

# Oxford Research Encyclopedia of Politics

## Mediation and Foreign Policy

Robert U. Nagel and Govinda Clayton

Subject: World Politics Online Publication Date: Mar 2017

DOI: 10.1093/acrefore/9780190228637.013.447

### Summary and Keywords

Mediation is now the most popular form of conflict management, and it has proven to be an effective means of resolving inter- and intrastate disputes. This article offers an overview of mediation in foreign policy. We first highlight which actors tend to perform mediatory roles, emphasizing the relative strengths and weaknesses of individual, state, and international organization mediators. Next we discuss the supply and demand of mediation, identifying the key conditions that promote third parties' efforts to offer mediatory assistance and belligerents to accept the help of an intermediary. We then discuss the process and varying methods used by mediators, highlighting the range of actions from relatively soft facilitative mediation, up to more manipulative approaches. Finally we discuss the outcomes that mediation tends to produce and the conditions that influence the effectiveness of this preeminent foreign policy tool.

Keywords: mediation, conflict management, conflict resolution, foreign policy, negotiation, peace, conflict

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### Introduction

Mediation is a form of conflict management in which a third party controls some aspects of the peace process but belligerents retain control of the eventual outcome (Moore, 1986). It is one of the primary foreign policy instruments through which states and international organisations attempt to manage and resolve violent conflict. Mediation offers a means to terminate violent conflict by reshaping a disputant's perceptions or behavior, without using physical force or invoking the authority of the law (Bercovitch & Rubin, 1992). Mediators have proven to be very effective at helping actors peacefully locate the area in which their preference orderings overlap. This increases the likelihood of an agreement that satisfies both actors' lowest acceptable terms (Fisher, Ury, & Patton, 1982). Third parties can also help disputants to overcome the fears of future defection that often

prevent the conclusion of an agreement (Walter, 2002). Therefore, with the help of a skilled mediator, adversaries can often agree to solutions that they would have been incapable of producing alone.

Mediation is less costly for both conflict participants and third parties. It is voluntary, meaning belligerents must seek the assistance of, or accept an offer of help from, an intermediary (Bercovitch & Rubin, 1992). The nonbinding nature of the process makes it appealing to disputants, as it allows them to retain decisional control throughout negotiations and veto the conclusion of any unfavorable agreement (Bercovitch, Anagnoson, & Wille, 1991). Mediation is also a favored method of intervention for international actors. While the provision of mediatory services can be costly, in comparison to more robust forms of foreign policy action (e.g., peacekeeping), mediation is a relatively cheap mechanism through which interested parties can exert an influence on a conflict (Bercovitch & Schneider, 2000).

## Who Mediates?

### Types of Mediator

We can differentiate between three broad collections of mediators: (1) Individuals, (2) States, and (3) Governmental/Nongovernmental Organizations.

Individual mediators are individual actors that intervene in a private capacity (i.e., not representing a state or organization). Examples include U.S. President Jimmy Carter's efforts in Haiti and Korea (Bercovitch & Schneider, 2000, p. 147); Archbishop Tutu's engagement in Sudan and South Sudan; Lakhdar Brahimi's work in Cyprus; and Mary Robinson's efforts in the Côte d'Ivoire. Individual mediators can enjoy more flexibility and freedom to experiment than mediators representing states or IOs (Bercovitch & Schneider, 2000), as they are not restrained by the official positions of the group they represent. Individual mediators often lack the resources and leverage of other mediators and instead rely more on their personal legitimacy and authority, which is based on their previous work as religious or community leaders, diplomats, or heads of states. They are the least common form of intermediary, featuring in approximately 5% of mediation episodes (Bercovitch & Gartner, 2006).

State mediators are the second category of intermediary. State-led mediation can involve actors of varying seniority, ranging from junior ministers and bureaucrats (normally in

technical or preliminary negotiations) to high-level actors, including Presidents, Prime Ministers, Secretary of States, or Foreign Ministers. The state apparatus offers mediators greater resources and capabilities, and greater possibilities to apply leverage to the parties. Despite increasing numbers of potential mediators, states continue to be involved most frequently, featuring in almost half of all cases of mediation (Bercovitch & Gartner, 2006; Greig & Diehl, 2012). In light of its power, resources, and proactive approach to foreign policy, it is unsurprising that the United States is the most active major power (Greig & Diehl, 2012). However, mediation is not limited to major powers. Smaller states such as Norway have repeatedly taken on mediating roles in conflicts ranging from the Middle East to Sri Lanka and Colombia (Moolakkattu, 2005).

Finally, international organizations play a vital role as mediators. These include governmental organizations such as the United Nations, European Union, African Union, and nonstate actors, such as the Swiss Centre for Humanitarian Dialogue or the Catholic Sant'Egidio community. An example of successful regional mediation is the African Union's involvement in the postelection crisis in Kenya in 2007, when a quick and concerted effort delivered a national accord and led to the formation of a grand-coalition government (Juma, 2009). The number of mediations by regional organizations has nearly doubled when comparing periods of before and after 1980 (Wallenstein & Svensson, 2014, p. 318). As a result, the relative share of UN-led mediations has declined despite the absolute number of UN mediations rising. The *raison d'être* of many international organizations is to promote international peace and security, and thus they often have significant financial and administrative resources to support a peace process. At the same time, large intergovernmental organizations can be slow to react to crises and are restricted by their members' positions or members' bilateral relations to conflict parties.

### **Multiparty Mediation**

Mediation incurs costs for the third party, in terms of both finances and reputation. To mitigate financial and political costs, mediators often form a coalition or group. Böhmelt's analysis (2012) shows that potential mediators facing economic difficulties are more likely to mediate as part of a coalition to share the financial burden. The pooling of resources and skills can also offer multiparty mediators more leverage. Moreover, in complex conflicts, such as those involving high casualties, a multiparty mediation can be a more effective intervention. A well-known example of a multiparty mediation is the conflict in Bosnia that resulted in the Dayton Accord in 1995. The list of intermediaries in Bosnia included the contact group (France, Germany, Russia, the UK, and the United States), the United States, the EU, UN, and NATO. The overlapping membership of multiple actors in different political bodies demonstrates the complexity of the issue. The relationship

between coalition members influences how effective they are. The most effective coalitions tend to be those formed of states with friendlier relations outside of the mediation process (Böhmelt, 2011).

These potential benefits, however, can be counterbalanced by difficulties in coordinating between coalition members and maintaining coherence (Böhmelt, 2012). A mediation coalition can increase the number of veto-players and the complexity of the process, negatively impacting the chances of success (Cunningham, 2006). For example, Böhmelt shows that, while an initial increase in the number of coalition members fosters mediation effectiveness, once the number of coalition members reaches a tipping point any further increase reduces effectiveness (Böhmelt, 2011). Furthermore, multiparty mediations carry the risk that individual members avoid individual responsibility.

### Women and Mediation

Women are significantly underrepresented in peace talks generally, especially with regard to mediatory positions. For example, UN Women reviewed a sample of 31 major peace processes since 1992 and found that only 4% of signatories, 2.4% of chief mediators, 3.7% of witnesses, and 9% of negotiators were women (Diaz & Tordjman, 2012, p. 3). Moreover, before March 2013 when UN Secretary-General Ban Ki-moon appointed Mary Robinson (former Irish president and former UN high commissioner for human rights) as the special envoy to the Great Lakes region, there had never been a lead female UN mediator (O'Reilly & Ó Súilleabháin, 2013, p. 2).<sup>1</sup>

Over a decade ago, the United Nations attempted to address this sizable gendered imbalance through UN Security Council resolution 1325, which endorsed the crucial role of women in preventing and resolving conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response, and postconflict reconstruction. Resolution 1325 emphasized the importance of women's equal participation and full involvement in all efforts of maintaining and promoting peace and security. Yet, besides raising awareness, the resolution has done little to remedy the gender bias and imbalance (Willett, 2010).

An expansion of female mediators is of course no guarantee that issues concerning gender and women will be better addressed in either peace talks or agreements. Yet given that only 16% of the 585 post-Cold War peace agreements make any reference to gender (Bell & O'Rourke, 2010), the inclusion of more women in leading mediatory roles at least increases the likelihood that these issues will be partially addressed.

## When is mediation used as a foreign policy tool?

Mediation occurs only when a third party is willing to offer their services as a mediator and the disputants are receptive to an offer of assistance. The incidence of mediation is therefore determined by the incentives (and disincentives) that the belligerents (demand side) and mediators (supply side) have to enter a dialogue process.<sup>2</sup>

### Supply Side Determinants of Mediation

Prior to offering their services, potential mediators determine the costs and benefits associated with offering assistance. The provision of mediation can be costly, involving lost face, adverse publicity, and a share of the blame if the process collapses (Bercovitch & Schneider, 2000; Beardsley, 2009). The mediator is also burdened with administrative duties and the costs associated with inducements and sanctions (Carnevale, 1986; Schrodtt & Gerner, 2004). Mediation will only be selected as the most appropriate foreign policy tool when the expected payoffs exceed the expected costs. If the fixed price of mediation is high, or the costs in the absence of mediation are low, it is unlikely mediation will occur (Beber, 2012). Even on occasions in which mediation is desirable for a third party, the existence of other potential mediators can motivate inaction. For the provision of peace is a public good, meaning peace brokers have incentives to free ride on the actions of other intermediaries. This creates a problem of collective action, in which despite the presence of multiple mediators, intervention might not occur (Beardsley, 2010). Given the costs associated with mediation, and the incentives to free ride, we might only expect to observe mediation in the easiest of cases, those in which the mediator perceives there to be a high probability of success (Melin, 2011; Regan & Stam, 2000; Young, 1967; Zartman, 2000).

However, durable and high-intensity conflicts pose the greatest threat to international actors and are more likely to provoke the interest of the global media (Bercovitch & Gartner, 2006; Beardsley et al., 2006). Challenging conflicts are also more likely to produce a protracted and multidimensional context, in which the assistance of international actors is required. Looking specifically at enduring rivalries, Greig (2005) finds that third parties seem to choose carefully the cases in which they intervene, reacting in particular to pressing conditions. It is therefore better to think of mediation supply in terms of a continuum of interests, each of which shapes the probability of intervention (Touval & Zartman, 1985).

Research investigating these dynamics has firmly replaced perceptions of moral mediators driven by normative concerns, with the view of interest-driven actors whose preferences determine when they select mediation from the wider toolbox of foreign policy tools. This work has highlighted a number of the most common conditions in which mediation is used in foreign policy. First, the propensity of actors to supply mediation is strongly shaped by the location of the conflict (Bercovitch & Schneider, 2000; Elgström, Bercovitch, & Skau, 2003; Maundi et al., 2006; Greig & Regan, 2008). Neighboring states are most likely to offer mediation, as they suffer the most significant costs when a conflict continues (i.e., spill over, regional instability, reduction in trade) (Collier et al., 2003; Gleditsch, 2007). Second, dyadic studies have shown that mediation offers are strongly shaped by historical, economic, and “indirect” links between belligerents and potential mediators (Crescenzi et al., 2011; Greig & Regan, 2008; Greig, 2005; Mitchell, 2002; Böhmelt, 2009, 2011; Dorussen & Ward, 2008; Melin, 2011). For example, alliance ties and trade interests increase the likelihood of mediation offers as third parties also benefit from the peaceful resolution of conflict (Melin & Svensson, 2009). Third, mediators also respond to the characteristics of the state(s) involved in conflict. For example, conflicts that include major powers are nearly 78% less likely to receive a mediation offer than rivalries without a major power, presumably as third parties anticipate that stronger actors are less likely to favor mediatory assistance (Greig, 2005, p. 262).

### **Demand-Side Determinants of Mediation Selection**

The demand for mediation is shaped by the utility that each belligerent expects to gain from the onset of dialogue. An intermediary will only be accepted on those occasions in which both belligerents believe that the payoffs associated with accepting mediation exceed the expected costs. Mediation can be costly for combatants because it reduces the control they have over the peace process. As a result, disputants are likely to accept peace brokers only when the costs of conflict become intolerable or if they foresee no possibility of resolving the dispute alone (Greig & Diehl, 2006; Greig, 2005; Beardsley, 2010; Greig & Regan, 2008). This statement might suggest that mediators are only likely to be invited into the most challenging, complex, and intense conflicts, those in which the likelihood of resolution is relatively low (Gartner, 2011; Bercovitch & Gartner, 2006; Gartner & Bercovitch, 2006; Svensson, 2007). Or the acceptance of mediation could be viewed as evidence of the disputants’ newfound desire to seek peace. In this sense, mediation onset can sometimes be viewed as an indicator of conflict “ripeness.” This would imply that mediation takes place in cases with a relatively high expectation of success (Rubin, 1991; Terris & Maoz, 2005).

Research has provided conditional support for both positions. Taken together, the evidence suggests that mediation is most likely to occur within long and intense conflict, but often only when a willingness to compromise has emerged from the escalating costs of battle (Greig, 2005; Greig & Diehl, 2006; Beardsley, 2010). Thus, while mediation often occurs in the most challenging of cases, its onset provides a notable indication that actors are beginning to consider peace. This is of course not always the case, as mediation can also take place for more devious motivations. For example, belligerents might use mediation to gain an advantage by stalling the conflict to rearm, recruit, or regroup (Beardsley, 2009; Richmond, 1998).

There are important distinctions between the “demand side” of mediation in civil and interstate war (Svensson, 2009; Greig & Regan, 2008). The costs associated with interstate mediation are evenly spread between belligerents. Both actors are sovereign powers and are afforded the privileges and legitimacy of an international actor (Melin & Svensson, 2009). In comparison, civil conflicts involve an asymmetric distribution of power and legitimacy that creates differing incentives for the belligerents. Nonstate groups gain significant advantages when entering a dialogue process. States are therefore often resistant to entering into discussions with insurgents, instead dismissing them as an illegal force not deserving of political voice. For the onset of a negotiation process legitimizes the rebels and demonstrates their ability to force concessions from the state (Svensson, 2009; Greig & Regan, 2008). This effect is intensified when a mediator leads the process, as third parties confer an increased level of domestic and international recognition on insurgents. In addition to enhancing the prestige of the rebels, the onset of dialogue signals the states’ inability to control their own territory and a lack of resolve to resist insurgent demands (Melin & Svensson, 2009). This can motivate groups to bargain harder or fight longer, in search of additional concessions.

Mediation can offer a state the potential to resolve its violent conflict. Of course, most states hope violence will end through the military defeat of the rebels. However, as military victory becomes increasingly unlikely, mediation often offers the most effective method to end a war. This is not always the intention of a state, which may agree to mediation on account of more devious intentions (Richmond, 1998; Beardsley, 2010). Yet, given the significant costs that the state suffers when agreeing to mediation, in most cases the mediation onset implies some form of tacit admission that the state is ready to begin discussing a settlement (Greig, 2005; Greig & Diehl, 2006).

The sum of these processes is that while rebels are expected to exhibit a high demand for mediation, a state will only accept an intermediary when the costs of dialogue are outweighed by the costs of continued conflict. This effectively elevates the state to the

role of sole veto player, being as it is largely their cost-benefit analysis that shapes the demand for civil war mediation.

The characteristics of the belligerent(s) also influence the demand for mediation. A state's willingness to accept mediation is closely tied to its resolve to fight; thus, the lower the perceived chance of winning militarily or the higher the costs of conflict, the more likely mediation should be accepted (Clayton & Gleditsch, 2014). Accordingly, studies show that when rebels pose a significant threat to the government, mediation is more likely (Clayton, 2013, 2016; Clayton & Gleditsch, 2014). When insurgents are capable of posing a challenge to core government interests, it gives them both leverage in the peace talks and protection against the possibility of the government renegeing on an agreement (Clayton, 2013). Thus, analyses show that relatively stronger rebels are more likely to participate in mediation (Clayton, 2013, 2016).

The status of women in a society is another factor that influences the demand for mediation in civil war, and it can be used as an indicator of the likelihood that mediation will occur. Societies that so glorify masculinity that it results in practices of son preference (e.g., leading to sex selective abortion, female infanticide) effectively legitimize and institutionalize the violent subordination of "others." Such practices promote violence as a settlement tool while impeding nonviolent alternatives like mediation. A manifest consequence is that societies in which women are afforded a more equal status are more likely to put their trust in the process of mediation and to deploy it successfully (Nagel, 2016).

The use of mediation has also been shown to diffuse from conflict to conflict as states evaluate patterns of violence, specifically the most visible characteristic, the number of casualties, and imitate other third parties' behavior in deciding whether or not to mediate (Böhmelt, 2016). In other words, conflict violence serves as a link between crises and as a cue to belligerents and third parties helping them to decide whether mediation will help resolve the crisis (Böhmelt, 2016).

## What Do Mediators Do?

The effectiveness of mediation is shaped by the ability of a third party to improve the flow of credible information and reduce fears of future defection (Beardsley et al., 2006). Mediators can achieve these tasks through a wide range of techniques. For both descriptive and analytical purposes, it is common for studies to conceptualize the range of mediatory actions according to three broad strategies: facilitation, formulation, and



manipulation (Bercovitch & Gartner, 2006; Beardsley et al., 2006). The strategies divide mediatory actions according to their overarching strategic purposes, as well as the manner in which they seek to contribute to the bargaining process (Wilkenfeld et al., 2005; Höglund & Svensson, 2011).<sup>3</sup>

Facilitative mediation is the most passive form of intervention (Bercovitch & Houston, 2000; Hopmann, 1996; Touval & Zartman, 1985). In this role, a mediator acts as a two-way conduit of information, channeling information between the parties. A facilitative peace broker exhibits little control over the process or substance of negotiations (Bercovitch & Gartner, 2006). Actions are limited to less active forms of mediation, such as the provision of good offices, transferring information, or revealing new knowledge to the disputants (Beardsley et al., 2006).

Facilitative mediation is closely aligned with the integrative principles of conflict management. Mediators attempt to create a larger amount of “value” to be shared among belligerents by uncovering opportunities for mutual gain. Rather than redefine the zone of agreement, facilitation helps parties to locate a solution from a preexisting set of acceptable agreements (Carnevale, 1986; Kressel, 1972). A mutually acceptable deal is crafted by ensuring that the parties have access to full information (Beardsley et al., 2006; Princen, 1992; Moore, 1986). Facilitative mediation is also referred to as the consultation model; a good example of this model is Norway’s engagement that attained the Oslo agreement in the Israel-Palestine conflict (Bercovitch & Gartner, 2006). Generally, facilitative approaches are more likely to produce positive results in less challenging cases characterized by fewer casualties where more intrusive engagement by mediators can be perceived as meddling (Bercovitch & Gartner, 2006).

The effectiveness of facilitative mediators is largely premised on their ability to reduce information asymmetries (Savun, 2008). The mediator’s utility depends on their ability to persuade belligerents to share information on their reservation point. By controlling information extracted from belligerents, and on occasion supplementing this with information gathered independently (i.e., the U.S. mediation in Kashmir), mediators can help to reduce the distortion, ignorance, and misperception that often prevent the signing of an agreement (Fisher, Ury, & Patton, 1982; Dixon, 1996; Kydd, 2003; Savun, 2008; Beardsley et al., 2006; Rauchhaus, 2006).

Formulation is a more active form of peacemaking, which involves the mediator controlling key aspects of the peace process. By manipulating elements of negotiations, a mediator creates a more positive environment (Bercovitch & Gartner, 2006). This commonly involves the mediator controlling structural aspects of the negotiation, including the location, timing, and pace of discussions. For example, in 1995 when

mediating the Bougainville dispute, New Zealand brought the parties to New Zealand and controlled all structural aspects, but little else (Bercovitch & Gartner, 2006). Mediators can also control the distribution of information, redefining contested issues and strategically introducing innovative alternatives (Hopmann, 1996). This ability can be particularly useful within stalemated negotiations, in which mediators can help to create new focal points around which resolutions to the dispute may be found (Beardsley et al., 2006; Svensson, 2007). More generally, mediators can also signal the necessity of concessions to domestic audiences and take responsibility for unpopular actions (Beardsley, 2010). In this way, mediators increase the likelihood of peace by “running interference against domestic backlash” (Beardsley, 2010). Formulation works in both high- and low-intensity cases, though to a differing extent of success. In highly intense disputes, formulation increases the chances for partial settlements, while in low-intensity disputes it is more likely to result in a full settlement (Bercovitch & Gartner, 2006).

Manipulative mediation is the strongest form of mediator involvement, in which third parties exert the strongest influence on both the content and substance of the bargaining process (Bercovitch & Gartner, 2006).<sup>4</sup> Rather than locate existing solution points, a manipulative mediator uses positive and negative inducements to increase the zone of agreement. Techniques can include financial assistance, diplomatic concessions, economic sanctions, and direct military action (Beardsley et al., 2006). For example, the United States adopted this approach when mediating the Bosnia conflict in 1995, using both its economic and military power to compel the fighting parties, resulting in the Dayton accord (Bercovitch & Gartner, 2006). By maximizing the costs of nonagreement, each of these methods seeks to stretch the reservation point of the target belligerent(s) (Touval & Zartman, 1985). This action can increase the number of acceptable alternatives to war by creating solution points that would not be possible in the absence of mediation (Hopmann, 2001). This makes active forms of mediation an effective means of terminating violent conflict (Beardsley et al., 2006; Bercovitch & Gartner, 2006).<sup>5</sup>

## The Effectiveness of Mediation

How do we capture the effects of mediation, and what are the most appropriate indicators of success? Despite the growth in mediation literature, there remains relatively little conceptual clarity on the issue of effectiveness (Hoffman & Svensson, 2012, p. 4; Bercovitch, 2006). The lack of clear criteria against which mediation can be evaluated hampers practitioners’ attempts to assess the effectiveness and efficiency of their work,

and undermines empirical research attempting to isolate the determinants of successful mediation (Lindgren, Wallensteen, & Grusell, 2010).

Most quantitative studies equate mediation success with the creation of a formal agreement (e.g., Bercovitch & DeRouen, 2004; Touval & Zartman, 1985; Ott, 1972; Schneider, Bercovitch, & Selck, 2006).<sup>6</sup> This approach provides a good indication of the mediator's ability to reshape the violent preferences of the disputants and suggests a commitment by the actors to modify their interactions (DeRouen, Bercovitch, & Pospieszna, 2011; Bercovitch, 2007; Touval & Zartman, 1985). According to this criterion, mediation is a largely effective conflict management tool (Beardsley, 2008, p. 733). For example, Beardsley (2008) has shown that the expected probability of reaching a formal agreement rises from 12% to 38% when a mediator is involved. For mediation success, it matters not only *if* a mediator gets involved, but also *when*. Greig (2001) illustrates that a mediation attempt within the first six months has more than a 60% chance of producing a partial or full agreement. Late mediation, conducted 240 months after the initial dispute, has less than a 40% chance of achieving a full or partial agreement.

The signing of an agreement does not always signify the termination of a conflict; settlements are notoriously unstable and frequently collapse during implementation (Walter, 2002). In an attempt to capture a broader range of mediation effects, researchers have also assessed the mediator's ability to bring about conflict deescalation (DeRouen & Möller, 2011; Regan & Stam, 2000), tension reduction (Wilkenfeld et al., 2005; Fortna, 2004; Beardsley et al., 2006; Greig, 2001) and changes to political institutions (Nathan, 1999; Toft, 2009; Svensson, 2009). The results are inconclusive, with a number of works calling into question the sustainability of mediated agreements. Beardsley, for example, finds that whereas mediation has a strong short-term impact, mediated conflicts in the long term are even more likely to experience renewed conflict than disputes that ended without any mediation (2008). The short-lived nature of mediated agreements is likely a function of a conflict's intensity and complexity. Challenging conflicts are more likely to elicit strong mediation responses—that is, more intrusive strategies that employ both pressure and leverage to obtain agreement from the disputing parties. Such directive strategies are in fact more likely to result in agreements in high-intensity disputes (Bercovitch & Gartner, 2006, p. 348). However, directive mediation strategies through the leveraging of incentives and pressure create artificial conditions that are not durable as a solution to the conflict because they collapse once the mediator is no longer part of the equation. Beardsley argues that when the artificial incentives wane, mediation participants become dissatisfied with settlements as their capabilities and thus expected utility and value of a military win change, increasing the likelihood of renewed conflict (2008, p. 737). Gurses, Rost, and McLeod (2008) support this finding, showing that a mediated agreement increases the likelihood of renewed conflict, but they also find that the effect of a

mediator's presence is significant in reducing the odds of a conflict resuming by more than 75%. Importantly, therefore, this time inconsistency problem is not necessarily a failure of the mediation process, but it should be regarded as a failure of the post-mediation environment.

One possible method of addressing the time inconsistency problem is to repeatedly give disputants opportunities to renegotiate settlements as circumstances change (Beardsley, 2008). Thus, to make agreements stick and ensure lasting peace, third parties need to pay attention not only to settling the conflict via mediation, but also to the transitional period after the agreement. In support of this logic Clayton and Dorussen (2016) find that mediators that stay involved in a dispute in the years following the official termination decrease the probability of conflict reoccurrence.

The ongoing challenge for researchers is to delineate the collection of interrelated indicators of success and to derive a clearer understanding of the conditions under which mediation performs most effectively (Gartner & Melin, 2009, p. 576; Hoffman & Svensson, 2012, p. 4). For mediation to be considered a long-term success, the agreement should then be able to withstand the withdrawal of the third party, signaling that the underlying incompatibility fuelling the conflict has been addressed. Ultimately, this leads back to the question of how to define success in mediation and whether a settlement is enough or whether success means broader resolution or transformation.

# The Determinants of Mediation Effectiveness

## The Relationship between the Belligerents and the Mediator

For the practitioner community, mediator effectiveness is largely dependent on the neutrality and impartiality of the third party (Brahimi & Ahmed, 2010). This view was strengthened by many of the early studies of mediation (Fisher, 1995; Young, 1967). Yet, this assumption has recently been called into question by work that stresses the greater effectiveness of mediators that are "biased" toward one of the parties involved in the dispute. Studies of "insider" mediators have shown that mediators who are connected to the conflict (i.e., connected to one or both of the belligerents) have specific advantages over "outsiders." For example, they bring indigenous resources, and a long-term commitment, as they cannot simply withdraw from the relationship with the conflict parties. Being unable to withdraw and facing repeated interactions with the disputants during and after the conflict forces the insider mediator to convey information accurately,

which in turn enhances their trustworthiness (Svensson & Lindgren, 2013; Kydd, 2006). Despite their advantages and efficacy, insider mediators are not widely employed but are mostly restricted to conflicts of lesser intensity that are conceived to be more amenable to resolution (Svensson & Lindgren, 2013).

Furthermore, a collection of studies has highlighted the relationship between mediator bias and the credibility of information that is revealed during a peace process. The positive effect of mediation often results from an intermediary's capacity to reduce the distortion, ignorance, and misperception that often prevent belligerents from producing an agreement (Savun, 2008; Fisher, Ury, & Patton, 1982; Dixon, 1996; Kydd, 2003; Savun, 2008; Beardsley et al., 2006; Rauchhaus, 2006). When a mediator fosters an environment in which both belligerents feel comfortable sharing information on their reservation point (the lowest acceptable terms), the area in which their preference orderings overlap (zone of agreement) is revealed. Yet, the credibility of information shared by a mediator is colored by their biases. Actors are more likely to view information as credible when an ally provides it. Andrew Kydd (2003, 2006, 2010), assessed this argument formally and illustrated the manner in which bias helps belligerents to assess the credibility of new information. Building on the "cheap talk" and "credible signals" framework (Austen-Smith & Banks, 2000), Kydd argued that information provided by an unbiased mediator would lack credibility in the eyes of disputants. Unbiased actors, who were motivated only by the desire to bring about peace, would be expected to provide whatever information is required to maximize the probability of an agreement.<sup>7</sup> Therefore, only a biased mediator would be trusted to provide credible information on the concessions that are often required to resolve conflict (Kydd, 2003, p. 598).

Biased third parties can also help to resolve the problem of commitment (Schmidt, 2005; Svensson, 2007, 2009). Prior to an agreement, disputants must credibly signal their commitment to abide by the terms of an arrangement. This is necessary due to the acute vulnerability each party suffers during the period of settlement implementation. Rebels find it harder to credibly commit to an agreement. Having proved their capacity on the battlefield, insurgents stand to make gains in territory, representation, and legitimacy. By contrast, the incumbent, who has proven unable to control its territory, is expected to make concessions on some aspect of political control. Given that rebels are required to amass a significant force prior to the state accepting a mediator, the incumbent suffers a more significant threat of defection. The state is fearful that the rebels will renege during agreement implementation and demand more territory, representation, or access to resources (Svensson, 2009).

Biased mediators can help to mitigate this commitment problem by serving as guarantors for the weaker side (Fearon, 1998; Gilady & Russett, 2002; Schmidt, 2005; Walter, 2002). In the

case of civil war, government-biased mediators can reassure the incumbent, providing assurances against rebel defection, thereby reducing fears of future exploitation (Svensson, 2009). The presence of a government-biased mediator signals the external actors' commitment to the conflict and a desire to ensure the sustainability of an agreement. This can help to reduce the scale of the commitment problem and increase the likelihood of an agreement (Fearon, 1998; Gilady & Russett, 2002; Schmidt, 2005; Walter, 2002).

A crucial factor in determining the effectiveness of mediation is the distribution of capabilities or the relative strength of the fighting parties. Studies show that strong insurgents capable of credibly threatening the government are more likely to reach agreements (Clayton, 2013; Clayton & Gleditsch, 2014). However, even relatively weak insurgents can successfully pressure governments into agreements by inflicting painful damage through civilian victimization (Balcells & Kalyvas, 2014; Wood & Kathman, 2013). Underlying both findings is the mechanism that the "power to hurt" translates to "power to bargain" (Schelling, 1960). In other words, rebels' ability to punish the government in case it reneges on a mediated agreement reduces the likelihood of an agreement failing.

## Conclusion

Mediation is the most common foreign policy tool for managing and resolving violent conflict. For conflict belligerents, it offers a relatively low-cost method to explore peaceful solutions to violence. The voluntary nature of the process also means that participants can enter into mediation without fear of being compelled to accept unfavorable terms. For international actors, mediation offers an efficient method through which to exert an influence on conflicts that affect their interests. Recent studies have shown a clear link between mediation and peace agreements; yet, the long-term effects of the process are more contested. More research is required to unpick the various mechanisms through which mediation helps to terminate violent conflict and to develop a broader understanding of the various determinants that shape the outcome of mediation processes. As violent conflicts continue to produce immense suffering for those unfortunate enough to be caught up in the direct or indirect effects of the fighting, it is likely that mediation will continue to be one of the most important foreign policy instruments.

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**Notes:**

(1.) In July 2014 Mary Robinson was replaced by Said Djinnit, bringing the number of leading female UN mediators back to zero.

(2.) While often treated independently, the demand and supply of mediation are closely connected. For example, belligerents and would-be mediators are likely to be in contact prior to the onset of a peace process. The receptiveness that disputants display toward the potential mediation might then influence the supply. The supply and demand are therefore best considered as two distinct but interrelated factors (Svensson, 2007).

(3.) For a more comprehensive account of the actions that fall into the differing mediation strategies, see studies by Wilkenfeld et al. (2005), Beardsley et al. (2006), and Bercovitch and Gartner (2006).

(4.) Manipulative mediation is also referred to as directive mediation (Kressel, 1972; Bercovitch & Gartner, 2006), and power mediation (Princen, 1992).

(5.) Research has shown the strengths and limitations of the differing approaches, which have differing effects on the short-term and long-term bargaining environment (Beardsley et al., 2006; Bercovitch & Gartner, 2006; Beardsley, 2008).

(6.) The requirements of the agreements vary from study to study. On some occasions, success is only associated with cases in which the mediator is responsible for a complete settlement. In other, less stringent studies, success is also associated with partial, process, or ceasefire agreements.

(7.) This has subsequently been disputed by Rauchhaus (2006); yet, the contradictory findings seem largely a result of differing conceptions of bias and variance in modeling assumptions (Kydd, 2010).

**Robert U. Nagel**

Department of Political Science, University of Kent

**Govinda Clayton**

Department of Political Science, University of Kent

