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Path Dependence and Critical Junctures. Three Decades of Interstate Conflict in the African Great Lakes Region

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Abstract

As opposed to the three decades following independence, interstate wars have become frequent in the African great lakes region since 1990. This article analyses the unravelling of these wars, and looks at their causes and consequences. The conceptual framework to analyse the clear but convoluted line linking these conflicts is that of path dependence and critical junctures. Each stage is defined in these terms. The article shows that path dependence is the main explanatory factor, but that critical junctures have played out at crucial moments, including when the initial stage was set in Uganda. It concludes that a very *longue durée* path dependence can be found in Rwanda, where most threads of the conflicts converge. However, it also finds that extreme state weakness in Zaire/DR Congo has been and still is a major contributory factor to the cross-border violence. The article finally argues that the conceptual framework is not only useful as an analytical tool, but may also assist efforts in conflict prevention and management.

Keywords: Central Africa, Great Lakes Region, war, interstate conflict, rebel movements, path dependence, critical junctures

Introduction

Apart from the 1978-1978 Tanzania-Uganda war, called the Kagera war in Tanzania and the liberation war in Uganda, which toppled Idi Amin, there have been no interstate wars during the first three decades of independence in the great lakes region. By contrast, the thirty year period starting in 1990 has been replete with such conflicts. In addition to analysing the unravelling of these wars, this article enquires into their causes and consequences.

While conflicts in the region have generally been analysed in a predominantly empirical/chronological fashion, for the first time a conceptual framework is proposed that I believe helps better understanding them and, as I argue in the conclusion, may also assist efforts in conflict prevention and management. I focus on path dependence and critical junctures, notions developed by historical institutionalism. A critique of this school has been that the emphasis on path dependence makes it difficult to account for change, and is therefore not suitable for understanding political development in Africa, which is characterised by instability and frequent change. However, later on attention was also given to the importance of critical junctures – situations of high contingency and possible changes.¹ This allows for the combination of explanatory factors, where path dependence observes that policy decisions made earlier influence later ones, thus limiting policy options and leading to incremental change, while critical junctures refer to more radical processes where ‘watersheds’² or ‘turning points’³ occur in political and other (e.g. conflict) developments. Therefore, historical institutionalist approaches are relevant for Africa if both concepts are taken on board: ‘It is the critical juncture

that “decides” what the path dependent development is’.⁴ I apply these tools to dynamics rather than to institutions in the strict sense of the word.

As a clear though convoluted line can be discerned from the early 1990s (and even before) up to the present, path dependence and critical junctures are therefore a useful conceptual framework behind this study. As shown by Capoccia and Kelemen⁵, periods of path-dependent institutional stability and reproduction are occasionally punctuated by brief phases of institutional flux –referred to as critical junctures– during which more dramatic change is possible. They define critical junctures as ‘*relatively* short periods of time during which there is a *substantially* heightened probability that agents’ choices will affect the outcome’.⁶ A key element of the analysis of critical junctures is contingency which addresses the question of ‘what happened in the context of what could have happened’.⁷ Likewise, Mahoney states that ‘selection processes during a critical juncture are marked by contingency. ... A contingent event is therefore an occurrence that was not expected to take place’.⁸ In other words, in a path dependent sequence, ‘the initial event that sets into motion the overall chain of reactions is contingent’.⁹ Mahoney later argued that ‘critical junctures are moments of relative structural indeterminism when wilful actors shape outcomes in a more voluntaristic fashion’.¹⁰

The broad scope of the presentation offered in this article may be seen as too encompassing, and it is indeed challengingly wide. It involves many actors, causes, colliding histories, and threads, and all this has an obvious impact on its focus. However I believe it is essential to understand the interconnectedness of complex conflicts and the links tying players and dynamics. This broad canvass obviously comes at the expense of a detailed treatment of more micro developments, but many of them have been addressed elsewhere in the literature.

Although this analysis starts with the 1990 invasion of Rwanda from Uganda by the Rwanda Patriotic Front (RPF), two critical junctures preceded this crucial event that has shaped

the region's future for the decades that followed.¹¹ The 1959 revolution by Hutu elites abolished the Rwandan Tutsi dominated monarchy and led to the departure into exile of many Tutsi notables. Anti-Tutsi pogroms during the following years caused the flight abroad of tens of thousands of other Tutsi, including many ordinary people. By 1990, the UNHCR registered about 400,000 refugees, most of them in neighbouring countries; around 80,000 were settled in Uganda.¹² This is where a second critical juncture occurred. Faced with anti-Rwandan sentiments after Milton Obote returned to power in 1980, a number of Rwandan refugees joined Yoweri Museveni's National Resistance Army (NRA) rebellion. Two Rwandans, Fred Rwigema and Paul Kagame, were among the NRA's 'originals' who mounted the first military operation in February 1981. Many more joined the NRA after repeated episodes of violent anti-Rwandan repression, so much so that when Museveni captured power in January 1986, out of a total of around 14,000 fighters, approximately 3,000 were Banyarwanda, a majority of whom were Rwandan refugees.¹³ Museveni showed his gratitude by appointing many of them to important positions in the army, the police, and the intelligence services.¹⁴

However, this favourable spell did not last long. The atmosphere shifted just years after the NRA's victory, and hostility towards the Rwandan refugees returned. Just before this happened, the central committee of the Rwandan ruling party, the *Mouvement révolutionnaire national pour le développement* (MRND), issued a statement in July 1986 to the effect that, due to demographic considerations, the refugees could not return to Rwanda *en masse*. Only limited individual repatriation was possible, and the conditions were very constraining. Faced with what they saw as a decision to exclude them definitively, the refugees decided to build a coherent organization in order to seek their return. In December 1987, the RPF was created in Kampala; one of its eight-point programme was the solution of the refugees issue.¹⁵ With the support of the

US Committee for Refugees, in August 1988 the refugees held a conference in Washington D.C., where they decided that the only way to put an end to their refugee status was to return to Rwanda. While they officially advocated negotiations with the Rwandan government, many in the refugee community were convinced that the only realistic solution was to be military. This option materialized on October 1st, 1990.¹⁶

From the October 1990 Invasion to the July 1994 Victory

What started in October 1990 was in part a civil war (Rwandan refugee warriors fighting the government army), in part an interstate conflict (the RPF soldiers served in the Ugandan army). That the invasion by the RPF occurred at that time was mainly due to two complementary elements. On the one hand, by supporting the attack, Museveni killed two birds with one stone. He got rid of his Rwandan allies that were increasingly becoming a domestic liability, and he ensured the presence of a friendly regime in Kigali.¹⁷ For its part, the RPF had to attack when it did. Talks were underway with the UNHCR and Uganda to find a solution to the refugee issue and, like elsewhere in Africa, the Rwandan regime was taking cautious steps towards democratization. The prospect of a solution on these two issues would have strongly weakened the legitimacy of the RPF's invasion. As Prunier has pointed out, 'A possible democratic evolution of the Kigali regime threatened to deprive the RPF of a good combat argument, namely the opposition to a monolithic dictatorship. As for a process of refugee repatriation, it risked to destroy its strongest psychological tool, that of the perspective of eternal exile'.¹⁸ The invasion was path dependent, as it occurred as a consequence of domestic political developments in

Uganda, the resolve of the refugees to return home, and the reluctance of the Kigali regime to accommodate that aspiration.

Throughout the war, the RPF benefited from Ugandan support under the form of bases for retreat and assault, weapons and ammunition, and the use of Ugandan diplomatic passports for traveling RPF dignitaries. Despite French military assistance, the government army (*Forces armées rwandaises* – FAR) was no match for the RPF. After the Arusha peace accord signed in August 1993 collapsed in April 1994, the civil war resumed and the genocide against the Tutsi started. It took the rebel force three months to capture power in Kigali.

As the RPF progressed, close to two million angry and fearful Hutu fled the country, initially to Tanzania and later to the then Zaire, where one and a half million settled in huge refugee camps just across the border. Mingled with civilian refugees were ex-FAR and *Interahamwe* militiamen that had played a prominent role in the genocide. These constituted a huge reservoir of refugee warriors, and they were at the origin of the next war. Indeed, as these insurgent forces were intent on recapturing Rwanda, the situation that developed just a few kilometres across the border was the RPF's affair, and a vital one at that. Faced with the unwillingness or inability of both Zaire¹⁹ and the wider international community to tackle this problem, Kigali's patience had reached its limit by mid-1996. During a visit to the United States in August of that year, Vice-President and Defense Minister Kagame told the Americans that Rwanda was about to intervene, and he received the 'orange light', meaning that the US would look the other way.

The Congo Wars

As with all historical events, the occurrence of the Congo wars and their unravelling were the outcome of a unique combination of factors. Among others, two played a major role. The first was the extreme weakness of the Zairean/Congolese state. While a juridical reality, empirically it did not –and does not today– perform a number of minimal functions of sovereignty, such as maintaining physical and administrative control of its territory, the monopoly of violence, and the public nature of taxation.²⁰ The second was the territorial extension of neighbouring countries' civil wars that were exported to the vast but weak giant, thus merging several conflicts into one.

There are two major angles to these wars. On the one hand, Rwanda had legitimate security concerns, but on the other broader continental dynamics were at play. With regard to the latter, (neo-)liberation regimes, dominated by former insurgents inspired by Marxism-Leninism and Pan-Africanism, pursued regime change outside their borders throughout the 1990s. There were two reasons for this development: a strategic one (ensuring the survival of their domestic system) and an ideological one (exporting their model of governance). These new regimes contributed to a second shift, namely a growing tendency to contest the OAU's sacrosanct colonial-era borders.²¹ These factors explain why countries far away and without immediate security concerns like Ethiopia and Eritrea, as well as neighbour Tanzania sided with the anti-Mobutu alliance put in place by Rwanda and Uganda.²²

As to the first angle, when the Rwandan army attacked and cleared the refugee camps in South and North Kivu, this action was path dependent, for two reasons. First, as said, the threat posed by the armed refugees was real and imminent, and Rwanda was the only force that would and could intervene. This security threat was caused by earlier developments. Second, a military way of solving problems was part of the RPF's entire experience. Prunier observed that, for

them, ‘violence was not exceptional; it was a normal state of affairs’.²³ ‘As soldiers they only knew the gun, and the gun had worked well for them in the past’.²⁴ As will be seen in the conclusion, a much older tradition of ‘belligerent nationalism’ also played a role.

These two angles address outside interference, but Lemarchand points at the multi-layered nature of the conflicts, and some of the causes were indeed more local: ethnic strife, land disputes, and citizenship and political rights that were contested between ‘autochthonous’ and ‘alien’ populations.²⁵ He also argues that ‘refugee-generating violence has produced violence-generating refugee flows’.²⁶ However these more local issues, that also exist elsewhere, could not in themselves explain the extent of the wars.

Indeed other countries soon joined the fray. In particular Burundi, Uganda and Angola faced a similar problem of rebel groups operating from Zaire with at least the passive support of the Mobutu regime. Despite existing connections between the countries in the region, all reasoned in terms of ‘the enemy of my enemy is my friend’, and they operated behind the back of a proxy Zairean rebel force, the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (ADFL), created in Kigali to avoid international condemnation for the violation of Zaire’s sovereignty.²⁷ Angola was not content with combating UNITA, but insisted on regime change in Kinshasa in order to put an end to Mobutu’s support for its rebel movement. The alliance eventually prevailed in May 1997 when the AFDL captured Kinshasa and its leader Laurent Kabila became president.

Rwanda had played the lead role all along, as was made clear by Kagame when he unveiled a public secret in a famous interview in the *Washington Post*. He said that ‘the Rwandan Government planned and directed the rebellion’, adding that it would have been ‘more suitable if Congolese rebels had done most of the fighting’, but they were not ‘fully prepared to

carry it out alone'.²⁸ In human terms, the cost of the Rwandan involvement was huge. Not content with clearing the camps and engaging the armed elements among the refugees, the Rwandan army exterminated tens, possibly hundreds of thousands of Hutu civilians in a phased carnage that spread from the Kivus in the east to Mbandaka in the west. A mapping exercise conducted on behalf of the UN High Commission for Human Rights concluded that the vast majority of investigated massacres were to be classified as war crimes and crimes against humanity. On the issue of genocide, it noted that 'several incidents listed in this report, if investigated and judicially proven, point to circumstances and facts from which a court could infer the intention to destroy the Hutu ethnic group in the DRC in part'²⁹, an explicit reference to the genocide convention.

As they started shifting considerably, the logic of circumstantial alliances was soon to take its toll. The relations between former allies soured, those between former foes improved. Kabila's dependency on continued Rwandan and, to a lesser extent, Ugandan support increasingly became a liability in terms of domestic legitimacy. The embarrassing presence of the Rwandan army and the 'conqueror' attitude of some Rwandan and Congolese Tutsi were bitterly resented, in particular in the eastern Kivu region. In July 1998, Kabila replaced Rwandan General James Kabarebe as Chief of staff of the Congolese army. A few days later, his office declared that 'the Rwandan and other foreign military' were to leave the country. This created a new security threat for Rwanda and Uganda, and another war had become inevitable.

For Rwanda, the motives of invading the DRC again were more diverse than during the first war. Apart from security concerns both emanating from the DRC and domestically, they included ethnic solidarity with Tutsi threatened across the border, economic interests, and political triumphalism that generated a sense of invincibility.³⁰ In August 1998, the war again

started as a ‘rebellion’ masterminded in Kigali and endorsed by the US. The *Rassemblement congolais pour la démocratie* (RCD) only came forward ten days after the start of hostilities in Goma and Bukavu. What looked as a replay of the 1996-1997 war, with similar causes and consequences, seemed path dependent, but critical junctures made it different. Rwanda and Uganda turned against their erstwhile ally Kabila, who in turn secured the support of his former foes, the ex-FAR.

Major shifts in alliances caused this not to be a repeat of the earlier war.³¹ When the Rwandan army launched a daring airborne operation on the Bas-Congo, to the west of Kinshasa, a surprise attack that would in all likelihood have toppled the Kabila regime, Angola intervened against its former ally Rwanda, and defeated the expeditionary force. Together with Zimbabwe, which also intervened on Kabila’s side, this led to military stalemate, preventing Rwanda and Uganda from forcing another regime change in Kinshasa. The Angolan intervention in particular was a critical juncture caused by the fact that Rwanda did not consult Angola while operating in its ‘backyard’ and by Angolan geostrategic interests more generally. The perception of Rwanda and Uganda allying with UNITA caused great alarm in Luanda.³² Another shift made the mai-mai militias in the east, which had been fighting Kabila even before he came to power, align with him in the context of an ‘anti-Tutsi’ coalition.³³ By far the most spectacular reversal occurred from August 1999, when the seemingly most loyal allies, Rwanda and Uganda, clashed militarily on several occasions on Congolese soil. Their falling apart also caused the RCD to split in several factions, thus confirming Tamm’s observations on the relationship between state sponsorship and insurgent fragmentation.³⁴ Afoaku too found that the fracturing of rebel movements during the second war was a reflection of differences between Rwanda and

Uganda.³⁵ The dramatic deterioration of relations between these two countries will be discussed in more detail later.

Rwanda's Proxy Warfare

We have seen that Rwanda created proxy rebel movements behind which it could hide its aggression in 1996 (AFDL) and 1998 (RCD). The Rwandan presence in the DRC continued well after it officially withdrew its troops in 2002, as was made clear by the unpublished part of a UN experts panel's report of October 2003.³⁶ The 'Rwanda Network' was considered by the panel 'to be the most serious threat to the Congolese Government of National Unity. The main actor in this network is the Rwandan security apparatus, whose objective is to maintain Rwandan presence in, and control of, the Kivus and possibly Ituri'.³⁷ A later UN panel was concerned that 'the territory of Rwanda continues to be used for recruitment, infiltration and destabilization purposes'.³⁸ A report released at the end of 2008 documented supplies of uniforms and ammunition, financial support, and military backing to the new Tutsi-dominated Congolese rebel movement *Conseil national pour la défense du peuple* (CNDP).³⁹ As a result, the Netherlands and Sweden, considered 'friends of the New Rwanda', suspended part of their budget support, and influential voices in the UK suggested that Rwanda's main bilateral donor should follow suit.⁴⁰

Rwanda orchestrated a coup within the CNDP, and after the rebel movement collapsed, it took again the risk of destabilizing North Kivu in the spring of 2012. Several reports showed that it supplied weapons, ammunition, and recruits to a new rebel movement, the M23, an offspring from the CNDP.⁴¹ These reports documented direct interventions by the Rwandan army into

Congolese territory to reinforce the M23, as well as support to other mutinies and secessionist politicians in eastern DRC. While Rwanda flatly denied the charges, even its staunchest allies had now had it. The US, the UK, the Netherlands, Germany, and Sweden suspended aid payments, and the head of the US War Crimes Office suggested that Rwandan leaders might be accountable under international criminal law for aiding and abetting a group committing war crimes.⁴² At a summit held in August, the Southern African Development Community (SADC), of which the DRC is a member, noted that rebel groups operated ‘with the assistance of Rwanda, and urged the latter to cease immediately its interference that constitutes a threat to peace and stability, not only of the DRC, but also of the SADC region’.⁴³ Despite these strong warnings, Rwanda continued to actively support the M23, as noted by subsequent reports.⁴⁴

The region finally reacted forcefully. An international Force Intervention Brigade (FIB), authorized by the UN Security Council in March 2013, was put in place by SADC with units from South Africa, Tanzania and Malawi under Tanzanian command. Around 3,000 elite troops with a solid mandate were deployed from late May, thus significantly internationalizing the conflict. This critical juncture soon bore fruit. Supported by the FIB and reinforced by a considerable improvement of their tactical and logistic capacity, the FARDC inflicted increasing casualties on the M23 which was also weakened by a split again (as with the CNDP) engineered by Rwanda. On 25 October, the FARDC pushed the M23 towards the border with Rwanda, where it was supported by Rwandan army tanks. The M23’s fate was however sealed when, on November 1st, the US and UK Foreign Affairs ministers told Kagame in no uncertain terms to keep out of the conflict.⁴⁵ On 3 November, the M23 chair acknowledged defeat and ordered the cessation of hostilities. The ease with which the M23 was defeated shows that it was a hollow shell with little military substance without Rwanda’s support. The waging of proxy wars was

path dependent. While Rwanda's security concerns decreased, economic considerations became gradually more prominent, as the exploitation of Congolese natural resources was important not only for the enrichment of the 'networks', but also for regime stability.

For Rwanda the outcome of this episode was catastrophic. With the M23's defeat it lost its last foothold in the DRC, thus depriving it of a political, military and economic presence in a part of Congo it considered a 'natural' area of influence. Another price it paid was the loss of sympathy –or at least a degree of understanding– on the part of powerful international allies. Finally, this episode also increased Rwanda's regional isolation. Not only was its proxy defeated with the crucial support of Tanzania and South Africa, but relations had already soured with Tanzania after President Kikwete suggested at a UA summit in May 2013 that the Rwandan government should engage in talks with the *Forces démocratiques pour la libération du Rwanda* (FDLR) rebel leadership, a move that led to violent verbal exchanges between the two countries. This regional isolation was to become even more pronounced when Rwanda fell out with Uganda.

Rwanda-Uganda Conflicts

Possibly the most dangerous conflict today is the one that has been brewing between Rwanda and Uganda for two decades. We have seen that the recent political histories of both countries are closely intertwined. Rwandan Tutsi refugees helped Museveni seize power in Uganda, Museveni helped the RPF capture power in Rwanda, and both were faced with similar security concerns in the then Zaire which they addressed in close co-operation. However, in the context of the shifting alliances discussed earlier, in August 1999, in the words of Charles

Onyango-Obbo ‘the impossible happened’.⁴⁶ In August 1999, the Rwandan and Ugandan armies fought a heavy battle in the DRC’s Kisangani area, and more clashes followed later. In May-June 2000, they again confronted each other; heavy weapons were used, and some 400 civilians and 120 soldiers were killed. Just like the Rwandan civil war had extended to the territory of the vast but weak neighbour in 1996, the Rwandan-Ugandan conflict was now fought out extraterritorially on Congolese soil.

The rift had several causes: Kagame and Museveni disagreed on how to politically handle the Congo situation, elite networks in both countries were engaged in a competition to extract Congolese resources, and Museveni resented the geopolitical ambitions of his small neighbour and what he saw as a lack of gratitude displayed by Kagame.⁴⁷ While there were many reasons for their fallout, Tamm has convincingly argued that a social-psychological perspective focused on status competition between the countries’ ruling elites offers the most compelling answer. Long treated as ‘Museveni’s boys’, the new Rwandan rulers wanted to enhance their social status vis-à-vis the Ugandans, seeking first equality and then regional superiority.⁴⁸ Relations remained tense after Kisangani. Both countries traded accusations of supporting each other’s rebel groups, which indeed they did, and in March 2001, Rwanda was declared a ‘hostile nation’ by the Ugandan government. By the end of 2001, they were at the brink of direct war on their common border. Only after the UK Secretary of State for International Development Clare Short summoned her two *protégés* to London did the threat of an actual war subside, but relations never became cordial again. Direct war between the two was again narrowly averted in early 2003 when Rwanda intervened in the conflict in the DRC’s Ituri region, considered by Uganda as its backyard (and a hotspot of gold trafficking by Ugandan military officers).

The early 2000s fallout was followed by a long lull during which relations were correct without being cordial. For instance, Rwanda joined the East African Community (EAC) in 2007 and the Commonwealth in 2009 without Uganda offering any opposition. However, relations between the two countries started to deteriorate again in early 2017. In February, the Rwandan news agency *Rushyashya*, considered an intelligence outlet, claimed that a Uganda-backed rebel force was being set up at a training camp in Kijuru forest to the West of Kampala. In October, Rwanda expressed concern again about Ugandan support for ‘Rwandan enemies’. Things came to a head at the end of the month, when nine people –among whom several senior Ugandan police officers– were arrested and charged with conspiracy with Rwanda in the kidnap of Rwandan Lieutenant Joël Mutabazi, who had sought refuge in Kampala, in 2013. Mutabazi was illegally deported to Rwanda and sentenced to life imprisonment there on several counts related to subversion. In mid-December, the Ugandan Chieftaincy of Military Intelligence (CMI) detained a high ranking RPF official for ‘alleged espionage and activities which threaten national security’.

This was seen by Rwanda as a hostile act adding insult to injury. Indeed, other areas have also become bones of contention, such as air traffic rights, priorities on the construction of a new standard gauge railway, energy projects, and French support for the training of Uganda People’s Defence Forces (UPDF) units. On 12 December, the Rwandan government sent a strong-worded note to the Ugandan Foreign Ministry, complaining about the arrests and the support for activities of the opposition group Rwanda National Congress (RNC), considered a ‘terrorist organization’ by Kigali.⁴⁹

The degradation of relations continued throughout 2018 and 2019. A brief sample of incidents must suffice to show this development. In March 2018, Kigali again accused Kampala

of illegal detention and torture of its citizens and harbouring dissidents intent on destabilizing Rwanda. This came in the wake of the sacking and subsequent arrest of Uganda's Inspector General of Police, Gen. Kale Kayihura, and other officials suspected of having close ties with Kigali. Later that month, Museveni cancelled a visit to Rwanda over apparent security concerns. Despite a meeting between Museveni and Kagame at State House in Entebbe on 25 March to iron out their differences, the situation did not improve.

Ugandan nationals claimed to have been arbitrarily sacked in Rwandan media, schools and banks, while suspected Rwandan agents fled Kampala as a result of a crackdown by Ugandan security forces. Things further escalated when a Ugandan minister referred to Rwanda as 'a cup of porridge that is cold on top but too hot inside'. Another minister stated that Rwandans fleeing to Uganda 'are running away from the system that is in Kigali now'. The Rwandan deputy Foreign Minister called such statements 'unacceptable'. Incidents also affected regional trade, for instance when in October, two Rwandan trucks were impounded at the Gatuna border crossing. Ugandan officials claimed they were transporting minerals using forged documents, a claim denied by the Rwandan Mining Association.

In March 2019, Kagame lashed out, claiming Uganda 'had been undermining Rwanda since 1998'. He added that, faced with attempts to destabilize the country, 'no one can bring me to my knees'. Museveni responded on the same day with a pointed warning: 'Those who want to destabilize our country do not know our capacity. Once we mobilize, you can't survive'. The Rwandan government advised its citizens not to travel to Uganda for safety reasons, and a week later effectively closed the border. This left hundreds of trucks stranded. Even ordinary Rwandans who used to go to Uganda for purchases, education or medical care were prevented from crossing into Uganda. Unconfirmed reports mentioned the deployment of troops on both

sides of the border, and the possibility of war was no longer excluded. Influential news outlets on both sides issued warnings. The RPF's daily *The New Times* pointed at 'something that was thought unthinkable. War seems inevitable, more than ever before'⁵⁰, while a few days later, leading Ugandan journalist Andrew Mwenda wrote that the conflict was escalating and, 'if not arrested, will most likely lead to war'.⁵¹ At the time of writing, it remains to be seen whether these are self-fulfilling or self-destroying prophecies. On 21 August 2019 Uganda and Rwanda signed a memorandum of understanding in Luanda under the good offices of Angola and the DRC, but the first signals didn't bode well for its effective implementation.

Reciprocal verbal abuse continued during 2019 and early 2020, and there are no signs of the mending of relations. This deterioration is path dependent since the late 1990s. Geopolitical issues with regard to the DRC and beyond, security threats perceived by both countries, and the complicated relationship between Museveni and Kagame explain this state of affairs which may linger on for some time, unless an as yet unpredictable critical juncture intervenes to end the stalemate one way or another.

Rwanda-Burundi Fallout

The relations between Rwanda and Burundi have been frosty for the last twenty years. In particular, Rwanda –which practises a de-ethnicisation policy since the RPF came to power– resents Burundi's choice of institutionalizing ethnicity which it considers an 'anti-model'. The situation gravely deteriorated when President Nkurunziza sought and won a third term in 2015, but Rwanda earlier suspected Bujumbura of supporting the FDLR rebels. Burundi has since accused Rwanda of supporting rebels intent on overthrowing the Bujumbura regime. These

accusations were confirmed by several independent reports that showed the recruitment, training and arming of Burundian refugees by the Rwandan army.⁵² In July 2016, the Burundian delegation pulled out of the African Union summit in Kigali, citing security concerns. A few days later, Burundi prohibited the export of foodstuffs to Rwanda. In early August, the ruling party CNDD-FDD's youth league *Imbonerakure* organized a march close to the border claimed to be 'Kagame's burial'. At the end of November, Burundi accused Rwanda of attempting to assassinate one of Nkurunziza's top aides.

The trading of accusations by both countries that they were engaging in operations aimed at destabilizing the other came to the fore again in June 2018, when several attacks took place in the area of Rwanda's Nyaruguru's district, close to the Burundian and Congolese borders. A further demonstration of the bad relations between the two countries was a letter sent on 4 December by Burundian President Nkurunziza to President Museveni in which he asked to convene a special summit of the region's heads of state in order to address what he called the 'open conflict' with Rwanda, which he called an 'enemy'. In July, the Rwandan army engaged armed assailants in Nyungwe forest close to the border with Burundi. Around the same period, the *Mouvement rwandais pour le changement démocratique* (MRCD), created in exile in mid-2017, claimed it conducted these attacks through its military wing, the *Forces de libération nationale* (FLN). In a region with porous borders, the area where Burundi, Rwanda and the DRC meet remained unstable. Cross-border regional dynamics were again confirmed by the UN Group of Experts, which found that an armed group with Congolese Banyamulenge and Rwandan combatants, allegedly linked to the RNC, operated in the border area assisted by a recruitment network directed from Bujumbura.⁵³ A particularly grave incident occurred in late November 2019, when a Burundian army position was attacked close to the Rwandan border.

This surprise attack left dozens of military dead or wounded. The Burundian government accused Rwanda of aggression, constituting ‘a threat to peace and security in the entire great lakes region’. If repeated, Burundi would use its ‘right to legitimate self-defence’.

As relations between Rwanda and Burundi have never been really cordial since independence, with Rwanda being dominated by Hutu élites and Burundi by Tutsi élites until the mid-1990s, these developments have been path dependent. However, the situation has considerably deteriorated by inverse critical junctures that occurred at about the same time in both countries, when Rwanda became dominated by assertive Tutsi rulers and Burundi by Hutu rulers, thus injecting a great deal of uncertainty in relations.

Conclusion

To what extent were the conflicts discussed in this article path dependent or the outcome of critical junctures? Two initial events that set in motion a long chain were contingent, meaning that they did not need to happen. These were the departure into exile of large numbers of Rwandan Tutsi since 1959 and the fact that a militarized fraction of them joined Museveni’s rebellion that emerged victorious in 1986. For its part, the RPF’s invasion of Rwanda in 1990 was path dependent: the Rwandan refugees had decided for some time that the only solution to their problem was to return to Rwanda, in a negotiated or violent fashion, and they had acquired the military capacity and were given the Ugandan support that allowed them to do so. The resumption of the civil war and the genocide were sparked by a contingent event, namely the downing of Rwandan President Habyarimana’s plane. Nevertheless the war and the genocide too were path dependent, as it was clear that the Arusha peace accord would not hold, and that the

RPF was intent on taking power militarily, as it could not do so through elections.⁵⁴ This path dependence is even more convincing if the RPF committed the plane attack, which is very likely.⁵⁵

The first Congo war was also path dependent. The defeated FAR and militia had settled just across the border in the then Zaire, and they constituted a clear and imminent threat to the new Rwandan regime. In fact, the destruction of the refugee camps and the massacre of the Hutu refugees were the extraterritorial extension of the Rwandan civil war on the territory of a weak neighbouring state. Things changed during the second war, when several critical junctures occurred. As the alliances were circumstantial and therefore fragile, they shifted dramatically. However, none of those shifts was inevitable and they were contingent. Angola intervened against its former ally Rwanda for reasons that were not intrinsically linked to the war, but rather because of Luanda's geostrategic interests in the west, a fact that was ignored or at least underestimated by Rwanda. Likewise the spectacular fallout between Uganda and Rwanda was caused by a combination of contingent factors discussed earlier. This critical juncture lay the basis for the path dependent evolution of relations between both countries that brought them on the brink of direct war.

While the DRC's neighbours have played a central role in the conflicts, there was an increasing involvement of Southern African actors. Countries like South Africa, Zimbabwe and, through SADC, Tanzania have become keen interveners for an array of reasons: economic interests, displaying political and diplomatic clout, and concerns about the region's stability. These explain the siding of Zimbabwe and Angola with Kabila during the second war and the determining role played by SADC in defeating the M23 and, indirectly, Rwanda. They also

allow understanding the intense diplomatic effort deployed by South Africa in the early 2000s to bring the Congo war to an end.

Despite the involvement of so many players, Rwanda is clearly the spider in the web, as it was involved in all conflicts, in which it invariably played a central role. One reason for this was mentioned earlier, namely the RPF's very experience. Ever since their leaders (or the parents of their leaders) lived in Uganda, they were involved in violence, as perpetrators, victims or bystanders. Not only had the gun served them well in the past, but they also realized that mediation, compromise and agreements didn't offer the same advantages as military victory. But this conviction was not just based on recent direct experience. There is a saying attributed to King Rujugira (late eighteenth century) that 'Rwanda attacks, it cannot be attacked' (*Urwanda ruratera, ntiruterwa*).⁵⁶ Precolonial Rwanda was indeed a deeply militarized society, marked by 'the institutionalization of a glorification of militarism and martial violence that finally permeated the whole of (Rwanda's) culture as the armies became the foundation of the administrative structure of the realm'.⁵⁷

The RPF constantly refers to this past, of which it has 'rosy views'⁵⁸, and there is indeed considerable continuity from precolonial to post-1994 Rwanda.⁵⁹ Military norms and values today again pervade the entire Rwandan society⁶⁰, showing the continuation of a 'belligerent nationalism' from diaspora communities to current day Rwanda.⁶¹ One could say therefore that a long path dependence, spanning two centuries, helps understanding the cross border conflicts that have marked the great lakes region during the last three decades.

However, this spill-over of neighbouring conflicts could not have occurred had Zaire/Congo been a functioning state, including under the form of a real army. Reconstructing a polity that can perform minimal state functions is an essential condition for both national

development and regional stability. In light of the extent of state decay, the sheer size of the country, the degree of fragmentation, and indeed the nature of the political leadership and of the political culture more generally, this is a colossal task.

The conceptual framework exploited in this article is not only useful as an analytical tool for understanding the threads of the complex conflicts discussed here, but may also be helpful to support policy-makers to address conflict and insecurity in Central Africa and elsewhere.

Attempting to understand coming, current and past events in terms of path dependence and critical junctures, or as a combination of both, may offer a useful tool to anticipate or mitigate destabilisation, violence and humanitarian disaster. These analytical instruments allow distinguishing what is likely to happen from what is not. They may inform on the emergence, unravelling and ending of conflicts, and therefore allow to better anticipate and intervene, if and where necessary and possible. In other words, analysing expected or unfolding events may be a tool of conflict prevention and management.

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Notes

¹ Erdmann, Gero and Stroh, 'Can Historical Institutionalism', 6.

² Collier and Collier, *Shaping the political arena*.

³ Abbot, 'On the concept of turning point'.

⁴ Erdmann, Gero and Stroh, 'Can Historical Institutionalism', 12.

⁵ Capoccia and Kelemen, 'The Study of Critical Junctures', 341.

⁶ *Idem*, 348. Italics in the original text.

⁷ *Idem*, 355.

⁸ Mahoney, 'Path dependence', 513.

⁹ *Idem*, 527.

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- ¹⁰ Mahoney, *Legacies of liberalism*, 7.
- ¹¹ Other more historical critical junctures, such as the rebellions and secessions in Congo and the 1972 genocide in Burundi, will not be addressed here for lack of space.
- ¹² Guichaoua, *Le problème des réfugiés*, 17.
- ¹³ Gérard Prunier, who was in Kampala immediately after the NRA take-over, believes the figure was much higher and that Rwandan combatants could well have numbered 40% of the NRA. According to some of his Ugandan sources, 'the Rwandans were everywhere' (personal communication).
- ¹⁴ Kimonyo, *Transforming Rwanda*, 44-46.
- ¹⁵ On the creation of the RPF, see Roessler and Verhoeven, *Why Comrades*, 108-119; Kimonyo, *Transforming Rwanda*, 80-84.
- ¹⁶ On the run-up to the invasion, see Reyntjens, *L'Afrique des grands lacs*, 145-156.
- ¹⁷ In a declaration to the diplomatic community in Kampala on 16 October 1990, Museveni stated: 'If there is one issue on which opinion in Uganda is unanimous, it is the view that Banyarwanda should go back to their country'.
- ¹⁸ Prunier, 'Eléments', 130.
- ¹⁹ Mobutu also had an interest in keeping the refugee crisis festering because of his links with the former Rwandan regime and in order to bolster his international indispensability.
- ²⁰ On this distinction between empirical and legal statehood, see Jackson and Rosberg, 'Why Africa's Weak States Persist'.
- ²¹ Soares de Oliveira and Verhoeven, 'Taming Intervention', 14.
- ²² Roessler and Verhoeven, *Why Comrades*, 170-176.
- ²³ Prunier, *Africa's World War*, 13.
- ²⁴ *Idem*, 22.
- ²⁵ Lemarchand, *The Dynamics*, 12-16.
- ²⁶ *Idem*, 34.
- ²⁷ This is by no means exceptional. Tamm notes that in most cases, state sponsors are involved in the initial creation –or at least proper emergence– of rebel groups (Tamm, 'Rebel leaders', 602). Earlier Clark ('Introduction') argued that the main rebel groups in Zaire/DRC were largely the creation of outside interveners: the AFDL mainly by Rwanda with Ugandan blessing, one faction of the RCD by Rwanda, another faction of the RCD and the *Mouvement de libération du Congo* (MLC) by Uganda.
- ²⁸ Pomfret, John, 'Defense Minister Says Arms, Troops Supplied for Anti-Mobutu Drive', *The Washington Post*, 9 July 1997.
- ²⁹ United Nations, High Commissioner for Human Rights 2010, para 31.
- ³⁰ Longman, 'The Complex Reasons'.
- ³¹ On this second war, dubbed 'Africa's world war', see Clark, *The African Stakes*, Prunier, *Africa's World War*, Reyntjens, *The Great African War*, Stearns, *Dancing*, Roessler and Verhoeven, *Why Comrades*.
- ³² Turner, 'Angola's Role'; Roessler and Verhoeven, *Why Comrades*, 389-395.
- ³³ Van Acker and Vlassenroot, 'Les "mai-mai"'.
- ³⁴ Tamm, 'Rebel Leaders'.
- ³⁵ Afoaku, 'Congo's Rebels'.
- ³⁶ United Nations, Security Council 2003.
- ³⁷ *Idem*, para 2 of the unpublished Section V of the report.
- ³⁸ United Nations, Security Council 2005, para 185.
- ³⁹ United Nations, Security Council 2008, para 61-68.
- ⁴⁰ Dowden, Richard, 'Britain should cease its one-sided support for Rwanda', *The Independent* (London), 15 December 2008.
- ⁴¹ Human Rights Watch, 'DR Congo: Rwanda Should Stop Aiding War Crimes Suspect. Congolese Renegade General Bosco Ntaganda Receives Recruits and Weapons from Rwanda', 4 June 2012; United Nations, Security Council 2012a.
- ⁴² McGreal, Chris, 'Rwanda's Paul Kagame Warned He May Be Charged With Aiding War Crimes', *The Guardian*, 25 July 2012.
- ⁴³ 'Final Communiqué of the 32nd summit of SADC Heads of State and Government', Maputo, 18 August 2012, para 13.1.
- ⁴⁴ Human Rights Watch, 'DR Congo: M23 Rebels Committing War Crimes. Rwandan Officials Should Immediately Halt All Support or Face Sanctions', 11 September 2012; United Nations, Security Council 2012.

⁴⁵Pflanz, Mike, 'DR Congo: M23 rebels close to defeat after US and Britain urge Rwanda to stay off', *The Daily Telegraph*, 31 October 2013; Olivier, Darren, 'How M23 was rolled back', *African Defence Review*, 30 October 2013.

⁴⁶*The East African*, 30 August-5 September 1999.

⁴⁷McKnight, 'The Rise and Fall'.

⁴⁸Tamm, 'Status competition'.

⁴⁹Extracts of the letter can be found in 'Exclusive: Rwanda Writes Protest Letter to Uganda over Arrests; Gen Nyamwasa "Recruitment"', *Chimpreports*, 21 December 2017.

⁵⁰Rudatsimburwa, Albert, 'By parading Rwanda's dead for political points, Uganda crosses the line', *The New Times* (Kigali), 28 May 2019.

⁵¹Mwenda, Andrew, 'Uganda and Rwanda on a slippery slope', *The Independent* (Kampala), 3 June 2019.

⁵²Refugees International, *Asylum Betrayed*; United Nations, Security Council 2016; Human Rights Watch, *Burundi: Abductions, Killings Spread Fear. UN Security Council Should Press for Deployment of International Police Presence*, 25 February 2016.

⁵³United Nations, Security Council 2018, 9-10.

⁵⁴For their part, the hardliners of the old regime too were reluctant to embark on a process of democratization as this would put an end to their privileges.

⁵⁵Although a French judicial inquiry on the matter did not lead to indictments of Rwandan officials suspected of having committed the crime, the decision not to prosecute lists many indications of the RPF's involvement. However, the investigating judges found that the accumulation of evidence 'did not constitute grave and concordant charges allowing to defer the suspects to the assize court' (Cour d'Appel de Paris, Tribunal de Grande Instance de Paris, Ordonnance de non-lieu, 21 December 2018).

⁵⁶Kagame, *Un abrégé*, 137. A former holder of high office told this author that this saying is regularly recited in conversations between President Kagame and top military officers.

⁵⁷Vansina, *Antecedents*, 61.

⁵⁸Roessler and Verhoeven, *Why Comrades*, 110.

⁵⁹Reyntjens, 'Understanding'.

⁶⁰Purdeková, Reyntjens and Wilén, Nina, 'Militarisation of governance'.

⁶¹Riot, Bancel and Rutayisire, 'Un art guerrier'.