presence of the EO had changed the security structure of the country, which could only have been altered after a serious review. In other words, given the military mess that had been created by previous governments, and the new strategic reality on the ground, it was logical to accept the presence of the EO as a short-term necessity that one had to put up with irrespective of one's ideals or wishes. Now that the Accord has been signed, the EO should not just be confined to the barracks but should be asked to leave the country within the time frame that has been agreed upon for other foreign troops. Hopefully, clear indications would have emerged by then about the direction of the peace and whether it would be sustainable. Allowing the EO to switch to, or consolidate its activities in, mining or in the

provision of security to mining companies in the country, will only complicate the situation. A country that has been battered by war and humiliated by the dirty tricks of politicians and corrupt business people needs a new morality to uplift itself and move forward. The EO is unlikely to provide that morality.

The fifth potential gain for the public is the Accord's attempt to check unlimited governmental or state power. Even though the blunting of governmental power is restricted only to a few set of institutions, the Accord is likely, indeed, to introduce an innovation in Sierra Leone politics. For instance, the Accord explicitly states that government cannot act independently of the Peace Commission; the government is also obligated to accept the conclusions of the Commission — in other words it does not have the freedom to issue a White Paper in which it could accept or reject some of the conclusions. Furthermore, it has to negotiate with other parties regarding the nomination of individuals to the National Electoral Commission; it must respect the autonomy of the NEC; it should uphold the independence of the judiciary and broaden the membership of the Judicial and Legal Service Commission; it must review the character of the police force to make it truly non-partisan; and it must grant the RUF (and by implication other political parties) free access to government-owned media. In addition, there are a number of provisions like the proposed Socioeconomic Forum, the Multi-Partisan Council, the National Budget and Debt Committee and the Citizens' Consultative Conferences which have the potential to deepen the process of power sharing, and to further open up governmental activities to public scrutiny and accountability. This potential limitation of governmental or state power may constitute a positive force for democracy if the civic public can capitalise on the changes and ensure that they get replicated in other vital areas of public policy and institutions.

### **Vital Omissions in the Accord**

Even though, on balance, the Accord has great potential for fostering a durable peace, there are some vital omissions that are worth considering. First, the failure to provide a time frame for various aspects of the work of the Peace Commission is likely to create problems in the future. As we have noted, the Commission is likely to become one of the powerful institutions in the country. Its role in creating the additional six institutions for the governance of peace, reconstruction and development will greatly empower the two principal signatories to the agreement — the RUF and the Government. If we assume that the political parties that would constitute the government are likely to change through the medium of elections, the Accord

has implicitly given the RUF a kind of permanent veto on the membership and operations of institutions that are likely to influence the course of our politics in the coming years. In other words, the RUF could still lose future elections and remain a key actor in the new institutions. The same cannot be said for the current government and indeed for the opposition political parties. Their influence in some of the institutions will depend upon whether they will be able to win elections and form the government. Of course, some of the proposed organisations are open enough to accommodate other parties, including the civic public — such as the Multi-Partisan Council, the Socioeconomic Forum, the Citizens' Consultative Conferences, the National Budget and Debt Committee, and the NEC. However, the Trust Fund; the Disarmament, Demobilisation and Resettlement Committee; and the potentially powerful Peace Commission remain closed to non-signatories of the Accord. Whereas issues of encampment, disarmament and demobilisation can be implemented within a relatively short space of time, the resettlement or reintegration of combatants to meaningful civil and productive life is likely to require a longer time frame.

Second, the Accord says nothing about the absolutely essential problem of atrocities. Given the high levels of atrocities that this war has produced, this should be seen as a serious omission. Of course, there are a number of provisions in the Accord that call for the protection of human rights and the respect for international humanitarian law. But these, we may assume, will be concerned only with post-Accord violations. What does the government and the RUF expect the general public, especially direct victims of the war, who have been clamouring at the very least for explanations to their suffering, to do as a result of this omission? There is, of course, a National Reconciliation Commission already in existence which, among other things, is expected to look into the claims of individuals who wish to seek redress for public actions that may have violated their constitutional rights and interests. But the Accord does not link the work of this Commission to the question of investigating the atrocities committed in the battlefield. This means that the RUF is not bound to explain anything to anybody about wrongful acts which individuals may feel they have suffered under the organisation's war activities.

Given the fact that Article 14 gives the RUF absolute immunity from any prosecution for its war activities, the Accord should at least have made the effort to balance this provision with the need for a 'truth commission'. The provisions of such a commission would obviously not have sought to punish the RUF for its war crimes because of the problems this may have created in getting the leadership to sign the Accord, but it would have mandated the RUF and other actors to explain to the public the atrocities they have

committed while prosecuting the war. This arrangement would not only have helped to insulate the RUF from possible individual acts of revenge, but innocent victims of the war would at least have been able to face in public those who have violated their bodies and property, and killed or maimed their relations. Such painstaking efforts at establishing the truth about what happened would help to prevent a recurrence of the kinds of atrocities that have shocked our public and the world at large. Our society cannot make progress in the area of human rights if we do not squarely face these atrocities and try to understand why people who claim to be liberating or defending society from oppression and exploitation had to slit the throats of innocent villagers, sever their heads, cut their hands, pluck their eyes off, disembowel pregnant women, abduct and rape women, burn down whole villages and enlist children as young as ten into war.

It is still not late to address these issues, now that the RUF has been converted into a respectable political movement. Its leadership has a responsibility to explain why its commanders and combatants adopted a strategy of systematic terror against rural people if it expects society to give it another chance to pursue its political goals. Revolutionaries should not be afraid of the truth. What is it in the ideology and discourse of the movement that led to such acts of horror? Why did our soldiers adopt the same tactics of terror in the war? Does this have something to do with the drug culture that overwhelmed both sides of the conflict? What role do our cultural conceptions of power, invincibility, punishment, revenge, fear, and defeat play in fostering the atrocities? Representatives of the RUF, our military, villagers, religious leaders, community elders and informed professionals could constitute open forums at various levels of society to address these issues. The output from the deliberations could well feed into the educational programme of the proposed National Commission on Human Rights.

Third, despite the high costs of the war on the bodies, personal security, livelihoods, and assets of women, the Accord, like most other power-sharing agreements around the world, is silent on the rights and interests of women. It is amazing to note that the word 'women' fails to occur in any of the 28 articles and annex of the Accord. The Accord, in other words, is completely gender blind. The potentially powerful Peace Commission does not even have a single woman. Yet, evidence from social psychology and peace research suggests that women have a comparative advantage over men in matters relating to peace. As guardians of the moral economy, and as people who are adept at dealing with centuries-old structures of male domination in various social contexts, they often have much better insights and values to promote the cause of peace than men. Women, to paraphrase the eminent peace

researcher, Johan Galtung (1996), are not 'naturally' disposed or socially conditioned to play with metals. The women's movement, which played a major role in sending the soldiers from State House to the barracks and in the tireless campaign for peace, should seize the initiative to make their presence felt in the peace building institutions and to influence the allocation of the resources that would be made available for reconstruction, resettlement and development.

Fourth, as we have already observed, the Kamajoisia have been very instrumental in checking the activities of the RUF. Yet, it is surprising to note that the Accord makes no reference to them in any of its provisions, including the ones dealing with encampment, disarmament, demobilisation, and reintegration. To ensure that the Kamajoisia do not create new security problems in rural areas or become storm troopers of local chieftains, or underground armed fronts for the political designs of powerful and ambitious city elites, efforts should be made to encamp them, and to have a proper head count and data on their background. A task force, with strong local participation, should be set up to regulate their activities until a proper national security structure and defence policy is formulated. This could be done along the lines of the proposals in earlier sections of this paper. Those who have played invaluable roles in defending and reclaiming villages are obviously entitled to compensation as part of the peace package. With proper training and reorganisation, they could indeed form a nucleus of the proposed programme for nationally co-ordinated local defence systems.

Fifth, despite the laudable goals of equity, grassroots participation, and anti-poverty thrust of the Accord, no attempt is made to address the problem which the neoliberal paradigm of the World Bank and the IMF is likely to have on the implementation of specific provisions, especially the socioeconomic plan of Article 26. Redressing the wrongs of the war would require massive levels of state and community level intervention, reform of public sector institutions and pragmatic use of market and other value allocating mechanisms. This is likely to question the neoliberal dogma of unfettered markets which the international financial institutions have been associated with in their structural adjustment programmes in Africa and elsewhere. In war-torn Mozambique, sympathetic and influential donor countries, the UN and, to some extent, the World Bank, had to prevail on the IMF in 1996 to relax its very tight targets on monetary and fiscal aggregates, or levels of budget deficits, which would have had very negative effects on the fragile programme of post-war reconstruction and the development of competent and motivated individuals in the public bureaucracy. An independent policy advisory group on the Sierra Leone economy could help to

provide civic groups, government and other political parties with the technical knowledge that would be required to stand up to the IMF and the World Bank in the implementation of Article 26.

The sixth and final point of omission concerns the problems that are likely to arise if there is a deadlock in the Peace Commission. The eight-man team that will run the Commission is equally divided between the Government and the RUF. There is no provision that spells out how to resolve major differences of interpretation of the articles in the Accord if they were to occur, and how to replace members who may be found to be unsuitable for the tasks of the Commission. Indeed, as we have already noted, the Commission enjoys much autonomy in the discharge of its duties. It is to be assumed that the Government or the RUF may change their own nominees in the Commission if they so wish, but neither party, it seems, has the power to change the nominees of the others. What is more, there is no reference to the judicial system as an institution of last resort for resolving acts of misdemeanours or differences that are likely to affect the performance of the Commission. The Commission is expected to consult with both the RUF and the Government at the topmost levels of decision making in carrying out its activities, but there is no guarantee that potentially intractable quarrels in the Commission could be resolved at these political levels. A recalcitrant set of RUF representatives could well make life extremely difficult for the Commission if it chooses to do so. The RUF, the government and the public would have gained a lot from an agreement that links issues of adjudication of differences in the implementation of the Accord to the proposed strategies of strengthening the independence of our judicial system, as articulated in Article 24.

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