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## **Power, institutions, and state-building after war**

A controlled comparison of Rwanda and Burundi

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**Abstract:** I examine whether and how the means through which a civil war ends affects the success of a country's state-building strategy after conflict. I show that two distinct modes of conflict termination—military victories and negotiated settlements—lead to differential long-run state-building outcomes and offer an explanation of the mechanism behind the divergence. In a military victory, the coercive balance-of-power at the end of war favourable to the victor enables it to dictate the post-conflict institutional design and skew power formally in its favour. In a negotiated settlement, formal power is distributed by design among multiple parties to avoid the dominance of any single actor. These differences in turn have implications for the distribution of informal power in the post-war context whose influence is exercised through private networks of party members and loyalists. Informal power becomes concentrated in the victorious party because its opponent is typically excluded from the post-conflict political process and expelled from the territory. In contrast, in negotiated settlements informal power is commonly diffuse because the inclusion of erstwhile military rivals in the political process enables the operation of multiple informal networks that then compete for influence. I suggest that when both formal and informal power become concentrated in a single actor—a militarily victorious party—power may even become hegemonic. The dominance of the victorious party is assured because the basis of its rule becomes both coercion and consent. This mutes resistance to its post-conflict agenda and, consequently, strengthens its capacity to implement its state-building strategy. I trace this causal process over a period of two decades through a controlled comparison of Rwanda and Burundi whose civil wars terminated through military victory and negotiated settlement, respectively. The findings have implications for theories of liberal peacebuilding, institutional independence, and the distribution of power in post-conflict contexts.

**Key words:** civil wars, negotiated settlements, state-building

**JEL classification:** D74, F51, F53

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## 1 Introduction

A long-standing question in the ever-expanding scholarship on the consequences of civil wars is whether the means by which the war ends matters in the long-run for success in post-conflict state-building (Downes 2004; Gromes and Ranft 2021; Licklider 1995; Nilsson 2010; Toft 2010). Does the mode of conflict termination have an impact in the long run on normatively important objectives such as political governance, economic development, and social stability in post-conflict states? Of 228 episodes of civil war observed between 1946 and 2021, 98 (43.0 per cent) ended by mutual agreement—either a peace agreement or ceasefire agreement—whereas 130 (57.0 per cent) ended through military victory—either by a government or a non-state actor (Kreutz 2010).<sup>1</sup> These figures become 81 (64.3 per cent) by agreement and 45 (35.7 per cent) by victory after the Cold War. Yet, the conventional prescription of a negotiated settlement—a peace agreement—advocated by proponents of post-Cold War liberal internationalism has been called into question by the trajectories of illiberal regimes born of outright military victories (de Oliveira 2011; Jones et al. 2012; Waldorf et al. 2020). The remarkable and sustained state-building observed in post-conflict Rwanda, Angola, and Ethiopia, for example, stands out from the experience of Burundi, Mozambique, and Liberia. The latter set of countries all adopted externally mediated settlements to resolve internal conflicts. Their record begs the question of whether an outright military victory is more conducive to successful state-building than a negotiated settlement.

This article addresses this question by comparing the trajectories of the two small central African states of Rwanda and Burundi. Both countries experienced mass ethnic violence in the mid-1990s in the context of civil wars. Burundi's conflict formally ended through a peace agreement negotiated between the warring parties in 2000 (although two key rebel actors fought on until 2005 and 2006). In contrast, Rwanda's war came definitively to an end through the military defeat of the government by their rebel opponents in 1994. Crucially, the principal civilian and military actors responsible for the extreme ethnic violence in Rwanda went into exile, where many remain till today. The genocidaires lost and left. In Burundi, however, these individuals remained in the country and went on to participate in the country's domestic politics and, for some time, even in the government. The genocidaires negotiated and stayed.

The comparison presents then an opportunity to examine the long-run impact of two distinct modes of conflict termination: exclusive military victory and inclusive negotiated settlement. The comparison is strengthened by the similarity of the two countries on a number of theoretically relevant dimensions. Both countries have similar physical geographies, colonial histories, population sizes and densities, ethnic demographics, ethnocratic regime types, economic and human development levels, cultures and religions, and natural resource endowments. The comparative case studies then offer a degree of control for heterogeneity rarely achievable in analysis at the country level.

Notwithstanding these structurally similar initial conditions at the point of conflict termination, the state-building trajectories of these two countries differ significantly *ex post*. Viewed through the lenses of economic and social development, their divergent performance is dramatic. Rwanda has grown its economy, diversified its structure, reduced poverty, raised life expectancy, increased educational enrolment, built effective state institutions, lowered corruption, achieved physical security, and attracted foreign investment. In short, Rwanda has modernized and it has done so

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<sup>1</sup> These numbers exclude civil war episodes deemed to have ended because of low activity (fewer than 25 battle-related deaths) or because one of the warring parties ceased to exist or transformed into another party.

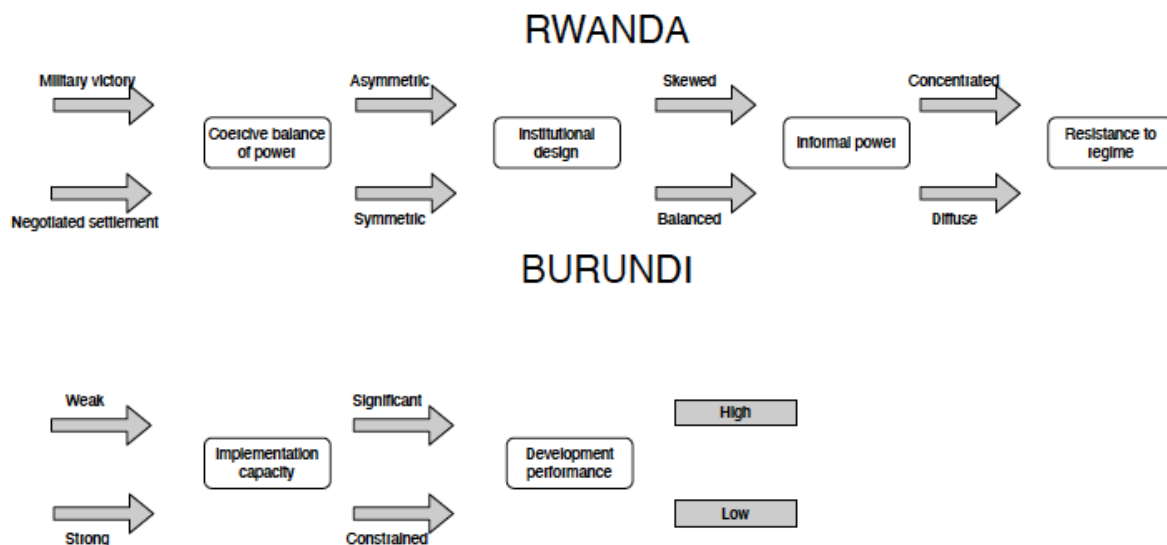
rapidly. Burundi, by comparison, has performed significantly worse on each of these measures. The contrast is stark. While the overall trend lines for key development indicators over the last two decades is upwards for both countries, the rate of change in Rwanda is significantly faster. Its socio-economic developmental performance has simply been superior.

The narrative, however, differs when the political development records of the two countries is examined. Instead, convergence is observed. Evaluated for their democratic practices, political freedoms, and civil liberties, both countries perform poorly. They each began their post-conflict trajectories with power-sharing transition periods followed by competitive elections. Rwanda's performance since holding its first presidential and legislative elections in 2003 was and continues to be poor. In several expert assessments (Purdeková 2011; Reyntjens 2004; Straus and Waldorf 2011), Rwanda has in fact become progressively more authoritarian. Burundi, in contrast, began its post-transition period with higher democratic standards than Rwanda. The 2000 Arusha Accord had put in place a transitional arrangement that involved genuine power-sharing. However, since the country's first presidential and legislative elections in 2005, Burundi's democratic performance has also steadily declined. It precipitously plummeted in 2015 when the incumbent president pushed through a constitutional amendment to allow himself a third term that sparked widespread popular protest and a military coup attempt (Vandeginste 2009).

Notwithstanding the authoritarian shifts that both countries underwent, the divergence in their social and economic development trajectories presents an empirical puzzle. Why has Rwanda achieved so much more developmentally than Burundi given their similar starting points and similar country profiles? The puzzle begs the question of whether, and if so how, the mode of conflict termination shaped each country's trajectory.

I answer the question in the affirmative. The mode of conflict termination *did* have an effect on the long-run development performance of each country. I show also *how* this occurred by tracing the steps in each country's causal pathway over two decades from the time of conflict termination to the present day. Altogether, I distinguish five distinct steps in the causal process which I visualize in Figure 1.

Figure 1: Tracing the process from conflict termination to development outcomes



Source: author's compilation based on their theoretical argument.

Step 1 assesses the coercive balance-of-power in each country at the time of conflict termination. In Rwanda, the exclusive military victory of the Rwandan Patriotic Front (RPF) meant it was in a

strong position to dictate with little restraint the terms of the post-conflict institutional design. In contrast, in Burundi, there was no clear victor. The settlement negotiated between the government and the various rebel groups reflected this more symmetrical balance-of-power and meant no single actor was given a dominant position in the transitional arrangements.

Step 2 examines the specific institutional design chosen for the exercise of political power in the transition period immediately following the termination of the conflict. This was not simply a matter of finding the optimal technical configuration. Institutional choice was a highly political exercise. I show how the rules for the formal distribution of political power reflected the differences in the coercive balance-of-power between the warring parties at the time of conflict termination. In Rwanda, the design was skewed in favour of the RPF. In Burundi, formal political power was distributed more evenly among the competing actors. Its post-war constitution mandated power to be shared across both ethnic and party lines.

Step 3 examines the distribution of *informal* power in each country following the termination of war. I develop the construct of informal political power to refer to the regime's ability to influence behaviour in the public and private spheres beyond the scope of its formal legal authority, that is, without reliance on written rules. Informal power is exercised in the post-war context through private networks of party members and loyalists who operate at various levels of society. In both countries, informal power was significant. However, in Burundi the inclusion of former military rivals in the post-war political process meant powerful individuals and networks that had once been oppositional were able to continue to compete for influence. In contrast, in Rwanda informal power was concentrated in a single actor: the RPF. The individuals and networks responsible for the genocide were in exile and not participants in either Rwanda's legislative or executive politics.

Step 4 then considers what the concentration and diffusion of informal political power in Rwanda and Burundi, respectively, meant for resistance to the regime. In Burundi, the National Council for the Defence of Democracy-Forces for the Defence of Democracy (hereafter, CNDD-FDD) won the largest number of votes in all of the country's legislative and presidential elections held since the termination of the war. Despite this, the party faced significant resistance to its agenda both inside and outside of government. Burundian politics were openly and deeply contested. In Rwanda, the RPF similarly won clear majorities in the country's post-war legislative and presidential elections. Yet, in contrast with Burundi, opposition to the RPF's agenda was noticeably much more muted. Contestation was significantly constrained. The difference, I argue, reflects the significant concentration of both formal *and* informal power in a single political actor in Rwanda compared with its diffusion across multiple competing actors in Burundi. This concentration of power made the RPF hegemonic. Rwandans simply did not protest or otherwise openly dissent. This was not only because the RPF could deploy the coercive apparatus of the state to ensure compliance. It was also because Rwandans consented to RPF domination. One stark expression of this difference is legible in the popular reaction to the decision to amend the constitutions in both countries to allow each incumbent president a third term of office. In Burundi, the response was massive, sustained, and violent. In Rwanda, the response was conspicuous by its absence. There were almost no open protests or demonstrations against it.

Finally, in Step 5 I consider what these differential constraints on the exercise of formal and informal power signified for the capacity of each regime to implement policies in furtherance of their agenda. In Rwanda, it meant the RPF had significant potential to pursue its developmental objectives unhindered by opposition to the exercise of its formal or informal power. In Burundi, by comparison, the CNDD-FDD, at least in its first decade in power, faced significant overt resistance to its agenda. Power was divided in Burundi and this made both elite consensus and popular compliance difficult to achieve.

The paper makes three key contributions. First, theoretically, the article extends the concept of hegemony, originally developed to explain consent to domination in capitalist and international systems, to post-conflict settings. A hegemon may emerge after internal conflict when both formal and informal power are concentrated in a single military victor whose former opponents are entirely excluded from the post-war political process and physically expelled from a territory. Little resistance is offered after war to the hegemonic actor because it is capable of deploying coercion to achieve compliance and because it has the means to persuade would-be resisters to change their beliefs and willingly consent to its rule. Hegemony is achieved through both sanctions and socialization.

Second, empirically, the article contributes to understanding the long-run consequences of civil wars and expands the long-standing debate on whether and how the mode of conflict termination is consequential to include discussion of its impact not only on long-term peace and stability—the most-studied explanandum—but also on state-building in the long run. It brings together work on conflict termination and work on post-conflict state-building and specifically refines the well-known critique levelled at the liberal international peacebuilding model. The problem is not only that liberalization—the opening up of politics and markets to competition—is destabilizing. It is also that the inclusion of erstwhile rivals in the post-conflict political process—usually by an externally-mediated settlement—produces a distribution of formal *and* informal power that enables resistance to the state-building aspirations of the post-war regime. The remarkable post-war performance of several illiberal peacebuilders may be traced to the defeat and exclusion of military rivals from the post-war political landscape. Equity and effectiveness then should both be considerations for planners of peace policy when designing external interventions.

Finally, the article makes clear that institutionalization in a post-conflict context does not only involve building an institution's *capacity*. It also requires strengthening an institution's *autonomy*. In Rwanda, state institutions were capable; in Burundi, much less so. However, in neither country were state institutions independent. Their resistance to capture by individuals was a function of the extent of informal power in each country. In both Burundi and Rwanda, through private networks of party members and supporters, political actors exercised considerable informal power that exceeded the scope of their formal authority. In Burundi, this informal power was distributed across competing private networks of influence and this diffusion in turn undermined institutional effectiveness. In Rwanda, however, informal power was concentrated in a single victorious actor that captured all state institutions but left uncertain their effectiveness in the absence of that actor.

The article is structured as follows. In Section 2, I present the theoretical framework. In Section 3, I set out the research design. In Section 4, I present the results of the controlled case studies analysis. Finally, in Section 5, I discuss the findings and conclude.

## **2 Theoretical framework**

### **2.1 Giving war a chance**

The merits of outright military victories relative to negotiated settlements have a substantial body of scholarship behind them that, generally, has focused on the question of which mode of conflict termination is more conducive to an enduring peace. Complete military defeat—or exhaustion—of one side represents a superior resolution of the conflict from the perspective of peace because the capacity to reignite the war is substantially diminished (Luttwak 1999; Wagner 2000). In contrast, a negotiated settlement keeps alive the possibility that a party involved in the peace agreement may return to combat at some point because it has not been definitively determined

that it would lose on the battlefield. While military victory may produce a longer-lasting peace, the price, however, is the risk of substantial bloodshed, at least in the short term. To fight until one side surrenders or is physically eliminated risks atrocities, even genocide (Licklider 1995).

While the impact of the conflict termination mode on peace and stability has been well-studied, much less is known about its effect on other state-building objectives such as a country's long-term political and economic development. One large-sample empirical study has suggested that military victory—by the rebel group in particular—on average leads to a substantively larger decrease in authoritarianism compared with negotiated settlements (Toft 2010). However, when evaluated against the objective of economic prosperity, measured by gross domestic product (GDP), no long-term differences between the two modes of conflict termination are observable. The study leaves unaddressed the question of mechanism, however. The reason why there would or would not be differences in long-term outcomes between the modes of conflict termination is opaque. The causal pathway remains uncharted and it is to this gap in our understanding that this article speaks.

## **2.2 Illiberal peacebuilding**

The question of which mode of conflict termination is more conducive to successful state-building after war is of central importance for peace-making policy as settlements have been the preferred prescription of liberal internationalists for resolving civil conflicts since the end of the Cold War. In the classical liberal peacebuilding model, an external mediator brokers an agreement in which the terms of a power-sharing arrangement are set out between the warring parties. The power-sharing arrangement is temporary and part of the country's envisaged transition towards free markets and liberal democracy. At the end of the agreed transition period, the country then holds competitive elections. However, the merits of this standard model—which has been used to end wars in numerous African countries including Burundi—has been questioned. In a well-known critique, it has been argued that the competition implicit in the model is destabilizing (Paris 1997). It risks engendering, not resolving conflict. The revised prescription then is that countries should institutionalize before they liberalize.

The case against the liberal peacebuilding model has been further strengthened by the remarkable record of several countries that have not followed the liberal prescription of competition in politics and markets. These illiberal state-builders, which include Angola, Ethiopia, and Rwanda, have instead charted their own illiberal or non-liberal, path from conflict and have each made remarkable advances in social and economic development (Jones et al. 2012) In each of these cases, the illiberal regime was born of an outright military victory. There was no externally mediated, negotiated settlement. Their remarkable record raises the question of whether a causal link exists between victory and successful state-building after conflict, at least in the African context, and, if so, what explains it.

## **2.3 Dimensions of state and institutional strength**

The well-known criticism of the liberal international model of conflict termination, that it is destabilizing, argues for institutionalization before liberalization. Strong institutions are needed to mediate the conflicts that arise as a result of the competition created by opening up markets and politics. In the standard neoliberal model underpinning foreign aid, strong institutions are also seen as a precondition for development. Institutional quality is central to good governance. Much of the debate on state and institutional weakness, in Africa and elsewhere, however, has focused on the issue of capacity: the ability of the state or state institution to fulfil its formal functions. The idea of capacity is related to, though analytically distinct from, Michael Mann's (2008: 355) concept of infrastructural power, that is 'the capacity of the state to actually penetrate civil society, and to

implement logistically political decisions throughout'. While state capacity varies between countries, it is generally perceived as limited in sub-Saharan Africa. Sub-Saharan states are ineffective partly because their institutional capacity is low.

In addition to state capacity, a second dimension of state and institutional strength—one that has received less attention in policy-making communities—also matters: autonomy. Bureaucratic or state autonomy signifies the institution's or state's independence from private actors who may seek to instrumentalize or otherwise capture it in the pursuit of their own private interests (Fukuyama 2013; McDoom 2020; Skocpol 1979). The issue of institutional independence is particularly pertinent in the context of civil wars where a common aim of the challenger group is to (re-)capture a state it believes is already captured by a ruling group. The state is the prize. The Weberian notion then of a professional bureaucracy that would continue to execute its formal duties faithfully and resist the wishes of a rebel victor that had seized the state by force is an unrealistic expectation in such a context. One would expect the victor to wish to ensure that the state and its institutions recognize its authority and to put in place individuals who would do so. Institutional capture is an expected consequence of outright military victory.

It is conceivable then to have a country with institutions that are high in capacity but low in autonomy. The institution may possess the technocratic expertise to accomplish the formal objectives set for it, but it has been captured by powerful private forces that instrumentalize this capacity in the furtherance of their own interests. The officials and personnel who staff the institution comply first with these private interests before they exhibit commitment to public service and loyalty to the state. India exemplifies the 'soft' rather than 'weak' state wherein high state capacity has been hindered by low institutional autonomy (Myrdal 1967). The Indian Administrative Service has considerable technocratic capability but it is argued that the state has been captured by a multiplicity of vested private interests that hinders its effectiveness.

Yet, low institutional autonomy is not necessarily problematic. When private interests align with the public interest, then successful state-building may follow. Rwanda exemplifies this situation. Its institutions have been praised as highly effective and its development performance has been remarkable since the genocide. However, the independence of these institutions from the ruling RPF and President Paul Kagame—the military victors of Rwanda's civil war—is problematic (McDoom 2022). Notwithstanding the lack of institutional autonomy, the country has rapidly modernized because both President Kagame and the RPF are committed to a vision to transform the country into a middle-income economy.

## **2.4 Informal power and private networks**

Weak institutional autonomy is a function of strong informal power. I deploy the term informal power to describe an actor's ability to influence political behaviour in the public and private spheres in ways that exceed the scope of the formal legal authority they may possess. It is legible in a number of long-established concepts—neopatrimonialism, clientelism, and prebendalism, for example—that are used to explain political outcomes in weakly institutionalized contexts (Bratton and Van de Walle 1994; Lewis 1996). Informal power has been invoked explicitly to describe how politics operates in the Middle East and in sub-Saharan Africa, for example (Anceschi et al. 2014; Utas 2012). Informal power encompasses a broad range of behaviours intended to influence political outcomes without reliance on formal authority or legal process. It enables those who wield it to influence the appointment of civil servants and institutional office-holders, the award of public contracts, the conduct of criminal investigations, the outcomes of judicial processes, and the decisions of electoral bodies, among others. Informal power may also be exercised to influence political behaviour in the private sphere. It may shape the editorial policy of media organizations,



the material support of corporate actors, the agenda of political parties, the advocacy of civil society actors, and indeed the voting preferences of private citizens.

Informal power is, typically, exercised through private interpersonal networks. Concepts to which informal power is integral—neopatrimonialism, political clientelism, and prebendalism—each emphasize the role of networks in the exercise of this power. Political influence flows through the personalistic ties between actors. In a neopatrimonial system, patrimonial ties govern political behaviour but behind the façade of modern, rational institutions. Similarly, in a clientelist system, affective ties bind patrons and clients together and material benefits from the patron are exchanged for personal loyalty from the client. In a prebendalist system, elected officials and civil servants use their offices to distribute material benefits to their ethnic kin, co-religionists, and personal supporters. Private networks are the means through which informal power is exercised. Although frequently associated with problematic behaviours—rent-seeking, nepotism, and corruption—such networks are themselves normatively neutral and may equally facilitate normatively desirable behaviours. Embedded autonomy, for instance, refers to important linkages between state and society—ties between public and private actors—that promote successful industrialization (Evans 2012 [1995]). Similarly, infrastructural power, a measure of the penetration of civil society by the state, refers to the capacity of the state to implement its policies (Mann 1984). The ties between state and societal actors can be harnessed for both good and ill.

## 2.5 Hegemony ex-post conflict

The formality or informality of power used to influence political behaviour is a reference to its *basis*. Simply put, formal political power originates in written rules that are legible to all; informal power does not. In a post-conflict context, these rules may be found in a peace agreement or in a post-transition constitution. However, beyond the basis, the *mechanism* through which political power works is also of interest. What explains the presence or absence of resistance to domination by the victor in a post-conflict context?

Steven Lukes (2004) famously argued that power, which he defined as the ability of A to make B do something that is against B's interests, is exercisable in three dimensions. Power is exercised in its first dimension when a conflict exists that A resolves in A's favour and against B's interests (Dahl 1957). In its second dimension, power is exercised when A is able to influence the agenda so that the conflict or decision does not arise over which B would compete with A (Bachrach and Baratz 1970). Lukes, however, argued that power may also be exercised in a third dimension. This is the power exercised when A is able to get B willingly to follow A's agenda against B's ostensible interests. Lukes (2004: 28) termed this third dimension the 'supreme and most insidious exercise of power'.

I adopt Lukes' radical conceptualization of power and term this third dimension *hegemonic* power. A gets B to do something that is against B's interests, but with B's consent or acquiescence. Antonio Gramsci, in the context of explaining the absence of resistance of the Italian working class to domination by the bourgeoisie, defined hegemony as 'the "spontaneous" consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group' (in Hoare and Nowell-Smith 2005). David Laitin (1986) applied the concept of hegemony to ethnic and religious politics in Africa to explain the cultural dominance of one group in Nigeria. The concept also appears in international relations theory where a key debate relates to whether a hegemon maintains dominance through coercion or through consent (Ikenberry and Kupchan 1990). The relevance of the concept, however, has yet to be considered in the post-civil war context. I suggest the concept is useful to explain the dominance of a military victor and the absence of resistance to its rule after an internal conflict. I argue that hegemonic

power arises when both formal and informal power are concentrated in a single victorious actor after an internal war.

### **3 Research design: methods and case selection**

This paper examines the impact of the hypothesized explanatory variable—mode of conflict termination—through a controlled comparison of Rwanda and Burundi combined with process-tracing of the causal pathway in each case from conflict termination to contemporary developmental levels (i.e. the chosen outcome construct). The design involves both between-case and within-case analyses. Specifically, the comparative method used here is an application of Mill's method of difference or the most-similar cases design in which the cases are matched on as many variables as possible to control for observable heterogeneity. To address several well-known limitations of the method, the research design relies heavily on theory to identify causally relevant variables (Slater and Ziblatt 2013) and supplements the comparison with process-tracing to help address issues of complex causality, notably multiple causation, interaction effects, and equifinality (Liebersohn 1991). The design both aims to test a hypothesis, that the mode of conflict termination matters for post-conflict state-building, and to build a theory of how and why it matters, that is the causal mechanism at work.

Rwanda and Burundi, while sometimes described as false twins, do share a number of characteristics that are causally relevant for explaining their state-building trajectories. Table 1 summarizes the overall research design and the similarities between the countries. Both were administered together first as a German and then a Belgian colony and were subjected to similar colonial policies. Of particular note were the decisions to rule indirectly through the traditional monarchies and to favour the Tutsi minority over the Hutu majority in the allocation of positions and privileges. These sowed the seeds for inter-ethnic rivalry in both countries. In addition, Belgium introduced tea and coffee which would grow into important export industries in the postcolonial era. Belgium maintained and developed the agrarian base in each country and this would be a defining structural feature of their postcolonial economies. It meant both countries would be highly ruralized with some of the lowest urbanization levels on the continent. They were at similar levels of economic development at the time of conflict termination.

The social structure and ethnic demography of each country were also near-identical. Each comprised three main groups: a Hutu majority representing between 85 per cent and 90 per cent of the population, a Tutsi minority constituting between 10 per cent and 14 per cent, and an even smaller Twa minority of about 1 per cent. The structure was effectively bi-ethnic. These groups were also ranked with Tutsi at the apex and Twa at the bottom of the social hierarchy. These facts structured politics in each country in which the competition over power, resources, and status between the two numerically larger interest groups, the Hutu and Tutsi, was a recurring (though not the sole) fault line.

Table 1: Summary of variable values in proposed theoretical model

|         | Independent variables     |                   |             | Control variables |                   |             |                  |                    |                   |                    | Dependent variables        |                       |
|---------|---------------------------|-------------------|-------------|-------------------|-------------------|-------------|------------------|--------------------|-------------------|--------------------|----------------------------|-----------------------|
|         | Conflict termination mode | Conflict duration | Foreign aid | Colonial legacy   | Development level | Regime type | Social structure | Ethnic composition | Natural resources | Population density | Socio-economic development | Political development |
| Rwanda  | Military victory          | Short             | Significant | Belgian           | Low               | Ethnocratic | Ranked           | Similar            | Limited           | High               | High                       | Limited               |
| Burundi | Negotiated settlement     | Long              | Moderate    | Belgian           | Low               | Ethnocratic | Ranked           | Similar            | Limited           | High               | Low                        | Limited               |

Source: author's compilation based on research design.

Moreover, Hutu, Tutsi, and Twa were not ethnic groups in the conventional sense. In both countries, these groups did not possess distinct languages, cultures, homelands, or political institutions. They instead shared all of these. From the perspective of state and nation-building, these similarities in the ethnic make-up were advantages. In comparison with other postcolonial states where ethnic groups had been divided or brought together by colonial borders, the continuity in the people and the territorial boundaries that encompassed them was a distinctive feature each country shared. Their populations and population densities were also similar. They were the most densely populated countries in Africa at the time of their civil wars. It has been suggested that this high density created a Malthusian resource crunch (McDoom 2021). Alternatively, it strengthened the surveillance capacity of the state. Whatever the causal mechanism behind population density, it was not something that distinguished Rwanda from Burundi.

The countries were similar not only in terms of their human geography. Their physical geography, unsurprisingly given their contiguity, was also congruent. They were both small, landlocked states with no significant natural resource endowments. Ecological variability was limited in both countries. Neither had coastlines, deserts, or significant forest or savannah regions. They instead both had similar soil and climate conditions that supported farming and herding in each country.

Both were also at similar points in their political development at the time of their conflicts. Each had been a one-party ethnocracy for most of its postcolonial history and each had embarked on paths towards political liberalization at the start of the 1990s in keeping with the third wave of democratization that was taking place on the continent. Insofar as regime type affects state-building and development trajectories, Rwanda and Burundi were once more largely indistinguishable.

At the same time, notwithstanding these theoretically important similarities, it is important to acknowledge that Rwanda and Burundi did have differences. As with much country-level analysis, this is not a perfectly controlled comparison.

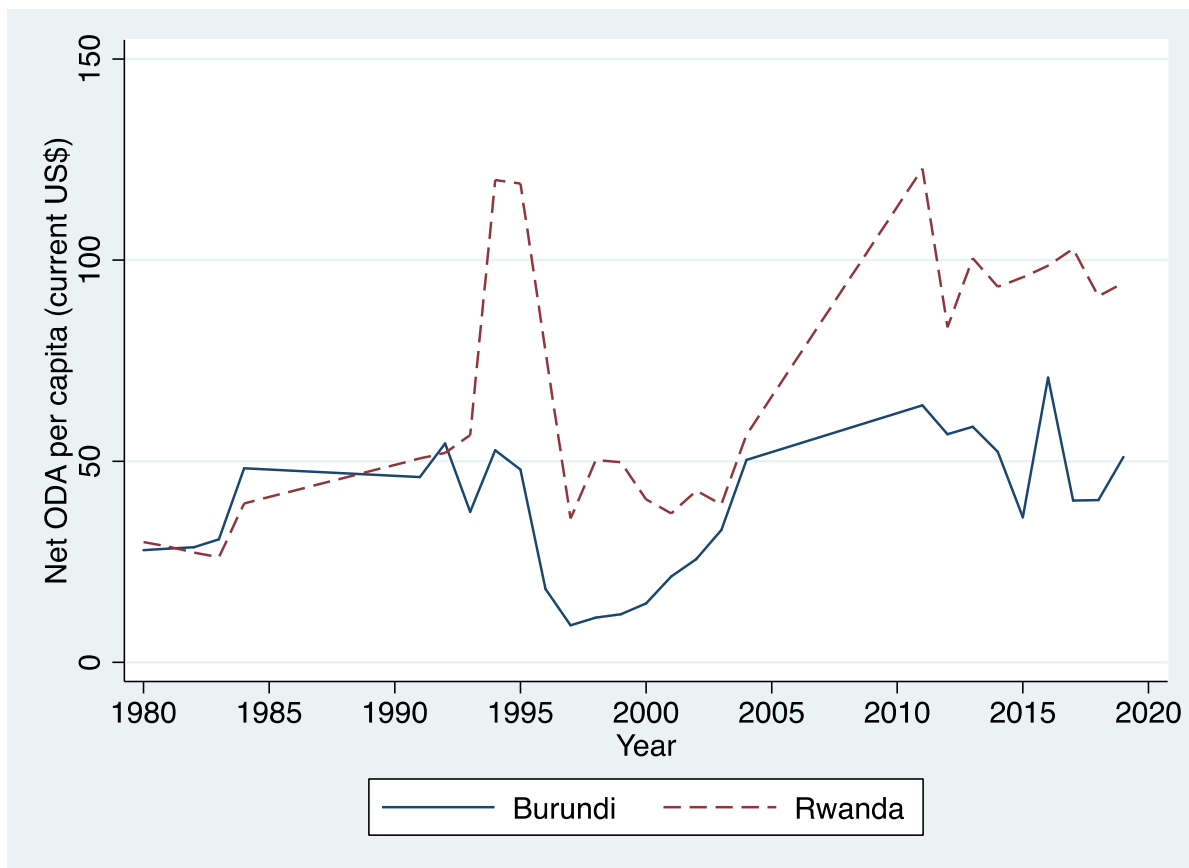
Their pre-conflict political histories differed (Uvin 1999). Rwanda experienced a social revolution that toppled the Tutsi monarchy, exiled a significant proportion of the Tutsi population, and ushered in its independence in 1962. The country became a Hutu ethnocracy. Tutsi were excluded from political life and much of the political contestation before the civil war instead was structured along regional, intra-Hutu lines rather than ethnic lines. Burundi, in contrast, did not experience a revolution and the monarchy survived independence, although it would be abolished shortly afterwards in 1966 following a coup. It became a Tutsi ethnocracy and politics were more clearly structured along ethnic lines with major episodes of ethnic violence in 1972 and 1988. Yet, none of these differences, I argue, would explain the countries' different post-conflict trajectories. Rwanda's civil war and post-civil war period marked the beginning of ethnic politics in the country (despite the regime's claim of having become a post-ethnic society after the genocide). Burundi's post-civil war period, in contrast, marked the weakening of ethnic politics and the start of intra-Hutu politics (D. Curtis 2012). It followed the reverse order to Rwanda. Given this, if the strength of ethnic division was a factor in post-conflict state-building, one would expect Rwanda to be doing worse, not better, than Burundi.

The conflicts in the two countries were also of different durations. Rwanda's civil war lasted less than 4 years, from October 1990 to April 1994, culminating in the assassination of the president and genocide. Conversely, Burundi's civil war began in October 1993 with the assassination of a president and mass ethnic violence and lasted nearly 12 years, ending in August 2005 with the inauguration of a new democratically elected president. Burundi then has had 11 years less time since the termination of its conflict to achieve the same developmental outcomes as Rwanda. If one waited a decade might it be on par with Rwanda? The trend lines for key development

indicators such as GDP per capita, life expectancy, and educational enrolment do not suggest that it is a question of time. The gradients of these trend lines clearly show that Rwanda’s *rate* of social and economic development has been higher at all times since the end of its conflict than that of Burundi.

Nonetheless, there remains one difference between the countries that could plausibly account for the different post-conflict state-building and development trajectories. Rwanda received significantly more foreign aid after the termination of its conflict than Burundi. This was in part due to the recognition of the international community’s failure to act to stop the genocide. There was a sense of collective moral responsibility for the genocide. Figure 2 illustrates this trend.

Figure 2: Trends in foreign aid in Rwanda and Burundi, 1980–2020



Note: ODA, official development assistance.

Source: author’s compilation based on World Development Indicators (see World Bank 2022).

It is possible then that these greater aid resources explain the better development outcomes in Rwanda. At the same time, theory and evidence (Thornton 2014) suggest that countries that are dependent on foreign aid develop limited tax-extractive capacity as the regime does not need to mobilize resources domestically. Yet, as we shall see Rwanda’s tax-extractive capacity improves and surpasses that of Burundi following the termination of their wars. More generally, the comparative method is not well-suited for cases of multiple causation. Mill’s method of difference assumes the existence of a single explanatory variable. Yet, it is possible that both the conflict termination mode and the level of foreign aid contributed to Rwanda’s superior development performance. It is for this reason that I supplement the controlled comparison with process-tracing to help establish a causal link between military victory and the development outcomes of interest. The research design does not conclusively rule out the possibility that foreign aid could have

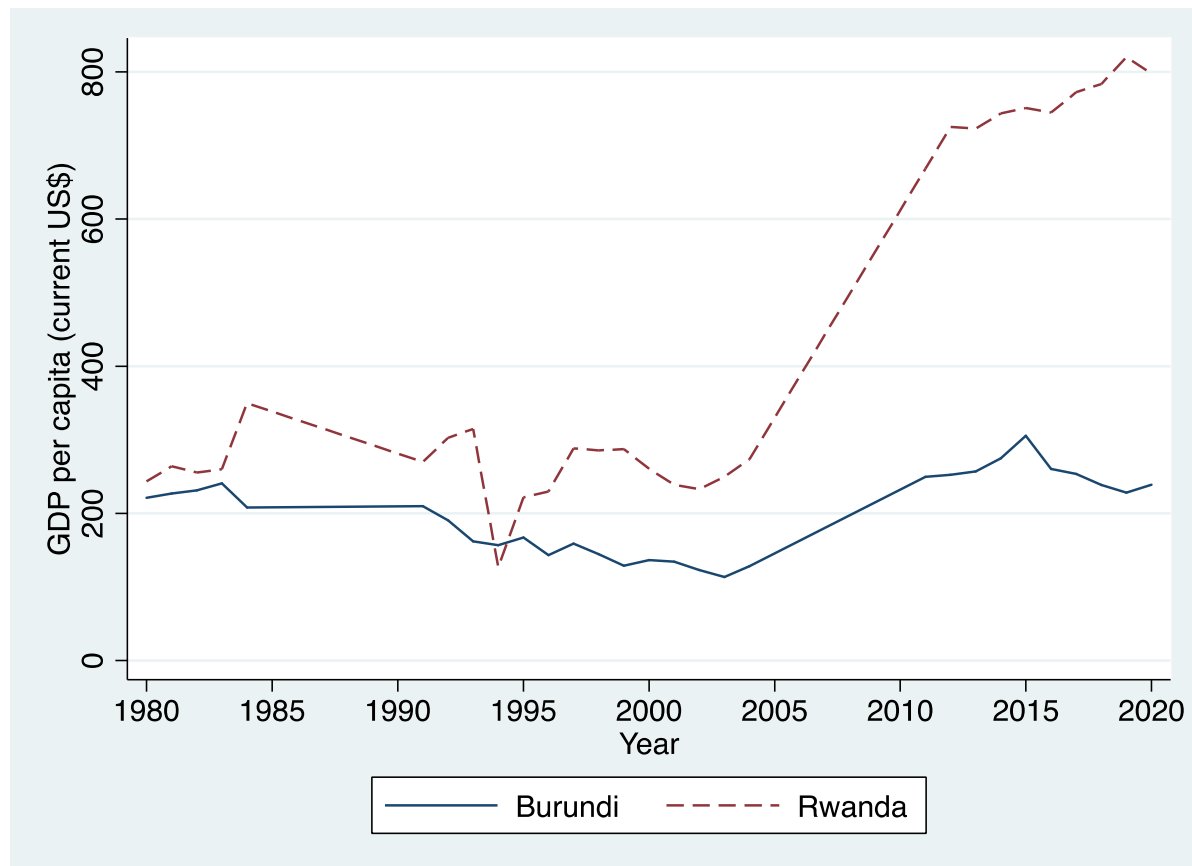
contributed to the outcome. However, it does allow us to say whether the conflict termination mode was a causal factor.

## 4 Results

In terms of the dependent variable (i.e. the state-building achievements of each country), it is clear that there is a divergence in each country's trajectory that begins *after* the termination of their conflicts. I track the trend lines over 40 years, from 1980 to 2020, in three key human development indicators: GDP per capita, life expectancy, and primary school completion. Figures 3–5 illustrate these trends.

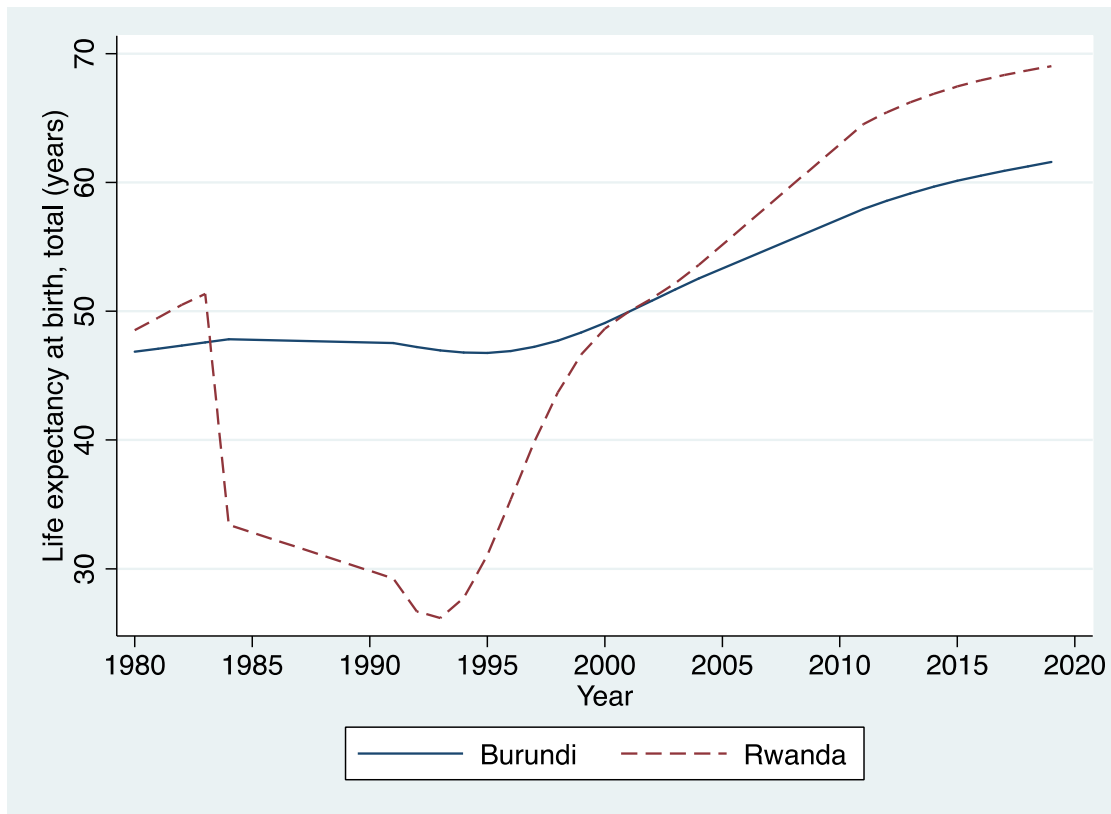
The time period covers the trend from before and after each country's civil wars. The disjunction between pre- and post-civil war trends is most visible in GDP growth. Both countries experience an increase in GDP per capita in the early 2000s, that is, around the end of the transition period following the signing of the peace accords in each country. However, the rate of growth in Rwanda far exceeds that of Burundi. In terms of life expectancy, before their civil wars the line is flat in the case of Burundi and declining in the case of Rwanda. Both begin to increase around the year 2000. Again, however, Rwanda's rate of increase is greater. Finally, primary school completion rates improve in both countries after their civil wars. In this case, the initial rate of improvement is similar in both Rwanda and Burundi. However, around 2015 Rwanda's completion rates increase significantly whereas that of Burundi declines.

Figure 3: GDP growth rates in Rwanda and Burundi, 1980–2020



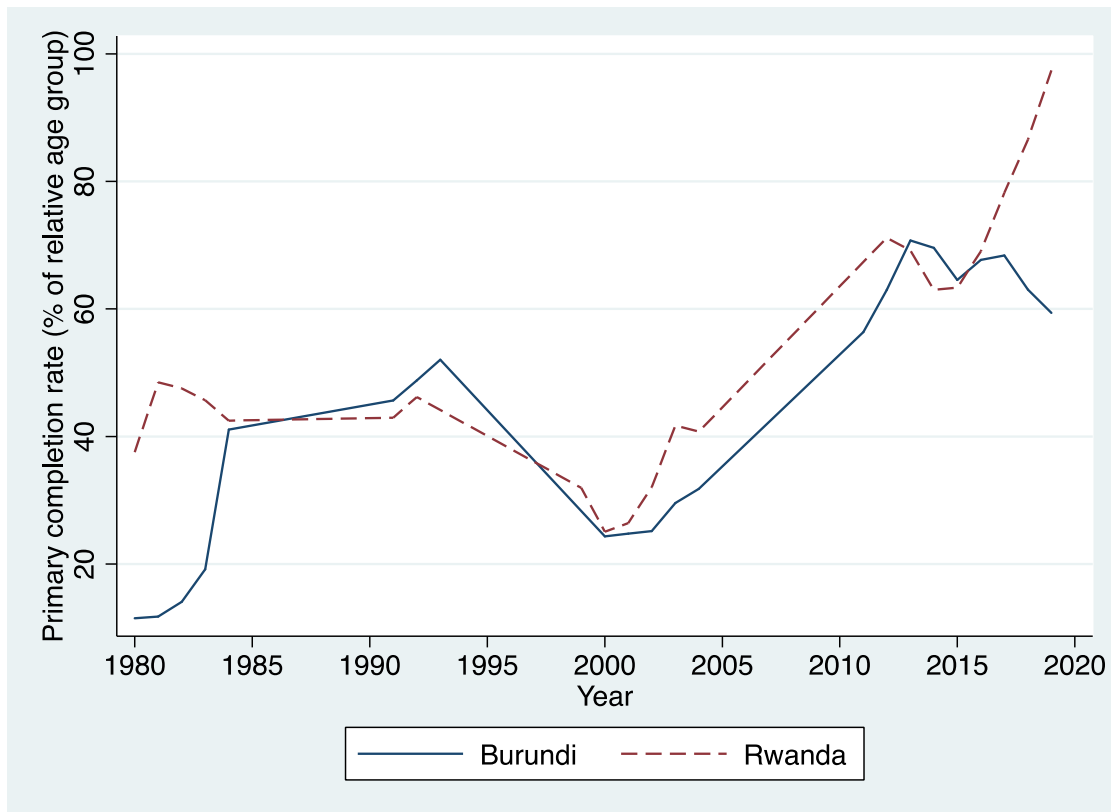
Source: author's compilation based on World Development Indicators (see World Bank 2022).

Figure 4: Life expectancy rates in Rwanda and Burundi, 1980–2020



Source: author's compilation based on World Development Indicators (see World Bank 2022).

Figure 5: Primary school completion rates in Rwanda and Burundi, 1980–2020



Source: author's compilation based on World Development Indicators (see World Bank 2022).

I examine several other developmental indicators for further confirmation of the divergence in state-building trajectories: urbanization levels, poverty headcount ratios, and a political corruption index. Figures 6–8 illustrate trends for these indicators. Once more, one can observe that Rwanda’s performance is markedly different. Rwanda’s urban population increases dramatically from the early 1990s (this may also include refugees from the civil war) and then slows from 2005. Burundi’s urban population increases from the 1990s too, but the rate once more is slower than in Rwanda. The poverty data need to be interpreted cautiously as comparative data from before the war are not available and there has been a question raised in relation to regime interference with the calculation of the data for Rwanda after the genocide. Still, the data show poverty is declining more rapidly in Rwanda than in Burundi. Finally, the comparative data on political corruption show Burundi’s level to be increasing from before the war and accelerating after the war. Rwanda shows almost the converse trajectory. It is largely a flat line before the war but then steadily declines after the conflict.

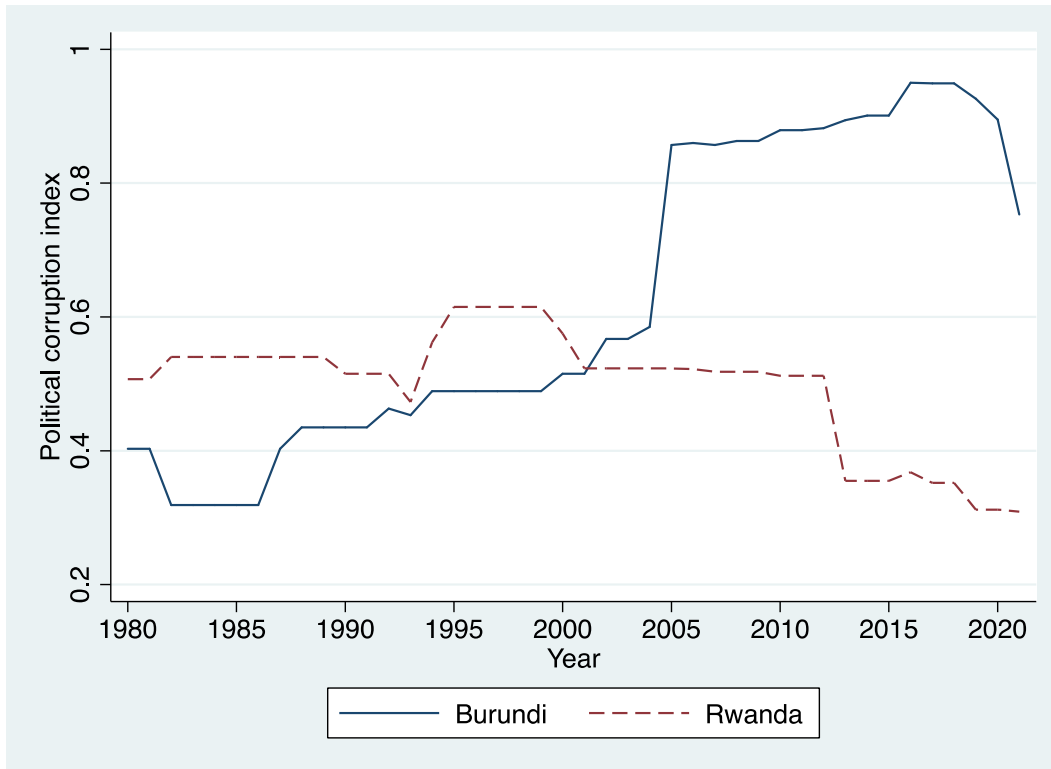
Figure 6: Urbanization rates in Rwanda and Burundi, 1980–2020



Source: author’s compilation based on World Development Indicators (see World Bank 2022).

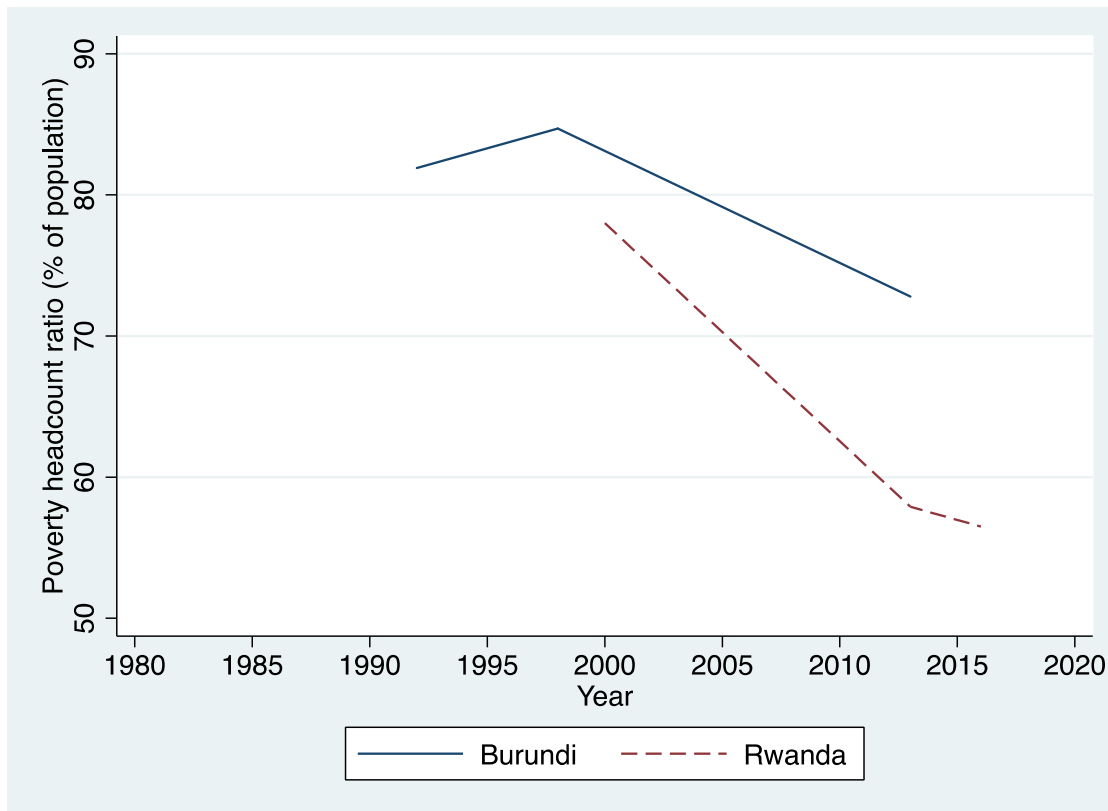


Figure 7: Trends in political corruption in Rwanda and Burundi, 1980–2020



Source: author's compilation based on Varieties of Democracy (V-Dem) data version 12 (see Coppedge et al. 2022).

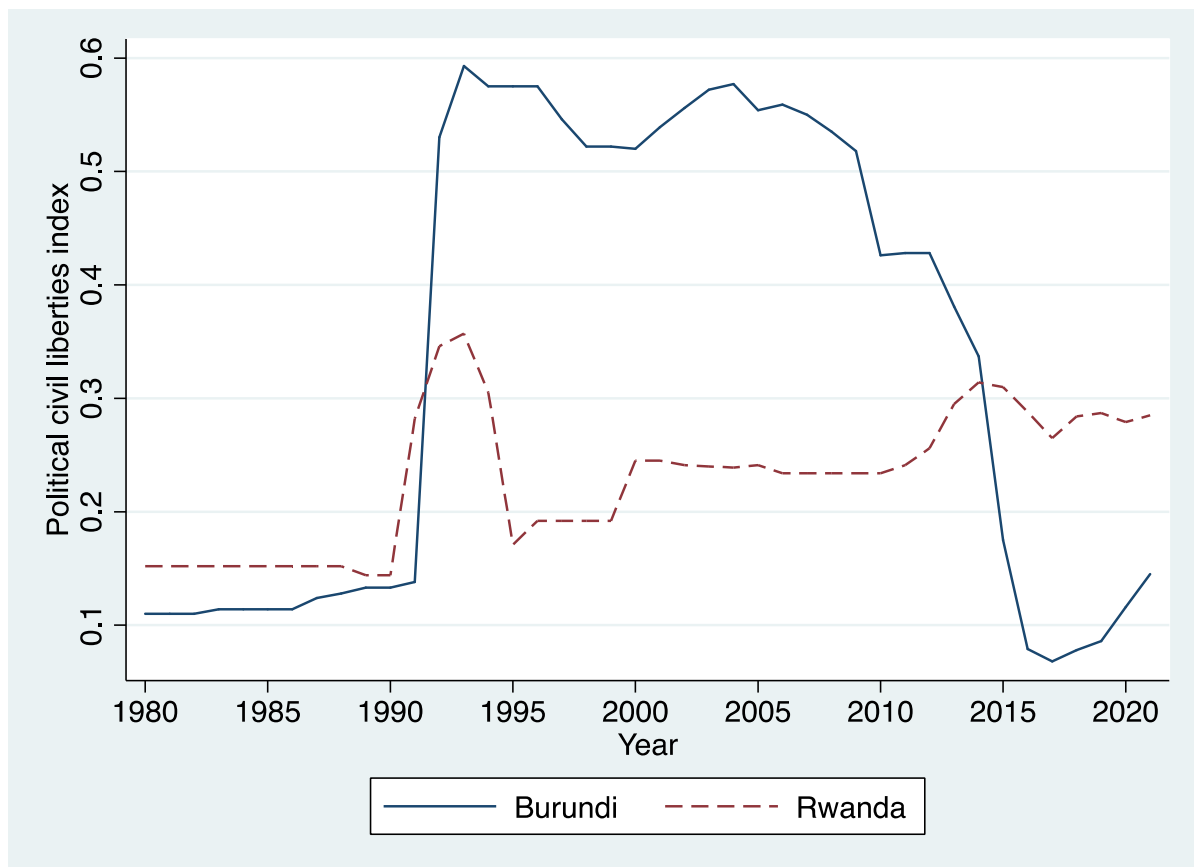
Figure 8: Trends in poverty in Rwanda and Burundi, 1980–2020



Source: author's compilation based on World Development Indicators (see World Bank 2022).

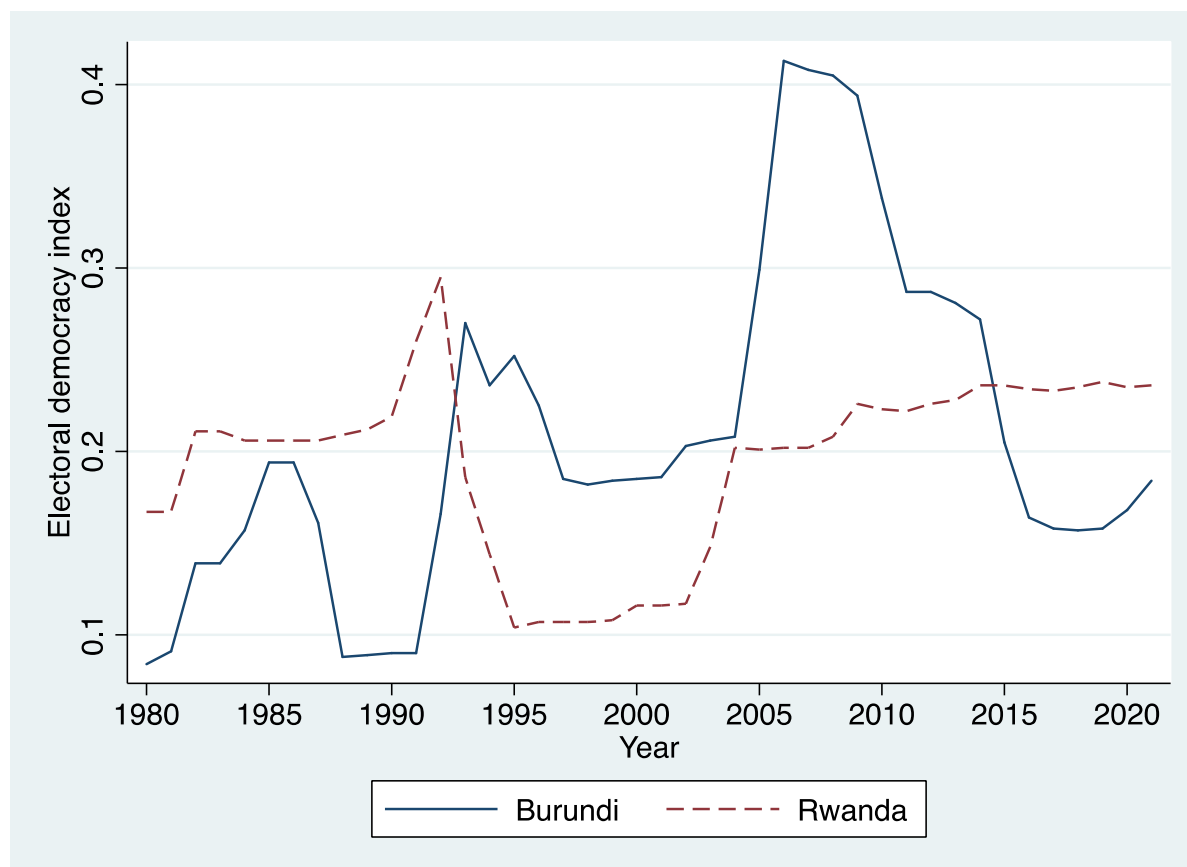
Finally, I also look at each country’s political development as part of their overall state-building trajectory. Specifically, I look at a measure of electoral democracy and a measure of political civil liberties. Figures 9 and 10 illustrate trends in these measures. Both Rwanda and Burundi were authoritarian one-party ethnocracies for most of their postcolonial histories before their civil wars and this is reflected in their low scores for civil liberties and electoral democracy for the pre-conflict period. Both countries experience an increase in these scores consistent with the third wave of democratization movement that began at the start of the 1990s in sub-Saharan Africa. Rwanda then experiences a decline in the mid-1990s in its electoral democracy score, driven by the civil war and assassination of the president, before a little rise following the elections at the end of its transition period in 2003 and then staying at a low level thereafter. Burundi experiences a major improvement in its electoral democracy score in the mid-1990s, driven in part by the election of its first Hutu president in October 1993. The score then stays at a relatively high level until the mid-2000s when it takes an authoritarian turn and declines to a level even lower than that of Rwanda, a trend accelerated by the third-term constitutional amendment in 2015 and ensuing military coup attempt and violence. Both countries, within two decades of the termination of their conflicts, have become firmly authoritarian and repressive of political freedoms. Their trajectories have converged in terms of their political development.

Figure 9: Trends in political civil liberties in Rwanda and Burundi, 1980–2020



Source: author's compilation based on Varieties of Democracy (V-Dem) data version 12 (see Coppedge et al. 2022).

Figure 10: Trends in electoral democracy in Rwanda and Burundi, 1980–2020



Source: author's compilation based on Varieties of Democracy (V-Dem) data version 12 (see Coppedge et al. 2022).

In sum, the two countries' state-building trajectories since the termination of their civil wars, at least in terms of their social and economic development, clearly diverged. Is this divergence attributable to their different mode of conflict termination and, if so, what was the pathway each country followed? In the next sections, I trace the process forward from the time of conflict termination until today and distinguish five steps in the causal pathway.

#### 4.1 Step 1: The coercive balance-of-power

The coercive balance-of-power at the end of Rwanda's civil war was skewed in favour of the battlefield victor, the RPF. By contrast, it was distributed more evenly among the multiple political and military groups in Burundi.

There had, in fact, been an externally brokered peace process in Rwanda and a grand peace agreement signed in August 1993 between the Government of Rwanda and the RPF. Yet it did not hold. Following the assassination of Rwanda's long-standing Hutu president in April 1994, by assassins still unknown, both sides chose to break the ceasefire and to resume the civil war. The efforts of the external actors, including the UN peacekeeping force on the ground, were in vain. Both sides were determined to fight until there was a clear victor. To an objective observer, it would have been clear that the RPF at this point in the civil war was the militarily stronger actor. It had managed to reach as close as 30 km from the capital in February 1993, checked only by French paratroopers. Its military superiority has contributed to speculation that the RPF assassinated Juvénal Habyarimana as it believed it could gain more on the battlefield than at the negotiating table. Under the terms of the Arusha Accord, RPF would get only five seats in the 21-

seat cabinet and 40 per cent of the rank-and-file in an integrated national army. This was more than its social base would suggest it merited. But the RPF believed it could capture the entire state. It did so in July 1994.

In Burundi, the civil war was fought between multiple actors, many of which fractured during the conflict into further break-away groups. Triggered also by an assassination, in this case of the country's first democratically elected Hutu president, Melchior Ndadaye, in October 1993, Burundi's civil war was also externally mediated. The negotiations, brokered principally by South Africa, proved to be protracted as it was difficult to reach agreement among so many stakeholders. An initial peace agreement was reached in August 2000 involving 19 parties and initiating a transition period. However, two major Hutu rebel groups, the CNDD-FDD under Pierre Nkurunziza and the Party for the Liberation of the Hutu People-National Forces of Liberation (hereafter, Palipehutu-FNL) under Agathon Rwasa, refused to sign and fought on. Burundi, oddly, had a peace agreement but no ceasefire. Only in 2003 did the CNDD-FDD agree to put down its weapons in exchange for positions in the cabinet and the integration of its commanders into the national army and police. It would go on to win the post-transition elections in June 2005. The Palipehutu-FNL did not stop fighting until 2006, with one faction continuing until 2009. Burundi's civil war did ultimately end with a negotiated settlement and there was no single political or military actor in a dominant position at the point of termination.

Crucially, the mode of termination of the civil war in each country differed in their inclusion and exclusion of the competing parties. In Rwanda, the losing party, the Government of Rwanda, drawn from the extremist factions of the ruling National Revolutionary Movement for Development (hereafter, MRND) and opposition political parties, along with the Rwandan Armed Forces, left the country altogether. They fled over the border into the then Zaire and continued to operate from exile. The genocidaires lost and left. This is a distinctive and important fact. It remains possible for a losing party to a civil war to remain in the country and be included in the post-conflict political process. This occurred in Angola, for example, with the National Union for the Total Independence of Angola (commonly, UNITA) becoming an opposition political party following the death of Jonas Savimbi. By contrast, in Burundi all opposing parties physically remained in the country as part of the political process following the settlement. This included the political leadership of the Tutsi-centric Union for National Progress (hereafter, UPRONA) that had ruled for much of the post-independence period, and the military leadership of the Tutsi-dominated Burundian Armed Forces responsible for the brutal suppression of various popular Hutu uprisings, including the massacres in 1988 and 1993. The genocidaires negotiated and stayed. Inclusiveness is a key mechanism operating in the mode of conflict termination.

#### **4.2 Step 2: The post-conflict institutional design**

The formal post-conflict institutional design reflected the coercive balance-of-power at the termination of each country's conflict.

In Rwanda, the RPF, as the victor, initially decided the distribution of power by simple declaration on 17 July 1994. It did not take all the power for itself. It shared ministries with other parties. However, it took eight of the 21 cabinet posts for itself and required decisions to be made by a two-thirds majority. In other words, it retained a blocking vote and in the event the cabinet could not reach a consensus, it would be the president, chosen from the RPF, who would decide (Reyntjens 2013). It also banned the formal ruling party, the National Republican Movement for Democracy and Development (hereafter, MRNDD), which would never participate in Rwanda's political process again. Of the other political parties, only moderate factions or members were permitted. The extremist factions had sided with the MRNDD during the civil war and joined its members in exile after their military defeat. The leadership of the Rwandan Armed Forces also

went into exile. Paul Kagame, the RPF military commander, became the Minister of Defence, in addition to the vice-president, and the majority of the senior army and gendarmerie positions were given to RPF officers. In short, the RPF ensured it held both a political and a military veto in the country.

The RPF also determined the transition period. Initially set for five years, 1994–99, it would be extended a further four years until 2003. During the transition, the constitutional order was set by the Fundamental Law, enacted in May 1995, that recognized the 1991 constitution, 1993 Arusha Accord, the July 1994 RPF declaration, and a Protocol of Agreement signed in November 1994 between the RPF and seven political parties. In 2003 Rwanda adopted a new constitution, by referendum, and held its first post-transition elections. The new constitutional order, like the transitional legal order, did not mandate power-sharing across ethnic lines in any of the main state institutions. Positions in the cabinet, the legislature, the judiciary, and the three security services could be held by any individual and by any party. The sole restrictions were that no single party could hold more than 50 per cent of the cabinet posts and the speaker of the Chamber of Deputies, Rwanda's lower legislative chamber, could not be from the same party as the president. There was little formal requirement to distribute power across ethnic or party lines in Rwanda. Formal power could be concentrated ethnically and politically.

In Burundi, in contrast, power was very strictly distributed across both ethnic and party lines. The transitional legal order, established under the 2000 Arusha Accord, recognized the importance of ethnic and political balance. However, it contained relatively few formally defined quotas. The exceptions were a requirement that the president and vice-presidents come from different ethnicities and parties and a requirement that no more than 50 per cent of the police and army could be drawn from one ethnic group. In contrast, the 2005 constitution, whose consociational principles were described in the 2000 Arusha Accord, set out a very strict set of ethnic and political power-sharing requirements. It mandated that the president and vice-president be from different ethnicities and parties; the cabinet must be 60 per cent Hutu and 40 per cent Tutsi, with members drawn from different political parties in proportion to their seats in the National Assembly; the National Assembly must be 60 per cent Hutu and 40 per cent Tutsi; the Senate must be composed of two senators of different ethnicities from each province; the head of the army and police must be from different ethnic groups; and the armed forces must not contain more than 50 per cent of its members from one ethnic group.

The requirement that the cabinet and National Assembly be 60 per cent Hutu and 40 per cent Tutsi was particularly important. It pushed Burundi's political parties to become multi-ethnic. The depoliticization of ethnicity in Burundi after 2005 can be largely attributed to this formal requirement. It had the effect of separating ethnicity from party as the primary line of contestation in Burundian politics. The behaviour of the winner of Burundi's first post-transition election in 2005, the CNDD-FDD, reflected this. The CNDD-FDD, having begun life as a Hutu party came to include Tutsi among its cabinet and legislative representatives after the transition. Tellingly, as part of its authoritarian shift, the CNDD-FDD pushed through a new constitution in 2018 in which almost all the ethnic quotas were kept. Ethnicity was not an issue. The CNDD-FDD was content to remain multi-ethnic. However, the 2018 constitution did drop the requirement that the cabinet members must be drawn from different political parties in proportion to the seats they held in the National Assembly. This created the possibility that a single party, in this case the CNDD-FDD, could control the cabinet.

### **4.3 Step 3: The exercise of informal power**

The exercise of informal power mirrored the distribution of formal power in each country. In Rwanda, where formal power was skewed ethnically and politically in the hands of the RPF and

the Tutsi, informal power was concentrated. In Burundi, where formal power was shared across ethnic and political lines, informal power was diffuse.

Its exercise was visible in the public and private spheres. It affected all branches of government and civil society and operated through private informal networks of members—and supporters—of the ruling party. One domain in which the difference between informal power in Rwanda and Burundi manifested was in the registration of political parties. In Rwanda, the RPF strictly limited or otherwise obstructed the registration and functioning of parties it considered a threat to its position. Two notable examples were the ban on the Republican Democratic Movement (hereafter, MDR) in 2003, one of Rwanda's oldest political parties whose precursor was established at the time of the revolution and independence, and on the newly formed Party of Democracy in Rwanda in 2001. Each prohibition was aimed at neutralizing a particular presidential opponent: Faustin Twagirimungu from the MDR and Pasteur Bizimungu, who in fact was an RPF member and Rwanda's first president following the genocide. The state institution responsible for registration in Rwanda today is the Rwanda Governance Board (2023) which explicitly states in its mandate that it 'doesn't receive instructions from any other institution in exercising its mission'. Yet, its behaviour belies its claim of independence. The contrast with Burundi is stark. Not one of the political parties in existence since the termination of the conflict in Burundi has been banned, despite fierce contestation and the increasing authoritarian dominance of the ruling CNDD-FDD.

Informal power also manifests in the judicial realm. The ruling party's ability to secure judgements favourable to itself or otherwise influence judicial decision-making is a prime example. In Rwanda, a number of high-profile political opponents have been convicted on charges that have been widely seen as specious. Pasteur Bizimungu, Rwanda's first president, was initially arrested in 2002 for continuing the operations of a banned political party. He was ultimately convicted on different charges in 2004 relating to inciting violence and embezzlement and sentenced to 15 years' imprisonment before being pardoned in 2007 by President Kagame. Victoire Ingabire, the leader of a coalition of Rwandan opposition groups in exile, returned to Rwanda in January 2010 to contest the presidential elections. She was arrested in October 2010 and, after much legal wrangling, was sentenced to 8 years' imprisonment by the High Court of Kigali in October 2012 for terrorism and genocide denial. Her conviction was upheld by the Rwandan Supreme Court in 2013 and her sentence in fact increased to 15 years. Ingabire appealed to the African Court on Human and People Rights in 2014 where she won her application, although she was not released until 2018 under the Rwandan president's prerogative of mercy. More recently, Paul Rusesabagina, whose role during the genocide was immortalized in the 2004 film *Hotel Rwanda*, was dramatically arrested by diverting his plane, leaving Burundi, from Dubai to Rwanda in August 2020. He was convicted in September 2021 of terrorism-related charges and sentenced to 25 years. The UN Working Group on arbitrary detention has called for his release stating he was illegally kidnapped and tortured and did not receive a fair trial. In Burundi by contrast, although question marks exist in respect of judicial independence, there have been high-profile cases where events have not gone the way the ruling CNDD-FDD wanted. One prominent example was the arrest and conviction for life of the Burundian journalist Hassan Ruvakuki in 2012 by the Burundian High Court on terrorism-related charges. The sentence generated considerable local and international outcry. Although not a complete reversal, the following year the Court of Appeal commuted the life sentence to 3 years and changed the grounds for the conviction away from terrorism.

These informal networks extend into the private sphere as well. Rwanda's civil society presents little challenge to the regime because its supporters have co-opted its few independent organizations (Gready 2010). The League for the Promotion of Human Rights in Rwanda (commonly, LIPRODHOR), for example, described as Rwanda's 'last effective national independent human rights organization' (Human Rights Watch 2013), was taken over by supporters in 2013 by the unlawful replacement of its board. Regime supporters unlawfully

convened a meeting to elect an entirely new board. The meeting was held in violation of the organization's statutes: there had been no written notification of the meeting to members and it did not constitute a quorate general assembly required to hold an election. The swift recognition of the new board by the Rwandan Governance Board raised questions about the informal influence of the regime in the takeover.

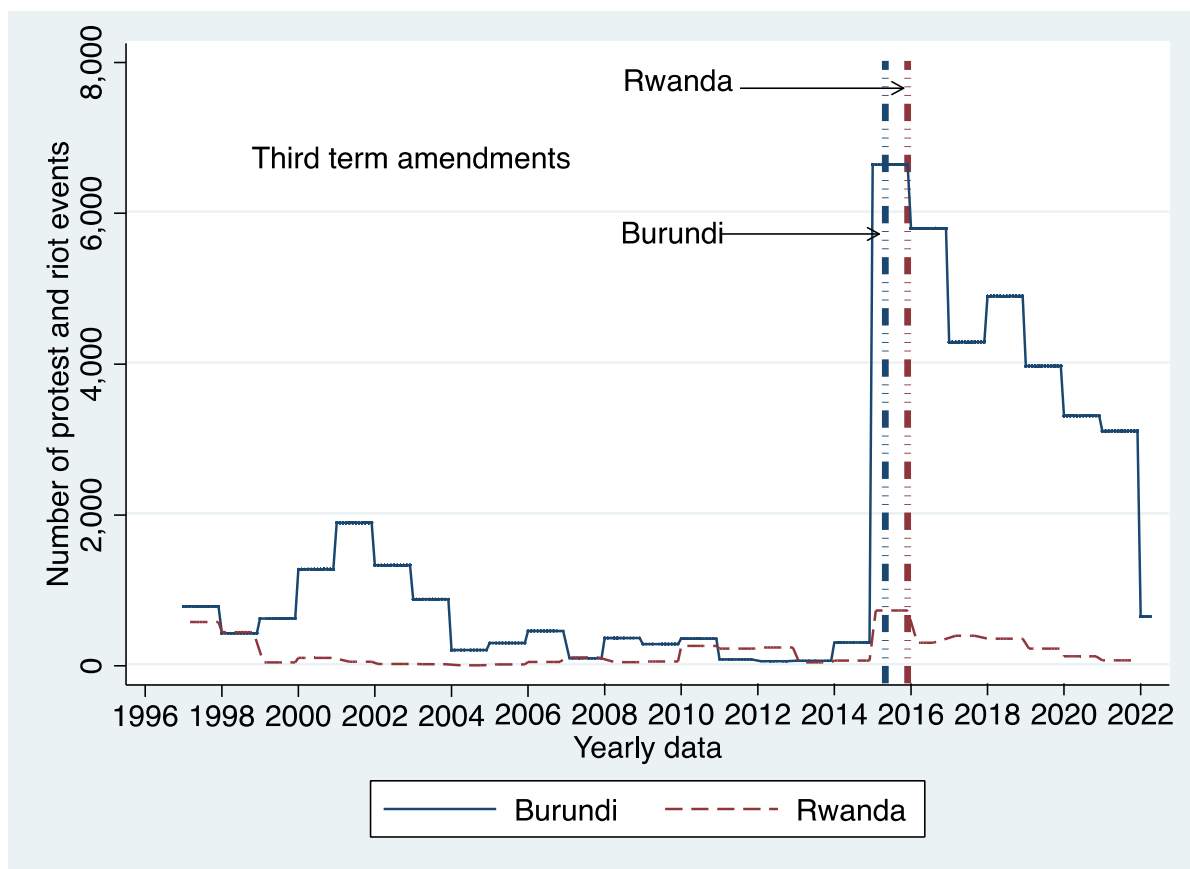
The ability to influence editorial policies of media organizations is another good example. Formally, press freedom exists and there is a proliferation of newspapers and radio stations in both countries. Yet, the contrast in critical reporting has been stark. The principal national newspaper in Rwanda, the *New Times*, is privately owned, governed by a board of seven members, and is formally independent of the government. Yet rarely, if ever, does it publish a story that is critical of President Kagame. Crucially, two of its shareholders are RPF members. RPF loyalists make up the private networks through which informal power is exercised. Other media organizations, of which there are many, rarely report on political matters preferring to provide less sensitive content such as music and sports. Even international media organizations are subject to this informal power. The British Broadcasting Corporation lost its licence to operate following the release of its 2014 documentary *Rwanda: the Untold Story* that suggested the RPF had committed atrocities during the civil war for which it had not been brought to account. In contrast, in Burundi, at least up until the coup in 2015, the situation was different. The equivalent newspaper in Burundi, *Iwacu*, is also privately owned but has a history of investigative journalism since its creation in 2008 and has published numerous articles critical of the president and CNDD-FDD head, Pierre Nkurunziza. It does not include members of the ruling CNDD-FDD in its network of advisers and financial backers. Burundi's media landscape was plural and critical reporting extensive. The situation changed, however, after the coup attempt in 2015 to which the government responded with a policy of high repression against media and journalists inside Burundi and subverting the independence of press regulator, the National Communication Council. It is part of the trend towards the concentration of informal power in Burundi.

#### **4.4 Step 4: Resistance to the ruling party**

The combined effect of the concentration of formal and informal power is weak resistance to the decisions and actions of the president and ruling party in Rwanda. In contrast, the diffusion of formal and informal power in Burundi spelled stronger opposition to the policies and practices of the president and the ruling party.

One indicator of this resistance is the number of violent and non-violent protest and riot events that take place in each country. Figure 11 tracks the trend of these events, sourced from the Armed Conflict Location and Event Data project, over time in each country. Rwanda's trend line is low and flat for practically the entire post-conflict period. There is little public or overt opposition to the government. In fact, several of the few events that are recorded are demonstrations held in favour or in support of the regime. In Burundi the trend line is different. Immediately at the end of the conflict, one can observe a period in which the number of protests is high for several years. The protests and riots decline, however, following the election, held freely and fairly, of the CNDD-FDD in 2005. The party wins a large popular mandate and the limited number of events is likely more a reaction to the party's popularity than to its repressive behaviour.

Figure 11: Trends in protest and riot events in Rwanda and Burundi, 1997–2020



Source: author's compilation based on data from the Armed Conflict and Location Event Database 2022 (see Raleigh et al. 2010).

The difference, however, can most clearly be seen in the reactions to decisions taken by both countries' presidents to amend their constitutions to allow them to extend their presidential terms. Usefully, the referenda approving the amendments occur in the same year. In December 2015, 98 per cent voted in support of the amendment in Rwanda and in May 2015, 73 per cent voted in favour of a third term in Burundi. Figure 11 shows the massive and immediate popular reaction in Burundi. There is an enormous increase in the number of protest and riot events. There is significant resistance to the decision in Burundi. It even sparks a coup attempt from within the military. Yet, in Rwanda there is no reaction at all. The small rise that is observable in 2015, when analysed, is a reaction to a different matter altogether: the arrest of Rwanda's spy chief by UK authorities.

How should this difference in political behaviour be interpreted? It is readily explainable in Burundi. There is simply strong popular resistance to the increasingly authoritarian rule of President Nkurunziza and the CNDD-FDD. However, in Rwanda, where resistance was absent, at least two interpretations are possible. First, it is simply that the regime's capacity for repression and social control is so high that no Rwandan is willing to take the risk to openly defy the regime. Protest would achieve little other than to risk one's life and liberty. Alternatively, the non-reaction may be because Rwandans genuinely wished for President Kagame and the RPF to stay in power. The 98 per cent result reflects true popular support. If so, the referendum result may illustrate the exercise of power in the third dimension: hegemonic power. Rwandans, in particular the Hutu majority population, voted willingly for a decision that is against their interests. Under President Kagame and the RPF, a Hutu opposition has been progressively excluded from political life; an ethnic elite class has emerged that is overwhelmingly Tutsi in composition; and Tutsi have become



over-represented in government, civil society, and business (Reyntjens 2013). The hegemonic interpretation suggests Rwanda's Hutu majority consents to their subordinate status notwithstanding the increasingly ethnocratic nature of the regime.

Repression and hegemony then are observationally equivalent in Rwanda. At the same time, it is worth noting that in Burundi President Nkurunziza and the CNDD-FDD also possess significant coercive capacity: not only in the form of the police and military but also in its militant youth wing, the *Imbonerakure*, on which it increasingly relied for the suppression of dissent and the enforcement of law and order more generally (McCulloch and Vandeginste 2019). The regime also could engage in repression if it wished, as indeed it did following the 2015 coup attempt. Yet, notwithstanding the regime's repressive power, Burundians were not discouraged, took to the streets, and were willing to face the regime's wrath. Yet in Rwanda people were not. This lends support to the proposition that Rwanda's referendum result reflects more the exercise of hegemonic rather than repressive power.

#### **4.5 Step 5: Implementation capacity**

The logical implication of concentrated formal and informal power and limited resistance is high implementation capacity. In Rwanda, state institutions are effective. They are capable of implementing the policies of the regime. In Burundi, state institutions are less effective, reflected in their weaker implementation capacity. A ready way to examine this difference would be to examine a policy that both regimes adopt and seek to implement. There are a number of candidate policies where the regimes have shown a strong commitment to improve development performance: decentralization policies, education strategies, social protection programmes, and fertilizer use regulation, among others.

I examine a well-established indicator of state capacity: the ability to extract taxes from the population. This is a particularly useful measure as any increase in the extraction of taxes is a formal act that affects activities that individuals have hitherto sought to keep informal. One would expect then the resistance to a government's taxation efforts to be particularly strong. In Rwanda, the government established the Rwanda Revenue Authority in 1998, 4 years after the end of the conflict. In Burundi, the Burundian Office for Taxes (hereafter, OBR) was also established 4 years after the end of Burundi's conflict in 2009. Figure 12 shows the trend in tax collection in each country. Analysing the trends in the extraction of direct taxes on individuals and corporations (profits, income, and capital gains) since conflict termination, in Rwanda the overall trend can be noted as upward. The regime has extracted more taxes each year. By contrast, in Burundi, tax extraction is low and, in fact, begins to decline after 2015 despite the creation of the OBR in 2009. The ability of each country's revenue agency to extract these taxes is indicative of the differential resistance to the exercise of formal power in each country. In Burundi, this resistance remains high. Private individuals and corporations are able to continue their informal activities in defiance of the government's effort to exercise its formal taxation power. Private informal power is greater than the regime's formal power. In Rwanda, the resistance is lower. Private actors are less able to defy the exercise of formal power by the revenue authority.

Figure 12: Trends in tax revenues in Rwanda and Burundi, 1980–2020



Source: author's compilation based on UNU-WIDER's Government Revenue Dataset (see UNU-WIDER 2022).

## 5 Discussion and conclusion

This paper examined the causal impact of the mode of conflict termination on the state-building trajectories of two post-conflict countries. It argued that the military victory of the RPF in Rwanda allowed the RPF to dictate the post-conflict institutional design for the distribution of political power and it formally skewed power in favour of itself. Informal power mirrored formal power distribution and was concentrated in the president and the ruling party. The combined concentration of formal and informal power in the RPF and President Kagame meant the regime faced little resistance to the pursuit of its agenda in the private and public spheres. Rwanda's implementation capacity was high. In contrast, the negotiated settlement in Burundi meant the post-conflict institutional design was purposely balanced to avoid the dominance of any single actor. Political power was formally distributed across both ethnic and political lines. Informal power again mirrored the formal power distribution and was consequently diffuse within Burundi. This meant resistance to the ruling party and president was high. The CNDD-FDD and President Nkurunziza had comparatively limited implementation capacity.

I have argued that informal power was exercised through the private networks of the ruling parties. In Rwanda, the ruling party's network permeated all administrative levels of the state. Its influence also extended into Rwandan society where RPF supporters observed and reported on the views and activities of their fellow Rwandans. Ordinary Rwandans did not know whether their friends and neighbours were part of this informal network of RPF loyalists who may be monitoring them. In Burundi, by contrast, the ruling party was only one among several parties included in the post-

conflict political process. As a consequence there were multiple private party networks in operation within the country and these competed with each other for influence. This meant informal power was divided within the country and ordinary Burundians felt there was space to be able to openly dissent. Importantly, while informal power and private networks are often thought of inimical to institutionalization, I distinguish between an institution's autonomy and its capacity and show that these networks had the potential to enhance, and not merely degrade, state effectiveness. This was the case in Rwanda. The remarkable power of the Rwandan state can be traced in part to the country's remarkable high population density and the dense social networks that facilitated the monitoring and enforcement of state policies (McDoom 2020).

I have suggested what formal and informal power being concentrated in Rwanda and diffuse in Burundi had to do with the inclusion or exclusion of conflicting actors in the post-conflict political process. The RPF militarily defeated the Government of Rwanda and its civilian and military leadership were physically expelled from the country. Their networks and influence in Rwanda ended when they went into exile. In Burundi, all the competing actors—and their networks—not only remained in situ but were eventually incorporated into the same government. UPRONA, the former Tutsi-dominant ruling party, entered a coalition with the Hutu-dominant CNDD-FDD and the Burundian Armed Forces was integrated with its military wing. I argue that the presence or absence of former opponents from both the territory and the political process after conflict is the causal logic driving the effect of the mode of conflict termination on a country's state-building prospects.

I also argued that hegemony is achievable in a post-conflict context when both formal and informal power are simultaneously concentrated in the same political actor. In Rwanda, President Kagame and the RPF exercised power in a manner consistent with having hegemonic status. There was no overt resistance to the regime despite its increasingly ethnocentric nature. Hegemonic power is distinct from coercive power. Rwandans did not only comply with the regime; some consented to it. The mechanism behind hegemony was not only material inducements or sanctions but also socialization. Some Rwandans, including Rwandan Hutu, came to change their beliefs about the regime even though the regime pursued policies against their material interests. As noted in theories of hegemony in international relations, these beliefs are most likely to change after a demonstration of force by the hegemon. In a post-conflict context, military victory may represent such a demonstration.

The causal argument advanced requires several qualifications. First, I do not claim that the mode of conflict termination was the sole factor in explaining the different development outcomes in each country. Other factors, notably the higher level of foreign aid received and the longer time period since conflict termination in Rwanda, may also have contributed (D.E. Curtis 2015). At the same time, as previously noted, Rwanda's high extractive tax capacity suggests foreign aid does not lie behind its high state effectiveness. Aid conventionally depresses domestic resource mobilization. Similarly, given that Rwanda's *rate* of development has been consistently higher than Burundi's, the passage of time does not seem to be the explanation for the different outcomes. Rwanda had reached higher development levels than Burundi in the same time period.

Second, I do not claim that exclusive military victory was by itself a sufficient condition for Rwanda's superior development performance. Not all wars that end in a military victory are followed by sustained state-building projects. Rwanda's developmental achievements also required strong political will on the part of the regime to modernize the country. Without this commitment the regime would simply have enjoyed a high *potential* for policy implementation. The determination to leverage this potential then was also necessary. The question of why Rwanda's post-genocide regime was more determined than Burundi's ruling party to develop the country is important. It has been convincingly argued that the answer lies with the differential legitimacy of

each regime (Chemouni 2016). In Rwanda, the RPF was a rebel group established outside of the country with a narrow social base inside the country. Its legitimacy was limited and pushed it to deliver. In contrast, the CNDD-FDD originated within Burundi, had fought on behalf of the Hutu majority, had stayed outside of the initial peace process, and finally won a landslide victory in the country's first post-transition elections. It has high natural legitimacy and felt little pressure to perform to win the trust and respect of the population.

Third, although process-tracing strengthens the credibility of the causal claim, it cannot definitively rule out the existence of some form of endogeneity. Notably, it is possible that some unobserved factor explains both the RPF's military victory in Rwanda and the country's remarkable state-building achievements. Similarly, Burundi's poor state-building performance may be traced to ideological differences within the ruling CNDD-FDD that predates the negotiated settlement (Burihabwa and Curtis 2019). Finally, the scope conditions of the argument delimit the theoretical claims. Similar processes and outcomes are likely only in postcolonial states with limited levels of modernization and rule-based governance in which personalistic ties matter more than institutions for the exercise of political power.

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