Spoilers in the Peace Process of the Chittagong Hill Tracts (CHT)

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Abstract

The daunting challenges of spoilers in the peace process and the costs of peace breaking – violent collapse and sometimes ceaseless protraction – have made ‘spoiling’ an interesting topic of research. Scholars have exerted many efforts to illuminate our understanding on spoiling. However, a debate is rolling over the conceptualization of those spoilers and the complexity of spoiling actions. While some case studies predominantly concentrate on violent spoiling, some recent studies contend that non-violent (subtle or less visible) spoiling behaviors can also invariably derail the peace processes.

Regrettably, however, there is a shortage of scholarship that categorizes those non-violent spoilers and their subtle spoiling actions. This research is taken to fill out this gap and to make contribution to the spoiler debate by concentrating on the complexity of actors and their spoiling behaviors in the peace process of the CHT conflict. The approach here is a qualitative case study. The CHT case is useful since it provides an in-depth understanding of the categorization of these actors and the social phenomena that shapes their spoiling behaviors.

By testing the usability of an ‘analytical framework’ constructed from the literature review, this study contends that non-violent ‘inaction’ (subtle spoiling), ‘delaying’ and ‘non-commitment’, and ‘go-slow’ can be as effective as violent peace breaking. Findings in this case suggest that ‘settlers’ can be new spoiling actors. The study also argues that the issue of territoriality can create spoiling condition which exacerbates spoiling behaviors mainly in a culturally defined context.

The study contends that peacemaking with loosely defined actors can intensity grassroots spoiling when combative parties are all powerful veto players. It finds that secrecy of negotiation germinates a spoiling ground by undermining people’s confidence to the peace process. Last but not least, the study argues that socio-economic development program can create a ground for spoiling. Such development might be seen as an act of usurpation and cultural onslaught if these are not an informed choice of the intended beneficiary.
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Abbreviations

AL: Awami League
BNP: Bangladesh Nationalist Party
BYF: Bawm Youth Federation,
CHT: Chittagong Hill Tracts
CHTDB: Chittagong Hill Tracts Development Board
CHU: Chakma Unnayan Sangsad, (Chakma Development Council),
GJF: Ganatantrik Juba Forum (Democratic Youth Forum),
GMF: Gono Mukti Fouj (People’s Liberation Army)
GNNP: Ghilachari Nari Nirjatan Pratirodh Committee
GPC: Gram Protirashka Committee (Village Protection Committee)
GWTR: Ghilachari Women Torture Resistance Committee) and
HA: Headmen Association,
HDC: Hill District Council
HDLGC: Hill District Local Government Councils
HPC: Hill People’s Council
HWF: Hill Women’s Federation
IDP: Internally Displaced Persons
ISI: Inter-Services Intelligence
JNA: Jhum National Army (JNA)
JP: Jago Parbattyabasi (Awake Hill Dwellers)
M.N: Manabendra Narayan
MNC: Multinational Corporation
MNF: Mizo National Front
MU: Murung Complex
MUS: Marma Unnayan Sangsad (Marma Development Council),
NNA: Naga National Army
PBCOP: Parbatya Bangalee Chhatra Oikya Parishad (Hill Bengali Student United Council)
PSOCA: Parbatya Somo Odhikar Chhatra Andolan (Hill Equal Rights Student Movement).
PBCP: Parbatya Bangalee Chhatura Parishad, (Hill Bengali Student Council);
PCJSS: Parbatya Chattagram Jana Samhati Samiti
PCNS: Parbatya Chattagram Nari Sangha, (Hilly Chittgong Women Front);
PCP: Pahari Chhatra Parishad (Hill Student’s Council )
PCP: Pahari Chhatra Parishad (Hill Student’s Forum)
PCP: Pahari Chhattr Parshad, (Hill Student Council);
PGP: Pahari Gono Parishad (Hill People’s Council)
PGP: Parbatya Gono Parishad, (Hill Public Council)
PNP: Parbatya Nagorik Parishad (Hill Citizen Council);
PS: Pratirodh Sangskritik Squad (Resistance Cultural Squad)
RAW: Research and Analysis Wing
RC: Regional Council
RCA: Regional Council Act
SAA: Somo Adhikar Andolon (SAA) – Equal Rights Movement
SB: Santi Bahini
SBR: Sajek Bhumi Rokkha Committee (Sajek Land Protection Committee);
SNS: Sajek Nari Samaj (Sajek Women Society);
SPC: Santras Protirod Committee (Terror Prevention Committee)
TUS: Tripura Unnayan Sangsad (Tripura Development Council),
ULFA: United Liberation Front of Asom (ULFA)
UNDP: United Nations Development Program
UNESCO: United Nations Economic, Social and Cultural Organization
UPDF: United Peoples Democratic Front
WB: World Bank
WFP: World Food Programme
1. Introduction and research problem

The daunting challenges of spoilers – leaders and parties who oppose peace and negotiation (Stedman 1997:5) – in the peace process and the recent spate of peace breaking (UN 2009:12; Pearlman 2009:79; Darby 2001:8) have made ‘spoiling’ an interesting topic of research. Given the enormous material and human costs (Newman and Richmond 2006a:101-102) of the collapse and sometimes ceaseless protraction of those peace processes, the stakes for understanding spoiling have become high (Pearlman 2009). Over the decades, scholars have exerted many efforts to illuminate our understanding of those spoilers, their behaviors and conditions of spoiling (Stedman 1997, 2002, 2008; Darby and Mac Ginty 2000; Newman and Richmond 2006a, Zahar 2006a, Greenhill and Major 2007; Pearlman 2009; Blaydes, and De Maio 2010). This scholastic intervention enriches the spoiler literature but, at the same time, expands the scope of research on spoilers. A debate now is rolling about the conceptualization of the multiple actors and the complexity of their spoiling behaviors.

Some of those studies predominantly concentrate on violent spoiling (Stedman 1997; Suzanne 1999, Zahar 2006a, 2008; Findley 2007; Greenhill and Major 2007) due to its high frequency and visibility in the disintegration of various peace processes. However, some recent studies (Newman and Richmond 2006) contend that non-violent (subtle or less visible) spoiling behaviors can also invariably derail the peace processes and set back negotiations. These authors argue that spoilers can be any “groups and tactics that actively seek to hinder, delay, or undermine conflict settlement through a variety of means and for a variety of motives” (Newman and Richmond 2006a: 102).

Regrettably, however, there is a shortage of scholarship that guides researchers to make generalization about those complex actors and their subtle spoiling behaviors. Very few cases except Farrington (2006) categorized those non-violent spoilers and classify their type of actions which, in fact, necessitated future research to understand the category of those spoilers, their behaviors and to concentrate on the complexity of subtle or less visible spoiling. This study is undertaken to fill this apparent lack of scholarship. The purpose of the research is to make contribution to the spoiler debate and to guide future research on the complex phenomenon of
subtle spoiling. It is true that spoiling is a highly contextual phenomenon: the tactics, behaviors and the ‘opportunity structure’ of spoiling can vary from context to context. Research now suggests that any party at any point turns out to be a spoiler since no peace process, practically, can accommodate all underlying needs of all parties.

This study, in light of these arguments, will look into how this debate on spoiler is relevant and applicable to the peace process in the CHT of Bangladesh. This CHT conflict is suitable since it is a spoiler-rich conflict and has a long history passing through stages. A peace agreement was signed in 1997 yet lasting peace remains a far cry. This unusual protraction of the post-accord peace implementation has made it an interesting case for spoiler research. Moreover, there is an apparent knowledge gap on the spoilers in this case. So far there is no ‘systematic study’ undertaken from a spoiler perspective. This study is motivated to fill this lacuna of knowledge as well.

1.2. The geography and the background of the conflict

The mountainous range of the CHT subdivided into three hill districts\(^1\) – Rangamati, Khagrachari and Bandarban – occupies a land mass of about 5095 square kilometers which is around 10% of the total territory of Bangladesh. It constitutes a strategic landmass bordering the two exclusive neighbors of Bangladesh – Indian states of Tripura in the north, Mizoram in the east and Myanmar (Burma) both in the east and south (Figure 1). The CHT which is home to 13 tribal\(^2\) (around 1.13% of the total population; Yasmin 2014: 121; Banglapedia) ethnic groups popularly called as Jummas (who do swidden cultivation) was segregated during the British colonial period for both economic and administrative reasons. Those *Sino-Tibetan Jummas*\(^3\) have different

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\(^1\) There are 64 administrative districts in Bangladesh of which three are located in the CHT.

\(^2\) There is legal restriction to call them “indigenous people” since the constitution of Bangladesh does not allow it. Instead it uses the term “tribal” or “ethnic minorities.” In the whole study the term indigenous will be avoided just not to tangle in the debate.

\(^3\) They inhabit in heavily forested region and are self-sufficient. They weave their own cloths, make their own house and manufacture agricultural implements for their own use.
culture, traditions, religions\(^4\), linguistic dialect, and are markedly dissimilar to the Dravdo-Mundo mainstream Bangladeshi people.

The struggle in the CHT (1972-1997) between the PCJSS rebel wing Shanti Bahini (translated to Peace Force) and the government of Bangladesh germinates from a state’s policy of imposing an all-encompassing ‘Bengali identity’ on a culturally minor tribal people (Mohsin 1997). The conflict started in 1976 as the tribal leaders demanded ‘full autonomy’ of the region and right to distinct cultural life through constitutional means. Successive governments denied that demand seeing it sabotage to the state building process and required them to renounce their identity. Since then the conflict persisted for around 25 years until the signing of the peace agreement in 1997. Now signatories are bickering over post-accord non-implementation of treaty. A number of anti-accord tribal and Bengali groups also posing challenges to the implementation of the agreement.

\(^4\) They are non-Muslims. Chakmas, Murmas, Chaks, Khayangs and Tanchanyas are Buddhist; Tripuras and Riangs are Hindus; Lushais, Pankhus and Bonjogis are Christian and the rest are animist.
1.3. Literature review

The literature on spoilers has drawn considerable amount of scholarship (Stedman 1997, Darby and Mac Ginty 2000; Darby 2001, 2006; Newman and Richmond 2006; Zahar 2006a). A group of scholars has devoted much scholastic efforts to define ‘spoiling’ and explore spoiling tactics. Nonetheless, there is no universal definition of ‘spoiling.’ Stedman (1997: 5) defines spoilers as
those “leaders and parties who believe that peace emerging from negotiations threatens their power, worldview and interests and use violence to undermine attempts to achieve it.” Newman and Richmond (2006a and 2006b) criticize Stedman’s definition as being “limited” and “narrow” arguing that this definition is not useful to define actors who use more “subtle form” of spoiling. Invariably, non-violent spoiling strategy like refusal to play by the rules of business may result in a state paralysis. Thus they contend that a broad definition of spoilers should account for any “groups and tactics that actively seek to hinder, delay, or undermine conflict settlement through a variety of means and for a variety of motives” (Newman and Richmond 2006a: 102).

Stedman (1997: 8) distinguishes inside and outside spoilers. Inside spoiler is signatory of peace agreement and outside spoiler are those parties excluded from the peace process. Some scholars, however, contend that spoilers can come from outside of the conflict zone (Newman and Richmond 2006). There are three types of spoilers (Stedman1997:10-11): limited, greedy and total. However, Greenhill and Major (2007; Findley 2007) contend that this actor-based profiling does not identify potential or latent spoilers. Zahar (2010:266) argues that there are no fixed spoiler types since the propensity to use violence count on prevailing opportunity structure and capability of the actors. Newman and Richmond argue, spoiling is “more an issue of tactics, not actors”. (2006a:5).

A number of scholars also suggest that spoiling could be an outcome of ‘exclusivity’ of potential actors. Blaydes and De Maio (2010) contend that negotiation between only some of the potential parties is more likely to generate violence whereas inclusive negotiation reduces such incentives (2010:4). This spoiling behavior may be motivated out of a desire to attain recognition as a party and representation in the negotiation table (Blaydes and De Maio 2010:4). A consensus now emerges among the scholars that to be successful a peace treaty must address underlying causes of the ethnic conflict (Burton 1990; Brand -Jacobsen and Jacobsen 2000, Darby and Mac Ginty 2003). Yet, scholars debate what constitutes underlying causes. Some emphasize on structural sources such as power imbalance, group inequality and distribution of resources (Ruane and Todd 1996; Varennes 2003).
Besides, grassroots opposition sometimes presents a formidable challenge to the implementation of peace agreement. Sometimes leadership of signatory parties might face ‘family feud’ if rank and file are not consulted before making a peace deal. Scholars now suggest that disputants harbor a number of “devious objectives” (Zahar 2010; Newman and Richmond 2006) in peace process. Sometimes spoiling depends on the interplay of insider and outsider in the peace process.

1.4. Objective and research questions

The purpose of this research is to contribute to the debate on the conceptualization of spoilers since there is a shortage of knowledge in understanding non-violent spoilers and the complex phenomenon of subtle (less visible and short-term) spoiling. The present research will categorize those spoilers, their impact on peace negotiations by focusing on the complexity of multiple spoiling actors and their actions in the protracted CHT conflict. The exploration will be done along the lines of the following questions:

- Who were the spoilers in the peace process in the CHT conflict (inside and outside)?
- Which actions made them spoilers?
- When in the peace process did they become spoilers?
- How long were they spoilers?
- How successful were they?
- Was there any pre-agreement spoiling?
- Spoiling during peace negotiations?
- Was there any post-agreement spoiling?

1.5. Significance of the study

Apart from the guidance to the future research on the complex spoiling actors, behaviors and the contribution to the conceptualization of spoilers this research will provide valuable insight for peacemakers and mediators which might help them design effective management strategy that
could contain those spoilers. Scholars can draw valuable impression from the CHT peace process about the variability of spoiling actors and tactics of their spoiling. As a spoiler case it is interesting due to its cultural and nationalistic context. How can we explain spoiling behaviors rooted in a two mutually exclusive feelings to a land: primordial sense of belonging (Tribal people) and nationalistic sense of possession (Bengali)? Spoiler literature is quite rich though in case studies – Rwanda, Angola, Mozambique, Chad, Sierra Leone, and Lebanon – yet how far this knowledge is applicable to the peace process in the CHT conflict? How can we apply this knowledge in a context of ‘identity conflict’ which involves sovereignty and state building issues? The CHT would be an interesting case to shed light on those questions.

In addition, the research will fill out an existing knowledge gap on the spoilers in the peace process of the CHT conflict by making a categorization of those spoilers in the different phases of the peace process. So far no ‘systemic study’ has been conducted from a spoiler perspective which sheds light on those multiple spoilers and their spoiling behaviors in the protracted peace process of the CHT conflict: who are those spoilers? What is timing of their spoiling?

Most of the studies in the CHT conflict discuss general background of the conflict and focus on post-accord implementation challenges (Mohsin 1997; 2000; Panday and Jamil 2009; Yasmin 2014; Chakma 2010). Moreover, the peace accord which was signed in 1997 has not been fully implemented even after 17 years of its signing. Nonetheless, there is no violent breakup of the peace accord. This unusual protraction of the post-accord peace implementation props up question: why is the implementation being protracted? Is this non-implementation due to violence only? Are those spoilers all violent? What strategies the signatories are using to delay the implementation? The research will make significant contribution to address those questions.

1.7. Theoretical Framework

There is no established theory on spoilers. The findings of the literature are highly varied (Stedman 1997, Darby and Mac Ginty 2000; Newman and Richmond 2006a; Zahar 2006a). This study reviewed the literature and summarized those findings and debates (what are the key issues
and contradictions). Based on this summary and scholarly debate, an ‘analytical framework’ (see chapter 4) was developed which then was used to analyze the peace process in the CHT conflict in order to categorize the current knowledge on spoilers and identify the gaps that still need to be filled. Nonetheless, the point of departure here is that this analytical framework does not test the existing hypotheses, assumptions or to prove/disprove any theory. But it was rather taken up to concentrate on the peace process and all sort of spoiling in the CHT conflict in 1997. The framework was used on abductive basis to look into spoiler actors, behaviors, timing, motivations and outcome of spoiling in the CHT peace process.

1.8. Methodology

The methodology here is a qualitative desk study using the case of the CHT conflict. Corbin and Strauss (2014:12) argue that a qualitative study “allows researcher to get at the inner experience of participants, to determine how meanings are formed through and in culture […]”. The desk study is useful because it allows researcher to gather a collation of secondary information related to the case of observation and help researcher make appraisal based on those existing knowledge. This study used secondary documentation such books, journal article, human rights reports, news papers, research reports and online publications etc (see chapter 3).

1.9. (De) limitation and limitation

The shortcoming of a single case study is that it has no generalization value though such generalization was not the purpose of this research. In addition, this case study is limited to text analysis. Besides, there is a personal interest that motivated the CHT as a case for this study. This interest grew out of a family tragedy.\(^5\) While this background knowledge and family implication was useful, on the other hand, it was a limitation on the part of the researcher, at least

\(^5\) Back in 1970s in the wake of conflict in the CHT, my eldest brother was abducted by a team of Shanti Bahini (translated into Peace Force) while supervising co-workers in wood logging. My father was a timber merchant and used to cut woods in the forest reserve auctioned by the forest department. Aftermath the abduction Shanti Bahini demanded a high ransom or otherwise threatened to behead the captive. My father bargained this ransom and got him back. Since then he acted as a go-between in similar cases as he could speak Chakma language.
for the sake of the impartiality of the research. Nonetheless, the whole research has been conducted as dispassionately as possible.

1.10. Chapter layout

The first chapter discusses the process of the research and briefly outlines the background of the case, objective, research question and significance of the study. It elaborates the limitation of the study.

The second chapter provides a short background of the CHT conflict. The ‘onion model’ (Fisher et al. 2000) concentrates on the actors, issues and interests in CHT. The last section reviews the historical background of the conflict according to the ‘stage model’ (Fisher et al. 2000) of conflict analysis.

The third chapter elaborates the methodology of the research. It discusses the utility of the case studies and its limitation.

The fourth chapter presents a review of the literature on spoilers. Based on the review an analytical framework has been developed which was used in the peace process in the CHT conflict. The framework was developed along line of actors, spoiling behaviors, motivation and types of spoiling actions.

The fifth chapter presents findings of the peace process in the CHT conflict. It outlines the different phases of peace process and discusses success and failure of those processes.

The sixth chapter analyzes those findings according to the ‘analytical framework’ developed in the previous chapter. It compares previous research findings with the peace process in the CHT conflict in order to look into new actors, issues of spoiling and motivations of spoilers.

The seventh chapter concludes the findings of the research and suggests some points for future research on spoilers.
2. Background

The 25 year-long (1972 to 1997) armed struggle in the southeastern part of Bangladesh popularly known as the Chittagong Hill Tracts (CHT) between the PCJSS rebel wing Shanti Bahini (Peace Force) and the government of Bangladesh is rooted in the state’s policy of imposing an all-encompassing ‘Bengali identity’ on a culturally minor tribal people whose life and culture are different from the mainstream Bangladeshi people (Mohsin 1997). Leading up to the state building process in 1972, Bangladesh retained an ‘assimilation policy’ which forced tribal people to forgo their distinct ethnic identity and become Bengali.

In rejection to the bengalization (Schendel 1992:110-111), tribal people demanded ‘full autonomy’ and preservation of their distinct culture. Consequently, this face-off between the PCJSS guerilla and the Bangladesh government resulted into a military conflict. The government ‘militarized the region and took a settlement policy in order to counter a perceived threat of disintegration of this region. A Peace Accord signed on December 2, 1997 establishing a partial peace in the region but the conflict has continued to simmer since then. Thus, the treaty has not been fully implemented even after 17 year of its signing. An ‘onion model’ (Fisher et al. 2000:19) is used here to provide a brief outline of the actors, issues and interests of the conflict:

2.1. Conflict actors

The conflict in the CHT involves tribal people (PCJSS and Shanti Bahini rebels) and the government of Bangladesh. Initially, India was involved in the conflict by providing covert and overt support to Shanti Bahini rebels. However, India was never a direct party of the conflict. After signing of the peace treaty in 1997, a number of anti-accord groups (see chapter 5) has sprung up who now pose significant challenges to the post-accord implementation.

2.2. Interests of the parties

The conflict started in 1976 as tribal leaders demanded ‘full autonomy’ of the region and the right to distinct cultural life through constitutional means. Successive governments denied that demand seeing it sabotage to the state building process and required them to renounce their
identity. Since then the conflict persisted for around 25 years until the signing of the peace agreement in 1997. Now parties are bickering over the post-accord non-implementation of treaty. The PCJSS is blaming that the government is not sincere to implement the treaty. Recently, a national daily quoted J.B. Larma: “The government has cheated the indigenous people by not implementing the treaty in the last 17 years” (Daily Star, December 2, 2014). However, the government is claiming that most of the provisions of the treaty have been implemented.

Figure 2: The onion model of the CHT Conflict

**2.3. Issues of the conflict**

The original source of the contestation was full autonomy vis as vis state sovereignty and territorial integrity. The tribal people demanded a separate legislature guaranteeing full autonomy to this region and preservation of their cultural Jumma identity (1976-1997). However, the post-agreement incompatibility is rooted in the non-implementation, distrust and uncertainty about the future.
2.4. History of the conflict

The CHT conflict did not emerge all of a sudden but rather passed through different stages of history, changing the pace, intensity, actors, issues and level of tension. A conflict analysis framework called ‘stages of conflict’ (Fisher et al. 2000:19), is used there to present a brief historical account of the conflict. The model is relevant since it helps “recognize these stages [...] to analyze the dynamics and events that relate to each stage of the conflict (Fisher et al. 2000:19).

2.5. Stages model of the CHT conflict


2.5.1. Pre-conflict (British Period 1757-1947)

The CHT was annexed to the British colony in 1860. The British government made the CHT a special administrative tributary (Dowlah 2013; Islam 1981; Schendel 1992; Chakma 2010). The 1900 CHT Regulation Act (popularly called as the CHT Manuel) prohibited land ownership and migration of Bengali people to the region (Dowlah 2013; Islam 2003, Chakma 2010).

6 The ‘stages of conflict’ model of conflict analysis consists of five significant stages: 1) pre-conflict; 2) confrontation; 3) crisis; 4) outcome; 5) post-conflict

7 The Mughals conquered the region from the Arakanese – once a princely state Burma – in 1666 (Islam 1981). Under the Mughals the CHT was governed by the Chakma Kingdom of Chittagong as a self-administered political and economic unit until it was ceded to the East Indian Company in 1760. The British colonial authority annexed the CHT in 1860 and delimited its boundary into two administrative units – Chittagong and the Chittagong Hill Tracts – the former was integrated into Bengal while the later remained a separate administrative tributary.

8 This special territorial system, as Schendel (1992: 109) points out replaced the ‘kin-ordered authority to a territorial authority’ with the tribal chiefs acting as subordinate territorial lords to the British Raj in India.
In 1920 it was declared as an ‘excluded area’ and later transformed into ‘Backward Tracts’ in 1921. The *Government of India Act* 1935 declared the region as ‘totally excluded area’ (Islam 2003, Dowlah 2013; Chakma 2013). The seclusion both protected the hilly people from the socio-economic dominance of the Bengali and preserved British economic interest of surplus extraction of revenue.

### 2.5.2. Confrontation (Pakistan Period 1947-1971; early Bangladesh period 1972-1975)

#### 2.5.2.1. Pakistan period

The annexure of the CHT to Pakistan developed a tension between the *Jumma* leaders and the Muslim Pakistani polity. A political confrontation became evident, however, when General Ayub Khan amended the constitution in 1962 and changed the status of the CHT from “excluded area” to “tribal area” (Dowlah 2013; Islam 2003). Moreover, the construction of a massive hydro-electric project (1956-62) over the Karnafully river in the Rangamati district deepened *Jumma* alienation. The dam submerged around 400 square kilometers including 54000

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9 The CHT Manuel thus became the cultural protector of the *Jummas* and ensured their separate legal, revenue and civil administrative system in the region (Schendel 1992; Adnan 2008).

10 The Europeans feared severe competition from the Bengali entrepreneurs who might have threatened the territorial system of surplus extraction and lead trouble in the hills. In order to protect their economic interest, the colonial government restricted their access to the region and promulgated stringent rules on land transfer. High-quality hilly lands were given to European tea planters (Schendel 1992: 112).

11 The CHT was annexed as a ‘colonial windfall’ despite the unwillingness of *Jumma* people (Adnan 2008; Yasmin 2014).

12 The Muslim League branded them as ‘pro-indian’ whereas *Jumma* leaders were frightened of cultural subjugation to majority Muslim people. *Jumma* wanted to maintain both administrative and cultural seclusion of their region from the rest of the Bengal whereas Pakistan wanted to strip off the restriction by repealing the CHT Manuel. This marked the political instability in the region.

13 Several rules (51 and 34) of the CHT Manual were amended allowing non-hill people to settle in the CHT. All those decreases and constitutional measures deepened a sense of alienation among *Jumma* leaders (Islam 2003:140).
acres of best arable land and displaced about 100,000 people in the Rangamati district mostly Chakma (Dowlah 2013:774; Islam 2003:140). Losing habitat many tribal people migrated to Indian Arunachal Pradesh (Dowlah 2013:774).

In addition, the construction of the Kaptai dam heightened tension among the tribal people (Islam 2003:141). The government provided about $2.6 million compensation but it was far too enough to the estimated costs of the devastation. Most of the business and employment created by the Kaptai project was controlled by non-hillmen – both Bengali and non-Bengali. This economic disparity and marginalization of hill people marked the onset of political conflict and began to consolidate a separate Jumma identity in the region.

2.5.2.2. Early Bangladesh period (December 1971-1975)

Bangladesh inherited the CHT as an already highly politicized region with Jumma people seeking a pan-indigenous cultural identity. The 1972 constitution of Bangladesh incorporated ‘Bengali nationalism’ as a founding principle of the state putting emphasis on Bengali language and culture (Islam 2008: 144; Dowlah 775).

In protest of the assimilation policy¹⁴ designed by the ruling elite, M.N. Larma walked out from the Parliament, refused to endorse the constitution and stated: “You cannot impose your national identity on others. I am a Chakma, not a Bengali…” (quoted in Dowlah 2013:775). Frustrated Larma soon formed a regional political party called the Parbotta Chattagram Janasanghati Samiti (PCJSS) in 1973. And later an armed wing – the Gono Mukti Fouj (People’s Liberation Army) popularly known as Shanti Bahini (Peace Force) was set up consisting of hard-core party activists mainly Chakma (Islam 2003:144-45). The armed wing was led by Joytirindra Bodhipriya Larma known as Shantu Larma – a younger brother of M. N. Larma.

2.5.3. Crisis (the Zia regime 1976-1981 to the Ershad regime 1982-1985)

The political conflict soon escalated into a military crisis in 1976 when the Shanti Bahini guerillas began an armed insurgency in the CHT allegedly supported by India. The military regime took the tribal agitation as secessionist activity and quickly securitized the CHT issue as a national threat to the sovereignty of Bangladesh (Chakma 2010:289).

Both Zia and Ershad (who succeeded Zia in 1981) undertook militarization policy in the CHT and patronized a massive influx of Bengali settlers. From 1978-1985 under state patronage around 400,000 Bengali mainly poor people was brought in for settlement in the CHT (Chakma 2010: 291; the CHT Commission 1994:26; Dowlah 2013:776). It was alleged that about 100,000 people were forcefully evicted during the in-migration period in the CHT of which around 55,000 allegedly moved out to the nearby India state of Tripura in refugee camps (Ali 1993:193; Roy 1997c:168; Roy 1996:78; quoted in Adnan 2008:33). From 1976-1985 there was intense fighting between Bangladesh government and Shanti Bahini rebels.

2.5.4. Outcome (the Ershad regime 1985-1989 to the Khaleda regime 1991-1996);

Ershad formed a Tribal Convention which held four rounds of informal dialogue but failed to negotiate the conflict. Shanti Bahini took the Convention leaders as political lightweights co-opted by the military regime to manipulate tribal people (Ahsan and Chakma 1989:969; Bhaumik 2008: 282).

2.5.4.1. The Liaison Committee and the pacification measures

The Ershad regime undertook some pacification and confidence building measures to facilitate dialogue between the PCJSS and the government. He declared general amnesty to the guerillas.

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15 Shanti Bahini established headquarter in the Tripura state of India (Yasmin 2014:123). General Zia – a veteran freedom fighters and later president who succeeded Mujib in 1976 –militarized the whole region and started counter-insurgency operations against guerrillas.

16 They were settled in the state owned Khas land: each family would have given 5 acres of hilly land, 4 acres of mixed land and 2,5 acres of paddy land (Chaka 2010:291; Anti-Slavery Society 1984:71-73, Arens 1997:1813).
From 1985-1988 a series of formal dialogue took place between the Ershad regime and the PCJSS. Ershad formed a liaison committee headed by Upendra Lal Chakma who was acting as a ‘go between.’ PCJSS placed their five point charter and demanded a separate legislature but the government rejected this charter arguing those points are inconsistent with the Constitution of Bangladesh.

2.5.4.2. The Parliamentary Committee

Khaleda Zia’s government also formed a nine-member Parliamentary Committee on the CHT headed by Col. (Retd.) Oli Ahmed and held 13 rounds of official dialogue but failed to achieve progress. It is alleged that there was no genuine commitment on both sides to find a solution to the problem: the government delayed the negotiation several times and was unwilling to give in to the main demand of the PCJSS (Arens 1997:1817).

2.5.5. Post-conflict (1996-2015)

In 1997 after a year-long negotiation between the 12-member National Committee on the CHT headed by Chief Whip Abul Hasnat Abdullah, and the PCJSS leader Shantu Larma, on December 2, 1997 Hasina government signed a treaty known as the CHT Peace Accord. Thus, the 25 year-long insurgency came to end. However, till today the treaty has not been fully implemented. Sustainable peace in the CHT remains a far cry. Moreover, the accord itself has become a bone of contention among contending factions. A timeline (Figure 2) also will summarize the crucial development in the progression of the conflict.

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17 1) To accord Provincial Autonomy for the CHT with its own legislature; (2) To make constitutional provisions prohibiting any constitutional change regarding CHT without consent of the CHT people and preventing anyone from other parts of country from settling down in CHT; (3) To remove from CHT all those illegal outsiders who have infiltrated into CHT from 17 August 1947; (4) To make special economic plans for the development of the Jumma people of the CHT; (5) To create favorable climate for a peaceful and political solution of the crisis in the CHT. (see details at: http://www.pcjss-cht.org/cht-history-strugle/).
Figure 3: Timeline of the CHT Conflict

Events As Viewed by PCJS and Shantti Bahini

“Terror, I cannot be Bengali”

Constitutional imposition of majority Bengali identity on Jumma people

PCJS and Shantti Bahini defending the survival of Jumma identity in the CHT

Bengali people are threatening the identity through assimilation and Islamization of the CHT. There is no other way except fighting for self-determination

Militarization: The government indiscriminately killing tribal people and want to destroy the struggle for self-determination

Settlement changing the demography of the CHT and forcefully evicting Jummas from their land

CHTDB a military ploy to buy off tribal people and to forcefully relocate Jumma people to dispossessed villages

Negotiation: Both parties are trying to resolve the conflict

PCJS is committed to peace. The treaty will establish Jumma people’s right in the region and will protect their culture

The government is not sincere to implement the treaty

Events As Viewed by the government of Bangladesh

“Forget ethnic identity and become Bengali”

Constitutional culmination of much cherished Bengali nationalism

PCJS and Shantti Bahini threatening the territorial integrity of Bangladesh

Secularization of the CHT: Shantti Bahini insurgency threatening the sovereignty and territorial integrity of the land

Militarization: The military is protecting the people security against guerillas

Settlement policy is to rehabilitate landless Bengali people into the CHT region

CHTDB is to uplift the socio-economic backwardness of the Jumma people

Negotiation: Both parties are trying to resolve the conflict

1972a: Delegation demand for full autonomy

1972b: Bengali nationalism in the constitution

1973-75: Political instability

1976-85: Military skirmishes


1997: Peace Treaty Signed

1997-2018: Partial implementation

(Source: constructed by the author)
3. Methodology

The chapter discusses the methodology of this research.

3.1. Qualitative research

The approach here is a qualitative desk study using the case of the CHT peace process. Qualitative research is useful since it “allows researcher to get at the inner experience of participants, to determine how meanings are formed through and in culture […]” (Corbin and Strauss 2014:12). The desk study is useful because it allows researcher to gather a collation of secondary information related to the case of observation and help researcher make appraisal based on those existing knowledge. Since the conflict in the CHT has a long historical background, the desk study will be significant to review that background. Thus, it has focused on secondary text analysis. Extensive literature on the spoiler and peace process in the Chittagong Hill Tracts (CHT) has been collected using search engines.

3.2. Utility of case study

A case study approach has been presented here as a strategy of inquiry. Yin (2009:4) suggests that a case study is useful because it provides extensive understanding of social phenomena. He also suggests that (Yin 2012:5) case study is useful to search answer of descriptive question – what is happening and has happened? and exploratory question – why certain events did happen? In this case, what and why spoiling did happen in the CHT peace process? This is an instrumental case (Creswell 2013: 99) since the subject of the case is spoiler problem and the bounded case here is the Chittagong Hill Tracts. This type of qualitative approach is useful, as Creswell (2013: 98) argues, because it enables researcher to present an in-depth understanding of the case.

3.3. Limitation of case study

A single case study, however, is criticized for having no value for generalization. In fact, generalization was not an objective of the research in this case. This study has been undertaken,
as Newman and Richmond (2006) argue, to problematize the spoiler concept by looking into contextual peculiarity and situational dynamics of spoiling in the CHT.

The CHT conflict is intriguing as a spoiler case for there is a lack of knowledge on the categorization of spoilers in the protracted peace process in the CHT. And, broadly in spoiler literature, very few cases are available that guide researchers in understanding the complexity of those spoiling actors who often resort to subtle or less visible spoiling. However, previous research on spoiling has been consulted (chapter 4) in order to synthesize a general framework which can be applicable to other situations. The aim of this consultation was to find *analytical generalization* of spoiler concept, conditions of spoiling, characteristics of actors, multiple stages of spoiling and behavioral dynamics of spoiling.

### 3.4. Secondary sources

Information or qualitative data for a case study can be derived from interviews, observation, documents and audiovisual materials (Creswell 2013:98). This study, however, could not tap all of these sources of information. It was limited to the text analysis of secondary documentation and archival data. Such data has been collected from varied sources including but not limited to books, section in the books, peer-reviewed academic journal articles, local and international human rights reports, archives, occasional papers, paper series, news media, online publications of various organizations, personal interview and public speech, organizational reports and status reports etc. Formal data used in this study are taken from information database. Information has been collected from media as well. Archives of a number national Daily have been consulted to look for information on the CHT. To maintain impartiality of the research supporting documents and text have been presented as objective as possible (Yin 2009:14).

The literature review section of this research mainly consulted existing secondary documentation on spoiler literature which includes books, book chapters and journal articles (see chapter 4). The

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findings section consulted a number of scholastic articles, book, books chapter published by both Bangladeshi and South Asian authors on the CHT conflict or relevant topic. Two available western authors’ works on the CHT conflict (Arens 1997; Levene 1999) have been consulted as well. Moreover, the findings consulted archives of news media, online publications, websites, human rights reports etc.

3.5. Triangulation of multiple sources

In this study, secondary information has been collected through triangulation of multiple evidences (Yin 2012:13). Triangulation makes data as robust as possible since it provides a converging line of evidence across a number of sources (Yin: 2012: 13) As Duneier (1999: 345:347 cited in Yin 2012: 13) argues, triangulation of various sources and availability of data from different pockets provide researcher an opportunity to check and recheck the consistency of findings from different as well as same sources. This triangulation is useful to search convergence of facts, interpretation of events and reporting from multiple sources.

However, secondary documentation has both strength and weakness. Yin (2001:103) suggests that documentation is strong sources of information since the sources are stable and can be checked repeatedly and these sources are robust which present broad coverage of events and settings. The broad coverage of events across a number of sources confirms reliability, validity of the references being used since information is collected from accepted academic and formal sources. On the other hand, documentation has also weakness such as secondary data can be purposively selected from certain sources. Information can be incomplete and author might make (un)intentional reporting bias (Yin 2009:102). However, as discussed above, such biases have been avoided through triangulation of secondary data from various sources. This whole process has been done objectively.
4. Analytical framework

The literature on spoilers and spoiling dynamics has drawn considerable amount of scholarship in recent decades (e.g. Stedman 1997, 2002, 2008; Atlas and Licklider 1999; Darby and Mac Ginty 2000; Darby 2001, 2006; Newman and Richmond 2006a, 2006b; Zahar 2006a, 2006b, 2010; Greenhill and Major 2007; Blaydes, and De Maio 2010; Nilsson and Kovacs 2011).

Stedman’s seminal work ‘Spoilers Problems in Peace Process’(1997) made a significant breakthrough but he was not the first author who looked into these issues (e.g. Walter 1994; Licklider 1995; Hampson 1996; Sisk 1996); though he provided a systematic approach of studying spoiler problem by profiling different actors and devising spoiler management strategies. A group of scholars henceforth has devoted many scholastic efforts to define ‘spoiling’, explore spoiling tactics, and understand varied motives, strategies, patters from different contexts. Interestingly, these case by case analyses (Rwanda, Angola, Mozambique, Zimbabwe, Chad, Democratic Republic of Congo, Sierra Leone, Sudan, Somalia, Russo-Chechen, Northern Ireland, Bosnia, Abkhazia and South Ossetia, Cyprus, Palestine-Israel, Lebanon, Sri Lanka, Kashmir, Cambodia, and Colombia) has not only enriched the spoiler literature and expanded its scope but also deepened the evolving situational dynamism of the nature of spoilers and spoiling behaviors. Before going to review the literature it is important here to note why the peace process in the CHT has been chosen as a spoiler case in this research.

4.1. Case selection

The literature on spoilers has evolved through case studies (see Stedman 1997, Darby and Mac Ginty 2000; Gunning 2004; Newman and Richmond 2006a, Shedd 2008). In fact, spoiling is a situational phenomenon which varies from case to case. Spoilers invariably are varied as the history of those cases. The nature and behaviors of spoilers, the opportunity structure and incentives all these are highly contingent on context which makes ‘case study’ a powerful tool to look into spoiling dynamics since it provides an in-depth understanding (Yin 2012: 5) of the actors and their behaviors. In addition, these case studies not only nourished the debate by categorizing various spoilers and spoiling conditions but also empowered peace maker to design effective management strategy. In line of this argument, this study will explore the spoilers in the
peace process of the CHT conflict. The purpose of this research is to look into how and to what extent the existing knowledge is applicable to the CHT conflict and what knowledge gap that still needs to be filled which might expand the scope of spoiler debate. To serve this research purpose the current case in perspective is useful for two reasons:

The CHT conflict as a spoiler case is interesting for its cultural and nationalistic context. How can we explain spoiling dynamics rooted in a two mutually exclusive feelings to a land: primordial sense of belonging (Tribal people) and nationalistic sense of possession (Bengali)? Spoiler literature is quite rich in case studies – Rwanda, Angola, Mozambique, Chad, Sierra Leone, and Lebanon - yet how far this knowledge is applicable to the peace process in the CHT? How can we apply this knowledge in a context of identity conflict involving sovereignty and state building issues? The CHT would be an interesting case to shed light on those questions.

This chapter will review previous studies, summarize their findings and discuss the literature debate (what are the key issues and contradictions). By applying current knowledge on spoilers, an analytical framework will be developed which will then be used to analyze the current case in perspective. However, the point of departure here is that this analytical framework is not meant to test the existing hypotheses or assumptions or to prove/disprove theory. It is rather meant to provide a lens to categorize information on spoilers in order to enrich the debate, provide a framework to be applied to other case studies, guide further research and point out research gaps. But first of all it is useful to start with definition of spoiling.

4.2. Defining spoilers and spoiling

There is no universal definition of ‘spoiling’ and ‘spoilers’ yet. A general tendency of thinking about ‘spoilers’ pushes us to take a binary look (Newman and Richmond 2006:4) at the issue: those ‘for’ peace (peacemakers) and those ‘against’ peace (spoilers). However, such linear simplicity seems to be naïve in grasping this complex phenomenon in the peace process – at least varied cases and different spoiling behaviors prevent us to do so. Put argumentatively, peace process or agreement neither address all issues in places nor accommodate all underlying grievances of all parties involved in the conflict, yet peace agreement exits and signatories value peace. So spoiling is a part of peace process (Stedman 1997:7; Newman and Richmond 2006:4)
and peacemaking since often it sides out dissident groups or sometimes dissatisfies signatories who might not like the outcome of this process.

Stedman provides a general definition of those actors (1997: 5): “spoilers” are those “leaders and parties who believe that peace emerging from negotiations threatens their power, worldview and interests and use violence to undermine attempts to achieve it.” As he argues “spoilers exist only when there is peace process to undermine …at least two warring parties have committed …to a pact and have signed a comprehensive peace process” (Stedman 1997:7). These arguments imply three things a) spoilers emerge through making violence b) there is a peace agreement that spoilers target to undermine and c) spoilers are signatories or parties within this conflict zone. Stedman suggests that most of the peace processes are foiled by those actors who use violence (Stedman 1997:5). This is why most of the subsequent studies were built on this definition of spoiling (e.g. Suzanne 1999, Zahar 2006a, 2008; Findley 2007; Greenhill and Major 2007; Nilsson 2008; Pearlman 2009).

On the contrary, Newman and Richmond (2006a and 2006b) problematize the concept of spoilers and spoiling behaviors and dispute that the current definition needs to include a wide range of actors as spoilers. These authors criticize Stedman’s definition as being “limited” and “narrow” to certain extent arguing that it does not help identify varied actors who use more “subtle form” of spoiling. While the stakes of violence are understandable in any given peace process, yet the argument is that “the complexities of violent conflict require a broad definition of spoiling behaviors” (Newman and Richmond 2006a: 102). Newman and Richmond hold the view that a broad definition of spoilers and spoiling should account for any “groups and tactics that actively seek to hinder, delay, or undermine conflict settlement through a variety of means and for a variety of motives” (Newman and Richmond 2006a: 102). They argue that spoiling are:

“activities of any actors that are opposed to peaceful settlement for whatever reason. These actors are either within or (usually) outside the ‘peace process’, and use violence or other means to disrupt the process in pursuit of their aims. Parties that join a peace process but then withdraw and obstruct, or threaten to obstruct, the process may also be termed spoilers.” (Newman and Richmond 2006b: 2).
There are a number of problems of profiling actors in terms of their motives because such motives change from situation to situation. For instance, a party might not agree to the terms of a peace agreement but still values peace because of the privileges it might bring in (Stedman 1997:8) Warring parties might use this temporary cessation of hostilities to rearm themselves: acquire new weapons and seek new patrons and funds to renege into conflict. Nor any negotiated settlement guarantees a credible peace unless signatories stick to peace whatever costs of this commitment.

Any party can turn out to be a spoiler at any point (Newman and Richmond 2006b: 105) though the capacity of spoiling varies from actor to actor and context to context. It is true that, as Newman and Richmond argue, spoiling is “more an issue of tactics, not actors”. (2006a:5). For instances, at the pre-agreement stage spoilers can deter settlement negotiation by refusing to sit in the table (non-violent) or by stalling the negotiation process by both violent and non-violent means. During the negotiation level, both intentional and ‘accidental spoiling’ might occur: party might withdraw from the negotiation process and keep demanding more concession which might cross the threshold of others thus pushing them out from the compromise solution respectively (Stedman 1997). Moreover, as Zahar argues, spoiling not only prevents signing of a peace agreement but also may derail the implementation of the agreement (Zahar 2010:266).

The flamboyance of identifying spoilers with the “use of violence” thus can be precarious for practical reasons. First, spoilers often do not recourse to violence, there are “subtle” other means to derail or stall any peace process. Second, spoiling can be non-violent – party might refuse to demobilize or decommission or simply withdraw from a peace process. Invariably, non-violent or subtle spoiling behavior such as refusal to play by the rules of business may result in a state of paralysis: the demise of Dayton in Bosnia and Herzegovina is an ideal example (see Zahar 2010 notes 25.) Third, spoilers are not always signatories of a peace agreement or actors within the conflict zone such as rebel groups, armed factions, or splinter groups. Sometimes external actors might help insider groups to stall or derail any peace process through providing physical base, arms and financial support.
Fourth, spoiling can happen at any stage of peace process and necessarily does not need a peace agreement or pact in place. Even though the intensity of spoiling might vary with the timing of the peace negotiation but that findings are also contingent on a number of factors. This leads us to understand spoiling actors.

4.3. Spoiling Actors

Stedman (1997: 8) identifies the position of spoilers in peace process. His typology of actors distinguishes both **inside** and **outside** spoilers (Stedman 1997). Inside spoiler is signatory of the peace agreement who “signs a peace agreement, signals willingness to implement a settlement and yet fails to fulfill key obligation to the agreement” (1997:8). Example of such inside spoilers abounds in literature such as President Juvenal Habyarimana of Rwanda, Savimbi in Angola and Khmer Rouge (KR) in Cambodia who signed and later failed to implement the treaty or renege to conflict (e.g. Stedman 1997:8). Outside spoilers are parties who are intentionally excluded by major warring parties or exclude themselves from the peace processes and continue violence to undermine, threaten or obstruct peace process – for example, Committee for the Defense of Revolution (CDR) in Rwanda (Stedman 1997). Stedman (1997) argues that these spoilers choose different strategies of spoiling: inside spoilers use “strategy of stealth” because of their commitment to peace and hide their threat; outside spoilers use overt “strategy of violence” to undermine any peace deal or negotiation. They might abduct, assassinate, massacre, indiscriminately kill people and bomb key public houses or any other destructive tactics that obstruct any progress in implementing peace agreement (Stedman 1997).

While there is no debate over this position of spoilers in peace process, some scholars, however, contend that spoilers can come from the outside of the conflict zone (Newman and Richmond 2006). Stedman’s classification of spoilers sticks to actors within the conflict zone – signatories or excluded rebel groups, factions or splinter groups. Contrary to that Newman and Richmond (2006: 102) hold the view that spoilers can be geographically external to the conflict who support internal spoilers and spoiling tactics. These actors are ethnic or national Diaspora groups (Tamil Diaspora), rouge states, foreign patrons, political elites, political allies and even multinational corporations or any other actors who are profiteering from the ongoing conflict.
One previous study (Oskarsson 2012) argues that Internally Displaced People (IDPs) also can be spoilers at some point.

However, there are a number of concerns in identifying actors of spoiling (Nilsson and Kovacs 2011). A group of scholars (Zahar 2006a, 2008; Findley 2007; Greenhill and Major 2007; Nilsson 2008; Pearlman 2009) though confine spoilers to the parties within the conflict zone but shifted focus on non-state armed spoilers such as rebel group, insurgents, militias, factions, splinter groups. Other scholars focus on potential actors who might stall the peace processes such as Hamas extremist groups in the Israel Palestinian conflict (see Gunning 2004, Pearlman 2009). Some other case studies focus on more official (national) spoilers – for example decision makers, paramilitaries and the army (Conversi 2006; Hoglund and Zartman 2006). The following figure summarizes different kind of spoilers from both narrow and broad perspectives discussed so far:

**Figure 4: Spoilers in the peace processes**

<table>
<thead>
<tr>
<th>Narrow</th>
<th>Non-state actors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army, decision makers,</td>
<td>Rebel group, factions, splinter group, militia group,</td>
</tr>
<tr>
<td>Foreign actors, neighboring country, political parties</td>
<td>Diaspora, IDPs, multinational corporations</td>
</tr>
</tbody>
</table>

(Source: constructed by the author from the literature review)

Another concern is about normative underpinning (Heavan 2010; Nilsson and Kovacs 2011) of the spoiling concept. Is spoiling a subjective or objective concept? Most of the peace negotiations take place within the ‘liberal peace framework.’

This liberal peace framework (agreement between warring parties) confines peace settlement within conflict zone and thus any

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19 A ‘liberal peace framework’ constitutes constitutional agreement, demobilization, demilitarization, resettlement and return of the refugees, democratization process, holding election, institutional power sharing, human rights and rule of law and the free market.
opposition to this liberal peace process seen to be as spoiling activity (Newman and Richmond 2006:5).

Analysts suggest that spoiling must be seen as subjective phenomenon since there is a distinction between the normal politics of peace process (parties bargain and seek concession) and the spoiling with the aim of derailing of any peace process. Newman and Richmond argue that a subjective view of disputant perspective in the conflict would suggest an ‘alternative rationality of actors’ intention – which outsiders view as spoiling might be a legitimate demand from the insiders in the conflict.

Besides, there is a problem of identifying all extremists as spoilers since sometimes even extremist make peace and stick to it. Scholars suggest that spoiling is highly situational phenomenon (Aggestam 2006) since all parties are strategic actors. Sometimes governments tend to call spoilers terrorists (Newman and Richmond 2006b:103; see Dansie 2009; Goodhand and Walton 2009, Zahar 2010).

4.4. Actor type and logic of spoiling

Stedman profiles (1997:10-11) three types of spoilers based on goals and commitment to peace: limited, greedy and total. ‘Limited spoilers’ have limited goals – they might vie for recognition as party, demand redress of their grievances, seek power sharing arrangement and a guarantee of adequate security provision if life turns to normal. ‘Greedy spoilers’ expand or contract their goals based on the situational advantage and economic rationality of gain and loss (1997:10-11). They can jump from the limited goals if the associated costs and risks are minimal and negligible while they contract their total goals if the associated costs are high and they have no capacity to absorb and accommodate these costs. So they are opportunist. ‘Total spoilers’ pursue total goals such as total power, exclusive recognition and total authority (1997:10-11). Their goals and preferences are not immutable. They hold on all -or nothing and are not willing to compromise at any cost. They want ultimate destruction of the opponent through violent overthrow.
However, some authors (Greenhill and Major 2007, Findley 2007) contend that this actor-based profiling has a number of pitfalls. First, it does not help identify potential or latent spoilers who currently do not manifest themselves but later may undermine peace process in the pursuit of derailing it. Greenhill and Major (2007:10) contend Stedman’s typological model does not take into account the capacity of would-be spoilers who might emerge if they see a shift of power of in the conflict. Second, Zahar (2010:266) argues that there are no fixed spoiler types since the propensity to use violence count on prevailing opportunity structure and capability of the actors. Third, this profiling has been complicated also by the fact that spoiling is a situational dynamics which can be determined only by the consequences of the behaviors or the outcome not by the preferences of spoilers. Scholars now suggest that disputants harbor a number of “devious objectives” (Zahar 2010; Newman and Richmond 2006) in the peace processes.

Not all spoiling is targeted to derail peace. Parties are strategic actors and use violence for strategic reasons. A survey of case studies reveals manifold logic of the use of violence (see Zahar 2010:269-270). For example, as Zahar (2010) argues, outsiders might find peace threatening for at least three broad set of reasons. First, their political relevance is based on fighting the enemy such as Hamas. Second, groups have material interests to continue fighting since they profiteer from the political economy of conflict. And third, weaker group sidelined either for strategic consideration or because their insignificance in the negotiation table use violence in fear of losing their marginal influence and power they attained in the course of the conflict (Zahar 2010: 269). In this scenario, the intent to derail peace process is prompted by the fear of losing status quo and political voice.

Interestingly, insiders use violence for completely different reasons. As Zahar (2010:269) points out they might use violence to safeguard their vested interests. They stick to peace as long as it brings benefits. They might have fear regarding the successful implementation of peace agreement and thus refused to demobilize. Interparty trust deficit might create a security dilemma fearing that other party might take the benefits of the situation. Besides, they might recourse to “strategy of deception” using peace process as a respite to reorganize and revitalize them (Zahar 2010).
Sometimes, insiders might use violence as an expression of discontentment because of the non-implementation of the peace agreement (Zahar 2010:270) not necessarily to derail peace. Party opposed to peace process might use violence to overturn the table of negotiation. However, non-use of violence does not mean that party favorable to peace process. Negotiation can equally stalled by actors who engage in peace for gaining recognition, legitimacy, time and financial benefits or avoiding sanctions ("devious objectives") by any powerful third party. In reality these parties are not seeking genuine peace rather using it a chance (Newman and Richmond 2006:4).

Höglund in a study on “Violence and the Peace Process in Sri Lanka” (2005:157) focuses on a wide range of perpetrators of violence though conventional conflict theory distinguish violence between two well defined groups. In a similar vein, Adrian Guelke (1999:183) contends that violence needs to be placed in a wider context involving all sorts of contending parties at different stages. Violence may arise between and within the parties once negotiation started. Sometimes the terms of negotiation sow the seeds of violence. John Darby in his study on “Effects of Violence on Peace Process” has identified a number of issues – for example release of prisoners, security and military reforms and disarmament. More importantly he identified three sources of violence: the state, militant and the community.

- **Violence by the state**: State itself a source of violence during the conflict and negotiation process. Perpetrators of violence related to state are the military; the militia groups fighting in favor of the state; and decision makers opposing the peace process.

- **Violence by the militants**: In addition of Stedman’s actors Darby identifies dealers, mavericks, opportunists, zealots. He argues that violence can be a result of ‘family feud’ (Höglund 2005:158)

- **Violence by the community**: It points out to the legacies of violent conflict in the society such as violent inter-community crime, looting, burning house, stabbing neighbors, killing, raping and violent agitation in the streets. These types of violence emanate from hatred, political motivation and resources competition. Sometimes criminal gangs may perpetrate these sorts of violence.
4.5. Conditions of spoiling: why does spoiling emerge?

Zartman’s ‘ripeness theory’ (1989) argues that parties agree to the peace process when they reach a ‘mutually hurting stalemate’ – the costs of fighting weigh higher the benefits of peace (Zartman 1989). Pruitt’s “readiness theory” (Pruitt 1997) expands that peace process is accepted only when they are ready to accept it. But do these conditions guarantee that party stick to peace? Greenhill and Major’s (2007) findings are interesting. They argue (2007:120) that spoiling behavior is “causally linked to strategic exigencies than individual motivations.” As Aggestam (2006) argues, spoiling behaviors emanate from the ‘situational rationality’ of actors. Spoiling should not be considered only in relation to the violent conflict but also from the inside perspective of the negotiation (Aggestam 2006).

Sometimes spoiling depends on the interplay of insiders and outsiders in the peace process. This interplay might transform actors’ goals during the peace process. Sometimes, spoiling could be an expression of resentment to the terms of negotiation by some groups and their constituencies. However, Zahar (2010) argues that spoiling is contingent on actor’s ‘capability’ and favorable ‘opportunity structure’ (Zahar 2010: 270). Insiders calculate audience costs and possible sanctions by powerful custodians. Zahar (2010:271) notes that financial resources are very important for spoiling as well. Valuable tradable goods and outside criminal network might exacerbate spoiling (context specific). Sometimes support of powerful foreign patrons work in the similar ways.

4.6. Inclusivity and exclusivity issue

A number of scholars suggest that spoiling could be an outcome of ‘exclusivity’ of potential actors. Some authors (Kenneth 1986; Cunningham 2006) though argue that inclusive agreement is difficult to reach. Blaydes and De Maio (2010) contend that negotiations among some of the potential parties are more likely to generate violence whereas inclusive negotiation reduces such incentives (2010:4). The suggestion is that excluded groups or factions, considering the long-term importance of the negotiated outcome, may challenge existing negotiation bodies in order to find a seat in the table.
These spoiling behaviors may be motivated out of a desire to attain recognition as a party and thus representation in the negotiation table (Blaydes and De Maio 2010:4). Licklider points out that even a small insignificant but committed faction can commit series of violent activity that may bring collapse to any peace negotiation (Licklider 2001:701 cited in Blaydes and De Maio 2010: 5). By disputing exclusive power-sharing, Rothchild (2002) suggests that inclusive representation increases the likelihood of the success of peace implementation. Nilsson also holds the view that peace agreement with broad inclusion of civil society sustains over time (Nilsson 2008:147).

4.7. Success of a peace process

Hampson argues that success of the peace process depends on its design and ability to deter any future challenges to the new political order (Hampson, 1996:210). Shedd in the context of Russo-Chechen peace process argues that every party in the agreement could turn out to be spoilers at any point. The agreement may face challenges from the hardliners (Shedd 2008:95). For example, on the Chechen side, a variety of challenges come from the hardliners who began to question the authority of Mashkakov leadership. Shedd’s findings suggest that a quickly drafted peace agreement might make ambiguity in terms of interpretation (Shedd 2008:96). Russians did not fulfill the agreement by resorting to the language ambiguity.

A consensus now emerges among the scholars that to be successful a peace treaty must address underlying causes of the ethnic conflict (Burton 1990; Brand-Jacobsen and Jacobsen 2000, Darby and Mac Ginty 2003). Yet, scholars debate what constitutes underlying causes. Some emphasize on structural sources such as power imbalance, group inequality and distribution of resources (Ruane and Todd 1996; Varennes 2003). Others focus on cultural sources such as identity formation and intercultural misunderstanding (Kelman 1998; Ross 2001). Hartzell (1999) and Lederach (1995) identify three areas where power balance is important for the success of negotiated settlement: control of coercive apparatus, allocation of political power and economic advantage (Maney et al. 2006: 183).

Grassroots opposition sometimes presents a formidable challenge to the implementation of peace agreement. Sometimes leadership of signatory parties might face ‘family feud’ if the rank and
file are not consulted before making a peace deal. Rival faction might challenge the provision of concessions stipulated in the agreement. Reducing uncertainty is thus an important condition for the successful peace implementation.

**4.8. Theoretical model on spoilers and spoiling behaviors**

For theoretical consideration, there are a number of hypotheses which explain different spoiling dynamics with different associated variables. Some notable models are Stedman’s ‘typological hypothesis’ (1997), Greenhill and Major’s ‘capability–based hypothesis’ and Pearlman’s ‘internal contestation hypothesis’ (2009).

**4.8.1 Typological hypothesis**

Stedman’s typological hypothesis categorizes spoilers and the positions of their spoiling behaviors mainly based on motives and preferences – for example, limited, greedy and total spoilers (1997: 7-9). His objective of profiling was based on three particular conditions a) typology helps custodians know robust strategies of spoilers and spoiling behaviors b) it helps devise management strategies to deal with those spoilers c) it sensitize policymakers to the complexity of diagnosing spoilers. He model prescribes three measures (1997:12) of spoiling management: inducement, socialization and coercion.

Inducement means taking positive measures to address the underlying grievances of factions who obstruct or undermine peace. Such measures may range from guaranteeing fairness, greater benefits, ensuring justice and legitimacy, recognition of the parties and greater protection. Socialization means setting up norms for acceptable behaviors among the internal and the external parties who commit to peace (1997:12-13). Custodians facilitate socialization by arranging carrot and sticks. Coercion incorporates uses of coercive power – both threat and punishment – in order to deter or alter unacceptable spoiling behavior (1997:13). However, this model has been criticized for its pitfalls. Greenhill and Major (2007:8) contend that “type of spoilers does not determine the kinds of outcome that are possible…”
4.8.2. Capability hypothesis

Greenhill and Major (2007) put forward a capability-based hypothesis to understand spoiling phenomenon. They suggest spoiling is contingent on both the ‘capability’ and the ‘opportunity structure’ prevailing in the conflict situation. They argue that even if individual motivations are important, over reliance on actor-based prototype does not help diagnose spoiling behavior for spoiling is tied to the relative power or capacity and the opportunity structure within conflict (2007:12). Sometimes, shift of power parity in favor of one party can exacerbate spoiling behavior (2007:12). Such shift of distribution of power might involve military capacity in terms of battlefield forces, battlefield victories, territory taken; latent capability in terms of existence of foreign aid, access to tradable goods and support from non-combatant population (Greenhill and Major 2007:14). Sometimes, excessive suppression of one party might increase the relative capacity of the opponent party. In this case, if custodians shift the prevailing opportunity structure then actors might alter their policy and resort to spoiling behavior.

4.8.3. Internal contestation hypothesis

Pearlman’s (2009), internal contestation hypothesis suggests that spoiling takes place when parties contest for leadership and representation of a community (2009:83). He argues that this kind of spoiling emerges when numerous non-state actors vie for power and wrest the control of leadership (2009:83). These groups of spoilers strive for organizational control, personal and political advantage within their ethnic group and vis-a-vis with their external adversary. Since the competition for power and control happens simultaneously, political action in one group can produce political influence on other groups (Pearlman 2009:83).

4.9. An Analytical framework for spoiling

A summary of the whole discussion above suggests that spoilers can be both officials (national) and non-state actors. They can be insiders or outsiders of the conflict. These spoilers employ both violent and non-violent spoiling behaviors. While violent spoiling behaviors are often visible such as violent peace-breaking with causalities yet some non-violent subtle spoiling behaviors are less visible and short-term. Non-violent strategies – such as spoiling to gain time, recognition, military and material resources, refusal to demobilize and avoiding sanctions and
improve battlefield condition (Pearlman 2009; Nilsson and Kovacs 2011, Yonekawa 2014) – could be as harmful and effective as violent spoiling. This literature review also suggests that spoiling behaviors is highly subjective: an objective justification could impose value judgment to any groups unfavorable to peace.

Regarding the spoiling behavior the literature suggests that these spoiling actions often emanate from a situational rationality (Aggestam 2006; Newman and Richmond 2006) and can happen at any stage of the peace process (pre-negotiation, negotiation to post-agreement phase). For spoilers peace agreement is not often necessary. In addition, the literature review also suggests that not all spoiling is targeted to spoil the peace process. Some spoiling behavior is just to sabotage the peace process not spoil it in its entirety. Actors harbor numerous “devious objectives” during the negotiation process.

There is an interesting finding that neighboring state can be spoiler at some point whose deliberate or clandestine overt and covert support can spread the conflicts among actors. Such support ranges from providing arms, ammunition and physical base or in certain situation intervention in favor of a group. Neighboring state can use some groups as proxy to disrupt rival political regime. Such implication might emanate from political, economic, and strategic or military interests (Brown 1996, Yonekawa 2014: 163).

The figure below presents an ‘analytical framework’ which covers different aspects of the spoiler literature reviewed above. It summarizes the existing knowledge on spoiling dynamics in terms of actors, spoiling behaviors and type of spoiling actions. This framework will be applied in the peace process in the CHT conflict in order to see to what extent this knowledge is applicable to this case; how far the framework is complete and usable and what gaps those still need to be filled. In the ‘analysis chapter’, this framework will be evaluated in terms of its usability and completeness along with the presentations of the new findings on spoiling.
Figure 5: Analytical framework of spoiling

<table>
<thead>
<tr>
<th>Actors</th>
<th>Timing</th>
<th>Behaviors</th>
<th>Type of spoiling actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>Pre-negotiation</td>
<td>Violent</td>
<td>sabotage, military confrontation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-violent</td>
<td>stalling &amp; refusal to talk</td>
</tr>
<tr>
<td>National</td>
<td>Negotiation</td>
<td>Violent</td>
<td>withdraw from negotiation, sanction, military support</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-violent</td>
<td>non-participation, non-acceptance, non-recognition, refusing terms of negotiation</td>
</tr>
<tr>
<td>Non-state</td>
<td>Post-accord</td>
<td>Violent</td>
<td>overthrow an relapse into conflict</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-violent</td>
<td>non-commitment, non-implementation,</td>
</tr>
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(Source: constructed by the author from the literature review)
5. Findings

The CHT is a spoiler-rich conflict. From the emergence of the insurgency in 1976 a number of peace initiatives have been foiled due to varied and complex reasons. Some of those spoiling behaviors were non-violent (subtle and less visible) but significantly effective which sustained the conflict for 25 years. As our framework would suggest there are spoilers at all stages of the CHT conflict (from pre-negotiation to post-accord peace implementation). The CHT case also supports a broader perspective of the spoilers involving decision makers, military, neighboring state, international donors, splinter groups and political parties.

This chapter will discuss those spoiling behaviors, actors, conditions, types of spoilers in the CHT conflict. However, from an analytical point of view it would be useful to divide those spoilers into three phases: 1) pre-negotiation, 2) negotiation (official dialogue) and 3) post-agreement.

5.1 Pre-negotiation

As a broader view of spoiling suggests at least two pre-negotiation attempts have been disrupted at this stage of the CHT conflict. These are ‘accidental spoiling’ by Bengal polity in early 1972 and the failure of informal dialogue led by Tribal Convention in 1978.

5.1.1 Accidental spoiling by Bengal polity

Sheikh Mujib’s outright rejection of tribal delegation’s demand for ‘full autonomy’ and constitutional guarantee of a ‘separate identity’ marked an ‘accidental spoiling’ in the CHT. In the immediate aftermath of the independence, victorious Bengalis were not ready to accommodate such exclusive demand fearing that it might have thwarted the state building process of Bangladesh. Considering the tribal campaign as subversive to the newly emerged Bangladesh, Sheikh Mujib threatened tribal people for dire consequences such as sending military and resettling Bengali in the CHT (Arens 1997:1812). Thus a legal and constitutional
opportunity to address the political grievances of the tribal people and instability the CHT was spoiled at nip of the bud.

Some observers explained this outright rejection as ‘tyranny of majority’ (Yasmin 2014,) the dominance of ‘Bengali nationalism’ (Mohsin 1997) or as an onset of cultural marginalization. Yet, an alternative explanation, at least from the Bengali side, propped up. Neither from a real-politico perspective, was it acceptable to a leader who led the independence struggle and politically mobilized Bengali people along the line of a much cherished ethno-linguistic Bengali national identity. Nor the majority Bengalis could have been supportive of granting full autonomy, to 1% people over 10% of their rich land.

From the analysis it is apparently difficult to profile spoilers in this context. Stedman’s ‘typology model’ has no suitable type for both Sheikh Mujib and the ruling Bengal elite. There was no given peace process that ruling elite ruled out making them ‘total spoiler’. Nor the ruling elite expected the CHT region to plunge into subsequent prolonged instability. Yet, the outcome indicates spoiling of a pre-negotiation attempt. Thus, for all reasons, it would remain a sort of, as Stedman argues (1997), ‘accidental spoiling’ with exclusive demands from the both sides. Both sides behaved according to the situational reality demanding concession from each other but neither side found those demands cohesive to their needs.

**5.1.2. Failure of the Tribal Convention (informal dialogue)**

The passive resistance of the tribal people soon escalated into military conflict. However, in 1978 General Zia formed a Tribal Convention to initiate a political dialogue with the PCJSS guerillas. Led by Charu Kumar Biswas, the convention held four rounds of dialogue but failed to make any breakthrough. A number of reasons can be attributed to the failure of the Convention which entangled a wide range of actors with various motivations. Those multiple actors are western donors (indirect support: financial and political); India (greedy spoilers: strategic and political gains); military (socio-economic and military benefits); and splinter group within the PCJSS (leadership rivalry and mistrust).
5.1.3. International donor as spoilers (indirect support: financial and political)

As Zahar notes (2010:271) sometimes support of foreign donors or powerful patrons might facilitate a ground for spoiling. Such patronage while strengthens one party weakens other party. In the case of CHT, western donors’ financial and ideological support to Zia’s militarization settlement policy, CHTDB’s socio-economic schemes indirectly contributed to inhabit any genuine effort leading to the peace process. The Tribal Convention was a political pawn. There are a number of reasons to make such claim which are discussed below:

5.1.3.1. Political support by western donors

The military regime of Zia maintained powerful clout within western world. Unlike Sheikh Mujib who was a pro-Soviet and Indian ally, Zia pursued a west-bound foreign policy which attracted western donors to step in Bangladesh. Though, Mujib received relief and humanitarian aid from the western governments (Arens 1997:1811) he denied western investment in the country because of his pro-Soviet allegiance. Zia stripped off this restriction thus Bangladesh began to tightly incorporate into the global capital market. Zia undertook economic reform and denationalize major industries in Bangladesh.

5.1.3.2. Western model of counter insurgency

Zia also pursued a western model of counter-insurgency against the Maoist Shanti Bahini guerillas in the CHT and introduced counter-insurgency courses at the Army staff college. He started sweeping militarization making the CHT region a ‘vast military camp’ (Barua 2001:70; Chakma 2010:289). By late 1976 the number rose to 150,000 military and paramilitary personnel (Dowlah 2013:775) with a ratio of one soldier for five to six tribal men (Levene 1999:354). Consequently, the whole region came into a de-facto military rule (Mohsin 1997; Yasmin 2014:124; Chakma 2010:289).

It was alleged that this huge militarization was funded by western powers (Chakma 2010:290; Arens 1997). The politico-economic analyses by both Arens 1997 and Levene 1999 reported about such downpour of western aid to Zia regime. Levene argues that Shanti Bahini leaders were veteran communist who were fighting along Communist and Maoist ideology which,
“concretized Western baking for the Bangladeshi push in the CHT and […] its use of Western-derived counter-insurgency doctrine […] would covertly countenanced and even assisted by western governments regardless of the discrimination between combatant and civilians” (Levene 1999:355).

5.1.3.3. Donors support to demography policy

On humanitarian ground, (Levene 1999:355), western donors also supported a policy of ‘demographic engineering’ (Adnan 2008: 33) in the CHT. The Bengali who was 2% during 1947 rose 49% by 2003 (Talukder quoted in Panday and Jamil 2009:1057) while hill people fell from 81% to 51% (Adnan 2008:34). From 1978-1985 under state patronage around 400,000 Bengali mainly poor people was brought in for settlement in the CHT (Chakma 2010: 291; The CHT Commission 1994:26; Dowlah 2013:776). However, it was alleged that about 100,000 people were forcefully evicted during the in-migration period in the CHT of which around 55,000 allegedly moved out to the nearby India state of Tripura in refugee camps (Ali 1993:193; Roy 1997c:168; Roy 1996:78; quoted in Adnan 2008:33).

5.1.3.4. The ‘other side’ of the support to CHTDB

In addition, western donors’ support\(^{20}\) to the CHT Development Board (CHTDB) also facilitated ground for spoiling in the CHT. There were motives behind such support: the CHT is rich soil with reserves of minerals – such as coal, copper and uranium and the likelihood of oil (Arens 1997:1815). Even though the board was launched to improve the socio economic backwardness (Levene 1999: 353; Chakma 2010:290; Arens 1997:1814) it made the tribal people more vulnerable.

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\(^{20}\) Anti-Slavery Society (1984:40) reports that both Saudi Arabia and World Bank provided $9.2 million and $23 million respectively on oil exploration. From the 1976 to 1979 World Bank initiated several missions to assess the possibilities for development in this area. The Asian Development Bank (ADB), UNDP, WHO, and FAO provided huge money to support development in the areas. Australian Development Assistance Bureau (ADAB) funded road building project while SIDA supported afforestation program in the CHT.
The CHTDB implemented a number of large-scale programs such as Cluster Village – rehabilitation program and Upland Settlement Scheme21 (USS) – shifting cultivators’ settlement program – all of which was funded by foreign powers (Arens 1997:1815). It was alleged that western funded CHTDB program benefited the military regime and served their military and political purposes (Arens 1997:1814). A government officials quoted: “The CHTDB was established to fight Shanti Bahini …loans are given for private purposes , to businessmen and tribal leaders…they are showpieces of the government…it is mostly a political bribe to tribal leaders to buy them off so that they would not help Shanti Bahini” (The Chittagong Hill Tracts Commission 1991:84; Arens 1997:1814).

From the analysis, it is apparently clear that all of this western supports to the military regime indirectly contributed to the socio-economic marginalization of the hill people. That’s why, in the late 1980s Shanti Bahini began to attack employee of Shell oil in the CHT which pushed them to withdraw their spilling in the CHT. Under such a scenario, it can be argued that there was no genuine commitment to find a solution to the crisis since such a solution might have halted support to the regime. However, this is one side of the story but there is other side also.

5.1.4. India (greedy spoilers: strategic and political gains)

As our framework would suggest sometimes spoiling depends on the interplay of the insiders and the outsiders in the negotiation. Such interplay helps actors transform goals during negotiation process linking spoiling behavior to “strategic exigencies than individual motivations” (Greenhill and Major 2007:120). Spoiler can be geographically external actors who collude with the internal spoilers and their spoiling tactics. From such a perspective, India can partly be blamed for the failure of the Tribal Convention in 1978. As the ‘capability approach’ argues India used the ‘opportunity structure’ to deter any peace initiatives in the CHT. Shanti Bahini was playing according to Indian wishes because of their critical political and military dependence. On the

21 Under the USS scheme total 8000 acres of rubber and 4000 acres of horticulture was planted in the CHT would have to sold to only CHTDB (Arens 1997:1815). The CHTDB spent about Tk. 5,23,86,132 for building model villages and joutha khamar (cooperative farms). During that period around 55 such khamar was set up in the CHT (Dewan 1991:242; Arens 1997:1815).
hand, India was using the Shanti Bahini guerilla as ‘strategic surrogate’ for both internal and international reasons. Observers note a number of reasons for such claim:

5.1.4.1. India’s moral and political support to Shanti Bahini

Shanti Bahini was operating from headquarter located in the Tripura state of India (Yasmin 2014:123) even though they have strong organizational network over the three hill districts. The armed campaigned started with full Indian support. India provided sanctuary, bases, finances, training, arms and ammunition to the insurgents (Islam 2003:146). The PCJSS leaders gained international publicity through Indian media and India provided them travel document to go to different countries.

There some reasons for such an overt support to rebels. Indo-Bangladesh relations became strained with Zia’s succession to power as he maintained a foreign policy leaning to the West, to the Arab countries and even to India’s arch rival Pakistan moving away from Indo-centric South Asia. Thus, in the post-1975 changing political landscape, New Delhi was very unhappy with the military regime: there were rumors about a possible invasion by India which led both countries to play power games (Arens 1997:1813; Islam 2003:146).

5.1.4.2. Shanti Bahini as strategic surrogate: international reasons

Indira Gandhi used the rebels for strategic reasons. The CHT is bordered with strife-torn Indian Northeast region where NNA and Mizo guerillas were operating armed campaign against Indian. From the inception of Pakistan the Naga and Mizo army were clandestinely supported ISI – Pakistan’s field military intelligence. Mizo guerillas operated from the remote bases such as Ruma, Bolipara, Mowdak and Thanchi in the CHT. China – a Pakistan ally – also covertly supported this insurgency after the Indo-Sino war in 1962 (Islam 2003:146).

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22 Both Pakistan and Saudi Arabia recognized Bangladesh after 1975.
Under such a scenario, President Zia’s pro-Pakistan policy strained Indo-Bangladesh relations. Both the countries blamed each other for supporting insurgents on both sides.\(^\text{23}\) Indian intelligence organization, RAW became very active in the region (Islam 2003:147). The post-1975 regime gained moral support from Pakistan and military aid from China (Islam 2003:146) which prompted India to support the Shanti Bahini. They were trained by both India and Russia (Islam 2003:146-47). This marked an inception of international dimension of the conflict. India wanted a solution to the tribal refuges migrated to India as well.

5.1.4.3. Shanti Bahini as ‘strategic helmet’: internal reasons

India also supported the Shanti Bahini for internal reason which is a very interesting dimension of this conflict. It was alleged that India used the refugees against Naga and Mizo guerillas. Those refugees had no other option but to support India because of their critical dependence on India (Islam 2003:146). Other than carrying out surprise attack on the army and paramilitary targets in the CHT Shanti Bahini was also used to gun down the MNF guerillas – a powerful anti-Indian insurgent operating form the bases in the CHT. It was alleged that those MNF guerillas was supported by Bangladesh Army (Bhaumik 2008).

Under such as a situation, when an initiative was taken by unfriendly military regime (though very informal), India prevented the Shanti Bahini to make any early compromise with the government. For such quick decision might thwart Indian interests. Even though a section of the PCJSS leaders was willing to start a full scale negotiation process with the military regime both M.N Larma and J.B Larma was not willing to take this opportunity for their moral and political support from India.

\(^{23}\) Dhaka saw those Chakma youths who joined the Shanti Bahini under the leadership J. B. Larma – a school teacher and younger brother of M.N. Larma – as communist revolutionary and ‘brand them as being pro-Indian’ (Mohsin 2000:61; Panday and Jamil 2009:1056).
5.1.5. Factions among PCJSS

Factional groups with the PCJSS were also partly responsible for stalling pre-negotiation attempt by the military regime. A section of the PCJSS agreed, however, to hold a pre-negotiation dialogue since RAW cut off their supplies as Indira Gandhi defeated in the January 1977 election. Moraji Desai who formed the first Indian non-Congress government was unwilling to strain the relations further with the neighbors including Bangladesh (Bhaumik 2008:274). As a result, RAW curtailed support to the Shanti Bahini: training program was discontinued in Deradun; RAW held back weapons to the rebels (Bhaumik 2008:275). This sudden change in the Indian policy was the first ever political crisis in the Shantti Bahini (Bhaumik 2008:275; Ahsan and Chakma1989:970) which developed an internal split within the PCJSS.

Priti Kumar Chakma faction (Devajyoti Chakma and Bhabatosh Dewen) wanted a quick solution to the crisis while Larma brothers (J.B Larma section- M.N. Larma, Kalimadhad Chakma - Mihir) were willing to sustain the movement step by step. Against this backdrop, a faction of the tribal leaders was forced to hold talk with the Tribal Convention in July and later in December 1978 in order to find a civil way of the conflict resolution. However, there was no genuine commitment to the peace negotiation on either side. As Indira Gandhi return to power, things began to roll again. Larma brothers who were leading the movement alleged that the Convention was patronized by the government to politically manipulate the tribal people (Ahsan and Chakma 1989:969). Thus they withdrew from the pre-negotiation alleging that the Convention leaders are politically motivated, designed by Zia as counterforce to the Shanti Bahini (Ahsan and Chakma 1989:969).

PCJSS alleged that military regime floated many tribal organizations.24 They also claimed that the military authorities patronized several anti-tribal terrorist groups like the Gram Protirashka Committee (Village Protection Committee), the Santras Protirod Committee (Terror Prevention Committee)

24 The Headmen Association, Chakma Unnayan Sangsad, (Chakma Development Council), the Marma Unnayan Sangsad (Marma Development Council), the Tripura Unnayan Sangsad (Tripura Development Council), the Bawm Youth Federation, the Murung Complex which was funded by the government ( see at: ‘CHT history and struggle’ http://www.pcjss-cht.org/).
However, it is difficult to determine any neutral source of this covert support. As Bhaumik (2008:282) notes, it is true that it was a political tactics of Ziaur Rahman to create a parallel political platform against the PCJSS by playing out intra-tribal hostilities. He wanted to create a moderate political alternative to the hard-core PCJSS activists (Bhaumik 2008: 282). Though, it failed eventually, it provided a political mileage for the government propaganda against the PCJSS and a symbolic value to challenge the political legitimacy of the PCJSS (Bhaumik 2008: 281).

5.1.6. Military: vested group

A vested quarter within the military also was partly responsible for the failure of the Tribal convention. This section wanted to forestall any prospects for peace negotiation in the conflict since it would stop support to the militarization in the CHT. As Arens quoted one lawyer “it is certainly true that without foreign aid the Bangladesh government would not able to maintain a huge military force in the CHT. Foreign aid allows the government to reserve money for the military expenditure” (Arens 1997:1815). Moreover, it was alleged that some of the food aids under the provisions of ‘essential priorities’ were directly spent for military purposes.

5.2. Negotiation (official dialogue)

5.2.1. The failure of negotiation during the Ershad regime

The negotiation process of the CHT conflict spans into three successive regimes: the Ershad regime (1982-89); the Khaled regime (1991-96) and the Hasina regime (1997-December 2, 1997). After succession to power in 198225 as military strongman, General Ershad maintained his predecessor’ counter insurgency policy until 1985. However, despite intensification of counter-insurgency measures Ershad failed to stop bloodshed. Troop maintenance became prohibitively expensive.

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25 On May 30, 1981 President Zia was brutally assassinated in Chittagong circuit house in a military coup. During the Zia’s reign the military was in disarray and undisciplined. The post-75 politics was very volatile and there was split inside the military between pro-Mujib commanders and Pakistan-returned commanders who was strangled in Pakistan during the independence war. Pro-Mujib soldiers viewed them as opportunist and loyal to Zia. Both faction was trying the control the command of the army.
expensive. In such a situation Ershad opted for a ‘softer strategy’ (Adnan 2008:35). He established Hill District Local Government Councils (HDLGC) to soothe Pahiri’s demand for self-government in the CHT (Mohsin 1997:74; 200-203; Adnan 2008:35). He declared general amnesty to the rebels and assured of normal life to the rebels willing to give up insurgent activity. His softer strategy paid off which marked an opportunity of official dialogue with the PCJSS.

He then formed a liaison committee headed by Upendra Lal Chakma who was acting as a ‘go between.’ From 1985 – 1988 a series of formal dialogue took place between the Ershad regime and the PCJSS. PCJSS placed five point charter demanded full autonomy of the CHT with a separate legislature. In the meantime, anti-Larma faction led by Priti surrendered while Shantu Larma faction continued the insurgency. Thus the dialogue came to an end. There are a number of reasons for this failure:

J.B Larma accused that Ershad made a detente with Priti-faction who betrayed the Jumma people. Losing confidence with Ershad, Larma began to question the sincerity of his efforts. The two factions of the Shanti Bahini were fighting twenty-two months long fratricidal war over leadership and strategy of the insurgency which sapped much of their energy (Bhaumik 2008:290). Even RAW hosted several dialogues to negotiate internal feud but failed. Both sides

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26 To win over the hearts of tribal people, he suspended further settlement in the CHT and undertook some conciliatory measures e.g. jobs in the government department, quotas for students in universities and development projects and public contracts for tribal businessmen (Adnan 2008:35).

27 To accord Provincial Autonomy for the CHT with its own legislature; (2) To make constitutional provisions prohibiting any constitutional change regarding CHT without consent of the CHT people and preventing anyone from other parts of country from settling down in CHT; (3) To remove from CHT all those illegal outsiders who have infiltrated into CHT from 17 August 1947; (4) To make special economic plans for the development of the Jumma people of the CHT; (5) To create favorable climate for a peaceful and political solution of the crisis in the CHT. (see details at: http://www.pcjss-cht.org/cht-history-struggle/).
On the other hand, the government denied PCJSS ‘five point charter’ arguing those were inconsistent with the Constitution of Bangladesh. The government instead proposed ‘nine-point formula’ to resolve the problem. However, PCJSS ruled out those nine-points alleging that they were not consulted in forming the HDLGC. Another six round dialogues took place also but ended up without fruitful result. However, some quarters alleged that it was the RAW who did not want a quick solution to the problem (Bhaumik 2008) and prevented the Shanti Bahini to reach any agreement with the government.

5.2.2. Failure of negotiation during the Khaleda regime

In 1991 Bangladesh Nationalist Party (BNP) led by Khaleda Zia under mounting international and donor pressure continued the dialogue with the PCJSS. In July 1992 the government formed a Nine-Member Parliamentary Committee on the CHT. In August 1992 PCJSS declared a unilateral cease fire and started negotiation with the government. From 1992-1996 around 13 dialogues took place – 6 with the Parliamentary Committee and 7 with the Sub Committee – however, yielded no tangible result.

As our framewok would suggest sometimes parties choose ‘subtle’ or less visible non-violent means to derail negotiation process. It is alleged that both the BNP and the PCJSS leadership resorted to those subtle means or stalling techniques by playing mutual ‘blame game’. Critics

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28 In the midst of mounting fear of each other, on November 10, 1983 a strong squad of Priti group led by Major Alindra Chakma (Alin) stormed headquarter of PCJSS and gunned down M.N. Larma his elder brother Subhendu Larma and seven other comrades (Bhoumik:292).

29 In July 14, 1983 rivalry rose to the climax: a loyal cell of Larma brothers clashed with a section of Priti Kumar killing Armritlal Chaka (Astraguru) who ran a Shaniti Bahini ‘Training Academy’ along with Nalini Ranjan Chakma (Afuranta) (Bhaumik 2008:290).

30Headed by Col. (Retd.) Oli Ahmed – the then Communication Minister and an ex-confidant of General Zia.
argue that there was no genuine commitment on both sides to find a solution to the problem: the government delayed the negotiation several times and was unwilling to give in to the main demand of PCJSS (Arens 1997:1817). There are a number of reasons to make such an argument:

BNP alleged that India was controlling the negotiation and the PCJSS playing out their game (Dowlah 2013:777). There are political reasons to make such an allegation. BNP was formed by General Zia in 1978 who maintained a strong anti-Indian clout during his reign. Khaleda Zia – widow of Ziaur Rahman - was also maintaining this political stand point. Thus, from an Indian point of view, BNP was perceived to be hostile to the interests of India. For BNP, those demands of the PCJSS were too radical to accommodate. Thus BNP refused to give in because such concession was unacceptable to BNP. Though BNP continued the dialogue yet stalled the negotiation process several times.

In addition, some observers note that Khaleda Zia was under pressure from a section of the military not to seek any political solution (Arens 1997:1817). The Army was the beneficiary of the conflict – it was alleged that many army officers gathered huge financial gains from the timber trade, sale of food aid, development programs, and special benefits (Arens 1997:1817). Moreover, the CHT was insurgency ‘training ground’ (Arens 1997:1817).

On the other hand, PCJSS alleged that BNP was not sincere to seek the resolution of the conflict. Shantu Larma did not find BNP “cohesive” because of its past activities under Zia. In addition, PCJSS accused that government violated the cease fire. This sort of blame game on both sides stalled the negotiation process. PCJSS was compelled to extend ceasefire since India was unwilling to strain relation further with Bangladesh. In the meantime, the rise of the ULFA in the Assam state forced India not to embitter already strained relations with Bangladesh.

31 See at: http://www.pcjss-cht.org/
32 The United Liberation Front of Asom (ULFA), the vanguard of national liberation struggle in Assam, was formed on 7th April 1979 to bear the historic responsibility of spearheading the armed democratic struggle with the ultimate aim of establishing an independent socialist sovereign Assam (see details at: http://www.globalsecurity.org/military/world/para/ulfa.htm)
5.3. The post-conflict peace implementation

The post-conflict period germinates from the signing of a peace accord between the Shantu Larma and the government of Bangladesh. The accord establishes a partial peace but the conflict began to simmer since then. A number of post-conflict spoilers propped up who are disrupting full implementation of the treaty. The treaty has institutional frailties as well.

The government declared general amnesty; rebels surrendered and subsequently were decommissioned. The government allowed repatriation of refugees from India and set up a Regional Council (RC) to oversee administration and development in the CHT. Eventually, Larma was appointed as the chairman of the RC what he is continuing till today. The government declared the CHT a ‘tribal inhabited area’ and established a Land Commission to resolve land problems in the region. Yet, from the outset the Accord faced a number of hurdles. This subsequent section will discuss anti-accord spoilers and their conditions for spoiling:

5.3.1. No national consensus

Awami League touted the accord as a one-party success. Sheikh Hasina was awarded UNESCO Peace Prize in 1999 for this remarkable success. Yet, Awami League failed to create a national consensus among the political parties. No serious public debate was held over the CHT and the year-long negotiations held closed door without through public scrutiny. People demonstrated both acceptance and rejection of the Accord (Rashiduzzaman 1998:653). Most of the people rejected the institutional features and decried the constitutional impropriety (Rashiduzzaman 1998:654) of the accord. Major political parties like BNP, Jatiyo Party (National Party) and pro-Islamic Jamaat-e-Islam vehemently opposed the deal. Jamaat-e-Islam and right wing groups claimed that the government sold out the CHT.

33 Things began to change when Awami League came to power in 1996 under the leadership of Sheikh Hasina – daughter of Sheikh Mujib. Her succession to power brought about change in the Indian policy to the Northeast. PCJSS was under mounting pressure from the Indian side to negotiate the conflict (Bhaumik 2008). Hasina formed a 12-member National Committee. On 2 December 1997 after 7 rounds of dialogue between the National Committee and the PCJSS leader Shantu Larma the ‘CHT Peace Accord’ was signed.
5.3.2. ‘Black Pact’, parallel government

BNP alleged the accord as ‘sell-out’, a ‘black pact’ which would allow a parallel government in Bangladesh (Rashiduzzaman 1998:654-55). They argued that the accord would pave a way to the ‘Chakma Raj’ over the resource rich CHT. BNP also was critical about the provision of RC which needed the Parliament to seek consent of the RC before making any law related to the CHT (Dowlah 2013:777). BNP claimed that RC corroded the supremacy of the Parliament.34 On May 6, 1998 the RC Bill was passed in the Parliament. BNP voted against the Bill and walked out from the Parliament. Ershad while opposed the agreement did not take it to the streets. A group of the educators, economists and lawyers, however, argued in favor of the agreement (Rashiduzzaman 1998:655). The subsequent section discusses those spoilers now active in the post-conflict peace implementation.

5.3.3. Intra-tribal divide and the genesis of UPDF

The tribal people are also divided about the agreement. The accredited representative of the tribal people, Larma was an unelected leader who succeeded to the PCJSS leadership after the assassination of M.N Larma. Shantu Larma lacked undisputed authority over all Jummas (Dowlah 2013: 777). On 26 December 1998, the remnants of Priti faction – the Hill People’s Council, the Hill Women’s Federation and the Pahari Chatra Parishad (Hill Student’s Council) formed an anti-accord political party called the UPDF. The Ganatantrik Juba Forum (Democratic Youth Forum), the Pahari Chhattrai Parishad, (Hill Student Council); the Hill Women’s Federation, the Parbatya Chattagram Nari Sangha, (Hilly Chittgong Women Front); the Sajek Bhumi Rokkha Committee (Sajek Land Protection Committee); the Sajek Nari Samaj (Sajek Women Society); the Ghilachari Nari Nirjatan Pratirodh Committee (Ghilachari Women Torture Resistance Committee) and the Pratirodh Sangskritik Squad (Resistance Cultural Squad) are some of the umbrella organizations of the UPDF that are active in the CHT.35

34 Nazmul Huda, then BNP member of the Parliament said that agreement violated the authority of the unitary Parliament and amounted to the total abdication of the authority of the Government of Bangladesh (Rashiduzzaman 1998:655).

35 See: http://newagebd.net/93299/8-cht-organisations-concerned-over-restriction-on-foreigners visit/#sthash.ehPTbur8.dpbs
Moreover, a faction known as the Major Samiron group (within the PCJSS) also rejected the accord. UPDF rejected the deal by arguing that Larma betrayed Jumma people – “fallen deep into the marshland of opportunist” – by signing the treaty and vowed to fight for the ‘full autonomy’ of the CHT (Dowlah 2013:777).

5.3.4. **Grievances of the tribal dissident group**

A dissident group known as the JNA also joined the anti-accord movement who are active in Rangamati and Khagrachari districts. JNA does not like the accord and demand expulsion of the Bengali settlers from the CHT (Rashiduzzaman 1998:661). Other small tribes who are wary of Chakma domination are also campaigning against an overarching Jumma identity (Dowlah 2013; Yasmin 2014:124). M.N. Larma’s propagation of pan-indigenous Jumma identity, for all practical reasons, remains just an occupational identity (emanated from Jum, swidden cultivation) rather than forging a broad identity marker. Small tribes prefer to be identified by their own name and distinct ethnic culture.

5.3.5. **Frustration among the settlers group**

Bengali settlers too began to challenge both the peace accord and the Larma’s leadership saying that he does not represent the settlers who now constitute half of the CHT population. In the post-accord transitional period, Bengali settlers suffered from a sense of insecurity, deprivation, alienation and distrust which led them to form *Bengali Samannya Parishad* (Bengali Coordinating Council). Activists of the group demonstrated several anti-accord agitations and clashed with the PCJSS activists. Besides, armed conflict erupts between the settlers and the tribal groups.

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36 See at: http://updfcht.com/?page_id=692
37 See details at: http://updfcht.com/?page_id=692
5.3.6. Somo Adhikar Andolon (SAA) – Equal Rights Movement (Settler group)

The settler groups fear that if the accord is fully implemented their lives and lands will be affected. Somo Adhikar Andolon (SAA) – Equal Rights Movement claimed that the accord made them second class citizens in the CHT. There also a number of settler organizations now active in the CHT such as the Parbatya Gono Parishad, (Hill Public Council), the Parbatya Nagorik Parishad (Hill Citizen Council); the Parbatya Bangalee Chhatra Parishad, (Hill Bengali Student Council); the Parbatya Bangalee Chhatra Oikya Parishad (Hill Bengali Student United Council) and the Parbatya Somo Odhikar Chhatra Andolan (Hill Equal Rights Student Movement). On July 5, 2014 a group of Bengali settlers attacked member of the CHT Commission, a civil society organization, which monitors the implementation of the Peace Accord (Daily Star, July 5, 2014). The Commission visited the three hill districts to see into a couple of land disputes where state machineries were allegedly involved. Six settler organizations protested the visit claiming it would dispute the neutrality of the CHT Commission (Daily Star, July 5, 2014).

5.3.7. Factionalism and communal attack

There are also numerous intra-tribal armed conflicts mainly between the UPDF and the PCJSS. In 2010 PCJSS split into two factions— one led by Shantu Larma and the other by Sudhasindhu Khisha. This reformist group opposes Larma’s leadership and demands party reform. The people in the CHT now seem to be apparently divided into the Awami – and the BNP camp in addition to the divide among the tribal people. Communal conflicts sprang up with ascending records of human rights violations, land grabbing, abduction, killings and counter killing. In May 2015 a settler organization called the Jago Parbattyabasi (Awake Hill Dwellers) carried out an attack on Shantu Larma in the Bandarban district.

38 See at: http://newagebd.net/109913/laws-inconsistent-with-cht-accord-need-to-be-amended-gowher/#sthash.a24tXr0A.dpbs
39 See at: http://www.thedailystar.net/attack-on-cht-commission-car-in-rangamati-31904
40 See details at: http://newagebd.net/73586/cht-peace-accord-a-dead-letter/#sthash.fo3AIDsc.dpbs
5.3.8. Subtle spoiling: BNP’s ‘go-slow’ strategy

The first setback to the implementation of the Accord came when BNP–led four party Alliance formed the government in 2001. BNP could not scrape the accord due to mounting international pressure yet Prime Mister Khaleda Zia chose a “go-slow strategy” (Jamil and Panday 2009:1064). BNP remained silent about the implementation of the treaty which sometimes led to agitation by the PCJSS. BNP appointed Wadud Bhuia – Member of the Parliament (MP) and leader of the settler Bengali group from the Khagrachari constituency as the Chairman of the CHT Development Board. Its leader Prasit Bikash Khisha participated in the national election and gained huge vote even though failed to win the election. In brief, from 2001-2006 there was no tangible progress on the implementation of the peace accord.

5.3.9. Institutional weakness

Apparently it seems that the accord itself becomes a source of conflict and instability in the CHT. After Awami League returned to power in 2008, Prime Minister Hasina promised to speed up the implementation of the treaty but could not proceed partly due to the institutional hurdles and partly due to the resentments among the settlers and the Bengali people who oppose some provisions of the treaty. In the meantime, in 2010 the High Court declares the Chittagong Hill Tracts Regional Council Act 1998 illegal. Recently, a national seminar organized by the UNDP –‘Towards Harmonization of CHT Laws’ – Gowher Rizvi, Prime Minister’s adviser for International Affairs, urges to repeal the laws that become inconsistent with the treaty (New Age, April 8, 2015).

5.3.10. Development activities

Development has become of a bone of contention in the CHT. From the construction of the Kaptai dam and the subsequent sweeping industrialization nearby the CHT, the tribal people had been outstanding victims. Recently, PCJSS resented launching of Rangamati Medical College in

42 BNP and right wing pro-islamic party like Jamaat-e-Islam, Islami Okkojot (Islami Qualition)
43 See at: https://idl-bnc.idrc.ca/dspace/bitstream/10625/49985/1/IDL-49985.pdf and (http://unpo.org/article/17153)
the CHT arguing it would bring more Bengali people in the CHT. In fine, prospect for durable peace in the CHT is still a far cry. Signing of the peace treaty ensured a partial peace but sustainable peace remains a distant hope because of the institutional weakness of the treaty and the strategic sensitivity of the region to the people of Bangladesh. The path of treaty implementation seemed to be arduous (replete with political hardship and institutional hurdles) until dramatic events take place. The figure below presents a spinning wheel of the post-accord spoilers. The arrow shows that all those spoilers are somehow related to one other because of their actions and behaviors. However, main combative groups are marked by separate arrows.

44 “PCJSS demands to withdraw one-sided order of Health Minister to commence the academic schedule of Rangamati Medical College, otherwise the government will have to bear responsibility for any situation” (see at: http://www.pcjss-cht.org/)
Figure 6: Spinning wheel of the post-accord veto players in the CHT conflict

- Political parties
- UPDF
- Tribal factions
- Criminal network
- Security personnel
- Dissident group
- Awami League
- Post-Accord Spoiling
- PCJSS
- Settlers
6. Analysis

The pace and hurdles of the post-accord peace implementation in the CHT suggests that signing of a peace accord does not meaningfully end the violence. Given highly domestic political polarization and sensitivity of a particular land to the majority people, a poorly institutionalized conflict management merely assures of partial peace but creates ‘strategic incentives’ for spoilers. Some of these spoiling behaviors emerge as resentment to the slow pace of progress of the implementation of the treaty; some as an expression of uncertainty about the final outcome to a section of people; some as refusal to play by the rules; some out of fear of losing political voice and some as a result of perceived security dilemma and distrust to one another.

In addition, the CHT case also suggests that peace agreement with a poorly defined set of actors might exacerbate grassroots spoiling where aggrieved underrepresented or potential spoilers might mobilize political violence across ethnic and tribal fault lines. The study suggests the instrumentality of a neighboring state in the escalation and the de-escalation of the conflict and the complex interplay of internal and external veto players. This section of the study will refill the ‘analytical framework’ developed in the theoretical chapter in order to profile numerous spoilers and their behaviors at different stages of the conflict along the lines of the findings. Lastly, it will present some situational readings which might expand the scope of spoiler debate.

6.1. Spoilers at the pre-negotiation phase

The study finds three set of actors involved in the pre-negotiation phase: the decision makers, the military – national actors; India and western donors – external actor; and splinter group –non-state actors.

6.1.1 National Actors

In the CHT, the two official (national) spoilers are the decision makers and the military. Decision makers, under various regimes, either refused to talk or stalled negotiation process for indefinite time delaying agreement for a better deal or denied proposal for legal and political accommodation. As regimes alternate to power, the decision makers refused to play by the rules and chose subtle non-violent strategy which sustained the conflict for 25 years.
6.1.1. The decision makers as spoilers
Sheikh Mujib unequivocal rejection to the demand for ‘full autonomy’ marked the genesis of a pre-negotiation spoiling. Yet, it remains an ‘accidental spoiling’ because of the nature of exclusive demand placed from the both sides. Victorious Bengal polity required tribal people to renounce their demand for a separate ethnic identity and merge into majority Bengali identity whereas the tribal marked it as onslaught on their culture and started a campaign for an armed struggle. There were two conditions of spoiling in that context: Bengal polity saw it as sabotage of tribal people to the state building process who allegedly complicit with Pakistan whereas the tribal people saw as ‘tyranny of majority’ imposing their identity on hillmen. Typical spoiling behaviors, at this point, were refusal to talk and accommodate a state building crisis through the legal and constitutional means.

6.1.1.2. The military as spoilers
One could question the genuine thirst of the military regime to resolve the political instability in the CHT. The military regime was an intended beneficiary of the downpour of western aids and investment during both the Zia and the Ershad regime. A vested quarter thus emerged within the regime who held back any genuine talk with the PCJSS leaders because such prospects of peace would curtail their material and military benefits. One observer notes that foreign aid allows the government to reserve money for the military expenditure (Arens 1997:1815). Besides, roads, electricity, telecommunication and resettlement program were serving military interests. Moreover, this section thought that crisis would disappear through counter-insurgency programs. This made them ‘total spoiler’ who wanted to win by military means.

The Tribal Convention thus ended up being a political pawn not a genuine effort in seeking a lasting solution. This kind of spoiling persisted until 1985 when Ershad took some pacification measures to win over the hearts of the tribal people. The conditions that influenced the ‘opportunity structure’ of those spoiling behaviors were western moral and financial baking (though indirect) and presence of an external threat (India). Indian backing to the guerillas justified such spoiling tactics by the military regimes for both strategic sensitivity of the land and reserve of its newly found resource. Typical spoiling behaviors, at this stage, by the military
regime was providing state patronage to a section of Bengali people, creating clientele network, buying off a section of the tribal people and playing out intra-tribal rivalry within the CHT.

6.1.2. External spoiler

6.1.2.1. India as spoiler

The CHT conflict has an international dimension where India played a significant role often switching from ‘greedy’ to ‘limited’ spoiler. India used the Shanti Bahini as a ‘strategic surrogate’ to play out power games with the hostile military regime that were pursuing anti-Indian foreign policy and allegedly supporting Indian guerillas who were operating in the strife-torn Northeast. India thus became a ‘greedy spoiler’ that both expanded and contracted goals during the entire course of conflict in the CHT.

As the ‘capability hypothesis’ (Greenhill and Major 2007) argues India used the prevailing ‘opportunity structure’ in the CHT to preclude any peace initiatives leading to failure of the Tribal Convention. For such quick resolution might thwart Indian interests. Shanti Bahini’s critical political and military dependence increased their spoiling capability. India used Shanti Bahini as a ‘bargaining tool’ with military regimes at Dhaka and simultaneously as ‘strategic helmet’ to gun down Mizo and MNF guerillas. By providing physical base, sanctuary and moral and political support to the rebels, India achieved outstanding leverage over the Shanti Bahini which helped them hold back any genuine negotiation process with the military regime.

6.1.2.2. External spoilers: western donors

The western donors were an indirect patron contributing to a spoiling ground by supporting a favored regime for both socio-economic and political purposes. From a socio-economic perspective, their interests were to tap the newly discovered resources in the CHT. Such patronage, however, exacerbated other party’s tendency of spoiling behaviors. Western donors’ financial and ideological support to the militarization, mass settlement and socio-economic uplift schemes indirectly precluded any genuine effort leading to any peace process. These donors often seemed to be insensitive to the context and overlooked the effect of their support to tribal people. It was alleged that about 100,000 people were forcefully evicted during the in-migration period in the CHT of which around 55,000 allegedly moved out to the nearby India state of

Moreover, the Maoist orientation of the Shanti Bahini rebels concretized their support to western-type counter-insurgency. This baking to the military regime prompted India, a Soviet ally, to provide military training to the rebels. Empowered and nourished by the west the military thus could stall any pre-negotiation initiative. This type of spoiling behaviors continued for a while until the late 1980s.

6.1.3. Non-state spoilers
These non-state spoilers were hardliners as well as political and ideological rivals who wanted to wrest the control of the leadership of the movement. Both the Priti and the Larma faction had ideological difference over the nature of the armed campaign. There was personal enmity and disagreement over the legitimacy of leadership. However, this enmity transferred from leadership to periphery when both factions wanted to increase support base. This fratricidal war called “family feud” sapped their energy and questioned the cohesiveness of the movement. Uncertainty about the control of grassroots rebels who were divided into multiple factions prompted the military regime to create a clientele network with patronage.

Spoiling behaviors, in this context, was collusion with military regime in order to weaken opposing leaders and thus to sabotage their legitimacy. The Headmen Association, the Chakma Unnayan Sangsad, (Chakma Development Council), the Marma Unnayan Sangsad (Marma Development Council), the Tripura Unnayan Sangsad (Tripura Development Council), the Bawm Youth Federation, the Murung Complex are some of those clientele network who wanted to create their own sphere of influence within the CHT by establishing their distinct tribal culture rather than merging into a occupational Jumma identity. Such spoilers still persists in the CHT.

6.2. Spoilers at the negotiation process
Three groups of spoilers were active in the negotiation phase: the military-bureaucratic elite; and factional groups within the Shanti Bahini; and the political party.
6.2.1. National actors:

6.2.1.1. The military-bureaucratic elite

The military-bureaucratic elite pursued a two-pronged policy: fomenting intra-tribal rivalry; and pacification mechanism to win over the hearts of the tribal people. Buying-off remained an old trick. This strategy weakened the support base of the rebels. ‘Blame game’ was a subtle, non-violent spoiling behavior at this stage. Besides, terms of negotiation also prevented success of the talks. Ershad refused to give in to the five ‘point charter’ that included a provision for regional autonomy with a separate legislature. These terms of negotiation are far too concession for Ershad to consider. On the part of the government, spoiler behavior was non-acceptance, non-violent breakup without further onslaught on rebels. Ershad made a deal with Priti-faction but it did not work out as Larma faction refused to surrender.

6.2.2. Non-state Actors:

6.2.2.1. Factional groups

Ershad’s cooptation strategy paid off as Priti surrendered to government. Priti’s surrender was seen by hard core PCJSS activists as ‘betrayal’ to the tribal people. Consequently, J.B. Larma withdrew from the dialogue blaming the government patronizing his arch rival. In addition, Larma refused to negotiate with ‘nine points’ proposed by the government. To conclude, negotiation at this point was derailed due to non-acceptance to each other’s demand. Party agreed to continue to dialogue but refused to accept the terms of negotiation.

6.2.2.2. PCJSS

However, during the Khaleda regime, the peace process was stalled due to inter-party confidence crisis. Larma did not find BNP cohesive due to his past experience under General Zia though the dialogue continued for five years. Shanti Bahini complained about cease fire violations by the government. However, observers note that Larma continued the cease fire because India curtailed support to Shanti Bahini. This call into question whether Larma was sincere to make a
peace deal with BNP. Consequently, the outcome was non-violent break-up of the negotiation process.

6.2.2.3. The political party

On the other hand, BNP’s main strategy was to delay the process to win a better deal adhesive to their preferences. BNP continued the dialogue but was unsure about Larma’s control on the negotiation process. They blamed Larma was playing as a surrogate for India. These were not hollow accusations. It was alleged that India was instrumental in Shanti Bahini’s policy making. BNP is seen to be inimical to India interests. Implicit in this ‘blame game’ was non-recognition of Shanti Bahini as an able party to decide on behalf of the tribal people. This non-violent strategy of stalling successfully worked until a breakthrough made in 1997.

6.3. The post-accord spoilers

The post-conflict peace implementation exacerbated spoiling behaviors across a wide range of spoilers such as political parties, splinter groups, tribal people, settlers, hardliners and opportunists. There are hawks on both sides. Yet, the proliferation of those spoilers can be attributed to a number of conditions: secrecy of the negotiation, lack of public consensus about the provisions of the accord, lack of harmonization of laws and opposition by the political parties.

The accord has many institutional frailties that sabotage the implementation of the treaty. Some provisions (Regional Council) are not harmonized with the Constitution and often seem to supersede the authority of it. The accord created institutions with overlapping responsibility which resulted in a state of paralysis. Those conditions nourish the ground for various spoilers. The accord was never open to any meaningful public scrutiny. This section will discuss those spoilers and their spoiling behaviors:
6.3.1. Non-State actors

The UPDF is a remnant of the previous Priti faction of the Shanti Bahini. They are the tribal hardliners with strong support base among tribes. They are anti-accord group fighting for ‘full autonomy’ for the CHT region. Intra-tribal rivalry over dominance and political control between the UPDF and the PCJSS can be simulated as Palestine (UPDF- hamas; and PCJSS –fatah) in Bangladesh. For the UPDF the peace accord is a dead letter as it neglects their original demand for full autonomy. This rivalry often leads to killings, abduction and attacks. However, it is interesting that despite being hardliners they participate in the local and national election and vie for political dominance.

Besides, various anti-accord dissident groups propped within tribal and Bengali groups. The JNA is such a communal group who demands expulsion of the settlers from the CHT. Their hatred to Bengali settler people is due to usurpation of their land. Communal conflicts, rape, abduction almost are pretty common among those groups. There are some other anti-Chakma spoilers who are fighting out of fear of losing political relevant. These lead to a complex security dilemma in the CHT which is responsible for the non-implementation of the accord.

On the other hand, the settlers are also concerned about their future in the CHT. Their spoiling behaviors are upshot of a propound uncertainty about their status. They resent the treaty arguing that it made them second class citizen in the CHT. During the peace process, however, these groups\textsuperscript{45} were latent and no party counted them as significant veto players. Their anti-accord movement is known as the Somo Adhikar Andolon (SAA) – Equal Rights Movement. There have been many communal conflicts from 1998 between the settlers and the tribal people. Fighting, killings, criminal, abduction, burning house, raping are almost common among these groups which sabotage peace and normalcy in the CHT.

\textsuperscript{45} Some of the notable Bengali groups are the Parbatya Gono Parishad (Hill People’s Council); the Parbatya Nagorik Parishad (Hill Citizens’ Council); the Parbatya Bangalee Chhatra Parishad (Hill Bengali Student Council); the Parbatya Bangalee Chhatra Oikya Parishad (Hill Bengali Student Unity Council), and the Parbatya Somo Odhikar Chhatra Andolan (Hill Equal Rights Students Movement).
As BNP alternated to power they protract the implementation of the treaty by taking a ‘go-slow strategy.’ BNP who termed the treaty as ‘black pact’ though never scrap the treaty but followed slow course of action. Given the bi-polarity of Bangladesh politics, inter-party hatred and clash of persona between the two top leaderships, there is hardly any national consensus on any national issues. BNP walked out from the Parliament when the CHT Bill was ratified and fiercely objected its provisions (Regional Council). In addition, Awami league flaunted the treaty as a party success making it an Awami-issue-only. BNP’s spoiling strategy at this phase was not to spoil the treaty in its entirety but to sabotage the implementation process by stalling, protracting or by inaction. The following figure shows a replication of the analytical framework in the CHT peace process.
Figure 7: Spoilers in the CHT Peace Process

<table>
<thead>
<tr>
<th>Actors</th>
<th>Timing</th>
<th>Behaviors</th>
<th>Types of spoiling actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>Pre-negotiation</td>
<td>Violent</td>
<td>military threat, army garrison (BD), military support and training (India), support to counter-insurgency model</td>
</tr>
<tr>
<td>External</td>
<td>Negotiation</td>
<td>Violent</td>
<td>rejection of dialogue; buying off and clientele network; co-optation; support to regime policy and financial backing</td>
</tr>
<tr>
<td>National</td>
<td>Negotiation</td>
<td>Violent</td>
<td>physical base, military training &amp; sanctuary, arms and ammunition</td>
</tr>
<tr>
<td>Non-state</td>
<td>Post-accord</td>
<td>Violent</td>
<td>overthrow of the accord &amp; expulsion of settlers, communal disputes, killings, terrorism, abduction, burning</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-violent</td>
<td>indirect financial &amp; political backing, support to regime policy, media and diplomatic support</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-violent</td>
<td>non-commitment, inaction, delaying, ‘go-slow’ non-implementation</td>
</tr>
</tbody>
</table>

Source: Figure constructed by the author according to the findings (Chapter 5).
6.4. Contribution to the research debate

The analytical framework developed in this study based on the existing knowledge on spoilers is, to a great extent, applicable to the CHT case. The study finds different categories of spoilers (narrow and broad) at different stages of the negotiation process. As Stedman argues (1997:8) there are spoilers (BNP and other political parties in this context) who do not agree to the terms of the agreement but still value a partial peace. Newman and Richmond’s argument that ‘spoiling is more of tactics not actors’ (2006a:5) has been found relevant in this case also. BNP’s inaction protracted the implementation of the agreement. There are total spoilers (UPDF); and opportunists (criminal gangs operating in the deep forests).

Despite the proliferation of multiple spoilers, violence and terrorism, however, there is no violent breakup of the agreement – signatory stick to peace though Larma repeatedly complains that the government betrayed the tribal people by not fully implementing the accord46 (Daily Star, December 2, 2014). Yet, the case suggests some new readings about actors, issues of spoiling which might expand the scope of future research on spoiler debate. These findings are discussed below:

6.4.1. New spoilers

The CHT case suggests that “settlers” – a group of state-sponsored people brought to this land as a policy of ‘demographic engineering’, now almost half of the population in the region – can appear as strong veto player to the peace implementation and can be a dominant issue in both regional and national politics. Apparently, these spoilers were latent during the course of the negotiation but emerged as spoiler centering the ambiguity of the treaty and their future status within the CHT. The accord neither specifies their expulsion (or resettlement) from the region nor resolves outstanding land issues between the tribal people and the settlers. This group of people had been brought to this land from a real-politico perspective but their adaptability to the hilly land and life was never accounted. These uncertainty, distrust and anxiety about future made them spoilers in this context. Interestingly, these uncertainties create a breeding ground for political polarizations in the region along the existing divides in national politics.

46 http://www.thedailystar.net/accord-inked-to-take-away-weapons-santu-larma-53043
In addition, the tribal people see them as ‘intruder in their land’ and ‘plunders of their resources’ which marked a strong inter-community hatred. These two communities have different land cultivation practices – the settlers do plain land cultivation while the tribal people do subsistence farming (Jum – swidden cultivation). These inter-community cultural differences, hatred, competition for land and uses of land often erupt into fierce communal violence creating security dilemma. Future research should expand along these lines of complexities. It should incorporate spoiling conditions emanating from a distinct cultural way of life, feeling of deprivation and victimhood of a state policy, inter-community hatred and political polarizations.

6.4.2. New spoiling conditions: the issue of territoriality

The CHT case also implicates a territoriality issue of the conflict which exacerbates various spoiling behaviors. The territoriality influenced the motivation of both internal and external spoilers and shaped their situational rationality. For tribal people it is a primordial sense of belonging to a land nourishing life and culture, for Bengali people it is a matter of ownership to a territory of their cherished Bangladesh and for India a strategic vulnerability of the conflict-torn Northeast. Greenhill and Major (2007:120) argue that spoiling behavior is linked to ‘strategic exigencies’. The CHT is thus poised into all these three kind of exigencies which profoundly shaped parties’ spoiling behaviors.

Geographically, the location of the CHT and its strategic leverage is such an exigency which created a long lasting bilateral face-off between India and Bangladesh. The instrumentality of India during the long course of the negotiation process is tantamount to her vulnerability to the position of this land bordering the strife-torn Northeast. Given porous border between Bangladesh and India and outstanding disagreement over some bilateral issues (land demarcation and water share) both party used this land to play out strategic power games.

47 ‘Territoriality’ is a term associated with nonverbal communication that refers to how people use space to communicate ownership/occupancy of areas and possessions (Beebe, Beebe & Redmond 2008, p. 209). The anthropological concept branches from the observations of animal ownership behaviors. See (https://www.google.se/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8&q=territoriality+meaning)
By lending support and sanctuary India used the Shanti Bahini as a ‘bargaining tool’ with Dhaka. This policy shaped Indian spoiling behaviors during the course of the conflict until 1997 when Indian pulled out of the conflict pushing Shantu Larma to seek lasting peace with the Government. This pull-in and pull-out rotates with the changes of the regimes in Bangladesh. It does not seem that Indian has a broad sympathy to those guerillas (at least not from a long term interest because any possible disintegration of the CHT might have created a spill-over) but their situational rationality was to bargain with Dhaka and to displace wrath to a hostile regime (Indira Gandhi to the Zia regime). Spoiling behaviors and interplay of internal and external spoilers should be seen from these dimensions of territoriality. This kind of spoiling could form a new a dimension of “devious objective” that motivate some party to entangle in conflict and pursue bilateral interest by ‘other means.’

6.4.3. Poor visible spoilers

Regarding the outcome of the conflict and the subsequent protraction of the post-accord peace implementation, the CHT case also suggest that peace accord with a weakly defined set of actors can intensify future spoiling violence. In a culturally defined context like the CHT, any lasting peace agreement should take into account these multicultural polarizations over ethnic identification. There is inter-tribal racial animosity which has sprung up with the signing of the peace treaty with dominant Chakma. Despite Larma brothers’ long campaign for an overarching Jumma identity, practically it still remains mere an occupational identity. Small tribes complain about their culture merging into the Jumma identity.

These call into question the leadership of Larma and the control of the PCJSS over grassroots people. As the UPDF and the PCJSS are vying for power and control the whole tribal communities now are divided into different factions who jeopardize the security and law order in the region. The growth of internal factionalism and criminal network suggests that inclusive tribal groups with democratic transformation of leadership could reduce grassroots violence. Shantu Larma was not democratically elected and still holds the position of chairmanship of the Regional Council. This undemocratic nature of leadership undermined his control within the PCJSS as well. A faction (reformist) now emerges who are resenting skills of Larma’s leadership
and blaming him for slow pace of progress of the peace implementation. This could be an interesting point for future research to look into how to incentivize in-group policing in order to reduce spoiling behaviors and design management structure that can contain those spoilers.

6.4.4. Public Scrutiny and national sentiment: a spoiling condition

The CHT case suggests that spoiling dynamics should be seen from a nationalistic point of view of a group of people. The high level of secrecy during the year-long negotiation with the PCJSS has created a ground condition of spoiling. Political parties including BNP think that Awami League has sold out their interests in the peace negotiation. The terms of the agreement, in fact, were never meaningfully open for public scrutiny. There was no public debate and no dialogue at national level on such an important and sensitive issue involving emotion and nationalistic sentiment of the majority people. Consequently, the signing of the agreement divided the whole nation – intellectuals, academicians and political parties and people.

The non-implementation of this treaty can be attributed to this lack of transparency which has excluded a number of potential actors and their voices. It is true that such secrecy has potential to exacerbate future spoiling by a group of domestic audiences. And political parties might mobilize these senses of alienation across a broad swath of population. In addition, it seems that those who oppose the accord, from a nationalistic point of view, or its terms of agreement are spoilers. This poses a big challenge to the spoiler debate: whether a nationalistic feeling should be seen as spoiling behavior or spoiler should be seen from an objective point of view attributing emotional charge to a group of people as spoilers for mere opposing the treaty. This could be an interesting point for future research on spoiling behaviors.

6.5. Evaluation of the analytical framework

The analytical framework, to a great extent, was applicable to the peace process in the CHT conflict. The framework was usable and relevant, however, not complete. It cannot predict about the new actors (such as settlers in this case) and a number of new spoiling conditions like the issue of territoriality and the socio-economic development activities. Moreover, it cannot suggest the fluidity of those spoiling actors who are less visible but effectively challenge the peace process. It cannot predict that sometimes national sentiment and a lack of public transparency of
the negotiations process exacerbate disengagement among a broad swath of people. Political parties might mobilize this alienation and thwart the post-accord implementation. By incorporating these additions to the analytical framework, it would be more useful and applicable to the other spoiling cases in future.
7. Conclusion

The CHT is a very spoiler-rich conflict. The pace and hurdles of the post-accord peace implementation in the CHT suggests that signing of a peace accord does not meaningfully end the violence. Given highly domestic political polarization and sensitivity of a particular land to the majority people, a poorly institutionalized conflict management merely assures of partial peace but creates ‘strategic incentives’ for spoilers. Some of these spoiling behaviors emerge as resentment to the slow pace of the implementation of the peace treaty; some as an expression of uncertainty about the final outcome of the treaty to a section of people; some as refusal to play by the rules; some out of fear of losing political voice and some as a result of a perceived security dilemma and distrust to one another.

The study suggests that the CHT supports all three existing hypotheses on spoiling (Stedman 1997; Greenhill and Major 2007; and Pearlman 2009). Spoiling emanating from the post-accord intra-tribal rivalry between the UPDF and the PCJSS for political dominance and organizational control supports Pearlman’s (2009) ‘internal contestation hypothesis.’ There are ‘total spoilers’ (anti-accord dissident groups) who are using the ‘opportunity structure’ of the prevailing situation (Stedman 1997; Greenhill and Major 2007).

Nonetheless, filling the ‘analytical framework’ in the CHT peace process the study suggests a number of new findings which might contribute to future research. Firstly, the protraction of the peace implementation in the CHT suggests that non-violent ‘inaction’ (subtle spoiling), ‘delaying’ and ‘non-commitment’ can be as effective as violent peacebreaking. Not all spoilers scrape peace agreement some spoilers sabotage the peace implementation by political means. Secondly, the study also finds that socio-economic development program can create a ground for spoiling. Such development might be seen as an act of usurpation and cultural onslaught if those are not an informed choice of the intended beneficiary. Thirdly, the CHT conflict contends that ‘settlers’ can be spoiling actors whose spoiling behaviors germinate from the inter-communal hostility, uncertainty and anxiety. It suggests that future research look into spoiling conditions
germinating from distinct cultural way of life, feeling of deprivation and victimhood of a state policy, inter-community hatred and political polarizations.

Fourthly, the CHT case contends that an issue of territoriality – strong attachment to a land – can exacerbate spoiling behaviors when a primordial sense of belonging is tied to life and culture. Contending parties can make it an incompatible ‘strategic exigency’ which profoundly might shape their spoiling behaviors. External actor can exploit this as an ‘opportunity structure’ to do politics by other means. Thus, this dimension of territoriality should be incorporated in future research debate concerning spoiling behaviors and as an issue in the interplay of internal and external spoilers.

Fifthly, the study also argues that peacemaking with a poorly defined set of actors can intensify future grassroots spoiling. In a culturally defined context, any lasting peace agreement should take into account multicultural polarizations over ethnic identification. Future research should look into how to incentivize both intra-ethnic and inter-ethnic policing in order reduce spoiling behaviors and how to design robust management strategy that might contain those spoilers.

Finally, the CHT case also contends that secrecy of negotiation can undermine confidence of a broad swath of domestic audiences to a peace process. Such secrecy exacerbates future spoiling behaviors since a number of people and political parties might feel that their interests are sold out to the peace negotiation. The ‘analytical framework’ developed in this research was usable and relevant to this the peace process in the CHT conflict, however, it needs to incorporate these new actors and spoiling conditions in order to be more adaptable to other cases of spoiling. The CHT case sheds lights on some of those evolving dynamics of spoiling; however, they are not meant to be exhaustive. Future research should go into these new dimensions of subtle spoiling.
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