'When push comes to shove' The failure of international mediation in African civil wars

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The failure of international mediation in African civil wars

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> Six strategic principles of mediation:
>   - mediators should not be partisan
>   - the parties must consent to mediation and the choice of the mediator
>   - conflict cannot be resolved quickly and easily
>   - the parties must own the settlement
>   - mediators should not apply punitive measures
>   - mediation is a specialised activity

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Introduction

Over the past two decades, there have been numerous attempts to end civil wars in Africa through mediation. Most of the mediation initiatives were unsuccessful, with one or more of the protagonists spurning negotiations, being unwilling or unable to reach a settlement in the course of mediation, or subsequently violating the terms of a peace agreement. The factors that might account for the failure in each case include the history, nature and causes of the conflict; the goals and conduct of the disputants; the role of foreign powers and neighbouring states; and the style and methods of the mediator. This article focuses on the mediator's strategy and tactics as variables that enhance or diminish the prospect of success. I present a critique of power-based mediation and propose that a confidence-building approach is more likely to yield a positive result.

The main argument is that the key to effective mediation lies in understanding, managing and transforming the 'psycho-political dynamics' of conflict which make adversaries resistant to negotiations. Notwithstanding the varying causes and features of conflict, these dynamics can be described in general terms: the parties regard each other with deep mistrust and animosity; they believe that their differences are irreconcilable; they consider their own position to be non-negotiable; and they fear that a settlement will entail unacceptable compromises. These visceral concerns are intense where large-scale killing has occurred and where identity, security, freedom and justice are at stake. The concerns are both a product of conflict and obstacles to its

resolution. They give rise to a profound lack of confidence in negotiations as a means to achieving a satisfactory outcome, even when the cost of hostilities is high and there is no possibility of outright victory.

Mediation is quintessentially a method of mitigating the concerns through the presence and support of an intermediary who is not party to the conflict, who enjoys the trust of the disputants, and whose goal is to help the disputants forge agreements which they find acceptable. By virtue of these characteristics, the intermediary serves as both a buffer and a bridge between the antagonists, ameliorating the anger and suspicion that prevent them from addressing, in a co-operative manner, the substantive issues in dispute. The parties' common trust in the mediator offsets their mutual distrust and raises their confidence in negotiations. This is the basic logic and potential of mediation. Professional domestic mediators employ various procedural techniques in order to realise that potential.

State and multinational mediators, in contrast, frequently disregard the logic of mediation and resort to coercive diplomacy. Insensitive to the emotional content of conflict and inattentive to the procedural dimensions of constructive conflict resolution, they rely on power to compel the adversaries towards a settlement. This approach is invariably ineffectual or counter-productive. By rendering mediation a threatening endeavour, it heightens the insecurity and intransigence of the parties and inhibits them from co-operating with the mediator. It may also result in the mediator becoming a party to the conflict. The history of peacemaking in African civil wars provides little support for the academic thesis that international mediation requires the exercise of political power. This thesis does not account for the many failures of powerful mediators and for the success of mediators who lack power.

In this article, the critique of power-based diplomacy and motivation for a confidence-building model is based on six 'strategic principles' of mediation: mediators should not be partisan; the parties must consent to mediation and the choice of the mediator; conflict cannot be resolved quickly and easily; the parties must own the settlement; mediators should not apply punitive measures; and mediation is a specialised activity. These principles are explored with reference to mediation initiatives in African civil wars, the academic literature on international mediation, and the experience of community mediation conducted by the Centre for Conflict Resolution (CCR) in Cape Town.[1] The final section seeks to consolidate the argument on empirical and theoretical grounds.

The six strategic principles are intended to capture the essence of effective mediation in intra-state crises without over-simplifying a complex endeavour or negating the necessity for mediators to be flexible, creative and responsive to changing circumstances. Since conflict differs from one situation to another, evolves over time and is driven by social actors, a mechanical or formulaic approach to peacemaking is bound to fail. Nevertheless, the validity of the principles as general propositions can be demonstrated by describing the consequences of their application and lack of application in specific cases, and by explaining these consequences in terms of the psycho-political dimension of conflict.

I define 'mediation' as a process of dialogue and negotiation in which a third party helps disputants, with their consent, to manage or resolve their conflict. In the context of civil war, the process is deemed 'successful' when it leads to the termination of hostilities and the advent of democratic governance. 'Confidence-building mediation' indicates a style of mediation that is oriented towards raising the parties' confidence in each other, in negotiations and in the mediator. The emphasis is on facilitating dialogue and joint problem-solving rather than on pressurising the disputants to reach a settlement. The reasons for adversaries' resistance to negotiations are referred to as 'psycho-political dynamics'. This term is meant to indicate that the resistance derives from individual and group concerns which are both political and psychological in nature, and which although subjective, are usually justified by objective conditions.

Six strategic principles

Mediators must not be partisan

Individuals and groups embroiled in serious conflict regard each other with extreme suspicion and antagonism. They are reluctant to engage in dialogue even when they are contemplating privately the possibility of a settlement. Alternatively, they might enter into talks but be unable to move beyond mutual recriminations. Through the presence and support of a trusted third party, mediation can provide a comparatively calm and safe space for them to articulate and explore ways of meeting their respective concerns. Given their fear that the outcome of negotiations may be unfavourable, the disputants' trust in the mediator is a critical factor. Above all, they expect the mediator to be non-partisan and fair. At the onset of a mediation process, CCR invariably encounters questions from one or more of the parties regarding its motives and potential bias. Any display of bias while the mediation is underway will be viewed as a breach of trust and may scupper the process.

Absolute impartiality on the part of the mediator is obviously unattainable. CCR staff naturally have personal, cultural and professional values. They choose to become mediators for normative reasons, they are always concerned about power asymmetries and the equity of agreements reached, and they inevitably form an opinion of the antagonists in a specific dispute (see Odendaal 1998). However, one of CCR's professional values, declared expressly to the parties, is a commitment to facilitate the process in an even-handed manner. My colleague Andries Odendaal (1998: 12) describes this imperative as "technical impartiality", in contrast to "moral impartiality (which is impossible and unacceptable)". If CCR staff are unable for any reason to assume a non-partisan stance in a particular conflict, they will refrain from playing a mediating role.

A number of academics deny or downplay the importance of impartiality in international mediation (see, for example, Zartman and Touval 1992: 248 - 250; Bercovitch 1996: 253 - 254; Smith 1985). William Smith (1985) presents the following version of the argument. Whereas the impartiality of mediators in domestic settings stems from the fact that they have no extended relationship with the parties and no interest in the dispute beyond its peaceful resolution, states have little motivation to mediate in international conflicts other than because they have a relationship with the adversaries and an interest in the details of a settlement. International mediators are thus probably always biased to some degree. The bias may enhance the acceptability and effectiveness of the mediating state because the mediator's interest in its relationship with both disputants gives each of them a measure of leverage over it and vice versa. The less favoured party co-operates in the hope that the mediating state will extract concessions from the party with which that state has closer ties.

Smith's argument is conceptually and empirically incomplete. First, it does not consider critically the nature of the mediating state's interests, which may range from universal humanitarian concerns to more parochial, self-serving goals that a disputant party deems prejudicial. Second, the argument considers the question of bias primarily in terms of the mediator's interest in the conflict and prior relations with the disputants when, in fact, the problem may lie in the mediator's conduct during the peacemaking process. Third, Smith fails to distinguish between a partial mediator who is thrust on to the parties and one whom they accept without duress. There can be no objection if adversaries agree to use a mediator who is somehow affiliated to one of them, and in this regard no distinction need be drawn between international and domestic mediation. The parties will nevertheless expect a 'partial' mediator to behave in a substantially even-handed fashion.

At an empirical level, Smith (1985) disregards the fact that international mediators may succeed precisely because of their lack of bias. This was the case with the mediation conducted between 1990 and 1992 by Sant' Egidio, a Catholic lay community, in the Mozambican civil war; according to Father Angelo Romano (1998: 7), "our strength was exactly not having to defend any vested interest in the country but the one of a solid peace". The importance of Sant'

Egidio's impartiality is stressed by officials who participated in the peace talks on behalf of Frelimo (Madeira 1998: 8) and Renamo (Domingos 1998: 5). Hizkias Assefa (1987: 167) makes the same point with regard to the successful mediation undertaken in 1971 - 1972 by the World Council of Churches and the All African Council of Churches in the Sudanese civil war. A facilitator of the peace accord concluded between the African National Congress (ANC) and the Inkatha Freedom Party (IFP) in South Africa in 1994 attaches similar weight to the "non-partisanship" and "objectivity" of the mediation team which was led by Washington Okumu, a Kenyan businessman and academic, and supported by the local Consultative Business Movement (Coleman 1994).

Conversely, as illustrated by the following examples, a mediator's acceptability and effectiveness may be diminished greatly by its partisanship. Since 1993 the Inter-Governmental Authority on Development (IGAD) has attempted to mediate in the civil war in Sudan. While the member states of this east African formation have a legitimate interest in ending the war because of its destabilising regional impact, three of them have been involved in bilateral military conflicts with Khartoum. Ethiopia, Eritrea and Uganda provide military support to Sudanese rebel movements, while Khartoum sponsors extremist groups engaged in terrorist activities in each of these countries (see Deng 1997; Africa Confidential 37 (8), 12 April 1996; Africa Confidential 38 (15), 18 July 1997). Francis Deng (1997) observes that these antagonisms have raised questions about the credibility of the mediating body have undermined the initiative.

In 1989 Liberia was plunged into war when rebels led by Charles Taylor sought to oust Samuel Doe who had seized power in a coup ten years earlier. Five members of the Economic Community of West African States (ECOWAS) formed a Standing Mediation Committee to broker a ceasefire. When its initial peacemaking bid failed, the mediation committee established a military force known as ECOMOG (ECOWAS Ceasefire Monitoring Group). Over the next six years, the role of ECOWAS alternated between mediation, peace enforcement and peacekeeping. ECOMOG became embroiled in the fighting, prolonging the war and contributing to wider regional instability. Dominated by Nigeria, which had backed the despotic Doe, ECOMOG destroyed its claim to neutrality by targeting Taylor and arming rival factions (see Howe 1996/ 1997; Ofuatey-Kodjoe 1994; Sesay 1995; Nyakyi 1998). According to Anthony Nyakyi (1998), former Special Representative of the UN Secretary-General to Liberia, the enmity between Taylor and Nigeria became the main impediment to securing a lasting peace agreement.

When the elected Hutu government in Burundi collapsed in 1996, Pierre Buyoya and the predominantly Tutsi army assumed power through a coup. Neighbouring states immediately imposed sanctions on the country with the endorsement of former President Nyerere of Tanzania, the official mediator for Burundi. While the Buyoya regime pursued negotiations and forged a partnership with some of its internal opponents, it resisted the external peace process led by Nyerere. It called repeatedly for his resignation as the mediator on the grounds that he was anti-Tutsi. The tension between Buyoya and Nyerere, and the controversy around the embargo threatened to overshadow the conflict in Burundi itself (see International Crisis Group 1998: 36 - 50; Van Eck 1997; Evans 1997:33 - 39; Mthembu-Salter 1998).

In 1993 the second United Nations (UN) operation in Somalia (UNOSOM II) was launched with a mandate that included the promotion of political reconciliation among warring Somali factions. After Pakistani peacekeepers were killed in an ambush, the UN embarked on a military campaign against General Aideed, the faction leader deemed responsible. In their bid to hunt him down, UN forces bombed a house and killed over fifty clan members. Ken Menkhaus (1996: 59) asserts that these efforts to arrest or marginalize warlords "failed to account for the deep-rooted notion of collective responsibility in Somali political culture ... Actions taken against a clan's militia leader were seen by Somalis not as justice done to an errant individual, but as a hostile action against the entire clan". Having compromised its impartial standing, the UN became too discredited to pursue its mediation efforts and departed Somalia in ignominy (see Menkhaus 1996; Jan 1996).

In several of the situations outlined above, enforcement measures may well have been warranted. A strong case can be made for punitive international action in response to coups and systemic violation of human rights. Yet regardless of whether such action is justified, a mediating body which resorts to coercion will be mistrusted by the targeted party as surely as a soccer team mistrusts a biased referee. It sacrifices its status as an 'honest broker' and becomes a party to the conflict. As argued further below, enforcement and mediation functions should be performed by different actors.

While the application of sanctions or force is unambiguously partisan, bias is also a matter of perception. How a party feels about a mediator providing support to its opponent, for example, depends on the nature of that support, the party's confidence in the mediator and its assessment of prejudice to its own interests. In the case of Mozambique, a Frelimo official recalls that although his government's trust in the mediators was threatened by their inclination to assist Renamo as the weaker party, "their good sense prevailed and they were most of the time perceived as neutral and as uninterested parties" (Madeira 1998: 8). Elsewhere, active and prospective mediators have been rejected by a disputant on the grounds of bias: the Movement for Colonial Freedom as a mediator in Sudan in 1970 (Assefa 1987: 94); South Africa, Zimbabwe and Kenya as potential mediators in Mozambique in the early 1990s (Madeira 1998: 4; Hume 1994:32 - 43); Ethiopia and Egypt in the case of Somalia in 1993 - 1995 (Menkhaus 1996: 49); and Egypt and Libya in Sudan in 1998 - 1999 (IRIN Update No. 601).

Partisan interests also impede the mediation efforts of multinational bodies like the UN and the Organisation of African Unity (OAU). When these efforts are subject to decision-making by member states, the organisations function less as unified corporate actors than as diplomatic arenas in which the conflict is played out in an adversarial fashion (see Amoo 1993; Touval 1994). The organisation may be rendered impotent by divisions within its ranks or by the formal or informal veto of a state. For example, African countries prevented the UN Security Council from addressing the Liberian crisis for nearly three years after the outbreak of fighting in 1989 (Ofuatey-Kodjoe 1994: 270 - 271; Sesay 1995: 209). In addition, disparate interests within the mediating body can be exploited by the parties and exacerbate the conflict. According to Nyakyi (1998: 2), "the divisions among the key ECOWAS countries involved in Liberia, which supported different factions and failed to form a common policy on Liberia, was the underlying factor which emboldened the factions in their intransigence".

Smith (1985) acknowledges that a biased domestic mediator will be regarded with suspicion and hostility by the disfavoured party and may make the conflict more intractable. This logic applies equally to international mediators, particularly in civil wars where the stakes are especially high and feelings of hatred and mistrust are intense. The necessity for mediators to proceed with extreme caution in these circumstances is captured by the concerns of a senior Tanzanian official who, while facilitating the Arusha peace process for Rwanda between 1992 and 1993, was so determined not to appear partisan that if he had breakfast with one of the parties he would make a point of having lunch with the other![2]

The parties must consent to mediation and the choice of mediator

Disputant parties tend to be most resistant to mediation when it is most required. Where the negative impact of a conflict is manifestly serious, independent observers might consider mediation to be an obvious means of resolving the immediate and underlying problems. The adversaries, however, are likely to hold entrenched positions and view the conflict in zero-sum terms. From their perspective, mediation entails talking to 'the enemy' and the prospect of compromising core values in order to reach a settlement. They may fear losing face in the eyes of their supporters, being outmanoeuvred by their opponent's negotiating tactics, and being pressurised by the mediator to dilute their goals.

Given these dynamics, CCR undertakes mediation only with the express consent of the disputants. The organisation may be approached in the first instance by one of the protagonists or by some authority with an interest in ending the conflict, but its staff will then meet with all

the parties to ascertain their willingness to engage in mediation under CCR's auspices. This procedure gives the disputants some power over the mediator and enhances their confidence in the process. They can select a mediator whom they trust and they can dismiss the mediator at any stage. The nature of the appointment and the possibility of dismissal heighten the mediator's accountability to the parties and reduce their fear of bias. There is the further potential benefit of setting an early precedent of decision-making by consensus since the parties have to agree on the selection of the mediator.

The voluntary character of mediation is so fundamental that it can be regarded as a defining feature of the process. Legal instruments like the UN Charter and the 1964 OAU Protocol of the Commission of Mediation, Conciliation and Arbitration afford parties a 'free choice of means' in the pacific settlement of international disputes; the principle implies that mediation requires the parties' consent and acceptance of the mediator (United Nations 1992: 33 - 45). Although these instruments relate to inter-state conflict, the principle applies equally to conflict at other levels. It is reflected in academic definitions of mediation (see, for example, Bercovitch 1996: 246), in commentary on the peacemaking function of the UN secretary-general (see, for example, Puchala 1993: 82 - 83), and in policy proposals on conflict resolution emanating from African quarters (see, for example, Othman 1998: 16).

In practice, however, the element of consent is frequently absent in international mediation. When an inter- or intra-state conflict escalates to the point of large-scale violence, third party countries and multinational bodies often assume the role of mediator and appoint envoys to that end without consulting the protagonists. The disputants may be resistant to negotiations, or they may be ready for talks but lack confidence in the host agency or its envoy. In either case the ensuing process lies substantially outside of their control and is likely to be perceived as an imposition. Mediation is thus rendered a threatening and disempowering activity rather than a co-operative and supportive venture.

The OAU's principal mechanism for addressing high-intensity conflict is the 'ad-hoc committee'. The committee is normally chaired by the head of state who holds the rotating presidency of the organisation, regardless of that person's competence as a mediator and acceptability to the parties. The other members usually include heads of state from countries bordering the conflict zone. The mediating body might consequently encompass partisan interests that undermine the integrity of the exercise. In the Western Saharan conflict, for example, one of the parties boycotted a meeting of the Committee of Wise Men because of the "hostile positions" of certain members who had "overlooked the most fundamental norms of honourable behaviour and impartiality" (quoted in Amoo 1993: 247 - 8). The problem is compounded where a strong state attempts to use the OAU's authority to legitimise its ambitions of regional dominance, as occurred with Nigeria during the civil war in Chad in the early 1980s (Amoo 1993: 247).

The most radical deviation from the principle of consent is the refusal of mediators to withdraw when a disputant rejects their involvement on the grounds of bias. A mediator's persistence in these circumstances becomes a significant secondary source of conflict and an obstacle to resolving the primary conflict. The Burundi situation, noted earlier, is an example of this scenario. The controversy surrounding the mediator eventually became so intense that in 1997 former President Nyerere offered to step down from this role at a meeting of the regional leaders who had appointed him. The leaders declined to accept the offer and ignored the Burundi regime's call for a "team of neutral mediators" (see IRIN Update No. 405, 1998).

Peacemakers naturally play uninvited roles where a party rejects negotiations, encouraging it to enter into talks or acting as an interlocutor. In contrast, where all the disputants are willing to engage in negotiations, enabling them to select the mediator is clearly preferable to imposing one on them. An intermediary could invite each protagonist to nominate a number of third parties to serve in that capacity, the matter being settled quickly if there are any common nominations. If this is not the case, further iterations would be required until, through a process of elimination, the disputants settled either for a balanced team of mediators or for a single

mediator who is not completely unacceptable to any of them. The same procedure could be followed where mediation is already underway and a party rejects the mediator. Although the rejection may be a pretext for avoiding talks, nothing would be lost by calling that party's bluff and inviting it to propose alternative or additional mediators.

The approach advocated here may be difficult to implement but it is no more difficult than any other aspect of mediation, and it is not without precedent. In the Mozambican peace process, for example, the choice of mediator was determined through negotiations between the disputants. When Sant' Egidio convened the first meeting of the belligerents in 1990, Renamo insisted that its patron, Kenya, be the mediator. Frelimo would accept Kenya only if its own ally, Zimbabwe, were a co-mediator. Renamo rejected such involvement by Zimbabwe. In the absence of trust between the parties, Renamo also dismissed Frelimo's proposal that they proceed without a mediator. Following shuttle diplomacy by members of the Sant' Egidio team, the parties agreed at the third round of talks to upgrade Sant' Egidio's status from 'observer' to 'mediator' (Hume 1994: 32 - 43).

Conflict cannot be resolved quickly and easily

CCR mediators are never able to facilitate swiftly and easily the resolution of serious conflict at community and municipal levels. The psycho-political dynamics of conflict and the underlying structural problems preclude simple solutions and rapid progress. The obstacles to peacemaking are far greater where the scope of the conflict is national, there is a history of large-scale violence, and the protagonists are fighting for their cultural or physical survival. Peacemaking in Africa is often further complicated by the legacy of the former colonial powers' divisive ethnic policies and by the lack of coincidence between nation and state as a result of the colonial demarcation of borders.

Without discounting the UN's mistakes in Somalia, Ken Menkhaus (1986) argues that objective circumstances rendered certain of the organisation's goals and strategies inherently incompatible and bound to generate conflict. Peacemakers were confronted by a host of "political dilemmas and thus a menu of very unpalatable options, all of which posed a high probability of failure. There were, in short, no easy and obvious reconciliation strategies" (Menkhaus 1996: 43). Whatever the peculiarities of Somalia, the dilemmas were not particular to that country. Mediation and reconciliation initiatives in civil wars typically require courting and affording recognition to groups responsible for gross human right violations. This is likely to be perceived as rewarding violence and will alienate sectors of society. On the other hand, excluding the groups will ensure their opposition to both the peace process and its outcome.

In the absence of democratic elections, and especially in conditions of anarchy, identifying credible leaders may be extremely difficult. The status and bargaining power of the protagonists may derive more from military strength than from popular support, reinforcing tendencies to violence and raising doubts about the legitimacy of agreements reached. Warlords who rely on banditry as a means of subsistence may have no political claims whatsoever. Similarly, ruling elites and rebel movements which derive substantial profit from the exploitation of natural resources in territory held by force may have little interest in peace. Development projects which could provide an economic alternative to war are not viable while hostilities rage, and emergency aid may give rise to fierce competition and fuel the conflict.

Once peace talks are underway, the parties and the mediator are confronted by the daunting task of forging a settlement that satisfies the aspirations of the majority, the fears of minorities and the security concerns of all groups. The key features of the new constitution and political system are central in this regard but they are not the only tough issues. Negotiations may become protracted and deadlocked over ceasefire arrangements, the cantonment of combatants, the composition of the post-settlement security forces, land restitution and the fate of individuals who committed atrocities. The parties will not reach consensus on these issues if they maintain their maximalist demands, but concessions to their opponents might entail a degree of risk, alienate their supporters and strengthen the hand of militants opposed to dialogue.

The complexity of intra-state conflict and peacemaking poses two main challenges to international mediators. First, they should acquire a thorough understanding of local history, politics, cultures and personalities before assuming a substantive role. Second, they should refrain from rushing the process and making precipitate interventions. However critical the situation, and however obvious the basis of a settlement might appear, they should not attempt to thrust solutions on the parties or pressurise them into signing an accord prematurely. As noted by Ambassador Jan Eliasson, the UN Special Representative in the war between Iran and Iraq, peacemaking in intractable conflicts entails "long-evolving, tireless efforts" in which "patience is the greatest bravery" (quoted in Puchala 1993: 87).

Mediators deployed by states and multinational bodies consistently ignore these challenges and pursue 'quick-fix' solutions. They may be justifiably concerned about the high level of fatalities, the expectations of their principals or the financial cost of a drawn-out engagement. Nevertheless, the mediators' confidence that they can quickly bring the parties to their senses through a combination of reason and leverage also reflects extreme naivety and arrogance. The hubris of that misplaced confidence is evident in an expression favoured by Henry Kissinger: "If you have them by their balls, their hearts and minds will follow" (quoted in Stedman 1991: 118). Underestimating the passion of the belligerents and the intricacies of the issues outlined above, such mediators are more likely to muddy the waters than make a positive contribution.

Conclusions of this kind have been drawn in respect of international mediation in the Sudanese civil war in the 1990s (Deng 1997: 28 - 29); the ECOWAS intervention in Liberia (Howe 1996/ 1997: 163 - 165; Ofuatey-Kodjoe 1994); and Kissinger's attempt to broker a settlement in former Rhodesia in 1976 (Stedman 1991: 85 - 123). According to Martin Meredith, "by ignoring the complexities of the conflict [Kissinger] ensured the eventual failure of the mission" (quoted in Stedman 1991: 119). In contrast, the credibility and effectiveness of the religious mediators in Sudan in the early 1970s was enhanced by their intimate knowledge of the nature and complexity of the conflict (Assefa 1987: 169).

The establishment of UNOSOM II in Somalia was heralded by Madelaine Albright, then US Ambassador to the UN, as "an unprecedented enterprise aimed at nothing less than the restoration of an entire country as a proud, functioning and viable member of the community of nations" (quoted in Jan 1996: 3). Given the severity of inter-clan rivalry and the total collapse of the Somali state, this goal was patently unattainable within the designated time-frame of nine months. In the comparatively less complicated cases of Mozambique and South Africa, formal negotiations which followed lengthy periods of indirect talks were conducted over twenty seven months and four years respectively. The UN undertook a serious analysis of conditions in Somalia only after the operation was well underway, it did not comprehend the magnitude of the crisis, and its misjudgements regarding the authority and legitimacy of local leaders contributed to numerous set-backs (Friedrich Ebert Stiftung et al. 1995). Driven by schedules set in New York and lacking a proper grasp of traditional reconciliation processes, the UN worked against rather than with indigenous forms of conflict management (Menkhaus 1996; see also Jan 1996).

In summary, a failure to appreciate the complexity of conflict leads inevitably to a flawed analysis and misguided strategy. The argument presented here relates largely to the structural dimensions of civil wars and to the inescapable dilemmas of peacemaking. The following section considers the problem of quick-fix solutions from the perspective of the disputants. Denying citizens the opportunity to be fully involved in political decision-making is a primary cause of civil wars. It makes no sense to reproduce the problem in efforts to resolve such conflicts.

The parties must own the settlement

It is not uncommon for independent observers to view a particular conflict as `senseless', the demands of one or more of the adversaries as entirely unreasonable, and the solution as fairly obvious. From the vantage point of a mediator, such views are misleading and unhelpful. Parties to high-intensity conflict are typically motivated by an acute sense of aggrievement, by real or

imagined threats to their security, or by other unmet needs which they consider fundamental. A mediator who does not take seriously these concerns will not be taken seriously by the disputants. If the mediator attempts to thrust on the parties a solution which is inimical to their interests, they are likely to conclude that the mediator has sided with their opponent.

The process by which conflict is addressed matters greatly, not only because of the significance that the disputants attach to their substantive demands but also because individuals and groups want to be involved in decisions that affect their lives. They resent being treated as the object of some other body's plans. CCR is thus often called to mediate in situations where a community development project has been rejected by the beneficiaries on the grounds that the project was designed and implemented without consulting them. Basic human needs are not limited to material imperatives like food, shelter and physical safety; they also include respect, acknowledgement and affirmation.

These considerations are especially important in the context of civil war. The belligerent parties, intent on winning the war, are even more committed to avoiding defeat. They are determined to thwart efforts to force an outcome on them, regardless of whether such efforts stem from their enemy or a mediator. Moreover, from both a normative and a pragmatic perspective, the desired outcome of a negotiated settlement is a democratic dispensation. A democratic system, whose defining feature is the distribution and exercise of power on the basis of electoral mandates and the on-going consent of citizens, cannot logically or practically be imposed on a society.

Peacemakers may have compelling reasons for wanting to secure a settlement promptly. Romano (1985: 5) recalls that Sant' Egidio was put under strong pressure to end the Mozambican peace talks quickly since "every additional day more of war meant more killings". The mediators resisted this pressure on two grounds: "the pathology of memory" was a "heritage of almost a generation and could not be easily cancelled"; and "there is no use in forcing people to agree on anything. The only way the process could have been successful and the reason that made it successful was that all the actors involved gained ownership" (Ibid). In his study of the Mozambican talks, Cameron Hume (1994: 145) concludes similarly that "in any negotiations the parties [must] have the final word on how they negotiate and on what terms they settle".

CCR mediators regard it as axiomatic that agreements which are not shaped and embraced by the disputants have little chance of enduring. They consequently define their role as facilitating problem-solving by the protagonists rather than as solving problems for them. In order to reach the stage of co-operative problem-solving, the mediators seek to manage and transform the parties' fears and mutual antipathy with sensitivity and patience. They proceed at a pace with which the disputants feel comfortable, and take special care to avoid being seen as prescriptive.

State mediators, in contrast, tend to focus more on solutions than process. They endeavour to win the parties' consent to their proposals and press for rapid results. The most extreme version of this approach entails the application of sanctions or military force. As argued earlier, mediators undermine their credibility and effectiveness when they take such steps. In addition to alienating the targeted party, they are unlikely to achieve any outcome that requires the long-term co-operation of that party. Accords concluded under duress will have scant value in the absence of a genuine commitment to peace and reconciliation. During the Liberian civil war, for example, ECOMOG's enforcement operations led to as many as fourteen short-lived peace agreements between 1990 and 1995 (Nyakyi 1998: 1).

Less extreme versions of a peremptory approach can also have unhappy consequences, as illustrated by Henry Kissinger's bid to broker peace in former Rhodesia. According to Stephen Stedman (1991: 85 - 125), Kissinger arrived in Southern Africa in April 1976 confident that his diplomatic skills and the strength of the United States would lead to success where others had failed. Insisting publicly that he was merely an interlocutor and would not be prescriptive, Kissinger had in fact devised a formula for majority rule. His objective, he later revealed, was to co-opt the programme of 'moderate evolutionary reform' and isolate the 'ideological radicals'. His immediate goal was to obtain Ian Smith's approval of the plan, through various threats and

promises, before the US presidential election in November. The initiative was counter-productive. Kissinger's proposals emboldened the minority regime, were rejected by the liberation movements and culminated in what his British counterparts described as a "mess" (Stedman 1991: 105 - 106).

A mediator's declaratory proposals may be perceived as prejudicial even when made in good faith. This was the fate that befell the Declaration of Principles issued by IGAD in 1994. The document synthesised the main demands of the protagonists in the Sudanese conflict in order to specify the key elements for ensuring a lasting peace. It appeared to address the root causes of the war in a fair and pragmatic fashion. However, two of the principles were anathemas to the Sudanese government which denounced the mediators for abandoning their impartial stance (Deng 1997: 27). A Kenyan diplomat familiar with the process believes that IGAD's mistake was to project the synthesis as a formal declaration instead of circulating a draft discussion paper for the parties' consideration.[3]

In their typology of different modes of international mediation, William Zartman and Saadia Touval (1992: 252 - 258) distinguish between an interventionist style which entails 'persuasion with leverage' and a more passive approach in which the mediator is merely a conduit between the parties and abstains from making proposals. While it is hard to imagine an international mediator falling into the latter category, the former is laced with danger. The critical issue is not whether a mediator should advance proposals but how and when to do so. Aside from the obvious distinction between solicited and unsolicited advice, a disputant is more likely to react negatively to a recommendation from a mediator who has just assumed that role than from a mediator with whom a relationship of trust has been built. A disputant may be receptive to a mediator's ideas put privately, but may be unwilling to accept the same ideas made publicly for fear of losing face. A disputant party is also likely to differentiate between proposals borne of humanitarian concerns and those based on partisan interests.

The extent to which a mediator can be assertive without causing offence is a matter of judgement in a given situation. An emphasis on prudence and tact is therefore not a precise prescription but a more general question of orientation and style. The requisite discretion is illustrated perfectly by Count Folke Bernadotte, the UN Special Representative to Palestine in 1948:

"In the course of the truce negotiations, the two parties had made it quite clear that they expected to receive from me, during the period of the truce, an indication of my ideas as to a possible basis of settlement. This, in their opinion, was the raison d'être of the truce. Notwithstanding, therefore, the complete divergence of aims and the very short time left at my disposal, I decided to submit to the two parties a set of tentative suggestions, with the primary intention to discover whether there might be found at this stage a common ground on which further discussion and mediation could proceed" (quoted in Puchala 1993: 88).

Mediators should not resort to punitive action

Although the question of punitive action has been addressed, further comment is required because civil wars are characterised by the problem of one or more of the parties being implacably opposed to negotiations and intent on defeating its opponent through force. Where oppression and systematic abuse of human rights are features of an intra-state conflict, international or regional organisations might decide to apply enforcement measures against the offending party. As in the case of apartheid South Africa, sanctions can help to weaken an authoritarian regime to the point that it becomes receptive to a democratic settlement. Alternatively, the aim might be to compel a belligerent, such as Unita in Angola, to adhere to the terms of a peace agreement.

Further comment is required also because many scholars and diplomats emphasise the importance of political leverage in international mediation, leading to the assertion that large states are more effective mediators than other actors (Smith 1985; Bercovitch 1996; Zartman and Touval 1992; Touval 1992). Touval (1994) maintains that the UN's lack of leverage

contributes to its ineffectiveness as a mediator; its promises and threats have little credibility because the institution has no military and economic resources of its own. According to Cyrus Vance and David Hamburg (1997: 14), envoys of the UN secretary-general should be familiar with "techniques to pressure parties to negotiate (e.g. sanctions or threats of force)". Sam Amoo (1993: 243) bemoans the fact that the OAU is "endowed with very modest authority for conflict management; it has no coercive powers whatsoever" (Amoo 1993: 243).

This position is flawed in several respects. First, mediators can achieve a great deal where their credibility and authority emanate from moral stature rather than formal power. Such mediators have included the World Council of Churches and the All African Council of Churches in Sudan in 1971 - 1972 (Assefa 1987); the Community of Sant' Egidio in Mozambique in 1990 - 1992 (Hume 1994); and representatives of the UN secretary-general on many occasions (see Rivlin and Gordenker 1993). Romano (1998) attributes Sant' Egidio's success largely to the 'weakness' of non-governmental mediators who have no capacity to threaten the parties. This was also true of the mediators (Washington Okumu and the Consultative Business Movement) who brokered peace between the ANC and the IFP in 1994 on the basis of a personal rapport and religious affiliation between the lead mediator and the head of the IFP (Coleman 1994).

Second, sanctions and the threat or use of force do not easily deter people who are fighting for their survival and who are willing to die for their cause. Punitive action may even be counter-productive. As demonstrated by the ECOMOG mission in Liberia, peace enforcement operations can broaden, deepen and prolong hostilities (see Nyakyi 1998; Howe 1996/ 1997). Sanctions imposed on Burundi reportedly undermined Tutsi confidence in reconciliation; strengthened extremist positions within the army and the minority community by heightening their sense of vulnerability and persecution; and exacerbated economic deprivation and inequity which are counted among the root causes of the conflict (International Crisis Group 1998). The embargo gave the Buyoya regime a significant propaganda victory by creating the impression that the mediator was the main obstacle to securing a settlement (Mthembu-Salter 1998).

Third, general claims about the utility of leverage ignore a range of distinctions with regard to the nature, purpose and timing of external intervention. Consider, for example, a powerful actor supplying or terminating military aid to a belligerent party; attempting to bully it into peace talks through sanctions; offering it financial incentives to end hostilities; providing resources to sustain all-party talks; and serving as a guarantor in respect of agreements reached. These interventions are all covered by the term 'leverage' but they have such different political, strategic and psychological import that they cannot properly be regarded as examples of a single category. The problem is typified by the use of the idiom 'carrots and sticks' as a synonym for leverage (see, for example, Touval 1994: 55; Bercovitch 1996: 255; Vance and Hamburg 1997: 4). The idiom implies that rewards and punishments are similar or complementary strategies, yet it seems to be a trite observation that people react to coercion and encouragement in manifestly dissimilar ways.

The problem is also apparent in the claim by Jacob Bercovitch (1996) that 'directive strategies' in international mediation have led to a greater number of positive outcomes historically than 'communication-facilitation strategies' (52.3 per cent versus 32.2 per cent). The latter entail a fairly passive role by the mediator who serves mainly as a channel of communication between the parties. The former encompass more assertive efforts by the mediator to affect the content as well as the process of mediation. According to Bercovitch (1996: 225), "a mediator may achieve this by using a combination of 'carrots and sticks', providing incentives, offering rewards and punishments, issuing of ultimata, and introducing new proposals". This breakdown covers so wide a spectrum of activities that it begs the key question: was the success of directive strategies due principally to incentives, ultimata, punishment or new proposals?

Fourth, and most important for present purposes, a mediating body will almost certainly fail to gain the confidence and co-operation of a disputant against whom it threatens or applies sanctions or force. As discussed earlier with respect to Somalia, Liberia and Burundi, such action destroys its credibility as a peace broker and make the mediator a party to the conflict.

Giandomenico Picco (1994) argues similarly that when the institution of the UN secretary-general is involved in determining and managing the use of force, it compromises the impartiality that is critical to its function as a mediator; from the vantage point of suspicious combatants, the authority to order killing renders the institution no different from the major powers.

Fifth, even if leverage is required in a particular case, it does not have to be exercised by the mediator. Chris Mitchell (1993) points out that intra-state peacemaking seldom comprises a single activity pursued by a solitary agent; given the complexity of the enterprise and the variety of tasks that have to be performed, peacemaking should be viewed as a process to which different actors can contribute simultaneously or consecutively. The point is well illustrated by the Mozambican experience. Neighbouring states put pressure on their allies to engage in talks and acted as interlocutors prior to the commencement of negotiations (Zimbabwe in respect of Frelimo, and Kenya in respect of Renamo); a religious group was selected as the mediator (the Sant' Egidio team, which included an Italian parliamentarian); foreign powers provided logistical aid and technical advice to the mediators and the parties (chiefly Italy and the United States); the UN secretary-general and certain African presidents helped to resolve deadlocks at critical junctures; Italy funded Renamo's transformation from a rebel movement into a political party; and the UN managed the implementation of the settlement (see Hume 1994; Armon et al. 1998).

The severability of functions related to peacemaking is especially relevant to the question of enforcement. Picco (1994) thus proposes that the UN's management of force should not lie with the secretary-general but should rather be sub-contracted to a coalition of states, as occurred in the Gulf War; this would allow the secretary-general to be the 'good cop' negotiator, with the Security Council playing 'bad cop' if negotiations fail. Punitive action against those responsible for oppression and atrocities is not intrinsically inappropriate. The contention is rather that, where it is deemed necessary, it should be applied by some agency other than the active or prospective mediator.

Mediation is a specialised activity

The realisation of the confidence-building potential of mediation does not only depend on the will of the disputants and the strategic considerations discussed above. It is also a product of the mediator's personal attributes and skill. In CCR's experience, talented mediators have a rare combination of traits. A high level of sensitivity and empathy is needed to win the parties' trust and identify the concerns that underlie their formal demands. Mediators must also have sufficient self-confidence to control meetings when tempers flare and to avoid being bullied by powerful negotiators. At the same time, they must be able to keep their egos in check and refrain from becoming overly assertive when progress is slow. Flexibility and creativity are prized because conflict is dynamic and no two cases are identical.

These attributes contribute to the art of the mediator. Yet, while mediation is not a mechanical endeavour, neither is it an idiosyncratic and mystical affair as suggested by Arthur Meyer in 1960: "[The] task of the mediator is not an easy one. The sea that he sails is only roughly charted and its changing contours are not clearly discernible. He has no science of navigation, no fund inherited from the experience of others. He is a solitary artist recognising at most a few guiding stars and depending on his personal powers of divination" (quoted in Bercovitch 1996: 247).

In the four decades since Meyer described the 'loneliness of the long-distance mediator', domestic mediation has undergone substantial development in many countries. It can be regarded as a professional discipline in the sense that it encompasses a body of theory, comparative research, case studies and tested techniques. Whereas the principles explored earlier reflect the strategic dimensions of mediation, the techniques are the tactical elements that constitute the essence of the profession. They relate to diagnosing the causes of the conflict; engaging in shuttle diplomacy where adversaries refuse to talk directly to each other; designing

and convening the mediation process; setting agendas and conducting meetings; identifying common ground between the parties; and generating options for resolving deadlocks. Many of the techniques are intended to overcome the psycho-political barriers to effective communication and co-operative problem-solving.

In contrast, states and multinational organisations do not view international mediation as a specialised enterprise. In major policy statements on peace and conflict, UN secretaries-general invariably present a perspective on early warning, military deployment and other topics but say little about mediation beyond asserting its importance (see, for example, Boutros-Ghali 1992; Boutros-Ghali 1995; Report of the UN Secretary-General 1998). While peace operations, sanctions and humanitarian aid are the subject of discussion among politicians, academics and activists, debates on mediation are largely confined to scholars and domestic practitioners. One such debate concerns the professionalisation of domestic mediation (see Morris and Pierre 1994), a question rarely posed in respect of international mediation.

In practice, the principal techniques of international mediation are persuasion, bargaining and the exercise of leverage. Mediation is thus indistinguishable from power-based diplomacy, its lack of finesse dramatised in Kissinger's belief, cited above, that "if you have them by their balls, their hearts and minds will follow". The tendency to construe mediation as 'tough diplomacy' leads to, and is reinforced by, the appointment of international mediators on the basis of their political stature rather than their disposition and competence as mediators. Lawrence Susskind and Eileen Babbit (1992: 46) make a similar observation:

"Many times the leaders of bystanding countries are tapped to play mediator roles because of their acceptability to the parties rather than their prior mediation experience. While all experienced diplomats understand at least the rudiments of mediation, most are not skilled in the art or science of the process."

In some instances international mediators are successful because of their inter-personal skills, the attractiveness of the 'carrots' they offer the parties and the 'ripeness' of the conflict for resolution. Yet the success rate might be higher if they were proficient in mediation techniques. It is not possible to adduce hard evidence in support of this proposition since failed peacemaking ventures cannot be replayed with a different mediator or style of mediation. Nevertheless, African diplomats have expressed discomfort at their lack of confidence and expertise when engaged in complex mediation, and a number of ambassadors and foreign affairs officials have called for comprehensive training in mediation and related skills.[4]

It is not intended here to imply that mediation should be rendered an elitist activity through formal accreditation and institutionalisation. The aim is rather to highlight the emphasis that professions place on specialist training and expertise. This emphasis does not diminish the value of informal mediation conducted regularly at local level by community leaders, elected officials, religious figures and others. By way of analogy, the fact that children learn from many sources does not detract from the need to train classroom teachers. Where mediation takes place in the context of civil war, the stakes and risks are high. It seems absurd that states and international bodies which would not deploy untrained soldiers, police or doctors in these situations, or in any other circumstances for that matter, readily utilise untrained mediators.

A structural solution to this problem might lie in establishing expert mediation units in the offices of the UN and OAU secretaries-general. The staff of these units could perform various peacemaking functions under the authority of the secretaries-general, and serve as advisors to UN agencies and to heads of state and senior diplomats engaged in high profile mediation. As standing entities the units would have greater depth and continuity than ad hoc missions. A host of additional benefits might accrue if they operated independently of the plenary organs of the UN and the OAU. They could engage in low-profile mediation long before a conflict reaches crisis proportions and attracts the attention of these organs; their flexibility would not be constrained by official resolutions and the vested interests of member states, and they could make contact more easily with disputant parties which had acquired pariah status. Most

importantly, their impartiality and lack of coercive power might make their efforts less threatening to the parties.

The proposal that the secretaries-general conduct mediation independently of formal power structures is radical but not original. It was raised by Boutros-Ghali (1992: 22 - 23) in respect of the UN, and has occasionally been implemented productively through UN envoys (see Rivlin and Gordenker 1993). Vance and Hamburg (1997: 7) recommend strengthening the UN secretary-general's authority and capacity to utilise special representatives and personal envoys, without being subjected to second-guessing from the Security Council, as a low-cost and low-risk means of averting and ending large-scale violence. They note dryly that the resistance of the United States and other governments to such recommendations has more to do with the relationship of the Security Council to the UN Secretariat than with the prevention and resolution of deadly conflict.

Power brokerage versus confidence-building mediation

The mainstream academic position on international mediation holds that the process is best understood and best pursued as a form of power brokerage (see Kleiboer 1996: 378 - 380). The key propositions in this regard are that a mediating body's political power, resources and exercise of leverage are critical to success; its impartiality is a less important consideration; and strong states are thus more effective mediators than other actors. The experience of mediation in African civil wars does not support these propositions. In this section I seek to consolidate the critique of the power thesis by arguing that the thesis lacks compelling evidence, that its theoretical assumptions are flawed, and that the psycho-political dynamics of conflict necessitate a confidence-building approach to mediation.

The dearth of evidence

The academic literature contains numerous long-standing disputes about the factors that contribute to the success or failure of international mediation. Kleiboer (1996: 375 - 376) maintains that a major reason for the difficulty in resolving these disputes lies in the failure of scholars to ground their position in solid empirical evidence; most of the research presented as evidence turns out to be based primarily on conjectures, opinions and ad hoc observations. This problem bedevils the power thesis and manifests itself in various ways.

First, writers cite mediation initiatives which purportedly corroborate their hypothesis but which, in truth, indicate the contrary. For example, Peter Carnevale and Sharon Arad (1992: 41 - 42) contend that Algeria's resolution of the Iran hostage crisis demonstrates the benefit of mediator bias. In support of this claim, they quote from the case study by Randa Slim (1992: 228): the mediators had "the required revolutionary credentials and the necessary international connections needed for the job". This comment hardly establishes bias. Slim (1992: 226) herself declares that Algeria's success was due largely to the fact that it "did not have so many interests at stake as to be subjectively perceived by either side as partial". Her broader point is that "the power of a small state as a mediator usually resides in its neutrality, and its fair treatment of all parties' basic interests and concerns" (1992: 229).

Zartman and Touval (1992: 249) illustrate their argument about the acceptability and success of biased mediators with reference to former Rhodesia: "In the Rhodesia/Zimbabwe mediation, the Africans' belief that British and US sympathies were with the white Rhodesians rendered British and US mediation promising and stimulated African cooperation". The evidence does not substantiate the peculiar logic of this assertion. Kissinger was unconcerned about his acceptability to the liberation movements as he wished to exclude them from a settlement; he therefore avoided direct contact with their leaders, negotiating instead with the heads of neighbouring states who ultimately rejected his plan (Stedman 1991: 85 - 125). In the subsequent mediation led by David Owen and Cyrus Vance, the liberation movements objected to US involvement in the process the mediators were unable to bring the parties to the

negotiating table, and their proposals influenced the parties' preferences in ways that reduced the likelihood of a settlement (Stedman 1991: 127 - 164).

Second, writers present conclusions that are inconsistent with their observations. For example, Touval (1994) argues that the UN's limitations as a mediator are so severe that it should refrain from mediating in complex international disputes and rather sponsor unilateral mediation by great powers or other states with a vested interest in the conflict. Yet Touval (1994: 46 - 50) recognises that disputants may be wary of such "meddling", that they sometimes choose a multilateral mediator in order to "deflect the pressure that a single state mediator might bring to force an undesired settlement", and that the UN inherits "orphan conflicts" that states are unwilling or unable to resolve. Touval (1992: 243 - 244) also notes that the United States has occasionally undertaken mediation under the aegis of an international organisation because of the protagonists' aversion to being seen to back down as a result of prodding by the United States.

In a quantitative study of mediation endeavours over several decades, Jacob Bercovitch and Allison Houston (1996: 27) discover that large government mediators have been outperformed by small states which in turn have been outperformed by regional bodies; institutions like the OAU, ECOWAS and the Contadora group consequently "appear to offer the best chances of successful outcomes in international mediation". Notwithstanding this verdict, Bercovitch and Houston (1996: 27) insist that large governments are more likely to be successful mediators than other actors! Despite observing that mediation is a useful tool by virtue of being low-key, voluntary and non-coercive, Bercovitch (1996) also claims that mediation is most productive when pursued through directive strategies which include threats and punishment. Elsewhere, Bercovitch (1992: 23) states that there is no evidence that the satisfaction of disputants is strongly associated with any specific kind of mediation strategy or mediator.

Third, scholarly theories rest on assumptions and appeals to 'logic' rather than rigorous evidence. For example, Touval (1992: 233) begins an essay on superpower mediation with the premise that "to be successful, mediators require leverage" but he concludes the essay as follows: "No attempt was made here to evaluate the effectiveness of American and Soviet mediation. We can assume that American and Soviet mediation was more effective than the mediation of other international actors. This almost follows from the quality of being superpowers: they possess superior resources and carry more influence than other states. However, this question clearly requires further research" (Touval 1992: 246). The assumption itself is misleading as Touval (1992: 241 - 243) shows that the United States and the Soviet Union adopted dissimilar styles of mediation: the US approach encompassed "brutal arm-twisting" and "powerful inducements" while the Soviets preferred "low-key diplomacy" to the "utilization of incentives and pressure". In the absence of an investigation into the relative efficacy of these different methods, Touval's premise and conclusion are entirely speculative.

Fourth, the credibility of quantitative studies is undermined where the authors fail to disclose the data on which their findings are based. It is not possible, for example, to ascertain and verify the facts which lead Bercovitch and Houston (1996) to claim that the OAU and ECOWAS are effective mediators and that directive strategies have been more fruitful than communication-facilitation strategies. These findings are surprising in the light of the cases considered in this article. In the Liberian civil war, as indicated previously, ECOWAS exacerbated the conflict, it secured fourteen short-lived peace accords over five years, and the process culminated in elections won by Charles Taylor who had launched the war and borne the brunt of ECOMOG's use of force. Should this experience be counted as fourteen successes, thirteen failures and one success, a single success or a single failure? There is no way of telling whether, let alone how, Bercovitch and Houston judged the case. Nor, as noted earlier, is there any way of telling whether the success of directive strategies was due chiefly to rewards, punishment or the issuing of new proposals by the mediator.

Of the mediation efforts in African civil wars reviewed by this author, only the Lancaster House agreement on the independence of Zimbabwe provides support for the power thesis. Mediators

who resorted to coercive leverage or otherwise behaved in a partisan manner were ineffectual or counter-productive in Burundi, Somalia, Liberia, Sudan in the 1990s and Zimbabwe prior to Lancaster House. In contrast, non-partisan mediators who had no formal political power were effective in Sudan in the 1970s, in Mozambique and in respect of the conflict between the ANC and the IFP in South Africa.

Determining the reasons for the failure of a mediation endeavour is admittedly a difficult undertaking. The outcome is always contingent on a range of contextual and procedural factors, of which the mediator's strategy and tactics are but one set (Bercovitch and Houston 1996). In civil wars in particular, peacemakers face a host of political dilemmas and structural problems that may confound their mission. In the final analysis, the responsibility for ending hostilities lies with the protagonists. Even the most accomplished mediator can do little if a party rejects negotiations. The converse is not true, however. Mediators who are inexperienced, biased, bullies or overly prescriptive are likely to squander opportunities for progress and exacerbate the conflict. These results emerge as trends from studies that demonstrate in a convincing fashion a causal relationship between the 'negative' actions of a mediator and the 'negative' reaction of the parties. As discussed below, a general explanation for that reaction lies in the psycho-political dynamics of conflict.

The flawed logic of power-based mediation

Zartman and Touval (1992: 252 - 258) identify three principal modes of mediation: communication, formulation and manipulation. The last of these may be necessary where a disputant does not regard its situation as one of stalemate and crisis. As a manipulator, "the mediator uses its power to bring the parties to an agreement, pushing and pulling them away from conflict and into resolution. ...The mediator may have to go so far as to improve the absolute attractiveness of the resolution by increasing the unattractiveness of continued conflict, which may mean shoring up one side or condemning another" (1992: 253). The aim of leverage based on power and resources is thus to worsen the dilemma of parties that reject mediation and to keep them in search of a solution (1992: 255). This position corresponds to the argument by Bercovitch and Houston (1996: 26) that "leverage or resources buttress the mediator's ability to facilitate a successful outcome through the balancing of power discrepancies and enhancing of co-operative behaviour" (Bercovitch and Houston 1996: 26).

The position does not take proper account of the psycho-political dynamics of conflict. Unlike a chess player moving inanimate objects across known space and according to fixed rules, a mediator is confronted by social actors with volition and intense feelings of hatred, frustration, fear and mistrust. These feelings give rise to decisions which are not irrational but which do not resemble the outcome of prudent cost-benefit analyses in a safe environment. The assumption that external manipulation can render negotiations an attractive option by driving a recalcitrant party to the brink of disaster underestimates the resolve of groups whose freedom or survival is at stake and whose members are willing to kill and die for their cause.

The visceral concerns that invoke opposition to negotiations cannot simply be dismissed as obduracy. The term 'psycho-political' is intended to indicate that the subjective dynamics of conflict derive from objective conditions and that the disputants consequently have good reason to resist pressure from all quarters. Whereas stable democracies manage competition over political power through regular elections which do not deprive the losers of their basic rights, civil wars take the form of a zero-sum struggle in which the belligerents are bent on destroying each other politically if not physically. In these circumstances, avoiding defeat is an absolute imperative and a settlement is viewed as synonymous with defeat. The protagonists are therefore determined at all cost to thwart efforts to impose an outcome on them, regardless of whether such efforts stem from their enemy or a mediator.

The belligerents also have good reason to fear negotiations. Although the notion of 'win-win' solutions may have conceptual and psychological value when juxtaposed against the 'win-lose' disposition of the parties, it is not realistic in the context of civil war. A negotiated settlement

invariably entails significant concessions by all the disputants and is best characterised as 'win/lose - win/lose'. As Lord Carrington put it at the Lancaster House conference on Zimbabwe, "it is illusory to think that any settlement can fully satisfy the requirements of either side" (quoted in Stedman 1991: 176). The settlement is likely to endure if all the parties regard the net result to be sufficiently positive. At the onset of talks, however, they cannot be certain that this will be the case.

The concessions will not only be unpalatable but may also pose considerable danger. Moderate leaders may be ousted by militants. A belligerent party which disarms pursuant to a ceasefire agreement may be vulnerable to attack if its opponent reneges on the agreement. A minority community that surrenders power may subsequently be marginalised or persecuted. A majority party's compromises may present a potential threat to the new dispensation, as in the ANC's decision to re-employ the leadership and members of the apartheid security forces. It is also possible that a party is so completely outmanoeuvred in the course of negotiations that a settlement constitutes a resounding political defeat. This scenario occurred with the Arusha accord for Rwanda in 1992 - 1993, arguably contributing to the genocide that followed in 1994 (Adelman and Suhrke 1996: 24 - 27).

Given the manifest dangers associated with intra-state conflict and its resolution, coercive leverage that heightens a party's insecurity is likely to make that party more rather than less intransigent. The leverage may in fact strengthen the domestic status of hardliners, enabling them to mobilise popular support against 'foreign aggression' and portray moderate positions as capitulation. These outcomes are hardly surprising since coercion is indisputably a cause of large-scale violence. As illustrated by Kissinger's mediation bid in former Rhodesia, manipulative strategies can also embolden and thereby reinforce the intransigence of the favoured party (Stedman 1991).

The negative effects of external coercion may be immaterial from a pragmatic perspective if the desired result requires neither the consent of the targeted party nor co-operation between the disputants. For example, as transpired in the Gulf War, an aggressor state (Iraq) can be compelled by superior force to vacate occupied territory (Kuwait). The situation is altogether different in civil wars where the belligerents have sizeable constituencies that inhabit the same territory. The permanent defeat of entire communities is seldom possible and their suppression cannot be maintained indefinitely. Barring the unlikely option of secession, their co-existence is inescapable. Enduring stability consequently requires a high level of positive interaction. Peacemaking and peacebuilding entail the parties accommodating each other's aspirations and fears in order to reach a settlement; the establishment of democratic governance; and long-term development efforts to address other causes of violent conflict. These are inherently co-operative and consensual ventures, the pursuit of which through force is self-defeating.

Even if sustained pressure eventually heightens the attractiveness of negotiations, the targeted party will view a mediator who applied such pressure as allied to its enemy. Without the trust and co-operation of all the disputants, a mediator cannot be effective. This fundamental point is not contested explicitly by the proponents of the power thesis, some of whom caution against mediators being too biased or exerting too much pressure (see, for example, Touval 1992: 240). Expressed as a caveat to the central hypothesis on the utility of power and leverage, the warning is inadequate: it provides no clarity on where or when a mediator should exercise caution, whereas the counter-productive impact of coercion and bias is abundantly clear. The warning is therefore regarded by this author as the primary analytical and prescriptive proposition on mediation in civil wars. The job of the mediator is not to push the parties to the brink of disaster but rather to facilitate their withdrawal from the precipice by raising their confidence in negotiations.

The analytical limitations of the power thesis stem largely from its roots in a 'realist' perspective on international relations. Touval (1992: 232) outlines the paradigm as follows:

"Mediation is often thought of within the normative context of conflict resolution, or problem solving strategies... [H]owever, mediation will be discussed within a 'realist' framework of

international politics, in the sense that states are rational actors, pursuing their self-interest, and assigning high priority to considerations of security, power, and the promotion of their influence. A core assumption within this framework is that mediation is a foreign policy instrument, employed by states in furtherance of their goals."

Realism seeks to explain the competitive behaviour of states in an anarchical system of international politics. It does not purport to explain the behaviour of social actors competing over the centralised authority of the state. The conduct of domestic adversaries does not conform to an idealised model of 'rational' state actors. Realism may thus account for the goals and modus operandi of state mediators without shedding light on the response of local parties. It might inform inter-state peacemaking aimed at restoring the independence of sovereign entities, but it offers no guidance on forging reconciliation between groups that are interdependent. These distinctions relate to different spheres of politics rather than to any dichotomy between normative and 'realist' considerations; in the case of national peacemaking, joint problem-solving is a pragmatic necessity. In short, a theory of effective mediation of intra-state conflict must be grounded in the dynamics of such conflict.

The cases discussed in this article indicate that the power thesis depicts accurately the motives and style of many state mediators but does not provide a valid perspective on the effectiveness of that style in the context of civil war. In this context, the thesis lacks explanatory and predictive power and its prescriptions are not justified.

The logic of confidence-building mediation

At the low end of the spectrum of civil wars 'ripe for resolution', one or more of the parties believes that its interests are best defended or advanced by perpetuating hostilities. There is no prospect of mediation in these circumstances. At the opposite end of the spectrum, informal contact between the parties generates sufficient trust for them to engage in formal talks without a mediator. The negotiations between the National Party (NP) and the ANC around the ending of apartheid in South Africa are an example of this uncommon scenario. In the middle range of the spectrum, the parties perceive their situation as one of stalemate and crisis but are reluctant to embark on negotiations because of the psycho-politics of conflict. The utility of mediation lies precisely in its potential to overcome this impasse by virtue of its intrinsic confidence-building function.

The confidence-building function of mediation derives from the distinctive features of the process: assistance to adversaries, with their consent, by an intermediary who enjoys their trust and is not a party to the conflict. Unlike an arbitrator who might rule in favour of one of the disputants, and unlike a partisan actor whose interests are inimical to those of a disputant, a mediator seeks to facilitate agreements in an even-handed fashion and on terms acceptable to the parties. Although these features do not eliminate the risks attached to negotiations, they render mediation a non-threatening venture and mitigate the pathology of distrust. Renamo thus agreed to engage in peace talks with Frelimo but refused to proceed without a mediator, insisting that a mediator would compensate for the absence of trust between the parties (Hume 1994: 33 - 34). In short, confidence-building reflects the basic logic of mediation.

Some writers maintain that a socio-psychological focus on improving relations between adversaries is a superficial response to intra-state crises. It disregards the structural causes of the crisis, neglects questions of justice and assumes incorrectly that conflict is merely a product of poor communication and mistaken perceptions (see, for example, Duffield 1997). The critique may be justified in specific instances, but at a more general level it ignores the links and overlap between the subjective and objective dimensions of conflict. The former are significant because they pose serious obstacles to resolving the substantive issues in dispute. They preclude effective communication between the parties, let alone collaborative problem-solving. This matters greatly where the parties' co-operation is a pre-condition for ending hostilities and maintaining long-term stability. Defusing hostile emotions and promoting confidence on the one hand, and attending to structural problems on the other, should be viewed as complementary

strategies. An analysis of these problems falls outside the scope of this article; for present purposes the point is that mediation should be regarded as a means of enabling local rather than external actors to formulate appropriate solutions.

Since the article has focussed exclusively on civil wars, no conclusions can be drawn about the validity of either the power thesis or a confidence-building model in respect of inter-state conflict. While most writers on international mediation do not distinguish between inter- and intra-state conflict (Kleiboer 1996: 360), the political dynamics are sufficiently different to warrant separate consideration or systematic comparison of mediation in the two domains. In contrast, this article's geographical focus on Africa does not limit the applicability of the argument to mediation in that region. The focus stems from the author's knowledge of the continent and provides a distinct and manageable set of cases. The set is nevertheless heterogeneous, embracing a rich diversity of political, social, cultural and historical conditions. If the psycho-political dynamics of conflict are inevitable products of serious adversity between social actors, then the motivation for a confidence-building approach has broad relevance to intra-state conflict.

Conclusion

The experience of peacemaking in African civil wars suggests that international mediators are ineffective, if not counter-productive, when they deviate from the logic of mediation and apply undue pressure on the parties. Individuals and groups tend to resist coercion under most circumstances. This is especially the case where disputants are in conflict over issues related to freedom, identity, justice, security and survival. While external pressure may be unavoidable because of a disputant's intransigence or aggression, a mediator who threatens a party will lose that party's trust and inhibit the resolution of the conflict.

It could be argued that inappropriate use of power is unavoidable where mediation is undertaken by governments, particularly strong governments. It might therefore be concluded that peacemaking by states, multinational bodies and non-state actors should be regarded as complementary, suitable in different settings or appropriate at different stages in the resolution of a conflict. This is a widely held view that has contributed to the proliferation and legitimacy of 'multi-track' initiatives in recent years (see, for example, Rupesinghe 1997).

The thrust of this article, however, is that international mediators diminish the prospect of ending conflict when they deviate from the principles of mediation and are unfamiliar with its techniques. Mediation is a specialised activity that is not a mystical affair, reducible to common sense or synonymous with power-based diplomacy. Assuming good faith on the part of the mediator, strategic and tactical errors are not inevitable. The stronger conclusion, then, is that international actors should acquire greater proficiency in the art and science of mediation. This could be achieved at little expense through comprehensive training; by deploying qualified mediators alongside prominent personalities involved in peacemaking; and by establishing expert mediation units within the UN and the OAU.

The concept of 'confidence-building' provides a better analytical basis than 'power brokerage' for understanding the function of mediation, the role of a mediator and the approach most likely to bear fruit in civil wars. Unlike the power thesis, the concept explains the achievements of non-powerful mediators and the negative impact of bias and excessive pressure. The tactics of confidence-building mediation entail the application of techniques to facilitate communication, understanding and accommodation. The strategic thrust is to promote the parties' confidence in each other, in negotiations and in the mediator. Hume's (1994: 146) synoptic account of Sant' Egidio's mediation in Mozambique aptly summarises the approach:

"Both sides wanted to find an alternative to stalemate and destruction. The mediators helped the parties find that alternative. Because this conflict was essentially domestic, the solution had to be found in a new relationship between the parties. The mediators concentrated on developing mutual recognition and respect, rather than relying on outside leverage to push the parties

together. Their first step was to begin a dialogue between the parties that could open the way to reconciliation. Eventually the parties could agree on their own solutions."

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Notes

1. The Centre for Conflict Resolution (CCR) is a non-profit organisation established by the University of Cape Town in 1968. Its mission is to contribute to a just and sustainable peace in South Africa and other African countries by promoting constructive, creative and co-operative approaches to the resolution of conflict and the reduction of violence.

2. Off-the-record comments by a Tanzanian official at the Africa Mediation Seminar, Independent Mediation Service of South Africa and Centre for Conflict Resolution, Johannesburg, 3 - 5 November 1998.

3. Off-the-record interview with Keynan diplomat, Johannesburg, 3 November 1998.

4. The discomfort noted here was raised with the author in 1997 by Tanzanian officials involved in facilitating the failed Arusha peace process for Rwanda in 1993 - 1994. As a result of their remarks, CCR designed a conflict resolution training course for senior African government officials. The participants frequently propose that such courses should be included in the formal training programmes of their departments.

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