

POLICY ENGAGEMENT ON MEDIATION

MGA 60732

Room B066 Jenkins Nanovic Hall

Spring Semester 2020

Monday 3:30-6:15

Instructor: Laurie Nathan (lnathan@nd.edu), Hesburgh Center 329B

1. Overview

This Course focuses on the policy dimensions and skills of mediation. Mediation is a form of dispute resolution and problem-solving, whereby a third-party mediator assists parties in conflict, with their consent, to resolve their conflict to their collective satisfaction. It is practiced throughout the world, at community, city, national and international levels. At these different levels, mediation can be undertaken by international organizations, governments, religious actors, other civil society bodies, and professional mediators. It also encompasses thematic specializations, such as mediation in family, labor, community, trade and intra-state conflicts.

This Course is mainly concerned with mediation in political conflicts where violence is present or imminent. However, many of the skills that are taught – like policy advocacy, analysis, planning and process design – are applicable in numerous policy spheres.

The Course does not require extensive reading of academic material. It does not require an academic or practitioner background in mediation. It does require active engagement in class!

2. Goal

The goal of the Course is to develop an understanding of, and acquire practical skills in, different aspects of mediation policy.

3. Aims and Focus of Skills Development

The Course aims to develop the following skills:

- Analyze a conflict for the purpose of peacemaking
- Design a strategic plan and process for peacemaking
- Convene a mediation process
- Draft a policy memo
- Engage in policy advocacy
- Strengthen policy writing skills
- Strengthen oral presentation skills

4. Methodologies

- Simulation exercises and group work in class
- Peer review in class
- Written assignments between classes
- Instructor guidance and feedback
- Exposure to 'best practice', including internal UN mediation plans
- Access to the training manual of the UN high level mediation course

The learning philosophy of the simulation exercises and the Course as a whole is that we learn from *doing*, *watching others*, and *studying 'best practice'*. We learn by *practicing*. Above all, we learn by *constantly thinking about learning*.

5. Assignments

There will be three types of assignment:

- Class participation (25%). This will be based on your active participation in the seminars and your familiarity with the *essential* Course readings (Appendix 1). You must become familiar with the essential readings for each seminar *prior to that seminar*. Class attendance is compulsory. Marks will be deducted for more than two unexcused absences (as defined in University policy).
- Insights from practice papers (40%). You will write an 'insights from practice' paper (7 pages max) after each of the three simulation exercises on February 24, March 2 and March 16. These papers will be due at 8:00pm on March 1, March 9 and March 22. They will describe and explain what you learnt from the exercise, highlighting your most interesting insights.
- Preparation of mediation strategy (35%). You will prepare a 5-7 page mediation strategy for a local, national or international conflict of your choice. The strategy will be presented orally in class on March 23 and submitted in writing on March 30. We will discuss in class on March 2 the expectations for this assignment.

6. Class Schedule

February 17: *Introduction and policy development*

Topics: Introduction to the Course; introduction to mediation; introduction to policy; policy development and advocacy

Exercise: Develop a policy memo to establish a mediation unit at Notre Dame

UN training manual: Definitions and Categories of UN Peace Interventions; Conflict Analysis and Ripeness for Mediation; Preventive Diplomacy by the UN

Other reading: UN Secretary-General (2012); Nathan, Policy Formulation ppt. (2018); Peck (2006; 2010)

February 24: **Conflict analysis for peacemaking**
Topics: Analyze conflict for the purpose of peacemaking; preventive diplomacy
Exercise: Phase 1 of simulation 'Trouble with a Church Signboard'
UN training manual: Conflict Analysis and Ripeness for Mediation; Preventive Diplomacy by the UN
Other reading: UN (2013); Nathan, Day, Honwana and Brubaker (2018); SADC (2011); Zartman (2011)

March 2: **Strategic planning and process design**
Topics: Develop a plan and design a process for mediation; preparation for assignment on developing a mediation strategy
Exercise: Phase 2 of simulation 'Trouble with a Church Signboard'
UN training manual: Developing a UN Mediation Strategy; Mediation Process Design; Positions, Interests and Needs
Other reading: UN (2013); Nathan, Day, Honwana and Brubaker (2018); SADC (2011)

March 9: **No class (mid-term break)**

March 16: **Convening mediation**
Topics: Develop a plan and design a process for mediation
Exercise: Phase 3 of simulation 'Trouble with a Church Signboard'
UN training manual: Communication Skills; Mediation Tactics; Positions, Interests and Needs
Other reading: Peck (2006; 2010); Nathan (2016)

March 23: **Mediation strategy**
Topics: Mediation strategy and leverage
Exercise: 3rd assignment: Preparing and presenting a mediation strategy
UN training manual: Developing a UN Mediation Strategy
Other reading: UN (2013); SADC (2011); Zartman and Touval (2007)

Readings

Essential readings

Nathan, L. 2018. Policy Formulation PPT

SADC. 2011. "Strategic Plan: Madagascar Mediation"

UN Secretary-General. 2012. *Guidance for Effective Mediation*. New York: United Nations

UN. 2013. "Strategic Plan for the UN Office in Mali"

UN High Level Mediation Course (UNHLMC), "Briefing Notes". 2019

Additional readings

Brahimi, L. and S. Ahmed. 2008. *In Pursuit of Sustainable Peace: The Seven Deadly Sins of Mediation*. New York: Center on International Cooperation, New York University.

Kleiboer, M. 1996. "Understanding Success and Failure of International Mediation", *Journal of Conflict Resolution* 40(2): 360-389.

Lanz, D. and R. Gasser. 2013. "A Crowded Field: Competition and Coordination in International Peace Mediation", *Mediation Arguments 2*, Centre for Mediation in Africa.

Nathan, L. 2006. "No Ownership, No Peace: The Darfur Peace Agreement", *Working Paper 2(5)*, Crisis States Research Centre, London School of Economics.

Nathan, L., A. Day, J. Honwana and R. Brubaker. 2018. *Capturing UN Preventive Diplomacy Success: How and Why Does It Work?* Tokyo: Centre for Policy Research, UN University.

Peck, C. 2006. *On Being a Special Representative of the Secretary-General*. Geneva: UNITAR.

Peck, C. 2010. *A Manual for UN Mediators: Advice from UN Representatives and Envoys*, Geneva: UNITAR.

Zartman, I.W. 2001. "The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments", *The Global Review of Ethnopolitics* 1(1): 8-18.

Zartman, I. and S. Touval. 2007. "International Mediation", in C. Crocker, F. Hampson and P. Aall (eds), *Leashing the Dogs of War: Conflict Management in a Divided World*. Washington DC: US Institute for Peace, pp. 437-454

ASSIGNMENT RUBRIC

1. *Class participation*

- Active and supportive participation in class
- Familiarity with the essential Course readings

2. *Insights from practice (i.e. simulation exercises)*

Quality of writing (20%)

- Clear communication; sound grammar; clear and accurate presentation of facts

Structure of paper (20%)

- Clear introduction that sets out the focus, aim, structure and conclusion of the paper
- Clear conclusion, summarizing main findings and/or conclusions
- Logical flow
- Sound structure

Insights (60%)

- Insights regarding your own skills, strengths and challenges (e.g. I learnt that I have good analytical skills but lack confidence to express them)
- Insights regarding the skills, strengths and challenges for the class as a whole (e.g. I learnt that group discussions are difficult without an agenda and a facilitator)

3. *Mediation strategy paper*

Quality of writing (20%)

- Clear communication; sound grammar; clear and accurate presentation of facts

Structure of paper (20%)

- Clear introduction that sets out the focus, aim, structure and conclusion of the paper
- Clear conclusion, summarizing main findings and/or conclusions
- Logical flow
- Sound structure

Quality of plan (60%)

- Clear and convincing plan in terms of goals, objectives, strategies and processes, structure and resources.

Grade breakdown (as per ND general grade breakdown)

<u>Letter Grade</u>	<u>Minimum %</u>	<u>Description</u>
A	95%	Truly exceptional
A-	90%	Outstanding
B+	87%	Very good
B	83%	Good
B-	80%	More than acceptable
C+	77%	Acceptable: meets all basic standards
C	73%	Acceptable: meets most basic standards work
C-	70%	Acceptable: meets some basic standards
D	65%	Minimally passing: work just over the threshold of acceptability.
F	0	Failure: unacceptable performance.