

# **It's mediation, stupid!**

**a large-N study of mediation characteristics' impact on international and civil  
war peace processes**

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Paper presented at the International Studies Association Annual Convention,

San Francisco, 3-6 April, 2013

## 1. Introduction

Since 1945 around 70% of conflicts worldwide witnessed nationally and internationally visible third party mediation efforts (Bercovitch and Fretter, 2004), while the actual share is most definitely even larger since a vast number of mediations (esp. locally led ones) are never reported. The number of resolved or transformed conflicts due to mediation is, however, much smaller, raising the question: Which factors inhibit these mediation efforts and prevent a path towards lasting peace being successfully chosen?

Accordingly, the purpose of this paper is to undertake a further step towards exploring under which conditions mediation can contribute to establishing long lasting peace. We regard mediation as particularly interesting type of conflict management effort in this respect since its nature of introducing change into the status quo of a conflict via a third party while the conflict parties retain the lion's share of their power offers a frame particularly open for input aimed at improving results. In particular, we will focus on the role of the *conflict type* and the *agreement type* in determining mediation success.

The type of conflict and more specifically the distinction between interstate wars and civil wars is one of the factors highlighted by a number of scholars as important for determining conflict management and mediation success. Civil wars are generally viewed as more difficult to resolve and as therefore less likely to be associated with conflict management success. Scott Gartner, in his 2011 study supports these arguments based on a quantitative study of conflicts since 1945 spanning a range of conflict management efforts.

Implied in these questions and Gartner's findings is, however, another set of questions: The first one is, how to actually define and measure conflict management success. Traditionally, scholars of international relations have answered this question in clear-cut and absolute categories of an agreement or no agreement being reached. Subsequent research suggested that this kind of answer is in fact quite unhelpful, and oversimplifies conflict realities to such a degree that results are skewed. A widespread alternative is the distinction of different types of agreements, mainly centred around their comprehensiveness – more comprehensive agreements are then regarded as more successful outcomes. A third and more recent method is used by Gartner, who is among the first to conduct a broad analysis using agreement durability as a proxy for mediation success. A second question raised by Gartner's findings is *what* precisely we are comparing when assessing conflict management efforts, and this represents the starting point for this paper. We will narrow the comparison to mediation as one type of conflict management effort, scrutinizing Gartner's findings regarding the intractability of civil wars, and examining in depth the effect of key factors related to mediation on agreement durability as a proxy for mediation success.

This paper will proceed as follows: Section 2 outlines the research focus, exploring Gartner's findings and thus providing the general background for the analysis. In section 3 we introduce key concepts and variables which are considered important predictors of conflict management or mediation success and develop hypotheses related to each factor. We then outline our methodology (section 4) and illustrate correlation findings as the basis for deciding on the composition of independent variables, followed by a presentation of the results of our main analysis – a multiple regression

analysis with 4 different models covering the period between 1945 and 1995. Finally, in section 5 we discuss our findings and present conclusions and an outlook in section 6.

## 2. Research Focus and theoretical frame

In his 2011 article “Signs of Trouble: Regional Organization Mediation and Civil War Agreement Durability” Scott Gartner carries out an extensive analysis of conflict management efforts including arbitration, negotiation and mediation and covering a range of independent variables using Jacob Bercovitch’s widely known International Conflict Management (ICM) data set. With his approach of including a range of conflict management efforts Gartner took a step away from the common focus on only one type and thus made a valuable contribution, since he was able to highlight overarching trends and dynamics. With the durability of agreements reached across these conflict management efforts as a proxy for success, Gartner points out various generalisable findings. One of his central findings is the comparatively higher propensity of agreements in civil wars to fail as opposed to interstate wars: Gartner outlines that agreements reached in civil wars fail more rapidly, i.e. before they reach 1 week (21% compared to 9%) while agreements in interstate wars tend to have a higher chance of enduring, i.e. lasting more than 8 weeks (75% compared to 56%) (Gartner, 2011: 385). While this is a valuable insight and in line with expectations generally voiced by scholars regarding the intractability of civil wars, the fact that Gartner’s findings are based on a comparison including different types of conflict management efforts, opens up the interesting opportunity to examine this dynamic for just one type of conflict management at a time – as will be done in this paper. Gartner’s finding which argues for civil war intractability is, instead, based on a direct comparison of civil war *mediations* with interstate bilateral *negotiations* (Gartner, 2011: 385). Focusing on mediation only will allow us to shed further light on the question regarding the strength of the international/intranational distinction in determining success, demonstrating whether the effect of higher/lower agreement durability observed by Gartner is in fact caused by the conflict type.

When using the tables of Gartner’s findings to compare the durability of interstate and intrastate *mediations*, the difference between the two realms becomes in fact much smaller: The rate of immediate failures in civil war mediation is only 7 percentage points higher (17% vs. 24%), and the long term durability of interstate mediation agreements only exceeds intrastate agreements by 12 percentage points (63% vs. 75%). This reduction in difference by focusing on mediation alone points towards underlying dynamics that differ between conflict management types and that have an impact on agreement durability that should be examined further. This in turn serves as a starting point for the research focus of this paper, carrying out a narrower in-depth quantitative analysis solely focusing on mediation but including civil as well as interstate wars.

The assumption which serves as a frame for this paper and informs our approach is that the distinction between civil and international wars is – contrary to the mainstream notion - *not* the main driver of mediation success. Instead, we regard agreement types as more important factor. Our theoretical foundation for this undertaking is the so called “credible commitment problem”. This commonly used concept emanating from game theory is based on cost-benefit calculations of rational (conflict) actors. Applied to the setting of a mediation aimed at securing an agreement between two (or more) belligerents, the credible commitment problem is manifest in the actors’ uncertainty regarding the other side’s potential defection. This fear is due to the logic applied by

both sides: if the costs of renegeing on the agreement are lower than the costs of upholding it, then renegeing is the only rational action. At the same time, actors have no way of knowing whether the other side will renege. This problem exists both before committing to an agreement as well as once the agreement is reached, and is particularly prominent in civil wars since the enforcement of an anticipated agreement through either an internal or external actor is more difficult – hence the still remaining slight difference in agreement durability between civil and interstate wars.

Firstly, the credible commitment problem results (in particular in civil wars) in an increased chance of reaching no agreement but the bare smallest common denominator, since the cost of the other side renegeing significantly increases with the amount of input (concessions and commitments) required from one's side. Accordingly, if agreements are reached, they are most likely to be ceasefires as the least comprehensive (and least costly) agreements. Secondly, once an agreement is reached the credible commitment problem continues since honouring the agreement is potentially costly in case the other side reneges. Reversely – and this is again particularly the case for ceasefires – there are major advantages for renegeing first. Altogether, these dynamics should result in the type of agreement playing a major role in determining agreement durability and thus mediation success.

The analysis within this paper is then centred around agreement types as well as other predictor variables which are commonly used and argued for among scholars of mediation as essential for determining success in mediation, e.g. conflict actors, third party characteristics, conflict context, past mediation efforts, agreement types etc.

We therefore address the research question: *Why do some mediation efforts result in more durable agreements than others?* Through this setup we hope to acquire clearer insights which might be more relevant to actual mediation practice in striving for agreements that last longer.

### **3. Key concepts and variables**

#### **3.1. Mediation characteristics**

As mentioned in section 2, this paper's analysis solely focuses on cases of mediation, covering the period between 1945 and 1995. Mediation essentially revolves around the concept of a third party assisting two or more parties in conflict to constructively manage their conflict. This excludes pure negotiations, which happen directly between conflict parties without third party involvement. While some definitions of mediation include other forms of conflict management such as arbitration or even military intervention Zartman and Touval (1996) highlight that mediation is generally understood as non-coercive in nature, since it is based on the conflict parties inviting the mediator themselves, for instance in situations where a direct communication between them is impossible or severely limited. As a direct result of this characteristic, the power to accept or decline any third party intervention lies entirely with the belligerents. Within arbitration, the belligerents' power to accept and decline ends as soon as the arbitrator is accepted. A decision reached by the arbitrator is then binding. In contrast, mediation enables the conflict parties to retain this power and extend it to any mediation outcome. Accordingly, the reaching of any agreement in a mediation process strongly depends on the belligerents' approval of the suggested conditions, thereby rendering the mediator's job extremely difficult and demanding immense sensitivity and social skills. Further, and this is the focus of the analysis within this paper, an agreement once reached within a mediation is by no means set in stone and is highly susceptible to any one conflict party subsequently opting out.

Despite this characteristic of retaining their power, conflict parties still endure a certain loss of agency when entering mediation, which in turn means firstly that they regard themselves as incapable of or unwilling to resolve the conflict by themselves, and secondly that the costs inflicted upon them by the conflict exceed the costs of the mediation (Crocker et al., 2004; Mitchell, 1995).

### **3.2. Dependent variable: Agreement durability**

As discussed before, agreement durability is applied by Gartner (and other scholars) as a proxy for mediation success. We will adopt agreement durability as dependent variable here, firstly, since this ensures a comparability of our results with those of Gartner, and secondly, because we consider the durability of agreements to be a superior indicator for mediation success compared to other concepts commonly used.

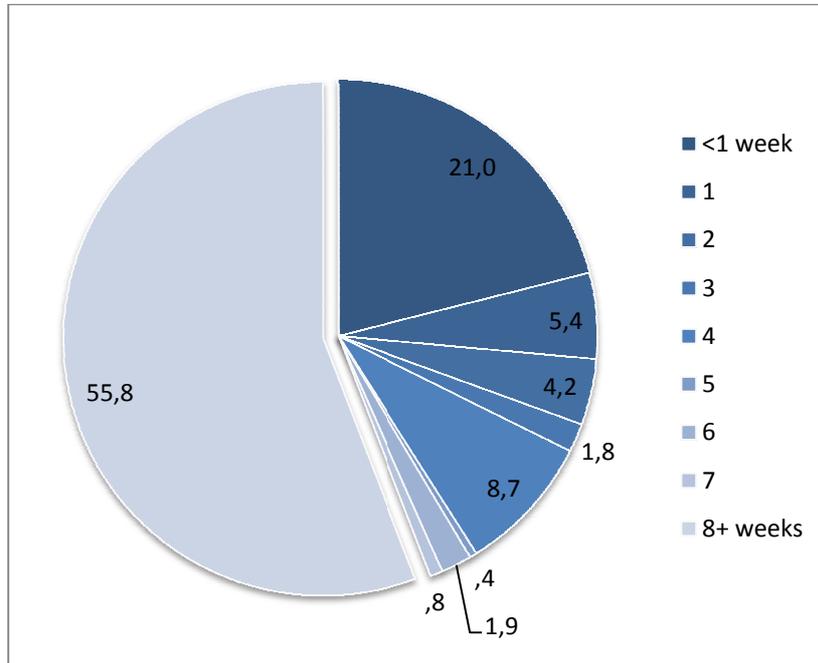
When it comes to credibly measuring mediation success, we argue that the type of agreement is unsuitable as a variable or concept on its own and oppose the relatively widespread position of regarding only those mediations as successful that resulted in partial or full settlements (Gurses et al., 2008: 130). Essentially, the type of agreement – as applied here and in most other analyses of mediation – represents a proxy for the comprehensiveness of a given agreement. However, all other factors unchanged, even the most comprehensive agreement is only worth its salt if it is actually implemented by the conflict actors, i.e. the agreement lasts. We argue that even a basic and not comprehensive agreement that endures can be regarded as mediation success. In this respect Alvaro de Soto, a veteran international mediator with more than 25 years of experience writes in a reflection on his work, that “a key element in the solution of a conflict should be that it will withstand the test of time, i.e. that it will be durable (...) Durability is in fact the central goal” (de Soto, 2007: 19). Accordingly, and in line with de Soto’s argument, agreement durability and not agreement type is used as indicator for mediation success in this paper. This focus on durability is supported by a wealth of empirical examples such as the collapsed agreement between the MILF and the government in the Philippines in 2008 (Williams, 2010) and the tragic failure of the 1994 Arusha Accords in Rwanda which gave way to the infamous genocide. These cases demonstrate the volatility of mediated agreements, in particular during the first weeks following the signing of an agreement (see Stedman, 2001: 1; Siegfried 2008); while these agreements were relatively comprehensive, their imminent breakdown rendered them worthless.

Figure 1 illustrates the instability of mediated agreements, based on data from the International Conflict Mediation Data Set (which is used for all analyses in this paper): Only slightly more than half of all mediated agreements last more than 8 weeks, while more than one fifth collapse already within the first week. This enormous degree of volatility supports our argument to use agreement durability as an indicator for mediation success and thus as our dependent variable.

Interestingly, the high initial volatility of mediated agreements runs against one strand of research (see for instance Beardsley, 2008) that describes mediation as short term relief successfully building peace in an immediate period but substantially lacking in long-term sustainability. Instead, the results presented in this data set seem to suggest that around half of all mediated agreements successfully last at least in the mid-term (i.e. 8 weeks and longer) while short-term durability (in particular the first week) seems to be a main concern. The analyses carried out within this paper aim to shed more light on the reasons for such a high number of short-lived mediated agreements.

As visible in Figure 1, agreement durability is constructed as an interval dependent variable with 9 categories, thereby keeping the results of the analysis comparable to Gartner’s paper. The rationale is: The lower the durability of a given agreement, the less this agreement’s success.

Figure 1: Durability of mediated agreements in %



### 3.3 Independent variables: conflict, mediation and agreement characteristics

The following factors have been highlighted across the field as important for mediation success and failure and are therefore considered as independent variables for the analysis. A set of correlations will guide the selection of independent and control variables for the main analysis.

#### Conflict type

Conflict as a general concept is defined by Bercovitch initially for his research on mediation as “organised and continuous militarized (...) demonstration of intention to use military force involving [...] one state” (Bercovitch, 2000: 1). This inclusive definition intentionally arrives at quite a generic understanding of conflict, and is built on the emphasis of a confrontation over “competing interests or values” as the essence of conflict.

However, since this paper inter alia compares intra- and international conflicts, conflict actors can be not a state but non-state actor. Expanding this general definition for the sake of operationalisation, Bercovitch in his ICM data set applies a more specific definition of conflicts which will be used within this paper: “a situation where there exists mutually exclusive sets of competing claims or challenges to ‘sovereignty’ between at least two actors, which must be internationally recognised as political actors, and alluding to specific, direct conflict of interest and activities directed at the pursuit or challenge of this, i.e. a clash of overlapping interests” (ibid: 5). While the focus on sovereignty in Bercovitch’s definition favours civil wars as they are the main type of conflict concerned with competing claims to sovereignty, it will still be applied in this paper in order to ensure a comparability of our results to Gartner’s findings. . Gartner, despite using ICM cases and therefore

the same operational definition, refers to the conflicts covered by his analysis as “wars” without further defining this term, thereby disregarding the fact that the operational definition can involve conflicts without actual militarised violence.

Regarding the identification of conflict actors, the traditional Westphalian notion of sovereign nation states as the only recognised actors (in conflict) has become increasingly problematic (Bercovitch, 2000: 6) during the second half of the 20<sup>th</sup> century, and in particular the emergence of many new states in the 1990s gave rise to a range of sub-national conflicts involving powerful non-state actors. Accordingly, there are two types of conflict actors included in the analysis: non-state actors (e.g. rebel movements) and governments (as opposed to the traditional view of a “unified” nation state). However, as outlined above, the conflicts included in this paper’s analysis (taken from Bercovitch’s International Conflict Management data set) are all characterised by their relevance to the international sphere. Accordingly, all actors from sub-national conflicts covered here are directly linked to the international sphere and pose a “major threat to international peace and security” through characteristics such as external interventions or military training, refugee flows, support for agitation and so on (Bercovitch, 2000: 2).

In accordance with this paper’s intention of scrutinizing the argument that civil wars generally lead to less stable mediation outcomes as argued by Gartner, the analysis carried out here includes an independent variable distinguishing internationalised intrastate conflicts from interstate conflicts. Both are defined based on the characteristics applied in Bercovitch’s International Conflict Management data set. Civil war is described as internal conflict which has extended (at least in effect) into the international sphere, often becoming proxy battle grounds for other states sometimes involving direct military interventions. Interstate conflict is, more straightforwardly, defined as “conflict between two or more identifiable states” (Bercovitch, 2000).

As outlined in the previous chapter, we argue that the higher intractability of civil wars compared to interstate wars, as found by Gartner, is first and foremost a result of the method of comparison and the conflation of civil wars with mediation efforts and of interstate wars with negotiations. Instead, we argue that other factors play a much more prominent role in determining mediation success, indicated by the durability of mediated agreements. These effects are therefore anticipated to “override” any expected weak effect caused by the distinction between intra- and interstate wars.

Accordingly, our hypothesis **H1** reads: *There is no significant difference in agreement durability between civil wars and interstate wars.*

One further characteristic of conflicts highlighted by Regan and Stamm (2000) as important for mediation outcomes is the overall number of people killed as a direct result of the conflict. An assumed underlying rationale is that extensive and lethal violence results in increased grievances, which then in turn further intensify a conflict and make parties more likely to renege on an agreement.

Our hypothesis **H2** therefore reads: *The higher the number of fatalities in a given conflict, the lower the durability of an agreement.*

## Agreement type

Scholars of International Relations and in particular mediation for a long time looked at reaching an agreement or not as sufficiently absolute categories when analysing mediation processes. Regardless of the type of agreement reached, anything resulting from conflict management efforts was coded as an agreement, while incidences where no agreement was reached were coded respectively. However, Bercovitch and Gartner (2006) began to criticise this traditional dichotomous view of mediation outcomes. They recognised the importance of more detailed distinctions, acknowledging the importance of the *type* of agreement reached, as opposed to the mere fact of reaching any agreement. Taking into account the underlying dynamic of power distribution the type of agreement represents an important factor to consider in the search for causality.

Types of mediated agreements are included in the analysis here as a number of variables, representing widely used categorisations that increase in comprehensiveness: Firstly, “Ceasefire”, the most basic agreement where direct hostilities and violence are suspended, and thus immediate tensions relieved (often temporarily). Secondly, “Partial agreement” where the agreement reaches a level that enables new and constructive dialogue on future conflict management efforts. Thirdly, “Full settlement” where the agreement made a “considerable difference” for the management of future interactions between belligerents. This last type may include formal outcome agreements for settling a dispute (Bercovitch, 2000: 71). Accordingly, more comprehensive agreements which by definition address conflict issues and offer conditions that allow a transformation of conflicts, provide – once agreed upon – a solid foundation. This foundation usually consists of benefits as well as concessions for all parties, while the benefits always outweigh the costs (otherwise there would have been no agreement). In turn the existence of this construct agreed upon raises the costs for all parties to opt out of the agreement and return to war since this would mean a loss of these benefits plus the cost of war.

Our hypothesis **H3** reads: *The more comprehensive an agreement, the higher its durability.*

## Mediator characteristics

Mediations take place at a variety of levels and across a wide range of conflict contexts. Accordingly, there are a vast number of mediators with different cultural, institutional, and geographical backgrounds and with different positions in organisational hierarchies. Throughout academic research on mediation, scholars such as Bercovitch and Gartner (2006) and Bercovitch and Schneider (2000), have acknowledged and highlighted the importance of distinguishing between these different types of mediators. Distinguishing individual states, regional organisations and international institutions as three overarching mediator categories, Bercovitch and Gartner go as far as arguing that each of these categories go hand in hand with distinct forms of third party intervention with distinguishable effects (2006: 333-338).

In line with this school of thought, one strand of research emphasises the impact of different diplomatic tiers as well as ranks on mediation success (Nan, 2003; Said/Lerche, 1995; Diamond/McDonald, 1996; Montville, 1991). Generally, scholars distinguish between Tier 1 as the high-diplomatic level populated with states and government officials, and Tier 2 as the lower, level with mediators engaging in unofficial and informal third party support, usually comprising unofficial representatives and (local or regional) leaders, as well as NGOs (Böhmelt, 2010: 168). Studies (such

as Böhmelt, 2010) have generally found mediators of higher ranks and/or on higher diplomatic levels to be more successful due their comparative wealth of resources and increased leverage.

Our hypothesis **H4** reads: *The higher the rank and/or diplomatic level of a mediator, the higher the durability of an agreement*

In relation to the position and character of a mediator, the engagement history of a respective mediator within a given conflict as well as a prospective bias are often pointed out as essential for determining mediation success (Zubek 1992; Leng, 2000). In particular, the previous achievement of an agreement within a given conflict by a specific mediator is anticipated to positively affect the likelihood of more and better agreements in the future since the belligerents would build up trust and a relationship with the mediator, while the mediator becomes familiar with the conflict and its dynamics (Bercovitch/Gartner, 2006; Bercovitch, 2000). However, this variable involves a certain degree of paradox which needs to be taken into account, since the fact that a mediator is engaged in a conflict several times demonstrates the continuous need for a third party intervention due to an apparently continued conflict which the mediator was obviously not able to end previously.

Our hypothesis **H5** reads: *The higher the number of previous mediation attempts of a mediator in a conflict, the higher the durability of an agreement.*

Traditionally, scholars have argued for a negative influence of mediator biases on mediation efforts since such biases were thought of as destroying any basis for trust from the conflict party without a relation to the mediator. However, recent research on mediator bias suggests the possibility of a positive effect since the mediator can credibly ask for commitments and concessions from the side he is biased towards (Kydd, 2003; Svensson, 2007). Taking together the underlying dynamics suggested in these two lines of argumentation, the most important factor for a positive effect on mediation success is trust through relation.

Accordingly, our hypothesis **H6** reads: *The more extensive previous relations between the mediator and the conflict parties, the higher the durability of an agreement.*

Another factor considered relevant for mediation success - essentially functioning as a different proxy for mediator bias - is the geographic proximity of a mediator to the conflict parties. We therefore *hypothesise H7: A higher geographic proximity of the mediator to a higher number of conflict parties increases the durability of an agreement*

### **Mediation strategies**

Just as the type of mediator, the particular *strategies* chosen by mediators are commonly highlighted as an important factor. One strand of research (Carnevale, 1986; Raven, 1990) points out the importance of examining factors that determine the *choice* of strategy. However, within the context of research focusing on mediation success – as undertaken in this paper – the *effects* of particular mediation strategies are of more relevance. In this respect, Wilkenfeld et al. (2003) outline in their study that directive (i.e. power-laden) strategies are generally more successful than non-directive ones. In opposition to this argument, Beardsley (2008) – among others – points out that especially mediation strategies which include positive and/or negative inducements are more likely to fail since they create an inherently unstable agreement which only last as long as the mediator upholds these inducements. Often, the incentives which enable such agreements to come into being

in the first place are completely dependent on the continuous willingness of the mediator to uphold them. If the mediator loses interest or the capacity to continuously provide these incentives, or the mediator grows weary of constantly upholding (or having to increase) pressure on the conflict parties to enforce the honouring of the agreement, there is no reason for the belligerents to do so. Thus, the stability of agreements can be assumed to depend on whether they are based on compromises made by the conflict parties without external incentives or pressure, i.e. emanating from the context.

Our hypothesis **H8** reads: *The more control a mediator exerts through the choice of mediation strategy, the lower the durability of an agreement.*

## **4. Methodology**

Since the aim of this paper is to examine the effect of key factors on the durability of mediated agreements – narrowing the analysis to only one type of conflict management as opposed to Gartner whose analysis cuts across a range of types – and since we hope to achieve insights that are valid across a wide range of scenarios, we use the method of regression analysis. This method allows us to assess the direction and comparative strength of various factors and for all cases of mediation available in the data set. Since our predicted (or independent) variable – agreement durability – is an interval variable, we use a multiple regression which allows for the combination of our dependent variable with interval, dichotomous or dummy independent variables.

### **Data set**

The International Conflict Mediation (ICM) data set was originally compiled by Jacob Bercovitch. The version used here was adapted by Gartner for his 2001 article. In a fashion differing from other similar data sets, the inclusion of conflicts is not determined by a minimum threshold of fatalities, thereby acknowledging the “dynamic and diverse nature of international interactions and confrontations that characterise threats to international peace and stability” (Bercovitch, 2000: 2). The entire dataset is built on ex post facto experiences of third parties who intervened in conflicts (ibid.: 3), thus bearing the danger of skewed remembering. However, this disadvantage is almost unavoidable when compiling extensive data sets on mediation and by no means diminishes the usefulness of the ICM. Rather, the potential distortion should be noted and taken into account when interpreting results.

### **Unit of Analysis**

The conflicts covered in the ICM data set are not as usual the central point of interest, and therefore not the primary unit of analysis. Instead, the unit of analysis chosen is the cases of conflict management. The original ICM data include mediation and other types of conflict management amounting to 4,323 cases. Since a single conflict can (and often does) witness several mediation attempts over time, a result of choosing mediations as unit of analysis is that the number of cases in the analysis exceeds the overall number of conflicts covered (the data set covers 333 conflicts).

### **Case selection**

We chose Bercovitch’s ICM data set for this paper due to its straightforward collection of mediation data limited to those mediations occurring in public sources, and since it guarantees a comparability

of our results with those of Gartner. This approach ensures a high reliability as opposed to the common practise of gathering as many confirmed and unconfirmed cases as possible, which sacrifices accuracy in the process.

For the analysis, we selected all cases coded as mediation. The ICM data set includes conflicts covering the period from 1945 to 1995. Of the 4,323 case of conflict management, 2,598 (60%) cases were mediated. However, since agreement durability is used as dependent variable and the data set includes quite a lot of missing cases (i.e. not coded or mediation unsuccessful), the number of cases included in the final analysis is limited to 889.

## **Operationalisation and choice of variables**

### *Operationalisations*

The majority of variables included in the analysis consist of nominal categories, which are unsuitable for correlations or regression analyses. Thus, the categories of these variables are split into a series of dichotomous dummy variables. This method was used for the dependent variable (civil/international war), agreement type, mediator ranks/diplomatic tiers, mediator bias, geographic proximity between mediator and conflict parties, and mediation strategies. A number of these variables' operationalisations involve certain particularities worth mentioning:

*Mediator ranks and diplomatic tiers:* The categories included are a more detailed breakdown than the traditional tiers/diplomatic tracks structure, distinguishing combinations of private individuals, representatives and leaders, as well as the mediator's organisational background, i.e. national, regional, international organisation and small and large governments.

*Mediator bias:* Mediator bias is included in the analysis as two different sets of dummy variables: The first one consists of categories evaluating whether the mediator had relations with either none, one, or both of the conflict parties. The second set is centred around geographic proximity describing whether the mediator is geographically close to none, one, or both of the conflict parties.

*Mediation strategies:* The dummy variables for mediator strategies cover all categories used in Bercovitch's International Conflict Management data set. These categories increase in mediator control: Firstly, "Communication/Facilitation", where the mediator behaves quite passively, mainly ensuring and facilitating effective communication between belligerents. Secondly, "Procedural", where the mediator has some control over the structural elements of the mediation (e.g. influence of constituencies, information distribution, media inclusion etc). Thirdly, "Directive", where the mediator controls all key aspects (content and substance) through figurative "carrots" and "sticks" (Bercovitch, 2000).

Two variables included in the analysis are, however, due to the ordinal character of their observations, operationalised as consisting of a number of categories. 1) *Fatalities:* This variable consists of five categories grouping the number of deaths and increasing in number of fatalities. The observations for this variable are derived from an estimated number of fatalities until the point in time when the mediation occurred (calculated from the average monthly number of fatalities of a given conflict). However, as with most operationalisations, this one too has its flaws which should be taken into account when interpreting results: Firstly, the same number of deaths might take on very different significance in different conflicts since population size is not taken into account, i.e. 100

deaths in a country with a small population would most likely have a much stronger impact than 100 deaths in a country with a big population. Secondly, the intensity of a conflict (i.e. ratio between duration and number of deaths) is not taken into account - It is questionable whether a conflict lasting 20 years involving 50 annual deaths is comparable to a conflict lasting one year but killing 1000 people. Nonetheless, we think that this variable should be included since it is commonly used in the study of conflict management efforts and assumed to have a significant effect on conflicts and mitigation approaches. 2) *Previous mediator involvement*: observations equal the number of previous mediation attempts of a particular mediator in a given conflict.

### *Selection of variables*

In order to determine which of the independent variables introduced in section 3 and thus considered for the regression analysis should be chosen and combined into regression models, and in order to control for potential multicollinearity between the independent variables, we carried out sets of correlations (see table 1 below).

Table 1 shows the top 11 out of overall 47 variables (most of which are dummy variables and therefore represent observation categories) with the highest significant correlations with agreement durability, using a cut-off point of 0.09. These variables – as the ones with the strongest effect – have accordingly highest potential to affect the durability of mediated agreements and are included in the regression(s)<sup>1</sup>. In addition, the table shows a correlation for “civil war” (shaded in red), measuring whether the fact that a mediation process took place in a civil war as compared to an intrastate war has an effect on agreement durability. In line with hypothesis 1, we see a very weak correlation only significant on a 0.05 level, but as this weak effect is hypothesised the variable should be included in the regression.

In order to ensure that none of the variables chosen for the analysis are multicollinear, i.e. measure the same factors and therefore have a linear relationship, the correlation values between all independent variables are of importance. As table 1 shows, none of the variables are highly correlated (we assume multicollinearity at correlation values of 0.7 and higher) and therefore do not display signs of multicollinearity, except one combination: “mediators from international organisations” and “mediators who are representatives”. The very high value of -0,89 strongly points towards multicollinearity in this case. This problem is solved by including only one of the two variables into the final regression analysis: Since “mediator rep” is correlated much more strongly with the dependent variable, we select this variable for the analysis.

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<sup>1</sup> Excluded variables: mediation offer only, unsuccessful mediation, mediator private individual, mediator leader, mediator is national organisation, mediator is regional organisation, mediator is state, mediator is representative of regional organisation, mediator leader is regional organisation, mediator is representative international organisation, mediator is representative small government, mediator is representative large government, mediator is leader of a small government, mediator is leader of a large government, mediator is unspecified, no relation mediator-parties, mediator different bloc from parties, mediator same bloc as one party, mediator same bloc as both parties, mixed relationship [BEZUGLICH WAS????????], no geographical info, geographic proximity mixed, mediator international or individual (no geographic proximity measured), mediator strategy communication-facilitation, mediator strategy procedural, mediator strategy directive, mediator strategy unspecified, mediators strategy not applicable, previous mediation attempts in a dispute, conflict issue tangible, conflict issue intangible, conflict issue is ideology, conflict issue is security, conflict initiator is stronger, conflict initiator is equally strong, dispute duration.

Since there are no other cases of multicollinearity, regressions based on the remaining 11 variables (including the civil war variable) can produce accurate predictions which allow a judgment of the influence of individual variables on the dependent variable. Further, we can now gauge which variables can be considered redundant with respect to others, which would not be possible with one or more combinations of variables being colinear.

Interestingly, the three variables representing types of agreements reached show the strongest correlations with agreement durability. In particular, "ceasefire" has a very strong and significant negative effect, while "partial agreement" and "full agreement" display a significant positive effect of around half the strength. Since these three variables therefore show the greatest potential for affecting agreement durability, they are considered the main independent variables for the regression.



**Regression 1: ceasefire main independent variable**

R-squared: ,255	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	7,945	,423	
ceasefire	-3,348	,229	<b>-,437***</b>
fatalities	-,322	,085	<b>-,144***</b>
geographically close to both	-,670	,258	-,097**
mediator representative	-,427	,264	-,054
mediator rep of regional org	-,663	,368	-,066
number of mediators	-,001	,002	-,017
territory	,293	,380	,027
mediator rep of small govern	-,141	,362	-,014
civil war	,284	,284	,038

**Regression 2: partial agreement main independent variable**

R-squared: ,123	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	6,824	,475	
partial agreement	1,581	,221	<b>,230***</b>
fatalities	-,413	,092	<b>-,185***</b>
geographically close to both	-,974	,279	<b>-,140***</b>
mediator representative	-,671	,285	-,084*
mediator rep of regional org	-,547	,400	-,054
number of mediators	-,001	,003	-,015
territory	,394	,412	,036
mediator rep of small govern	-,250	,393	-,024
civil war	,261	,308	,035

**Regression 3: Full settlement as main independent variable**

R-squared: ,104	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	7,129	,475	
full settlement	1,933	,343	<b>,187***</b>
fatalities	-,331	,093	<b>-,148***</b>
geographically close to both	-,941	,282	<b>-,136***</b>
mediator representative	-,783	,288	<b>-,098***</b>
mediator rep of regional org	-,802	,404	-,080
number of mediators	-,001	,003	-,007
territory	,576	,416	,053
mediator rep of small govern	-,398	,396	-,038
civil war	,371	,311	,050

**Regression 4: Ceasefire and partial agreement as main independent variables**

R-squared: ,263	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	8,484	,455	
ceasefire	-4,020	,312	<b>-,525***</b>
partial agreement	-,876	,279	<b>-,127***</b>
fatalities	-,294	,085	<b>-,132***</b>
geographically close to both	-,617	,257	-,089**
mediator representative	-,407	,262	-,051
mediator rep of regional org	-,750	,367	-,075*
number of mediators	-,002	,002	-,024
territory	,321	,378	,029
mediator rep of small	,326	,360	-,018

				govern			
Civil war	-,168	,361	-,016	,273			

**Regression 5: Ceasefire and full settlement as main independent variables**

**Regression 6: partial agreement and full settlement as main independent variables**

R-squared: ,262	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	7,645	,433	
ceasefire	-3,191	,234	<b>-,417***</b>
full settlement	,960	,319	<b>,093***</b>
fatalities	-,298	,085	<b>-,133***</b>
geographically close to both	-,658	,257	<b>-,095**</b>
mediator representative	-,456	,263	-,057
mediator rep of regional org	-,703	,367	-,070
number of mediators	,000	,002	-,004
territory	,326	,378	,030
mediator rep of small govern	-,137	,360	-,013
civil war	,309	,283	,042

R-squared: ,262	not standardised coefficients		standardised coefficient
	regression coefficientB	standard error	Beta
(constant)	7,645	,478	
Partial agreement	2,650	,233	<b>,385***</b>
full settlement	3,721	,356	<b>,359***</b>
fatalities	-,325	,087	<b>-,146***</b>
geographically close to both	-,853	,264	<b>-,123***</b>
mediator representative	-,669	,269	-,084**
mediator rep of regional org	-,568	,377	-,057
number of mediators	,003	,003	-,048
territory	,386	,388	,035
mediator rep of small govern	-,057	,371	-,005
civil war	,312	,290	1,074

## 5. Findings

The regression models (1-6, see above) are arranged according to the results of the correlations as outlined above: Each of the three variables describing one type of agreement is treated as a main independent variable, the other variables function as controls. Accordingly, Regression Model 1 only includes ceasefire as a main variable, Regression Model 2 only partial settlement, Regression Model 3 only full settlement. The models 4-6 then each include two of the agreement type variables in order to judge the overall influence of the respectively missing third variable. Examining the standardised coefficients (in order to ensure comparable effect strength), hypothesis 3 is strongly confirmed since ceasefire represents an inherently not comprehensive agreement and has a strong and significant negative effect. When taking regression 2 and 3 into the picture, we see in addition that both more comprehensive agreements have a positive effect, while the most comprehensive one (full settlement) shows a weaker effect. The strong influence of ceasefire is confirmed especially in models 4-6: The relatively high impact of full and partial settlement (see model 6) is significantly reduced whenever any of the two variables appear in the same model as ceasefire (models 4+5).

Across all four regressions, the number of fatalities remains constantly significant and retains a medium negative effect on agreement durability, thereby confirming hypothesis 2. Hypotheses 5 (number of previous mediation attempts) and 6 (previous mediator-parties relations) and hypothesis 8 (mediator strategies) are rejected since already the correlations did not reach a significant strength to the level of 0.09 (see table 1)<sup>2</sup>. Hypothesis 7 is confirmed since geographic proximity of the mediator to the parties shows a medium negative effect. Interestingly, of all variables related to mediator rank/diplomatic level included in the correlations, only those where mediators are “representatives” had a significant and strong enough effect (at least 0.09). All three of these variables (mediator as representative of an institution or organisation, as representative of a regional organisation, as representative of a small government) are consistently negatively correlated with agreement durability. While none of these variables retained the strength of their effect in the regressions, the influence of some variables within this group remains distinguishable and is even significant in all regression models but 5. Nonetheless, given the weakness of their effect (always below 0.1), hypothesis 4 must be primarily rejected.

Finally, as expected, hypothesis 1 regarding the “civil/international war” variable is strongly confirmed as it is consistently insignificant: first in the correlations (table 1) and secondly in all of the regressions, clearly demonstrating that arguing for a distinction between civil and international war mediations based on their differences in success rates, is highly questionable. There is no significant difference in mediation agreement durability between these two types of wars. Instead, different lines of reasoning seem to have won more credibility as a result of the findings: 1) The type of agreement is the most significant and strong independent variable to explain the success of mediations, measured by their durability. 2) An increase in fatalities negatively affects the durability of mediated agreements 3) Interestingly, insider mediators (with high geographic proximity to conflict parties”) decrease the longevity of agreements

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<sup>2</sup> An inclusion of these variables in the regression showed similar results none of which were significant

## 6. Discussion of Findings

Surprisingly, many findings in this paper surprisingly suggest a refutation of several mainstream assumptions and arguments regarding how and/or which factors affect conflict management efforts since hypotheses 4, 5, 6 and 8 are clearly rejected. For instance a higher geographic proximity between the mediator and the belligerents tends to produce less durable agreements. This finding then suggests that so-called “insider” mediators which come from the conflict context and have been held in high regard as more trustworthy and therefore more successful (see Wehr and Lederach 1991, 1996) in fact tend to reach less durable agreements. A reason for this might be the lack of neutrality and externality which have traditionally been highlighted as key factors.

A key finding of this paper is the importance of agreement types for durability. The causality behind this statistical effect is best put into context through an examination of the theoretical background: Any conflict management effort inevitably inflicts costs upon the conflict parties (Maoz/Terris, 2006). Mediation as one type of conflict management includes such costs. In combination with the non-binding and non-coercive character of mediation, this leaves the power to decline or accept mediation outcomes (agreements) with the belligerents, thereby creating a context highly favourable to opt-outs. This is, however, only to be seen as a facilitative condition for defection from agreements.

A more imminent motivation for conflict parties to not uphold a previously signed agreement is the *nature* of the respective agreement: Bercovitch rightly distinguishes between two different ends of conflict management (and therefore also mediation) efforts. Firstly, “settlement” which, equivalent to Galtung’s concept of negative peace (Galtung, 1996), describes the overcoming of violence without addressing the underlying patterns of conflict. A settlement offers immediate relief while lacking sustainability. The second end (labelled “resolution”) fills this gap and, in accordance with Galtung’s concept of positive peace, captures the conflict parties successfully and constructively addressing and resolving the conflictual structures, thus eradicating the roots of violence.

Bercovitch and Gartner (2006: 332) argue that the reaching of non-full settlements, and in particular ceasefires are, firstly, signs of highly intense conflicts, and that, secondly, “merely” reaching such an agreement is in these cases a “successful and effective mediation”. While we generally agree with the argument that the success of mediated agreements cannot be judged by the respective agreement’s extensiveness alone while ignoring the conflict context, we argue that classifying a ceasefire as success just because the agreement is reached in a conflict previously regarded as intractable is equally guilty of a false generalisation. Reaching an agreement by no means equals success. Instead, we proposed to focus on the durability of agreements as our main indicator for mediation success. An agreement that lasts can – even if it moves a conflict only a tiny step forward – confidently be seen as success, whereas even the most comprehensive agreement that fails within a week is most likely a failure.

However, when considering the implications of the findings outlined above, that ceasefires generally collapse much earlier than other types of agreements, while partial and full settlements have a slight tendency to last longer,

Despite the fact that durability should be the main benchmark or indicator for mediation success, one should not confuse the dependent and independent variable – agreement durability cannot be

the cause for success *and* success itself at the same time. Therefore, the causality most certainly runs from the type or design of an agreement (i.e. its comprehensiveness and the degree to which underlying conflicts are addressed) towards its chance of lasting longer (durability). A ceasefire can represent an end in itself, but in most cases is simply an agreement centred around the smallest common denominator between the belligerents since more comprehensive solutions – which would potentially require more compromises – could not be agreed upon. Arguing along a similar line, Gurses et al. (2008) point out that in the short run conflict parties may be willing to sign an agreement that does not actually address the conflict at all, while Richmond (1998) adds that such behaviour is mostly not even based on sincere motivations but rather “devious objectives”. A ceasefire as the mere commitment to not kill one another (often even only for a limited amount of time) is accordingly a settlement that does not transform a conflict in any way, leaving grudges and issues untouched, possibly even encouraging defection through its ad hoc and temporary character, rendering the agreement itself thus inherently fragile and likely to collapse.

## **7. Conclusion and outlook**

The key results of the analyses carried out within this paper have been: 1) The importance of agreement types for durability, with ceasefires rendering mediated agreements significantly less stable 2) The civil war/international war dichotomy regarding its influence on mediation success is superfluous 3) Geographic proximity and fatalities visibly reduce the durability of mediated agreements.

By highlighting the importance of agreement durability as an indicator for mediation success, and the type of agreement as the most important predictor for durability, this paper has begun to look at the causal chain in mediation from the back forward. Despite the fact that only the three types of mediated agreements showed a strong and significant effect on agreement durability, there are most likely other factors, not covered in the data set used here, that affect the agreement type reached. Some of these factors would then be added to the front end of the causal chain explored in this paper, and thus hopefully offer insights more directly applicable to mediation practice in order to increase the comprehensiveness and durability of mediated agreements. In particular regarding the important task of finding factors with a strong positive effect on agreement durability, this study – based on variables commonly assumed to affect conflict management success – has not been able to provide satisfactory results, thus making a case for further research with a larger variety of variables, different methods and potentially a wider range of mediation cases.

A question that presents itself when examining this paper’s results is centred around the issue of why such a high percentage of mediated agreements collapse within the first week (see table 1). One possible answer is that if conflict parties are unhappy with an agreement and feel the costs outweigh the benefits, an opt-out is much more feasible and includes less exit costs the younger the agreement. Within the first week of an agreement there is most likely no established status quo between the belligerents yet – remotely comparable to a probation period – thus rendering the decision to quit easier. However, this last finding cannot be sufficiently examined here and therefore calls for future research.

Alvaro de Soto, the veteran international mediator mentioned above, writes in a reflection on his work about the importance for mediators to recognise the circumstances of a given conflict and act

accordingly. De Soto then points out that there are certain conflicts where aspiring to reach more comprehensive agreements than a ceasefire is simply a waste of time. He argues instead in line with a popular strand of research by urging mediators to consider the ripeness of a conflict (de Soto, 2007: 18) as well as ownership as a factor with a significant positive impact on durability. Since de Soto's rationale here is the question of whether conflict parties feel that an agreement emerges from among themselves as opposed to external players (ibid. 19), this argument plays into another area of research which focuses on mediator power and the application of such power, which in turn might be able to provide new angles on mediation success.

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