Conflict Resolution: Theory and Practice of Mediation

IIPS 40801 & MGA 60111
109 Pasquerilla Center
Fall Semester 2018
Thursday 15:30-18:15

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1. Context

International mediation is a process whereby a third party assists parties in conflict, with their consent, to reach agreements they find acceptable and are willing to implement. It has been widely practiced for many decades, particularly since the end of the Cold War. There are few major intra- or inter-state conflicts in the contemporary era that have not been subject to mediation by the United Nations (UN) or a regional organization, and often also by states and non-governmental groups.

The stakes of mediation are very high in deadly conflicts: success or failure determines whether the country remains locked in strife or is able to embark on a path of reconciliation and reconstruction. In the case of Rwanda, for example, the negotiations mediated by Tanzania in 1992-3 broke down and were overwhelmed by the genocide. In Kenya, by contrast, the 2008 mediation led by Kofi Annan on behalf of the African Union (AU) prevented a descent into protracted violence. In Syria, mediation has thus far failed to stem the killing of thousands of civilians and the destruction of large parts of the country.

Where mediation in civil wars is successful, the peace agreement has a major bearing on justice, security, governance and the risk of violence in the post-war society. Mediation and negotiations are thus the bridge, sometimes tenuous and sometimes robust, between war termination and long-term peacebuilding, statebuilding and conflict transformation.

There is a rich academic literature on international mediation. It includes single volumes, edited volumes and journals such as the Journal of Peace Research, the Journal of Conflict Resolution and Negotiation Journal. It encompasses reviews of the scholarly debates (e.g. Kleiboer 1996; Wallensteen & Svensson 2014); comparative studies around specific themes, such as co-ordination among different mediators (Lanz & Gasser 2013); theories on particular problems, like the ripeness of a conflict for resolution through negotiations (e.g. Zartman 2001); case studies of particular mediation initiatives (e.g. Nathan 2006); and quantitative studies seeking to ascertain the relationship between designated variables, such as mediator bias, and the outcome of mediation (see Greig & Diehl 2012). In addition to the academic literature, there is a large policy literature that seeks to identify lessons from prior mediation experiences (e.g. UN Secretary-General 2012; Brahimi & Ahmed 2008).

2. Course Focus, Orientation and Learning Outcomes

In this Course we will develop an understanding of international mediation and establish a foundation for practical engagement. We will develop synergy between theory, knowledge,
case analysis and practical skills relating to international mediation in high intensity conflicts (e.g. South Sudan, Yemen and Colombia). We will review the literature on international mediation; explore relevant theories and examine their validity in actual cases; and share practitioner experiences of mediation led by the UN, the AU and other organizations. We will also learn and practice the skills of conflict analysis, strategic planning, and mediating.

Upon successful completion of the Course, you will be able to:
- Describe the substance of key debates in the academic and policy literature on international mediation.
- Identify the factors that determine the success and failure of international mediation.
- Explain the complexity of international mediation.
- Analyze cases of international mediation in high intensity conflicts.
- Apply the practical skills of conflict analysis; strategizing and process design for peacemaking; and mediation tactics and techniques.

In addition to the focus on international mediation, you will strengthen the following general academic skills:
- Reading academic and policy literature in a critical way.
- Writing clearly and logically.
- Grounding arguments in evidence.
- Finding research material.
- Making clear oral presentations.

Class activities are designed to help you achieve these learning outcomes and prepare you for the assignments described below.

3. Assignments

There will be four types of assignment:

- Class participation (20%). This will be based on your active participation in the seminars and your familiarity with the Course readings. You must become familiar with the required readings for each seminar prior to that seminar. The instructor will ask you for your views on these readings during the class. Class attendance is compulsory. Marks will be deducted for more than two unexcused absences (as defined in University policy).

- Reflections on practice (25%). You will write a reflection paper (3-4 pages) after each of the three simulation exercises on Sept. 13, Oct. 4 and Nov. 15. These papers will be due at 8:00pm on Sept. 20, Oct. 11 and Nov. 21. They will describe and explain what you learnt from the exercise, highlighting your most interesting insights.

- Essays on the literature (25%). You will write 3 essays (5 pages), each of which presents a synopsis and assessment of a scholarly article that is included in the reading list below. You can choose the article you find most interesting. Your essay must present a synopsis of the article and a critical assessment of the article’s strengths and weaknesses. We will discuss in class the criteria for this assessment. The deadlines for these essays will be at 8:00pm on Sept. 27, Oct. 25 and Nov. 29.

- Exam (30%). There will be a final exam on Dec. 11. The exam will test your familiarity with the Course readings. It will not test critical thinking.
All assignment must be submitted via Sakai.

In all the assignments, the quality of your writing is very important. Poor writing prevents clear communication and inhibits understanding of your ideas and arguments. You are therefore encouraged to give your draft papers and essays to another student for feedback and proofreading before submitting them to the instructor.

4. The Academic Code of Honor

You must be familiar and compliant with the Academic Code of Honor (http://www.nd.edu/~hnrcode/docs/handbook.htm). Note, in particular, that “as a general rule, tests and other assessments should reflect a student’s own effort unless otherwise approved by course instructors”.

5. Seminar Schedule

The weekly seminars will take place from 3:30 to 6:15 on Thursdays. Each seminar will be divided into three sessions: session 1 (55 minutes followed by a 10 minute break); session 2 (55 minutes followed by a 10 minute break); and a wrap-up session of 35 minutes. The wrap-up sessions will be devoted to residual issues and questions, discussion and feedback on the assignments, and feedback on the Course.

All the readings will be available on Sakai ahead of time.

23 Aug: Introduction to the Course
Session 1: Introduction to Course; aims and expectations; style; skills development and simulations; assignments
Session 2: Introduction to international mediation; definition and basic concepts; utility of mediation; typology of peacemaking and peacebuilding; mediation cycle
Session 3: Wrap up
Readings: Greig & Diehl (2012), chs. 1 & 2; Zartman & Touval (2007); UN High Level Mediation Course pp. 2-5

30 Aug: Introduction to the Mediation Literature
Session 1: Factors accounting for mediation success and failure
Session 2: Mediation debates and state of knowledge
Session 3: Wrap up
Readings: Kleiboer (1996); Wallenstein & Svensson (2014)

6 Sept: Conflict Analysis for Peacemaking
Session 1: Zartman’s theory of conflict ripeness
Session 2: Theory of structural violence; concept of ‘positions, interests & needs’
Session 3: Wrap up
Readings: Zartman (2001); Galtung (1969); UN High Level Mediation Course pp. 13-15
13 Sept: Simulation Exercise: Conflict Analysis for Peacemaking
Session 1: Simulation exercise
Session 2: Simulation exercise contd.
Session 3: Wrap up
Readings: Phase 1, simulation case study; UN High Level Mediation Course, pp. 6-12

20 Sept: Inclusiveness in Mediation Processes
Session 1: Guest speaker – Thania Paffenholz
Session 2: Case analysis – IGAD mediation for South Sudan, 2013-15
Session 3: Wrap up
Readings: Paffenholz (2014); Akol (2014); Pring (2017)

27 Sept: Mediation Mandates
Session 1: Conceptualization and typology
Session 2: Case analysis – Yemen, 2015-2017
Session 3: Wrap up
Readings: Nathan (2018); Svensson & Wallensteen (2010), chs. 1 & 8; Forster (2017)

4 Oct: Simulation Exercise: Strategic Planning for Peacemaking
Session 1: Simulation exercise
Session 2: Simulation exercise contd.
Session 3: Wrap up
Readings: Phase 2, simulation case study; UN High Level Mediation Course pp. 16-22

11 Oct: Preventive Diplomacy
Session 1: State of knowledge
Session 2: Case analysis – Lebanon & Nigeria
Session 3: Wrap up

25 Oct: Mediation Actors
Session 1: Strengths and limitations of regional mediators
Session 2: Challenges of cooperation and coordination among mediation actors
Session 3: Wrap up
Readings: Greig & Diehl (2012), ch. 3; Lanz & Gasser (2013); Nathan (2017)

1 Nov: Mediation Strategy and Style
Session 1: Pros and cons of leverage
Session 2: Case analysis – Darfur
Session 3: Wrap up
Readings: Beardsley (2013); Wallensteen & Svensson (2014); Nathan (2006)

8 Nov: Practitioners’ Perspectives
Session 1: Guest speaker: Joao Honwana
Session 2: Case analysis – Malawi
Session 3: Wrap up
Readings: Malawi case study in Nathan, Day, Honwana & Brubaker (2018); Brahimi & Ahmed (2008); UN Secretary-General (2012)
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<tr>
<th>Date</th>
<th>Topic</th>
<th>Session 1</th>
<th>Session 2</th>
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<th>Readings</th>
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<tr>
<td>15 Nov</td>
<td>Simulation Exercise: Micro-skills</td>
<td>Simulation exercise</td>
<td>Simulation exercise contd.</td>
<td>Wrap up</td>
<td>Phase 3, simulation case study; UN High Level Mediation Course pp. 23-36</td>
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<td>29 Nov</td>
<td>Gender and Cultural Challenges</td>
<td>Gender challenges</td>
<td>Does culture matter?</td>
<td>Wrap up</td>
<td>Bell (2013); Menkhaus (1996); Salem (1993)</td>
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<td>6 Dec</td>
<td>[To be determined, based on student interests]</td>
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<td>11 Dec</td>
<td>Exam</td>
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6. **Required Readings**


UN High Level Mediation Course manual.


