SCHOOL OF INTERNTIONAL SERVICE
THE AMERICAN UNIVERSITY

Mediation in a Turbulent World

SIS-619-019-2018F
Fall 2018
3.0 Credits

Tuesday – 5:30 – 8:00 PM
Class dates: August 28 – November 27
Location: Spring Valley Building, # 147

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Course Description and Reading List

The use of mediation as a means of addressing violent conflict has grown rapidly in the past 10 years. There are conflicting signals, however, among powerful states and institutions about whether mediation is the best way to manage conflict. And while instances of mediation are on the rise, the rate of mediation success in ending conflict has not grown at the same rapid rate. The Syrian mediation has continued on and off for six years, involving three different UN mediators without bringing that conflict to an end. This raises the questions of whether mediation is effective as a conflict management tool, what makes it effective and what makes it fail. 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 conflict management and peacebuilding context. It examines the theoretical bases for mediation and stresses the challenges of applying that theory in conflict situations. It examines challenges to mediation that arise from the contemporary conflict environment, including major power retrenchment, dissension in the UN Security Council, and the rise of violent non-state actors and looks at 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.

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

Note: There will be a "field trip" to the US Institute of Peace during the course. The date will depend on finding a time when the class is able to meet during regular business hours. There will also be a number of guest speakers during the fall.

1. Introduction and Overview (Tuesday, August 28)

Analyzing Conflict
2. Getting the Story Straight: Analyzing Conflict and Context for Mediation (Tuesday, September 4)
3. From Bargaining to Peacebuilding: Negotiation and Third Party Roles (Tuesday, September 11)
4. Ripeness and Readiness (Tuesday, September 18)
5. Conflict Case Analysis: Student Presentations (Tuesday, September 25)

Institutional Approaches to Mediation
6. United Nations and Regional Organizations: The Battle between Legitimacy and Effectiveness (Tuesday, October 2)
7. States, Large and Small: Power, Agency and Mediation (Tuesday, October 9)
8. The New Mediators: NGOs, Civil Society and other Groups (Tuesday, October 16)

Theory and Practice of Practice
9. Getting Parties to the Table (Tuesday, October 23)
10. Getting Parties to Talk: Facilitation, Persuasion, Power, and Leverage (Tuesday, October 30)
11. The Endgame: Agreements and their Implementation (Tuesday, November 6)

Assessments

12. Class Exercise (Tuesday, November 13)
13. Conclusion (Tuesday, November 27)

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?
      o How are these parties organized i.e. where does power lie within them, who calls the shots, how big/powerful are they?
      o 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. This paper will form the basis of the class presentation on **September 25 and October 2.** Students should submit an electronic version of the paper in Microsoft Word, not PDF. Due by class on **September 25**.

Short Essay 2 (20%): The institutional base for mediation can make the difference between a successful effort and an unsuccessful one. This paper will allow you to analyze the influence that two different mediating institutions have on the same peace process. Select a conflict which has experienced mediation interventions from at least two different institutions—examples include Cyprus, Darfur, Cote d'Ivoire, Syria, the Philippines, and Colombia. In the paper:

- describe the conflict and mediation efforts,
- describe the mediation strategy and implementation of two intervening institutions as well as the outcome of the two efforts,
- compare the two organizations' approaches, noting strengths and weaknesses and the ability (or lack thereof) of the institutions to support each other's efforts, and
- give your assessment of how the two institutions could have improved their mediation practice.

The paper should be no longer than 2000 words in length, excluding bibliography and maps. Students should submit an electronic version of the paper in Microsoft Word, not PDF. Due by class on **October 23**.

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 by class on **November 27**. Students should submit an electronic version of the paper in Microsoft Word, not PDF.

Course Schedule

Session 1 (August 28): 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 4): 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., "Building a Negotiating Strategy," in *Taming Intractable Conflicts*, 93-118. Blackboard.

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/

Optional reading

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

Crocker et al., "The Mediator's Environment," in *Taming Intractable Conflicts*, 73-90. Blackboard.

Rothman, Joshua, "Are Things Getting Better or Worse? Why Assessing the State of the World is Harder than It Sounds," *The New Yorker*, July 23, 2018.

Session 3 (September 11): 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

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," in Crocker et al., *Managing Conflict in a World Adrift* (USIP Press and CIGI Press, 2015). Blackboard.

Optional reading

Alfredson, Tanya and Azeta Cungu, "Negotiation Theory and Practice: A Review of the Literature." Food and Agriculture Organization (2008). Blackboard and 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. Blackboard.
Fisher, Roger and William Ury with Bruce Patton, *Getting to YES: Negotiating an Agreement without Giving In*, Second Edition (Random House, 1991). Blackboard.

Session 4 (September 18): 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). https://www.ciaonet.org/attachments/703/uploads
Sumbeiywo, Lazaro, "To Be a Negotiator: Strategies and Tactics," Mediation Support Project (Center for Security Studies, ETH Zurich and swisspeace, Bern, 2009), http://peacemaker.un.org/sites/peacemaker.un.org/files/ToBeaNegotiator_Sumbeiywo2009.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://peacemaker.un.org/sites/peacemaker.un.org/files/TimingofPeaceInitiatives_Zartman2001.pdf. Blackboard.

Optional Reading

Pruitt, Dean G., "Whither Ripeness Theory?" *Working Paper No. 25* (Institute for Conflict Analysis and Resolution, George Mason University, 2005). Blackboard.

Session 5 (September 25): 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 2): United Nations: The Battle between Legitimacy and Effectiveness

- How does the UN get involved with and carry out mediations. What are their success rates and what are their limitations?
- How do UN peacekeeping operations affect the environment for mediation and political settlement?
- 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). Blackboard.

United Nations, *Guidance for Effective Mediation* (July 2012), http://peacemaker.un.org/sites/peacemaker.un.org/files/GuidanceEffectiveMediation_UNDPA2012%28english%29_0.pdf

Biersteker, Thomas, Rebecca Brubaker and David Lanz, "UN Sanctions: Liability or Asset in Mediation Processes?" Centre for Humanitarian Dialogue, *Oslo Forum Background Paper,* 2018. Blackboard.

Optional Reading

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

Session 7 (October 9): States, Large and Small: Power, Agency and Mediation

- 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

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

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

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

Session 8 (October 16): The New Mediators: Regional Organizations, NGOs, Civil Society and other Groups

- 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?
- What is the balance between legitimacy and effectiveness?
- Do multiparty mediation efforts produce positive or negative results?

Reading

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. Blackboard.

Wanis–St. John, Anthony and Darren Kew. 'Civil Society and Peace Negotiations: Confronting Exclusion," *International Negotiation 13* (2008): 11-36. http://www.american.edu/sis/faculty/upload/wanis-kew-civil-society-and-peace-negotiations.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. Blackboard.

Optional Reading

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. Blackboard.

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

PART 3: THEORY AND PRACTICE OF PRACTICE

Session 9 (October 23): 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.

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.

Optional reading

De Langis, Theresa, "Across Conflict Lines: Women Mediating for Peace," Institute for Inclusive Security (2011). https://www.inclusivesecurity.org/wp-content/uploads/2013/05/2011-Colloquium-Report_FINAL.pdf

Session 10 (October 30): Getting Parties to Talk: Facilitation, Persuasion, Power, and Leverage

- 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. Blackboard.

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

Crocker et al., Securing Leverage in Current Conflict Negotiations: The Quest for Coherence in Turbulent Times" *St Antony's International Review* 11 no. 2, pp. 15-37. Blackboard.

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

Optional reading

Isoaho, Eemeli and Suvi Tuuli, "From Pre-Talks to Implementation: Lessons Learned from Mediation Processes," Finnish Ministry of Foreign Affairs, 2013. Blackboard.

Session 11 (November 6): 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. Blackboard.
Crocker et al., "Recipes for Securing the Settlement," in *Taming Intractable Conflicts*, 149-164. Blackboard.
Crocker et al., "Making a Settlement Stick," in *Taming Intractable Conflicts*, 165-184. Blackboard.
Mani, R., 'Rebuilding an Inclusive Political Community after War', *Security Dialogue*, 36:4 (2005), 511-26.

Optional reading

Paris, Roland, "International Peacebuilding and the 'Mission Civilisatrice'" in *Review of International Studies,* No. 28 (2002), 637-656.

Session 12 (November 13): Class Exercise

Session 13 (November 27): 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?