SCHOOL OF INTERNTIONAL SERVICE

THE AMERICAN UNIVERSITY

Mediation in a Turbulent World

SIS-619-030-2016F

Fall 2016

3.0 Credits

Tuesday – 5:30 – 8:00 PM
Class dates: August 30 – November 29

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Course Description

In 2008, Kofi Annan, representing the African Union and backed by key international actors, successfully mediates a volatile and complex conflict over contested government leadership in Kenya. Four years later, he resigns in frustration from the high profile UN/Arab League-sponsored mediation over contested government leadership in Syria. What did he do in each case and why did they have such different outcomes? What can we learn about preventing, managing and resolving conflicts from understanding the practice of mediation?

This course introduces students to mediation in local, national, regional and international conflicts and situates mediation in the larger peacebuilding context. It examines the theoretical bases for mediation and stresses the challenges of applying that theory in conflict situations. It examines benefits and challenges to mediation that arise from the contemporary conflict environment, including major power retrenchment, dissension in the UN Security Council, the rise of violent non-state actors as well as more positive developments such as the growing engagement of regional organizations and civil society groups in third-party peace making and the increasing interest in mediated settlements in local, national and regional conflicts around the world.  The course will connect theory to practice through discussion, research, small-group work, case study review of real events, and simulations.  In addition to two guest lectures, there will be a site visit to the US Institute of Peace.

Course Goals

1. To develop an understanding of the major conceptual approaches to and debates about mediation as a conflict management strategy in cases of violent conflicts;
2. To identify the principal players in the practice of mediation and assess their capabilities;
3. To identify and assess different stages, tasks, skills, tools and activities of mediation.

Learning Outcomes

At the end of this course, students should be able to:

* understand the major concepts and strategies for mediating violent conflict in intergroup, intra-state and interstate scenarios;
* critically analyze these concepts and strategies;
* apply these concepts and strategies to cases of mediation;
* devise their own mediation strategies; and
* develop their research, written and oral communication skills.

Course Overview

1. Introduction and Overview (Tuesday, August 30)

**Analyzing Conflict**

1. Getting the Story Straight: Analyzing Conflict and Context for Mediation (Tuesday, September 6)
2. From Bargaining to Peacebuilding: Negotiation and Third Party Roles (Tuesday, September 13)
3. Ripeness and Readiness (Tuesday, September 20)
4. Conflict Case Analysis: Student Presentations (Tuesday, September 27)

**Institutional Approaches to Mediation**

1. United Nations and Regional Organizations: The Battle between Legitimacy and Effectiveness (Tuesday, October 4)
2. States, Large and Small: Power, Agency and Mediation (Tuesday, October 11)
3. The New Mediators: NGOs, Civil Society and other Groups (Tuesday, October 18)

**Theory and Practice of Practice**

1. Getting Parties to the Table (Tuesday, October 25)
2. Getting Parties to Talk: Facilitation, Persuasion, Power, and Leverage (Tuesday, November 1)
3. The Endgame: Agreements and their Implementation (Tuesday, November 8)

**Assessments**

1. Class Exercise (Tuesday, November 15)
2. Conclusion (Tuesday, November 29)

Course Assessment

Attendance and Participation: 20 %

Short Paper #1 20 %

Short Paper #2 20 %

Research Paper 40 %

Course Requirements

Attendance and participation (20%): This is a seminar. Student contributions are essential, both in class discussion and class exercises. Students should attend all sessions, having completed the reading assignments prior to each session.

Assessed Papers:

• *Short Essay 1 (20%):* Produce a conflict mapping paper for an ongoing armed conflict of your choice, addressing the following core questions to produce a conflict map:

* What is the history of the conflict? (Be brief)
* Who are the parties to the conflict, both direct and indirect?
	+ How are these parties organized i.e. where does power lie within them, who calls the shots, how big/powerful are they?
	+ What are their primary sources of support i.e. key constituencies both at home and abroad?
* What are the parties fighting about? What are the core incompatibilities between them? Are there underlying issues as well as overt ones?
* Where is the fighting taking place and how are the parties fighting?
* What has been the history of peacemaking efforts?

You should choose the same conflict for papers 1 and 3.

The paper should be no longer than 2000 words in length, excluding bibliography and maps. Students should submit one hard and one electronic version of the paper. This paper will form the basis of the class presentation on **September 27** and will be due in class that day.

*Short Essay 2 (20%):* Selecting one of the following mediations, describe and assess the role(s) that the mediators played in the peacemaking effort. How did they get involved, how did they gain access to the parties, what was their strategy, how did they interact with other third parties, what were their strengths and limitations? What are your recommendations for who should have intervened and what they should have done?

 Madrid Conference Arab Israeli Conflict (1991) – US effort. Reading: James A.

 Baker III, “The Road to Madrid,” in Crocker et al., *Herding Cats*,

 pp. 185-205.

 El Salvador Settlement (1992) – UN effort. Reading: Alvaro de Soto, “Ending

 Violent Conflict in El Salvador,” in Crocker et al., *Herding Cats*,

 pp. 345-385.

 Tajikistan Peace Talks (1993-4) – NGO effort. Reading: Harold Saunders,

 “Multilevel Peace Process in Tajikistan,” ,” in Crocker et al., *Herding Cats*,

 pp. 159-179.

The paper should be no longer than 2000 words in length, excluding bibliography and maps. Students should submit one hard and one electronic version of the paper. Due in class: **October 25**.

*Research Paper (40%):* Returning to the conflict you selected for the first paper, assess the mediation strategy employed in the conflict.

 • analyze the conflict, revisiting your assessment in the first paper;

 • analyze the previous conflict management attempt(s), noting strengths and

 weaknesses;

 • analyze the mediation strategy, tactics and outcomes of the mediation;

 • assess the strengths and weaknesses of the mediating institution(s)

 • recommend your own strategy for the mediation, and present the reasons for

 your recommendations.

The paper should be 5000 words in length, excluding bibliography and maps. Sources must be cited using either the Chicago or Harvard methods. Due 5pm (EST) **November 29**. Students should submit one paper and one electronic version of the paper in Microsoft Word, not PDF.

Course Schedule

**Session 1 (August 30): Introduction and Overview**

* Overview of the course and your role in it.
* Introduction to the world of mediation.

**PART 1: ANALYSING CONFLICTS**

**Session 2 (September 6): Getting the Story Straight: Analyzing Conflict and Context for Mediation**

* What counts as an armed conflict, a deadly quarrel, or lethal violence? What are the major trends in organized violence?
* How can you analyze conflict?
* What are the important elements to understand for mediation?

Reading

Crocker et al., “Out of Sight, Out of Mind: The Fate of Forgotten Conflicts,” in *Taming Intractable Conflicts*, 45-72.

Crocker et al., “The Mediator’s Environment,” in *Taming Intractable Conflicts*, 73-90.

Greig, J. Michael, “Stepping into the Fray: When Do Mediators Mediate?” in *American Journal of Political Science*, Vol. 49, No. 2 (Apr. 2005), 249-266.

Pinker, Steven, “The Surprising Decline in Violence,” *Ted Talk*, September 2007. <http://www.ted.com/talks/steven_pinker_on_the_myth_of_violence.html>

Uppsala Conflict Data Program: <http://www.pcr.uu.se/research/UCDP/>

**Session 3 (September 13): From Bargaining to Peacebuilding: Negotiation and Third Party Roles**

* What are the principal components of negotiation?
* Does negotiation theory help us understand how to mediate?
* What is the difference between negotiation and mediation?
* How do mediators use negotiation?
* What does it mean to be a third party?

Reading

Alfredson, Tanya and Azeta Cungu, “Negotiation Theory and Practice: A Review of the Literature.” Food and Agriculture Organization (2008). <http://www.fao.org/docs/up/easypol/550/4-5_negotiation_background_paper_179en.pdf>

Bercovitch, Jacob, and Richard Jackson, "Negotiation or mediation?: An exploration of factors affecting the choice of conflict management in international conflict." *Negotiation Journal* 17.1 (2001): 59-77.

Carnevale, Peter J. and Dean G. Pruitt, “Negotiation and Mediation,” in *Annual Review of Psychology,* Vol. 43, pp. 531-82 (1992).

Fen Osler Hampson, and I. William Zartman, “The Tools of Mediation and Negotiation,” inCrocker et al., *Managing Conflict in a World Adrift* (USIP Press and CIGI Press, 2015).

**Session 4 (September 20): Ripeness and Readiness**

* What are general conditions that would determine the timing of mediation?
* If those conditions do not exists, is the mediation effort doomed to failure? If they do exist, are they a guarantee of mediation success?
* Who makes an appropriate mediator and under what conditions?

Reading

Brahimi, L. and S. Ahmed, *In Pursuit of Sustainable Peace: The Seven Deadly Sins of Mediation* (NYU Center for International Cooperation, May 2008). <http://peacemaker.un.org/sites/peacemaker.un.org/files/SevenDeadlySinsofMediation_BrahimiAhmed2008.pdf>

Pruitt, Dean G., “Whither Ripeness Theory?” *Working Paper No. 25* (Institute for Conflict Analysis and Resolution, George Mason University, 2005) at <http://scar.gmu.edu/wp_25_pruitt.pdf>.

Sumbeiywo, Lazaro, “To Be a Negotiator: Strategies and Tactics,” Mediation Support Project (Center for Security Studies, ETH Zurich and swisspeace, Bern, 2009), <http://www.css.ethz.ch/publications/pdfs/To-Be-a-Negotiator.pdf>

Zartman, I.W., ‘The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments’, *The Global Review of Ethnopolitics*, 1:1 (2001), 8-18, at <http://www.ethnopolitics.org/ethnopolitics/archive/volume_I/issue_1/zartman.pdf>

**Session 5 (September 27): Conflict Case Analysis – Class Presentations**

* Short student presentations based on the first paper on the theory and application of conflict analysis.

**PART 2: INSTITUTIONAL APPROACHES TO MEDIATION**

**Session 6 (October 4): United Nations and Regional Organizations: The Battle between Legitimacy and Effectiveness**

* How do the UN and regional organizations get involved with and carry out mediations. What are their success rates and what are their limitations?
* What does legitimacy mean in a mediation setting?
* When and under what conditions are intergovernmental institutions effective in mediation?

 Reading

Jones, Bruce, “The Security Council and Crisis Management: Still Central after All these Years,” in *Managing Conflict in a World Adrift* (USIP Press and CIGI Press, 2015).

United Nations, *Guidance for Effective Mediation* (July 2012), <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/UN%20Guidance%20for%20Effective%20Mediation.pdf>

United Nations Department of Political Affairs, “Mediation Start-Up Guidelines 2011,” <http://peacemaker.un.org/sites/peacemaker.un.org/files/MediationStartupGuidalines_UNDPA2011.pdf>.

Williams, Paul D. and Jurgen Haacke, “Regional Approaches to Conflict Management,” in Crocker et al., *Rewiring Regional Security in a Fragmented World*, 49-74.

**Session 7 (October 11): States, Large and Small: Power, Agency and Mediation**

 **Guest Presentation: Imad Harb, Founder of Quest for Middle East Analysis**

* How do individual states get involved with and carry out mediations? What are their success rates and what are their limitations?
* Is neutrality necessary to successful mediation? Can states with their foreign policy agendas play a productive role as mediators?

Reading

Barakat, Sultan. "Qatari Mediation: Between Ambition and Achievement." Brookings Doha Center, 2013. <http://www.brookings.edu/~/media/Research/Files/Papers/2014/11/10-qatari-mediation/Final-PDF-English.pdf?la=en>

Crocker et al., “When Powerful States Mediate,” in *Taming Intractable Conflicts*, 21-43.

Kydd, Andrew, “Which Side Are You On? Bias, Credibility, and Mediation ,” *American Journal of Political Science*, Vol. 47, No. 4 (Oct., 2003), 597-611

Melin, Molly M. "When states mediate." *Penn State University Journal of Law and International Affairs,* 2 (2013), 78-90.

**Session 8 (October 18): The New Mediators: NGOs, Civil Society and other Groups**

 **Guest Presentations: Chic Dambach, former head of the National Peace Corps Association and Alliance for Peacebuilding, and Cameron Chisholm, president of the International Peace and Security Institute**

* Who are the new actors in mediation?
* How do they get involved with mediation processes? What do they do, what are their success rates and what are their limitations?
* Do multiparty mediation efforts produce positive or negative results?

Reading

Burgess, H. and G. Burgess, *Conducting Track II Peacemaking* (USIP, 2010), <http://www.usip.org/sites/default/files/PMT_Burgess_Conducting%20Track%20II.pdf>

Crocker, Chester A., Fen Osler Hampson and Pamela Aall, “Collective Conflict Management: A New Formula for Global Peace and Security Cooperation?” in *International Affairs* 87:1 (2011) 39-58.

Elgström, Ole, Jacob Bercovitch, and Carl Skau. "Regional Organisations and International Mediation: The Effectiveness of Insider Mediators." *African Journal on Conflict Resolution* 3.1 (2003): 11-27.

Paffenholz, Thania, Darren Kew, and Anthony Wanis–St. John. ‘Civil Society and Peace Negotiations: Why, Whether and How They Could Be Involved’, *Oslo Forum Background Paper* (2006) at <http://www.american.edu/sis/faculty/upload/Wanis-Civil-Society-and-Peace-Negotiations.pdf>

**PART 3: THEORY AND PRACTICE OF PRACTICE**

**Session 9 (October 25): Getting Parties to the Table**

* Communication strategies among antagonists
* Dilemmas of inclusion: adding new perspectives or adding more confusion?
* Dealing with spoilers and other interested parties
* Reframing: Changing the “best alternative to a negotiated strategy”

Reading

Cunningham, David E. "Who Should Be at the Table: Veto Players and Peace Processes in Civil War." *Penn State Journal of Law and International Affairs,* 2 (2013): 38 – 47.

Crocker et al., “Building a Negotiating Strategy,” in *Taming Intractable Conflicts*, 93-118.

Giessmann, Hans J. and Oliver Wils, “Seeking Compromise? Mediation Through the Eyes of Conflict Parties,” Berghof Foundation, 2011. <http://peacemaker.un.org/sites/peacemaker.un.org/files/Seeking%20Compromise_BerghofFoundation%202011_0.pdf>

Klein, Roohia S., “The Role of Women in Mediation and Conflict Resolution: Lessons for UN Security Council Resolution 1325,” in *Washington & Lee Journal of Civil Rights and Social Justice*, Vol. 8, Issue 2, (2012), 277-310. <http://scholarlycommons.law.wlu.edu/crsj/vol18/iss2/>7.

Potter, Antonia, “We the Women: Why Conflict Mediation is Not Just a Job for Men,” in Center for Humanitarian Dialogue *Opinion Series*, 2005. mercury.ethz.ch/serviceengine/Files/ISN/.../en/**WetheWomen**.pdf

**Session 10 (November 1): Getting Parties to Talk: Facilitation, Persuasion, Power, and Leverage**

***Site Visit to US Institute of Peace***

* What is the appropriate role for a third party in “aiding negotiations?”
* What is facilitation and when does it work?
* What is leverage and where does it come from?
* Are persuasion and leverage coercive instruments?

Reading

Beardsley, Kyle. "Using the right tool for the job: Mediator leverage and conflict resolution." *Penn State Journal of Law and International Affairs,* 2 (2013): 57.

Crocker et al., “Hanging On, Hunkering Down and Bailing Out,” in *Taming Intractable Conflicts*, pp. 119-147.

Fey, Mark and Kristopher W. Ramsay, “When is Shuttle Diplomacy Worth the Commute?” in *World Politics 62, No. 4* (October 2010), 529-60.

Isoaho, Eemeli and Suvi Tuuli, “From Pre-Talks to Implementation: Lessons Learned from Mediation Processes,” Finnish Ministry of Foreign Affairs, 2013. <http://www.cmi.fi/images/stories/publications/reports/2013/lessons_learned_from_mediation_processes.pdf>

Kriesberg, Louis. "Mediation in conflict systems." *Systems Research and Behavioral Science* 29.2 (2012): 149-162.

**Session 11 (November 8): The Endgame: Agreements and their Implementation**

* How can stable peace be established in societies after violent conflict? In other words, what makes a sustainable agreement?
* Should the focus be on broad principles or on detailed roadmaps?
* What are the major advantages and problems with partitions and power-sharing as solutions to ethnic wars? What other solutions are there?
* What should be the appropriate relationship between outsiders and local authorities in the implementation efforts?

Reading

Cousens, Elizabeth M., *It Ain't Over 'til It's Over: What Role for Mediation in Post-agreement Contexts?* Centre for Humanitarian Dialogue, 2008. <http://www.hdcentre.org/en/resources/publications/filter/elizabeth-cousens/>

Crocker et al., “Recipes for Securing the Settlement,” in *Taming Intractable Conflicts*,

 149-164.

Crocker et al., “Making a Settlement Stick,” in *Taming Intractable Conflicts*, 165-184.

Mani, R., ‘Rebuilding an Inclusive Political Community after War’, *Security Dialogue*, 36:4 (2005), 511-26.

Paris, Roland, “International Peacebuilding and the ‘Mission Civilisatrice’” in *Review of International Studies,* No. 28 (2002), 637-656.

**Session 13 (November 15): Class Exercise**

**Session 14 (November 29): Debrief and Concluding Reflections**

* What assumptions have underpinned the dominant international conception of peacebuilding? What are the main problems with these assumptions?
* In the face of serious conflict, is there a “responsibility to mediate?”
* How effective are negotiated settlements to end armed conflict?
* How are peace and justice related?