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INTRA-STATE ACCOUNTABILITY POST CIVIL WAR

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## ABSTRACT

For this research analysis, I examine the effect outcome has on justice accountability measures following the conclusion of civil war. Civil war conflict has ravaged the world for decades, oftentimes with no meaningful accountability for atrocities committed throughout. For this analysis, I hypothesized that the outcome of each war, either a rebel victory or a current regime victory, had the most significant impact on the implementation of accountability measures for each nation. To measure accountability, I formulated an Accountability Index loosely based off of the work of Brian Grodsky using a 0 to 1 ratio with 0 being no accountability measure and 1 being some accountability measures. My cases are derived from the Correlates of War Intra-State Civil War dataset, which I used to perform a robustness check, from the years 1980-2007. After performing a statistical analysis using both a logit and a probit model, my hypothesis was found to be null.

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## Chapter 1

### Introduction

War has ravaged countries all around the world for centuries. From Nazi Germany to the Rwandan genocide, unspeakable human rights abuses and egregious acts of horror have plagued the lives of innocent people from the hands of powerful regimes and their oppositions. While the theories of war have been studied upon exhaustion, one question that seems impossible to answer is how to rebuild a country after such atrocities have taken place. How will the citizens go on? Where is the justice for the surviving victims? Where is the *accountability*? The goal of this research is to provide insight as to how a country and its citizens can recover after the mass devastation of war.

Accountability, within this analysis, is measured by the formative justice that takes place after war - more specifically civil war. Upon analyzing the different levels of restorative justice accountability post-civil war, from amnesty to criminal trials, I was able to create an index of accountability for civil wars ranging across the globe over a span over 30 years.

In the following section, I will introduce the sparse literature covering scholars' ideas as to what accountability is and means, as well as how accountability can be implemented and the feasibility of these measures. Next, I explain the formation of my hypothesis and how I statistically analyzed these concepts. Finally, I present the results of both statistical analyses.

Although I do not presume to solve the perpetuation of human rights abuses during civil war, I hope to add another piece of literature regarding how accountability works (and does not work) in an effort to offer insight into this daunting challenge.

## Chapter 2

### Literature Review

There are a multitude of ways that states can be held accountable for human rights abuses committed during wartime conflict. These measures of accountability can include truth and reconciliation councils, tribunals, and criminal trials on both the state and international level. There seems to be a significant amount of disagreement in the current transitional justice and accountability literature regarding which measure of accountability provides the best form of justice. Some scholars call for the creation of truth and reconciliation councils, while others call for criminal accountability. The main difference in arguments from has been gathered in my research, is the difference in opinion on the importance of information over tangible accountability. However, before diving into what the best implementation of accountability is and how it can feasibly be implemented, it is important to take a look at accountability in and of itself.

Stromseth (2009) provides insight to accountability through the study of international criminal courts. As one of the most severe and punishing forms of accountability, criminal trials and tribunals oftentimes punish well-known political figures who are responsible for egregious acts of violence and loss - sometimes to their own people should they dare to rise up. Stromseth (2009), however, argues that accountability should primarily be for the victims of such atrocities. She argues that, although political figures are punished from this form of accountability, oftentimes international criminal tribunals leave war torn countries in disarray with no real infrastructure to recover from civil war. Although criminal trials are needed for the worst offenders of human rights abuses, Stromseth (2009) believes that accountability cannot be reached to its fullest extent without international tribunals reaching out to struggling



communities in order to help build a more civil and domestic society. In other words, accountability goes further than just the form of justice taking place. Author Aucoin (2007) also believes that accountability goes further than simply the prosecution of war criminals whether it be in the form of amnesty or criminal trials. Aucoin (2007) argues that factors such as constitution-making, judicial reforms, and fighting impunity and corruption. However, these measures are oftentimes easier said than done.

After building an understanding of what accountability is, the next set of literature consists of the implementation of certain measures of accountability along with the feasibility of those measures. One of the primary sources of transitional justice accountability would be researcher Jose Zalaquett. In a lecture titled, “Balancing Ethical Imperatives and Political Constraints: The Dilemma of New Democracies Confronting Past Human Rights Violations”, Jose Zalaquett speaks on the topic of state accountability after horrific human rights violations. Throughout his speech, Zalaquett (1992) highlights many well-known cases of political repression but focuses primarily on Chile’s transition from Pinochet’s reign of terror to President Patricio Aylwin. Zalaquett had the unique experience of serving as a member of the 8 person Truth and Reconciliation panel introduced by President Aylwin. According to Zalaquett (1992), this truth and reconciliation council had three important responsibilities: (1) the panel must provide information on both how and why the war happened; (2) the panel must report on all recorded deaths, disappearances, and acts of torture perpetrated by both state actors and non-state actors; and (3) the panel must propose a plan for preventing such events from happening again as well as propose a plan for mending damages to those most affected by the conflict. With these responsibilities in mind, Zalaquett (1992) and the seven other members of the panel listened to more than 4,000 cases wherein individuals were seeking justice from violence

perpetrated against them during the war. After each case was heard, the panel released an 1,800 page report that provided information on human rights atrocities as well as preventative measures suggested for the future. Zalaquett posits that it is this form of transitional justice that provides the best measure of accountability for human rights violations.

While there were certainly many people that disagreed on the worth of the council's finding, to justify his claim that truth and reconciliation councils provide the best form of restorative justice, Zalaquett (1992) posits several arguments. First, Zalaquett (1992) highlights factors that influence the type of accountability a country will implement. This is important to note because it helped to inspire my research on how time and outcome affect accountability measures. Zalaquett (1992) argues that conflicts in which former regimes lose both their political power and weapons are the easiest to hold accountable. This is due to the fact that the new regime in power has the ability to use their own discretion on accountability measures because the former regime has no power to negotiate. Countries wherein the former regime still holds considerable power either in terms of political support or possession of arms are more difficult to interpret the best form of accountability because it is difficult for the new regime to enforce their preferred accountability policies if the former regime can still pose a significant threat. Zalaquett (1992) also outlines the different outcome scenarios that threaten justice. The outcome scenarios that Zalaquett (1992) mentions include countries wherein political officials have already seemingly justified their actions by stating that their decisions were imperative to survival and therefore unavoidable, countries that concluded conflict through peace negotiations wherein neither side had a clear winner, and finally countries wherein both sides of the conflict perpetuated severe human rights violations against each other.

Zalaquett (1992) argued that there were two imperative considerations to be made when grappling with accountability measures: ethical principles that should be pursued by politicians and their actual ability to conduct these principles. Zalaquett (1992) believed that in order for a country to receive adequate justice it must implement a policy that deals with past human rights violations so that preventions can be made in the future, and that the policy must be adopted through democratic means approved by both the new government and its citizens. Therefore, Zalaquett (1992) argues for truth and reconciliation councils as the best form of restorative justice because it is a clear option for regimes that have the barriers to the justice outlined above.

An important aspect of this lecture that I took note of, is that while Zalaquett (1992) outlines his arguments for the implementation of truth and reconciliation panels clearly, he did not go as in-depth about how this council was received as a form of justice. There are two important pitfalls to the implementation of a truth and reconciliation board as highlighted by Zalaquett (1992): (1) the report given by the panel did not include specific names of individuals accused of heinous war crimes; and (2) the military regime, which still held power, passed an amnesty law for human rights violations spanning from 1973-1978 which was the time period of the Chilean war that resulted in the highest rate of human rights violations (i.e disappearances of innocent citizens under Pinochet's regime). Therefore, in my opinion, Zalaquett's argument does not entirely convince me that the best form of accountability is the implementation of a truth and reconciliation board because there is still a lot to be desired in terms of providing tangible justice to the victims of Pinochet's reign of terror.

Directly countering Zalaquett's argument is the article authored by Juan Mendez titled, "Accountability for Past Abuses." In this article, Mendez (1997) begins to outline the different aspects of accountability. According to Mendez (1997), the state's obligations for

accountability are multi-faceted and should not be used as an alternative to other accountability measures. Mendez (1997) posits that governments cannot simply pick and choose the forms of accountability that are the most beneficial to them, but that governments do have the imperative responsibility to apply multiple dimensions of accountability. With that being said, Mendez (1997) strongly advocates for the use of criminal trials-if they are applicable based on prior law.

In regard to criminal trials, Mendez (1997) argues that democratic leaders do not always know what is best for their societies as a whole, therefore the use of international criminal intervention is imperative. In this instance, more than likely a state would implement forms of accountability that closely mirror the sentiments of a truth and reconciliation councils and would try to completely avoid criminal accountability measures all together. Mendez (1997) acknowledges that there are factors, such as the need for immediate conflict devastation relief, that can cause governments to want to form accountability policies that resolve the conflict in the quickest manner possible. In Latin America, for example, Mendez (1997) found that many politicians believed that if they even attempted to break the cycle of impunity, they would be jeopardizing their transitioning democracy.

As mentioned previously, Mendez (1997) strongly advocates for the implementation of criminal trials through the use of criminal courts. Mendez (1997) argues that there are four obligations required from the state in terms of accountability measures: (1) states must investigate and punish the perpetrators of wartime abuses; (2) states must allow for transparency and disclose information about all events involving human rights abuses; (3) states must offer victims of human rights abuses both compensation and reparation; and (4) states must separate known wartime criminals from society as a whole. Therefore, the state must provide victims of human rights atrocities with tangible justice, information regarding the events that

transpired, compensation for their suffering, and re-structured and improved government provided institutions. According to Mendez (1997), these obligations are both separate and distinct. In other words, just because a government utilizes one form of accountability, does not mean that they get a free pass on the other three state accountability obligations. Mendez (1997) theorizes that, in the event that a state cannot feasibly implement a certain measure of accountability, the state must still attempt to provide the three other accountability measures to the best of their ability. Going even further, Mendez (1997) argues that not only must states try to provide all four obligations on an equal measure, but they must also deliver upon these obligations even if the results are not ideal.

To wrap up his argument in favor of criminal trials as the preferred form of accountability, Mendez (1997) argues that there are three major misconceptions regarding accountability that those studying accountability measures must consider: (1) states have no rules regarding which accountability measure they implement; (2) truth is always the more preferable alternative to post-conflict justice; and (3) prosecutions will always disrupt the newly formed peace. If accountability measures were determined on the basis of identifying these misconceptions, then criminal accountability measures seem like the most logical accountability enforcement measure. To conclude his suggestion of criminal accountability, Mendez (1997) acknowledges that criminal trials are often not implemented because they are the hardest forms of accountability to implement. However, he posits that criminal trials are the most efficient form of accountability because not only do they separate individual wartime criminals from the larger society at hand, but they also have the ability to indirectly provide their citizens with information or “truth” about past abuses through the use of criminal trials (eliminating the need for truth and reconciliation councils).

In a different study titled, “The Big Fish Won’t Fry Themselves”, Brown and Sriram (2012) conducted a case study analysis of post-election violence starting from December of 2007 to February of 2008. Although Kenya has had instances of political unrest following elections before, the case of the 2007 elections held particularly high consequences. According to Brown and Sriram (2012), during the violence that ensued after this election, more than 1,300 Kenyan citizens were slaughtered and over 350,000 more were displaced from their homes. Examples of the atrocities committed during this time period include: rioting, targeted attacks, revenge murders, and the slaughtering of innocent protesters by armed actors of the state. Brown and Sriram (2012) note that the violence surrounding this election stemmed from allegations submitted by Kenyan citizens concerning their ability to vote fairly and without fraudulent practices. Brown and Sriram (2012) state that, in response to the post-election violence, rival parties in Kenya established a coalition government-which allowed politicians from either side of the violence to continue to hold power.

In addition to the factors outlined above, Brown and Sriram (2012) argue that governments, wherein individuals of the former regime maintain power, will not provide adequate and systemic criminal prosecutions because those in charge of prosecution are also the individuals that deserve to be prosecuted. In the case of the Kenyan election, Brown and Sriram (2012) argue that Kenyan politicians responsible for the political unrest following the 2007 presidential elections had a clear vested interest in fraudulent election outcomes and that they also maintained support from their respective party allies. By creating a coalition government, wherein no side is a clear winner, corrupt politicians can maneuver around accountability measures because: (1) they still hold political power; and (2) there is no real considerable threat of prosecution. Brown and Sriram (2012) then analyze Kenyan officials' attempts to restore

justice via a hybrid criminal tribunal. This tribunal would be composed of one Kenyan official, two Kenyan commonwealth country officials and a prosecutor. This policy was proposed along with a credible threat for ICC involvement. However, Brown and Sriram (2012) found that this tribunal was never brought to fruition because parliament maneuvered around passing the bill due to the fact that politicians feared that they themselves would be tried and convicted-along with their allies as well.

Brown and Sriram (2012) conclude their analysis by again highlighting the point that, after several years, the Kenyan government still has not provided acceptable accountability measures for the injustices that occurred following the 2008 elections. Brown and Sriram (2012) conclude by arguing that because politicians responsible for grievous injustices in the past still linger in office, the only way to achieve some form of criminal accountability would be through an international court since politicians will not criminally prosecute themselves.

Further expanding these concepts, Jelena Subotic authored a study regarding post-conflict justice on multiple different leveled-individual, state, and societal levels. In this article, Subotic (2011) outlines a counterargument for researchers who believe that looking at individual accountability through the form of criminal trials is the best form of retribution for transitioning states. Subotic (2011) argues that the reason governments do not create and enforce accountability measures post-conflict is because the current views on accountability after mass devastation rely primarily on the individual level - which in turn leads to unsatisfactory conclusions because the state under which the individual acted upon will divert the blame from the state as a whole to the individual in question. Subotic (2011) argues that criminal trials on individuals are a step in the right direction in terms of ensuring that war criminals do not enjoy complete impunity, but more often than not the state government will use these trials as a way of

diverting attention from themselves. In other words, they use individuals as a “scapegoat” to accountability. This is not to say that Subotic (2011) does not support criminal trials for individuals accused of committing crimes against humanity - she does. However, it is her belief that states transitioning from old regimes to new ones must implement accountability measures on a three-tiered system: individual, state, and societal.

Subotic (2011) theorizes that for complete accountability to be taken post-conflict, states must implement policies on the individual level, state level, and societal level. It is obvious why criminal trials on the individuals are necessary because certain high-level officials must be indicted for their hand in the decimation of innocent people. Adding to this point, Subotic (2011) also argues that the state must also be held accountable. This is because, oftentimes, individuals who committed heinous war crimes did so under the authority of the state. For the state to insinuate that only certain individuals, or “bad apples” as Subotic (2011) referred to them, perpetuated acts of torture, genocide, and displacement is ridiculous. Adding on to this tier, Subotic (2011) , differing from Mendez (1997), places the majority of her call for accountability on the societal level. A reference she makes to emphasize the role society plays in terms of injustices carried out by the state would be that of Nazi Germany. Subotic (2011) brings up the point of how complacent individuals residing in Nazi Germany were throughout World War II. Subotic (2011) argues that in order for a society to fully move past the atrocities their state perpetuated, individuals within the society must be willing to recognize that the atrocities committed were done so under states in which they gave support. According to Subotic (2011), repressive ideologies will remain throughout the state no matter which regime the state transitions too, unless the state’s citizens are willing to admit their role within the conflict and accept responsibility for their complacency.



Subotic (2011) applies her theoretical three-tiered framework to the conflict between Serbia and Bosnia under Slobodan Milosevic's control. After committing what researchers consider to be crimes against humanity, Serbia was ordered to provide victims of the conflict with criminal accountability. Subotic (2011) argues that because the Serbian state only held a limited amount of elected officials accountable for the crimes committed, Serbia was able to, at least to some extent, shift the blame of these heinous crimes to certain individuals and not the state as a whole. Even 15 years after the war, Serbia still is not considered to have implemented any worthwhile form of accountability. Subotic (2011) believes that this is due in part to the fact that the policies implemented under the Milosevic regime were actually supported by a large portion of the general public. She also argues that because groups within the state that held power, such as political elites for example, did not lose their power-they were able to block many of the policies trying to be created that incriminated them. Subotic (2011) concludes that her three-tiered framework on the individual, state, and local level is the only way to ensure complete accountability because it is the only way for a state to move on from old ways of thinking. Subotic (2011) posits that on the individual level, war criminals must not only be tried-but information should be made available on the chain of command under which this person carried out the acts they are being tried for as well as detailed information on the particular act that was committed. On the state level, she believes that the best form of accountability would be something along the lines of a truth and reconciliation panel because she believes that it is the state's duty to take responsibility and publicly acknowledge its part in the conflict. Finally, on the societal level, Subotic (2011) believes that, underneath a truth and reconciliation council, countries will be able to recognize the crimes committed under their name and in turn move on towards a new future.

Thus far in the literature, many scholars have posited arguments for or against different forms of accountability measures. In an article titled “Re-ordering Justice: Towards a New Methodological Approach to Studying Transitional Justice”, author Brian Grodsky does not posit which form of accountability he believes works the best. Instead, he argues that the methodological way in which researchers have begun studying transitional justice is flawed. According to Grodsky (2009), the main argument in regard to transitional justice is the power structure between the old regime and the new regime. Grodsky (2009) argues, based on relative power struggle assumptions, that when political officials from the former regime still hold power, we are less likely to see the new regime apply stricter forms of justice. Grodsky’s (2009) transitional justice spectrum was the most influential factor in the design of my research because it allowed me to successfully look at and code civil conflicts based on their level of accountability. More of his research will be discussed in the following sections.

To conclude this literature analysis, a study on the standard of accountability can be examined. In an article titled, “Respect for Human Rights Has Improved Over Time” by Christopher Fariss, the changing standards of accountability are reviewed. According to Fariss (2014), individuals believe that human rights abuses have not lessened over time. Many people still believe that countries monitored by Amnesty International for example, are still perpetrating the same amount of human rights violations as before. Fariss (2014) argues, however, that this is not the case because those that monitor human rights abuses are not taking into account how the standard of accountability has changed over time. Fariss (2014) defines the standard of accountability as any set of expectations and norms that state behaviors are measured against. Fariss (2014) also argues that the reason political repression is seemingly unchanged is because monitoring agencies have changed their tactics on how and what they are recording in terms of

human rights violations. Now, unlike in earlier years, monitoring agencies can gather more accurate information about human rights abuses and therefore continually press states to reform with no regard to the policies that states are already trying to implement.

To perform his analysis, Fariss (2014) created two accountability models: the constant standard model and the dynamic standard model. The constant standard model holds the belief that the standard of accountability has not changed over time, while the dynamic standard model holds the belief that the standard of accountability has changed over time. He then conducted a quantitative statistical analysis of the two different models and the level of political repression. Fariss (2014) found that the respect for physical integrity rights has in fact increased over time and states are moving in a positive direction in terms of human rights. Fariss (2014) posits that the only reason people believe otherwise is because human rights monitoring agencies do not consider the changing standards of accountability.

Throughout the literature, there has been little consensus on which form of accountability will work best. For example, should a state implement truth and reconciliation councils or criminal trials? Or, perhaps, it would be beneficial to both the state and society as a whole to implement far less strict measures of accountability and simply move on from the past—considering the conflict has been resolved. Grodsky (2009) offers a spectrum in which to analyze accountability, and Fariss (2014) believes that human rights abuses have in fact lessened over time. However, are these measures of accountability implementable? Furthermore, does the outcome of these intra-state conflicts have any determinants in regards to accountability?

## Chapter 3

### Theories and Hypotheses

I theorize that state accountability affects transitioning regimes depending upon the outcome of intra-state conflict. There are two general outcome scenarios that follow the conclusion of intra-state conflict that pertain to this analysis: side A wins or side B wins. Side A, in outcome scenario one, is in the event that the former regime maintains control over the opposing regime. Side B, in outcome scenario two, is in the event that the opposing regime gains control over the former regime.

While I certainly do not believe that there are only two situations in which countries can find themselves placed in post-conflict, I believe that these two scenarios offer a good place to start in terms of researching transitional justice and accountability measures. These two outcomes encompass what I consider to be the main ways in which intra-state conflict is resolved.

In the first outcome scenario, the existing regime defeats the opposition. I hypothesize that, regarding this outcome, the regime will provide the lowest level of accountability measures. In addition, I also hypothesize that due to the former regime maintaining dominant control, that accountability measures will also be implemented after the fact-not directly following the conflict outcome. I base this hypothesis on the relative power argument outlined by Grodsky (2009) wherein states that do not have adequate means of power over an opposing force are limited in their ability to decide which measure of accountability to implement. Because the former regime will still maintain the majority of power within the state, they will be unwilling to implement strict accountability measures because those in power will be unwilling to prosecute themselves (Brown and Sriram, 2012).

In the second outcome scenario, the opposition overthrows the existing regime. I hypothesize that, regarding this outcome, the new regime will implement the highest level of accountability-criminal trials for accused wartime criminals. I also argue in regards to this outcome, that the timeline of accountability will occur directly after the fact because the new regime exerts power over the former regime (Grotsky, 2009). Based on the transitional justice spectrum developed by Grotsky (2009), I argue that because the new regime won-this regime will exert power over the former regime in retribution and they will implement policies directly following the conflict.

## **Chapter 4**

### **Research Design**

For this analysis, I conducted a primarily quantitative statistical approach - but formed my own statistical code qualitatively studying each case. To begin, I used the Correlates of War's large-N Intra-State dataset as my universe of cases. From this dataset, I pulled cases from 1985-2007. I chose this time frame because it allowed me to narrow down the number of cases within the Intra-State War Dataset, but still allowed me to analyze a broad range of cases. Once I subset the Intra-State War Dataset, I qualitatively researched the accountability measures taken by each state included within the subset.

As mentioned earlier in my literature review and hypotheses, I used the Transitional Justice Spectrum developed by Grotsky (2009) to help me code this qualitative information. In an effort to help other researchers examine the validity of their arguments for transitional justice, Grotsky (2009) created a 7-tiered spectrum of transitional justice which he calls the Transitional

Justice Spectrum. On this spectrum, Grodsky (2009) has listed 7 of the most common forms of accountability that go as following: cessation and codification of human rights violations, condemnation of the old system, rehabilitation and compensation for victims, creation of truth commissions, purging of human rights abusers from public functions, and criminal prosecutions of lower commanding officials and higher commanding officials. This spectrum is ordinal and with each increasing step, the level of accountability systematically increases. For example, if you are using the relative power struggle argument, you could use this spectrum to hypothesize the accountability measures a state will use based on how strong or weak the new regime is. Grodsky (2009) argues that researchers interested in transitional justice can use this spectrum to not only predict the highest form of accountability measures a country will take, but also how the passage of time affects specific choices in accountability measures. An important aspect of this model, in terms of my research, is the fact that Grodsky (2009) posits that the null hypothesis for this spectrum is the relative power argument-an argument that I use as the basis for my hypotheses. Also, Grodsky (2009) argues that this spectrum would be beneficial to researchers interested in large-N studies because researchers would be able to find trends (or a lack thereof) within the data. I relied heavily on this transitional justice spectrum throughout my research process because it helped to form the basis for my arguments on how conflict outcomes and time affects accountability measures as well a useful scale in which I will be able to create my own index of accountability. Although Grodsky (2009) outlined 7 tiers of accountability, for the scope of my research I was only able to synthesize these measures into two different groups: some accountability and no accountability. However, when conducting my qualitative research, I used Grodsky's accountability measures as a form of reference when coding cases in which some accountability took place.

To code my accountability variable, I separated accountability measures into two different groups: some accountability or no accountability. I classified a state as using no accountability measures if their accountability falls between and 0 and 2 on the Transitional Justice Spectrum. According to Grodsky (2009) the first tier of this spectrum goes as follows: (1) the cessation and codification of human rights violations; (2) condemnation of the old system. In terms of cessation and codification of human rights, Grodsky (2009) argues that new leaders can carry out this form of accountability by signing and integrating domestic laws into their own justice system. Grodsky (2009) continues the argument by highlighting that this form of accountability allows the state to rebuild its international reputation, hold political parties accountable for their promises, and will indirectly help to monitor future abuses. This measure is classified as the weakest form of accountability because it is essentially beneficial to everyone that is involved. Under this accountability measure, no specific government official is held accountable-but steps are being made in the right direction in terms of restoring justice to a war torn state. In terms of condemnation of the old system, Grodsky (2009) argues that this form of accountability is also primarily beneficial to all involved. Grodsky (2009) believes that states can implement this form of accountability by publicly condemning the acts perpetrated during the war through public address such as speeches given by political elites. This form of accountability provides wartime victims with someone to blame for the atrocities committed, but no government official is specifically targeted for their abuses.

I classified a state as using some accountability measures if their accountability fell between 3 and 7 on the Transitional Justice Spectrum. According to Grodsky (2009) the third, fourth and fifth measures of accountability are (3) rehabilitation and compensation for victims; (4) the creation of a truth and reconciliation council; and (5) purging human rights abusers from

public information. In terms of creating a truth commission, Grodsky (2009) argues that truth commissions create an environment for which both victims and perpetrators can share their side of the story and provides a meaningful attempt at addressing the atrocities committed by the state. Grodsky (2009) argues that truth and reconciliation councils can lead to several different policies with much different outcomes. After hearing both the victims and the perpetrators stories, a state can draft policies that are more representative of amnesty, or they could choose to implement policies that more closely resemble personal accountability. Grodsky (2009) also argues that truth and reconciliation councils can indirectly benefit society as a whole because it can be seen as the first step towards reconciliation between the state and its citizens. Grodsky (2009) places truth and reconciliation councils in the middle of his spectrum because, due to the fact that government officials are publicly humiliated, this measure is much less likely to be implemented than the first three tiers. However, since no official is criminally prosecuted, this accountability measure is much easier to implement than actual criminal trials. In terms of purging human rights abusers from office, Grodsky (2009) argues that states can implement this form of accountability through employment bans of human rights abusers. It is within this tier that we see individuals being directly affected by their actions. Grodsky (2009) argues that this form of accountability can also help strengthen the relationship between the state and society because it shows that the state is making positive steps in reforming its institutions. While this form of accountability is stricter than just merely admitting the role of government officials in wartime abuses, there are also ways in which government officials can still remain an influencing member of society.

Grodsky (2009) outlines the sixth and seventh tiers of the Transitional Justice Spectrum as: (6) criminal prosecutions of executors; and (7) criminal prosecution of commanders. In terms



of prosecuting “executors”, Grodsky (2009) argues that this measure of accountability increases the severity of wartime consequences but is slightly less strict than the highest measure of accountability because it only prosecutes individuals that were lower in command. In other words, they are the individuals that performed the actions-not necessarily the individual that gave the order. Grodsky (2009) outlines the arguments made by scholars that this measure of accountability allows for the creation of historical records outlining abuse and satisfies victims' desire for justice. The highest form of accountability, according to Grodsky (2009), is the prosecution of commanders. Commanders are the highest in command and, as stated by Grodsky (2009), they are the most to blame for human rights abuses. In other words, commanders are the individuals that gave the orders to the “executors” to perform human rights abuses during war. This is the strictest form of accountability because it prosecutes the highest officials of the state and provides severe consequences for individuals who perpetrated abuse.

I called the information gathered in my research the Accountability Index, and I coded no accountability measures as 0 and some accountability measures as 1. I chose to code this information as a binary variable because the hypotheses I created called for the use of statistical probability models. An example of this index can be found in Figure 1. Once I created my Accountability Index, I was able to analyze my dependent variable regarding the outcome of each war using two different statistical models which will be further discussed in the following section.

**Figure 1.** *Accountability Index Mode*

War Name	Government	Opposition	Accountability Level	Accountability Score
First Sierra Leone	Sierra Leone	RUF	Some	1
Second Yemeni Cleric	Yemen	Zaidi Muslims	Some	1
First Liberia	Liberia	NPFL	None	0

## Chapter 5

### Data and Methods

For my Accountability Index, I analyzed 42 different civil wars from the years 1986-2007. These cases originally derived from the Intra-State War list from the Correlates of War dataset created by Meredith Sarkees and Jeffrey Dixon. To identify accountability measures implemented in each war, I also analyzed their book, *A Guide to Intra-state Wars: An Examination of Civil, Regional, and Intercommunal Wars, 1816–2014*, which described each case in detail. The elements of these cases in which I coded go as follows: (1) the side of the conflict in which the case actors took stance, (2) the year in which the conflict began, (3) the year in which the conflict was concluded, (4) each case's accountability score, (5) and the outcome of each conflict. The first variable included, in regards to the stance of the conflict, indicates whether or not the case in question was a member of the government (former regime), or a member of the opposition group trying to overthrow the government. As mentioned previously, the accountability variable was coded on a 0 to 1 ratio with 0 indicating that a country implemented no real accountability or 1 indicating that some forms of accountability were taken. Finally, the variable regarding outcome was also coded on a 0 to 1 ratio with 0 indicating a former regime win and 1 indicating the opposition winning.

After building the Accountability Index using data from the Correlates of War project, I then added two different control variables from the Quality of Governance dataset. The first control variable was the average of Freedom House's democratic freedom score and Polity's democracy score. This variable is coded on a scale of 0-10 with 0 being the least democratic and

10 being the most democratic. The second control variable was Quality of Governance's ethnic fractionalization score. This variable is defined as the probability of two randomly selected individuals being of the same ethnicity [10]. These variables were included to control for factors outside of accountability that might have induced more fighting and a harder time reaching a peaceful resolution of the war. I also added in one more control variable that involved outside actors called peacekeepers. Peacekeepers, such as foreign helpers and the UN, have the ability to influence the data because the influence of peacekeepers may also influence the perpetuation of accountability. This control variable was also coded on a 0 to 1 binary ratio.

After controlling for outside factors, I was then able to conduct a statistical analysis of the data produced. For this analysis, I ran two different types of statistical models: a logit and a probit. A logit statistical model is used to find the probability of an event occurring, and in the case of this analysis - the probability of outcome influencing the form of accountability implemented. A probit statistical model was then used as a way to refine the data as probits are used when variables, such as my outcome variable, can take only one of two values. As mentioned previously, the Accountability Index only records variables on a 0 to 1 ratio.

## Chapter 6

### Results

**Table 1.** *Probit Regression*

Accountability Score	Coefficient	Std. Error	z	P> z	95% Confidence Interval	
Polity Score	-.0481553	.0886924	-0.54	0.587	-.2219892	.1256785
Ethnic Fractionalization	-.087347	.120667	-0.72	0.469	-.32385	.149156
Outcome	.3028574	.4262783	0.71	0.477	-.5326327	1.138348
Peacekeeping	-.063787	.4494343	-0.14	0.887	-.9446621	.8170881
_Cons	-.5650983	.4269257	-1.32	0.186	-1.401857	.2716608

As demonstrated in Table 1, the results of the probit statistical model will be discussed. The Polity variable represents the control variable democracy score, the Ethnic Fractionalization represents the control variable ethnic fractionalization, the Peacekeeping variable represents the control variable for the presence of outside actors such as the UN. Finally, Outcome demonstrates the dependent variable of the study. As is presented in the data, even after the performance of a robustness check, all variables within the probit model were found not to be statistically significant, meaning that for this model, my hypotheses are null. There was no evidence found within this model to suggest that outcome impacts forms of accountability following the conclusion of civil war.

**Table 2.** *Logit Regression*

Accountability Score	Coefficient	Std. Error	z	p >  z	95% Confidence Interval	
Polity Score	-.0806189	.1520972	-0.53	0.596	-.3787238	.2174861
Ethnic Fractionalization	-.14639	.2010834	-0.73	0.467	-.5405063	.2477262
Outcome	.4690771	.7263582	0.65	0.518	-.9545589	1.892713
Peacekeeping	-.1136956	.7635738	-0.15	0.882	-1.610273	1.382882
_Cons	-.8899009	.7528437	-1.18	0.237	-2.365447	.5856457

Here, in Table 2, the logit statistical model for this analysis is demonstrated. For this model, all of the variables previously aforementioned stayed the same. For each of the control variables, as well as the dependent variable, no significant results were discovered. Thus, this statistical model did not support my hypotheses and proved them to be null and insignificant. According to this model, there is no discernible change in accountability when factoring in the difference in conflict outcomes.

## **Chapter 7**

### **Conclusion**

The threat of civil war and armed conflict is a very unfortunate reality for many individuals across the globe. Unfortunately, as can be deduced from this analysis, justice for gross human rights atrocities and a needless loss of life is oftentimes unserved. Initially, I hypothesized that the outcome of certain conflicts influenced the justice form of accountability for those who had been affected. However, after conducting tests using two different forms of statistical models, these hypotheses were found to be null. Thus, unfortunately, the search for justice through holding war criminals and political pundits responsible for their crimes must be further researched and discussed.

Throughout this analysis, I faced several limitations. First and foremost, was a lack of data. Due to the multitude of names used to describe each war, it was hard to discern whether or not the information I gathered was totally complete and sufficient. Scholars who have more time to dedicate to formally researching each case individually, instead of amassed into one dataset, may be better able to deduce a more accurate reason as to why justice in the form of accountability is given in some instances, but not in the majority of instances. As mentioned previously, I hypothesized that differing outcomes such as a rebel group overthrowing an oppressive regime, were a primary influence in the implementation of accountability. Although my statistical analysis was proven to provide insignificant results, perhaps further research on a case by case analysis would provide more insight into this variable.

Unfortunately, many questions for those seeking justice following civil war have been left unanswered. I began studying human rights abuses perpetrated by oppressive regimes and rebel groups following the introduction of the Syrian civil war. It was my hope that I would

be able to provide key insights into what the future may hold for the citizens of Syria who have seen some of the greatest forms of human rights abuses in my lifetime. Although my initial hypotheses were found to be insignificant, I hope to continue working towards developing literature that specifically studies how accountability forms are implemented. Therefore, in turn policies can be created to ensure that mass loss of human life can be avoided, and justice can be served to those who now carry the trauma of the entire world on their shoulders

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## ACADEMIC VITA

### EDUCATION:

**University Park, PA** The Pennsylvania State University, **Schreyer Honors College**

Bachelor of Arts in **Political Science** and Bachelor of Arts in **Communication Arts & Sciences**

- Paterno Fellow
- Graduation: May 2020
- Thesis on intra-state accountability post-civil war conflict with specialized focus on coding and data analysis

### PROFESSIONAL EXPERIENCE:

The Center For Democratic Deliberation

**State College, PA**

*Intern*

September 2019 to May 2020

- Working on Penn State campus to build democratic deliberation
- Interviewing prominent leaders at Penn State to enhance democratic communication
- Publishing interviews on Penn State campus website

Public Agenda

**Brooklyn, NY**

*Intern, Nevins Fellow*

June 2018 to August 2018

- Communicated with local congressional representatives about citizen's needs
- Researched and assessed efficient communicative processes for deliberation
- Created and performed specialized minority focus groups on public deliberation
- Published article on focus group experience in Canarsie neighborhood of Brooklyn, New York
- Helped organize community initiatives such as access to nutritional dietary needs
- Published work on Public Agenda website

### LEADERSHIP EXPERIENCE:

Bridge Alliance Political Summit

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- One of three students selected from Penn State
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THON Communications Committee

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September 2017 to February 2018

- Tasked with sharing information about the Four Diamonds Fund
- Designed events/activities to spread awareness about childhood cancer

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