16. Making peace through negotiation
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Each year around 30 armed conflicts are active around the world (Pettersson and Themnér, 2011). Some of these are likely to be settled via a more or less comprehensive peace agreement which is the result of negotiations between the main adversaries. In fact, after the end of the Cold War, the number of armed conflicts concluded by peace agreements has risen dramatically, with comprehensive peace agreements forming part of the war endings in Liberia, Bosnia-Hercegovina, Aceh (Indonesia), Bangladesh, and Guatemala, to mention only a few locations. Parallel to these developments, research on peace negotiations has burgeoned. This chapter provides an overview of research on peace negotiations, focusing primarily on negotiations conducted between states (to end international wars and armed conflicts) and within states (to end internal armed conflicts and civil wars).

Peace negotiations are defined as a process of dialogue and bargaining between adversaries aimed at reaching a joint decision to bring an end to or solve a violent conflict. Research on the initiation, process and outcome of peace negotiations has emerged as a sub-field of inquiry within peace and conflict research. It draws on general insights from negotiations that occur in other arenas, but is also concerned with the specific conditions underpinning negotiation to end violent conflict.

Peace negotiations share many of the general characteristics of the negotiation processes addressed in this book – such as the need for pre-negotiation, the critical role played by mediators, contractual agreements, and implementation problems. Like many other negotiations, the parties are generally well defined. But, peace negotiations can also be distinguished from other forms of negotiations by the types of issues that are addressed (a matter of life and death), strong ideological commitment by the parties, and the context of violence. They are also distinguished by the variety of stakeholders (including spoilers) with a stake in the outcomes and the critical role played by peacekeepers in enforcing the implementation of negotiated agreements. Further, most peace negotiations take place in private rarely involving the public in a direct way. However, the dynamics between leaders and followers, as well as the decision makers' relation to the broader public influence the onset, process and outcome of many of these negotiations. Hostage and

terrorist negotiations, dealt with in Chapter 18 on crisis negotiation, are also high-stake negotiations, but differ in that they are generally analysed as isolated events and not considered part of broader conflict dynamics and sustained negotiations.

In the first part of the chapter, we review previous research related to approaches and factors used to understand the initiation, process, outcome and durability of peace negotiations. We will examine issues related to *getting the belligerents to the table*, where pre-negotiation processes and the notion of ripeness come into play. With regard to the *negotiation process*, we examine the difference between problem solving and bargaining approaches as well as the impacts of trust, mediators (both as representatives of states and as non-officials), communication and managing violence. Concerning the *implementation and durability* of negotiated settlements, the distinction between forward- and backward-looking agreements is relevant. This distinction, along with principles of distributive justice and other issues related to the content of peace agreements, and the role of third-party guarantees regarding security and compensation and peacekeeping, also impacts on the way that agreements are implemented, and their durability. Generally speaking, in the last two decades we have seen substantial progress in terms of what we know about peace negotiations. Recent developments were made possible with better data availability, and the fact that more scholars are devoting their time to the topic. However, overall there are surprisingly few coherent and robust findings in the literature. One reason is that different definitions and operationalizations are utilized to evaluate theories. In the review we address some of the general contentions and findings emerging from the research.

In the second part of this chapter we highlight current trends and research gaps in research on peace negotiations. As patterns of conflict and intervention are undergoing transformation, with new actors, agendas and norms emerging, so is the peace negotiation practice undergoing change. These changes in patterns and practice call for research along two lines. One consists of broadening the scope of the types of peace negotiations that require investigation. In particular, negotiations to address less studied forms of violent conflict, such as election-related disputes or communal conflict in which the state is not one of the key belligerents, are areas in which research on peace negotiations can make a useful contribution. Second, we discuss recent methodological trends that can be used to bring research on peace negotiations forward.

PEACE NEGOTIATIONS TO END VIOLENT CONFLICT

Armed conflict and large-scale violence eventually ends. They do so in one of three ways: (1) by a ceasefire or peace agreement, (2) by victory on the battlefield and (3) other outcomes, usually meaning that the fighting ceases without a clear victory for either party and without any settlement of the conflict issue (Pillar, 1983; Kreutz, 2010). What is notable is that negotiated peace agreements have become a more frequent way of ending conflict in the post-Cold War era, compared to the way in which conflicts ended during the Cold War. The issues at stake in armed conflict usually concern political power (government) or demands for territory (land) (Wallensteen, 2007). The underlying issues which drive these demands can be less material, such as the securing of a national, ethnic or religious identity, or obtaining justice. As a conflict progresses, new issues typically become part of the negotiation agenda, such as the conditions for a cease-fire, the release of political prisoners, disarmament and demobilization of the armed actors and security sector reform (Darby, 2001).

The research on peace negotiations has followed the general developments of peace and conflict research, which emerged as a response to the destructive effects of the two world wars and the threat of nuclear destruction during the Cold War era (Wallensteen, 2011). Early pioneers such as Quincy Wright, Lewis Fry Richardson, Pitirim Sorokin, Kenneth Boulding, Anatol Rapaport, and Johan Galtung were mainly concerned with the causes of war, conflict resolution and the conceptualization of peace. They developed a scientific approach to the study of peace and war. Emerging from different disciplines, they contributed to shaping an interdisciplinary field integrating politics, psychology, sociology, and mathematics.[1]

Research pertaining specifically to peace negotiations has become a sub-field within peace and conflict research, intersecting with research on negotiation in other areas. In terms of the type of violent conflicts that are drawing attention in the scholarly community, there has been a dramatic shift in focus away from inter-state conflict to intra-state conflict after the end of the Cold War. There is good reason for this shift, since the main bulk of contemporary armed conflict plays out between actors within a state. In fact, between 1989 and 2010, only five out of 133 armed conflicts were between states: Iraq–Kuwait (1990–1991), Ecudaor–Peru (1995), Cameroon–Nigeria (1996), Djibouti–Eritrea (2008), Ethiopia–Eritrea (1998–2000), and the long-standing rivalry between India and Pakistan (Pettersson and Themnér, 2011). While many of the classic works on peace negotiations dealt primarily with inter-state conflict and war, most

contemporary scholarship is focused on intra-state conflict and civil war, as suggested also by the works we review.

A good deal of the theoretical work has been inspired by and connected to a variety of cases of peace negotiations. Some of these ideas have been evaluated systematically with case data, including theory-driven comparative studies. In addition, quantitative research – seeking to ascertain general trends of the conditions under which peace negotiations begin and are concluded successfully – has gained prominence in the last two decades. This has been aided by the assembling of large datasets, some of which are updated on a yearly basis. Examples include the UN Peacemaker database, the Peace Accords Matrix (Notre Dame University), the Transitional Justice Peace Agreements Database (INCORE, hosted by USIP) and the Uppsala Conflict Data Program (UCDP) which are online collections. On the intervention side, there is a small number of datasets which address mediation and other forms of third-party efforts in violent conflict, most notably the International Conflict Management (ICM) data (Bercovitch, 1999), the Civil War Mediation Dataset (DeRouen et al., 2011) and the Managing Intrastate Low-intensity Conflict (MILC) dataset (Melander et al., 2009). In terms of data for case study work, research on peace negotiations is hampered by issues related to the nature of negotiations in the context of armed conflict (often occurring in secret and without any clear documentation emerging from the negotiations themselves) and from the challenges of doing field work in insecure and sometimes dangerous environments (Höglund and Öberg, 2011).

GETTING PARTIES TO THE TABLE

Negotiations over conflict contain several barriers that the parties need to overcome to reach agreement. When conflicts escalate into violence, entrapment dynamics – in which parties are locked into unrewarding behavior due to vested interests – often lead to larger wars where the parties view their own survival primarily in terms of eliminating the enemy (Mitchell, 1991b). Pervasive fear and mistrust, which develops in the course of violent conflict, discourages the commencement of negotiations (Kelman, 1997; Mitchell, 2000; Stedman, 1997). Negotiations to end civil wars or internal armed conflict contain additional complications. First, security concerns and commitment problems are aggravated by a need to disarm and agree on a new security structure. Relinquishing arms in such a context comes at the risk of being exploited by the other side, with potentially dire consequences as a result (Rothchild, 1997; Walter, 1999;

2002). Second, the asymmetrical character of these conflicts, fought by a state actor and an armed opposition group, makes issues concerning trust and legitimacy particularly urgent (King, 1997; Philipson, 2005). Mitchell has outlined several forms of asymmetries that are common in internal conflicts, for instance legal asymmetries, asymmetries in negotiation experience, and material asymmetries (Mitchell, 1991a; 1995).

The conditions addressed in previous research – especially entrapment dynamics as well as pervasive fear and mistrust in the context of violence – help us understand why it is difficult to shift to a negotiation track after sustained periods of violent conflict. Pre-negotiations have been suggested as a potential remedy and even a necessary phase to pave the way for serious negotiations (Saunders, 1985; 1999). While pre-negotiation may conceptually be seen as part of the actual process of negotiation, the term itself signals the important changes within and between the parties that need to take place before the inception of substantive negotiation over the conflict issues. Pre-negotiations serve several functions (Zartman, 1989). A first set addresses the relationship between the adversaries. Pre-negotiations give the parties an opportunity to gauge the other side's willingness to pursue negotiations, build trust and a sense of reciprocity in the exchange. Perceptions of trustworthiness change slowly and therefore peace negotiation may be preceded by several rounds of pre-negotiation (see Tomlin, 1989). In this phase, ceasefires often form part of a confidence test. In many cases, peace negotiations are hindered by the parties' unwillingness to enter peace negotiations without a ceasefire (Ikle, 1991). While the weaker side often refuses to give up arms before negotiations have yielded substantial progress, ceasefires may also be a way of showing good faith in the pre-negotiation phase and serve to alleviate the parties security concerns (Zartman, 1989). For instance, negotiations in Sri Lanka in 2002 was preceded by a bilateral ceasefire agreement, while the starting point of the peace process in Northern Ireland in 1994, was a result of a unilateral ceasefire by the Irish Republican Army, reciprocated by loyalist paramilitary groups (Höglund, 2011). Pre-negotiation meetings are important also for hammering out an agenda and framing the issues for negotiations and other stage setting activities such as deciding on a location and format for the talks (Druckman, 1993).

Second, pre-negotiations also serve functions in relation to intra-party dynamics. This phase gives the parties time to consolidate support within their own constituency. This means preparing ground for a major shift in the mobilization strategy, from a strategy aimed at gaining support for war, to a strategy to garner support for a peace deal with the enemy (Lilja, 2012). Saunders has emphasized how the process of building support for

negotiations is nested in a broader process of building support for a peace process which engages not only the elite, but also citizens and civil society (Saunders, 1999). The experience from the Inter-Tajik Dialogue, which in the 1990s involved dialogue among stakeholders from civil society to support a peace negotiation among the warring parties in Tajikistan, is illustrative, since the negotiations resulted in a peace agreement in 1997. Saunders' research lays out the functions of the sustained dialogue, which was critical in providing interim goals during the peace process and for its potential in causing real changes in relationship with learning and practice as its basis.

Another central concept for understanding the initiation of peace negotiations is the notion of ripeness. Ripeness is a key lens through which the onset of peace negotiations has been researched (Zartman, 1985). Parties will find negotiation to be the most attractive option only when alternatives are not viable or considered too costly. The origins of this perception can arise from negative pressure, primarily a mutually hurting stalemate (MHS), in which the parties realize that they will not be conquered militarily and that the costs of sustaining the struggle will be unreasonably high. However, this negative pressure needs to be accompanied by a push factor, a "way out" as it has been put. Mutually enticing opportunities (MEO) is a term which has been launched to capture the conditions under which parties find an alternative to warfare which is attractive enough to provide positive pressure on the parties to seek negotiations (Ohlson, 1998; 2008; Zartman, 2000).

The concept has resonated with peace researchers. It has been shown to have explanatory value in the context of experimental studies (Coleman, 2000), and a variety of cases including the Philippines (Druckman and Green, 1995), Arab-Israeli conflict, Cyprus, India and Pakistan, South Africa, and Northern Ireland (Haass, 1990), South Africa (Lieberfeld, 1999), and Nagorno Karabakh (Mooradian and Druckman, 1999). Additional precision comes from research on how ripeness is initiated and can be nurtured within parties on the conflicts in Sri Lanka and Aceh (Lilja, 2012) and in Zimbabwe (Stedman, 1991).

Further refinement of the ripeness concept comes from Pruitt's (2007) psychological concept of readiness. Two aspects of readiness are: (a) motivation to escape the conflict and (b) optimism about the outcome of negotiation. The most important contributors to motivation are pessimism about winning, cost and risk produced or exacerbated by the conflict, and pressure from allies and other powerful third parties. Optimism often develops through secret exploratory communication between the parties, either direct or indirect through intermediaries. Bilateral motivation to escape the conflict ordinarily precedes this communication. By focusing

attention on individuals and small groups of decision makers, the concept adds a motivational basis for entering or avoiding negotiation.

THE PROCESS OF NEGOTIATION

Research on the process of negotiation to reach a peace agreement has primarily been influenced by two approaches: the bargaining approach and the problem-solving approach. (Irmer and Druckman, 2009; Hopmann 1995; 2001; Wagner, 2008). The bargaining perspective is rooted in rationalist approaches that emphasize strategic interaction and cost-benefit calculation of the parties. Referred to as distributive bargaining, negotiation is portrayed as a competitive process in which parties seek to maximize their relative benefits in outcomes. It also emphasizes the importance of information about the other's positions and resolve to find out when it is time to close a deal.

   The problem-solving approach underscores the need to move beyond the parties' positions to understand the underlying interests which drive the conflict dynamics (e.g., Fisher and Ury, 1981). The framing of the conflict is critical, since the parties' perceptions about the issue at stake may not reflect what the conflict is really about. Communication and information is central also in the problem-solving approach. However, from this perspective communication is needed to transform relationships, break down stereotypes and enemy images, and to change the parties' perspective on the conflict from a relative to a joint gains process. Three features of the process, relevant to peace negotiations, are highlighted in this section: trust, mediation, and managing violence.

Trust

Both the bargaining and problem-solving approach are concerned with issues of trust. However, the problems are framed in different ways. The bargaining perspective highlights the role played by security dilemmas and commitment problems in creating incentives to misrepresent information. Security dilemmas refer to situations where groups define themselves as vulnerable and take actions to enhance their own security that, in turn, undermines the security of others. Commitment problems highlight situations in which negotiators have difficulties committing to and implementing an agreement because they fear that the other side will exploit the agreement. In this context the role of signaling trust and reducing uncertainty becomes important. The problem-solving perspective is more concerned with the social-psychological aspects of trust, where

confidence-building is essential for changing the relationship between the parties in conflict, for breaking down stereotypes and reshaping enemy images (Höglund and Svensson, 2006; Mitchell, 2000).

Trust was a key to the inter-state agreements negotiated to end violent conflicts studied by Irmer and Druckman (2009). They found that trust may have explained the relationship between problem solving or distributive and more or less comprehensive outcomes in these cases. Their case-by-case process tracing showed that comprehensive agreements emerged from a pattern that gravitated from calculus trust (predicting the other's behavior based on information) to identity-based trust (emphasizing shared identity) (Lewicki and Stevenson, 1997; also Lewicki and Polin, Chapter 7 this volume). Calculus-based trust was sustained in such less comprehensive agreements as Nagorno Karabakh. In contrast, identity-based trust emerged in the relatively more comprehensive agreements of Ecuador–Peru, Georgia–South Ossetia, and Mozambique. An implication is that types of trust are influenced by atmospheres conducive to either distributive bargaining or problem solving.

Trust has also been shown to serve as a filter that shapes negotiators' reactions: How they interpret and react to each other's moves is influenced by their trust in the other negotiator (Druckman et al., 2009; Olekalns and Smith, 2005). High trust can sustain a negotiation through the periods of crisis that occur often during peace negotiations. However, the decision to reach an agreement, continue negotiating, or re-frame the issues depends on both context and type of trust. Druckman and Olekalns (in press) found that negotiators were more willing to continue following a crisis when high trust is combined with a shared identity. The challenge for peace negotiators is to build trust or create affiliative bonds between adversaries. Although this challenge confronts other types of negotiations as well, it may be more difficult to achieve between hostile negotiators at war with each other. The case of the Mozambique peace talks provides what may be a rare example of trust development aided by active third-party involvement, while trust in the South African case came about as a result of a realization of the destructive effects of continued conflict, a formula for a solution which guaranteed the minorities' position in power for the interim period, and carefully nurtured relationships among key individuals in the negotiation team. The third party in the Mozambique case (the Vatican) nurtured a sense of a larger Mozambique identity for the Ranamo rebels and the Frelimo regime. In doing so, they created a vision for a future in which they could live together in a society where they shared political representation. In contrast, the parties in South Africa came together to prevent further losses, similar in some ways to the effects of hurting stalemates. The trust developed in that case could be regarded as deterrent.

Communication

The problem-solving approach emphasizes the importance of communication, dialogue, and track-two initiatives taken by both officials in government and non-officials in the private and non-profit sectors of society (e.g., Böhmelt, 2010; Kelman, 1991; 1995; 1998; Fisher 1997; 2005; Lieberfeld, 2002). A problem-solving workshops is one method within this approach used to break down mutual stereotypes, to reframe the issue in the minds of the parties, to achieve a deeper understanding of the sources of conflict, and to improve relationships in a variety of types of conflict. Referred to by Rouhana (2000) as micro-objectives, these are connected to both the workshop activities intended to accomplish them and to the macro-goals that they are intended to influence. Activities include sensitivity training, negotiation training, encouraging creative thinking about new ideas, and writing joint concept papers. Although systematic evaluations of workshop impacts are rare – often for reasons of sensitivity – related research on interventions suggest strong changes in attitudes among participants. However, it is also the case that the documented changes are usually short term. Without sustained changes, it is unlikely that Rouhana's macro goals would be achieved: These include influencing decision makers, changing the conflict climate and dynamics, and transforming the parties' relationship.

Other challenges to achieving these macro-goals include a lack of clarity about the goals themselves, a lack of theoretical connection between workshop objectives and societal effects, and the difficulties of evaluating macro-level impacts. These challenges are magnified further when we consider the logistics involved in proceeding from the design and implementation of a workshop to the documentation of impacts at micro (attitudes of workshop participants) and macro (attitudes of decision makers, populations) levels through time. Add to these challenges the meticulous attention needed to data collection and analysis, and we are left wondering about the feasibility of the research enterprise. (An approach to addressing these problems with advanced statistical techniques is offered by Druckman [2005, chapter 11].)

Another challenge for workshop practitioners is that of forging links between the pre-negotiation or parallel workshop sessions and the negotiation process. One approach to this challenge is presented by Rouhana and Kelman (1994). An advantage of conducting workshops in conjunction with negotiation is to open channels of communication among official representatives of the disputing parties. The informal meetings legitimize problem-solving activities among adversaries, gradually accustoming the public to these kinds of meetings. Through time and repeated interactions,

the intensity of opposition to negotiation is reduced. Another approach comes from the research on turning points in negotiation. Workshops can also be instrumental in moving the pre-negotiation and negotiation process forward by creating turning points. Regarded as stage transitions, turning points have been shown to sustain a pre-negotiation process as it moves toward the formal negotiation. This progression is illuminated by Tomlin's (1989) analysis of the pre-negotiation process that led to the North American Free Trade talks. The agreement to negotiate culminated a sequence that included problem identification, a search for options, and a commitment to negotiation. This momentum toward negotiation was helped by avoiding a key sticking point during the pre-negotiation discussion, namely, agreement on the details of a prospective agenda for negotiation.

Mediation

Research on mediation has also been conducted within the bargaining and problem-solving perspectives. Mediation is a "mode of negotiation" in which external actors are brought to the negotiation process to assist the parties. It is generally considered a voluntary exercise, but the leverage and function of a mediator varies from being a relatively passive facilitator to actively manipulating the parties (Young, 1967; Touval and Zartman, 1985). The very involvement of a mediator (or other third-parties) changes the structure of the negotiation process, by making it – at a minimum – a triangular relationship (Touval and Zartman, 1985). Two functions of mediators in the context of peace negotiations are usually highlighted. First, they address issues related to mistrust. Second, they are able to per-suade, or manipulate the parties to reach agreement, by bringing resources to the table that will change the belligerents' cost-benefit calculation (in essence their BATNA). The availability and use of resources by mediators is an important difference between peace talks and other types of negotia-tions. In relation to trust building as a core function of the mediator, the importance of neutral or impartial mediation has been subject to debate.[2] However, other features of mediation are also important, particularly the resources that the mediator can use as leverage. While smaller states, NGOs, and individual mediators primarily bring experience and skills to the table, more powerful states, groups of states, and international organi-zations may be able to provide direct incentives in the form of develop-ment aid, economic cooperation, or peacekeeping troops.

From a problem-solving approach, the argument has generally been that neutral or impartial mediators are required for building confidence by managing information between the parties and creating an atmosphere

in which the parties' fears can be reduced, especially if the parties are to move beyond their positions to reach an integrative negotiation outcome (Kelman, 2005; Young 1967). In essence, mediators need to be trusted and accepted. However, the bargaining approach outlines arguments in favor of partial or biased mediators, suggesting that trust in a mediator stems from a different source. By being able to "deliver" an agreement from the party who is on their side, a mediator with a clear bias can be accepted (Carnevale and Arad, 1996; Touval and Zartman, 1985). Some evidence suggests that biased mediators will be able to credibly convey information about the parties' resolve, while impartial mediators, who primarily have an interest in any kind of agreement being reached, have incentives to exaggerate information about the parties' willingness to reach agreement. By accepting a biased mediator, a party can signal commitment to the negotiation path (Kydd, 2003; Svensson, 2007a).

Arguments for biased mediation have also been found in research based in the problem-solving approach. For instance, Wehr and Lederach (1991) have introduced the term "insider-partial" mediator, as a type of trust-based mediator who acquires legitimacy from being deeply enmeshed in the conflict context. They use the peace process in Central America in the late 1980s as an illustrative case. The Esquipulas process included a series of initiatives for the region's conflicts, where mediators from the region complemented other forms of mediation, in this sense bringing different forms of trust and leverage to the process.

Linked to issues of trust and bias in the context of peace negotiations, are the power, leverage and strategy mediators have at hand and put to use. A key distinction is made between mediators who use *directive strategies* (from a bargaining perspective), resting on the ability of the mediator to use inducement and negative sanctions or punitive measures (Favaretto, 2009; Svensson 2007b) versus *conciliatory strategies* (from a problem-solving perspective), relying primarily on facilitation and confidence-building (Azar, 1990; Azar and Moon, 1986).[3] The contingency approach brings together these ideas and partly reconciles the debates on which strategy works best (Bercovitch, 1996; Bercovitch et al., 1991; Fisher, 2007; Fisher and Keashley, 1991; Kleibor, 1996). It recognizes the importance and inter-linkages between the conflict being addressed, the type of mediator (which also influences the leverage available), and the type of strategies used by the mediator.[4] For instance, there is evidence suggesting that directive strategies, based on power mediation, may be more effective in actually getting the parties to reach an agreement, but that conciliatory strategies have a better potential at addressing the core issues underlying the conflict and for this reason create prospects for a long-term solution (Beardsley et al., 2006; Werner and Yuen, 2005).

Managing Violence

An issue of importance for the progression of peace negotiations is the extent to which the process is able to manage residual violence and spoilers. Spoilers are actors unwilling to accept the negotiations and an impending peace agreement, because peace challenges their interests and worldviews (Stedman, 1997). The concept of spoilers, as one of the key sources of risk for the failure of peace negotiations, was developed in a typology by Stedman, who distinguishes between different types of spoilers. These include: (1) whether the spoiler has signed or not signed the peace agreement (position); (2) whether there is one or several spoilers (number); (3) the goals and commitments of the spoiler (type); and (4) whether the spoiler reacts primarily to the leadership or to the followers (locus). The typology is accompanied by a set of strategies best suited to deal with different kinds of spoilers. For example, Stedman discusses inducement as a strategy that will work when spoilers have limited goals or are greedy, while more coercive strategies will be necessary when the spoilers have more comprehensive (or extreme) goals. The concept has since been used to understand intransigent actors and behavior during peace processes, and several critiques against its relevance have also been formulated (e.g., Greenhill and Major, 2006/07; Newman and Richmond, 2006; Pearlman 2009; Shedd, 2008; Stedman, 2003; Zahar, 2010). For instance, it has been argued that the motivations and commitment of actors can only be decided after they have carried out their spoiler activities, thus questioning the possibilities for identifying and managing spoilers (Zahar, 2003). Stedman has also been criticized for claiming that international actors are most suited to manage violence, while domestic actors, including the main belligerents, are often capable of counteracting spoilers (Ohlson, 1998; Zahar, 2003). However, in spite of its shortcomings, the idea of spoilers serves as an important analytical concept to draw attention to the threat of violence by opponents to peace.

Research on spoilers recognizes that there are costs involved in pursuing peace, since leaders and followers risk losing political standing, economic income and even physical security in the wake of peace: positions and security which during the war were achieved by the order of the gun. The research recognizes that there are other reasons for some actors to pursue peace negotiation, than to genuinely find a solution to the conflict. Relevant research includes work by Richmond (1998) on "devious" objectives, the role of veto-players – that is those actors who have the power to block civil war settlement (Cunningham, 2011) – and early research on peace negotiation that emphasized the side-effects of negotiations (Ikle, 1964, 45–58; Pillar, 1983, 51–52). While originally framed as a

phenomenon that occurs only after peace agreements have been signed, it is widely recognized that spoilers may emerge as soon as negotiations are considered as an option.

Other scholars have chosen to focus less on actors and more on the function and management of violence during peace processes, drawing on case studies and comparison of negotiations in, for instance, Northern Ireland, Guatemala, Sri Lanka, South Africa, and Israel–Palestine (Darby 2001; 2006; Höglund 2008; Sisk 1993; 2001). While research on negotiation and violence traditionally has been analysed as separate processes, this strand of research explores how violence may arise as a result of negotiation, how violence-related issues often become part of the negotiation agenda, and how violence may under a combination of circumstances either serve as a catalyst for progress, or as a key stumbling block which needs to be overcome by the parties in the negotiation process. The South African case illustrates how violence was an omnipresent feature of the transition from Apartheid, how violence peaked around important breakthroughs in the negotiation process and how the parties were able to overcome the violence through elite pact-making which brought the moderate strands together (Sisk, 1993). Violence by a multitude of actors during the Norwegian-led peace process in Sri Lanka, which began in 2002 (Höglund, 2005), extremist violence in the Israeli-Palestinian conflict 1993–2001 (Kydd and Walter, 2002), and a negotiation between the Aquino regime and the communist New People's Army in the Philippines (Druckman and Green, 1995) show how negotiations between parties are undermined by intra-party conflict or factional violence, since this type of violence signals weakness and reduces inter-party trust.

THE IMPLEMENTATION AND DURABILITY OF PEACE AGREEMENTS

Peace agreements often specify provisions for their implementation. However, these provisions do not assure that the parties will adhere to the agreement over time. Indeed, the success of peace agreements, and of the negotiation process that preceded them, turns on the extent to which the provisions are implemented. Thus, it is important to cover the implementation stage in reviewing research on peace talks.

Several studies have addressed the relationship between the negotiation process, its outcome, and implementation. Downs and Stedman (2002) identified several factors that contribute to the successful implementation of peace agreements. Focusing on 16 peace agreements, most of which were negotiated just after the Cold War in the 1990s, they found

that successful implementation occurred when (a) there were no spoilers, (b) the warring parties did not have access to disposable resources such as gems, minerals, or timber, (c) neighboring states were not hostile toward a peace agreement, and (d) a major power supported the agreement. These factors were the key elements of the conflict environment surrounding the negotiation: For example, the conducive environments surrounding the successfully-implemented Namibia, Nicaragua, El Salvador, and Guatemala agreements contrasted with the difficult environments surrounding the failed implementation of the Liberia, Somalia, Sierra Leone, and Angola agreements. These findings suggest that peacekeepers have an improved chance of success if they intervene in less difficult cases. It also suggests why many UN peace operations fail given their penchant to intervene in more difficult conflicts.

The type of negotiation process and outcome has also been shown to influence implementation. Research has, for instance, emphasized the importance of human rights provisions in peace accords (Bell, 2003); the inclusion and exclusion of key actors in peace agreements, including the role of civil society (Nilsson 2008; 2012), and the existence of power sharing among the warring parties (Hartzell and Rothchild, 1997; Hartzell and Hoddie, 2003; Jarstad and Nilsson, 2008; Mattes and Savun, 2009; Walter, 2002). A large share of this literature can be criticized on the basis that it only studies what is stipulated in the peace agreements, not what is actually implemented (Jarstad and Nilsson, 2008 being an exception).

An area of research that has produced interesting findings on durability of peace agreements relates to justice. Specifically, adherence to justice principles makes a difference. In their analyses of the Downs-Stedman dataset of 16 agreements, Druckman and Albin (2011) identified the importance of the distributive principle of equality. When equality was central (rather than peripheral) in the provisions, the agreements were more durable. Equality was also shown to mediate the relationship between the conflict environment and durability: The negative effects of difficult environments were reduced when equality principles were central in the agreements. Further analyses of the negotiation process also demonstrated the importance of equality: Adherence to principles of procedural justice principles led to more durable outcomes when equality was central in the agreements (Albin and Druckman, 2012). As a root cause of many of these civil wars, equality provisions – particularly those concerned with equal treatment and equal responsibilities during the implementation period – satisfied claims made by rebel groups. When adhered to during the implementation period, those claims, even in relatively difficult conflict environments, contributed to lasting peace.

The distinction between forward (future oriented) and backward-looking (past oriented) agreements, suggested by Zartman and Kremenyuk (2005), is also useful. The contrast between the forward-looking 1992 Mozambique peace agreement, which led to a stable agreement between the government (Frelimo) and the rebels (Renamo) and the backward-looking 1994 Nagorno–Karabakh negotiations, which produced a cease-fire but no resolution to the sources of the conflict between Armenia and Azerbaijan, illustrates this difference (Druckman and Lyons, 2005). Focusing on the secret Oslo I Accords, Donohue and Druckman (2009) showed that Palestinian public rhetoric surrounding the talks emphasized the past while Israeli public statements switched from forward to backward-looking rhetoric. Interestingly, Palestinian backward-looking public rhetoric combined with Israeli forward-looking rhetoric correlated with lack of progress in the talks. This pattern may be reflective of strategies used by non-state (Palestine) and state actors (Israel). With regard to implementation, however, the impact of these orientations may depend on the justice principle of equality. Further analyses of the 16 agreements discussed above showed that the relationship between forward versus backward-looking outcomes and durability was mediated by equality principles: Forward-looking agreements enhanced durability when equality was central in the provisions (Druckman and Albin, 2011).

A key to the relationships among procedural justice, outcomes, and durability may be trust. As discussed above, trust has been shown to moderate the relationship between processes and outcomes: Fair processes enhance the trust needed to enter into and sustain forward looking equality outcomes. To the extent that the trust established during the negotiation process is sustained through the implementation period, durable agreements lead to durable peace. One approach is by building a "trust network" of information sharing, verification, and mutual influence between rebel negotiators and their leaders (Lilja, 2012). Another is to build on the progress made through negotiation by designing new security and governance institutions. This micro-macro connection addresses Uslander's (2008) malevolent cycle of inequality, mistrust, and corruption. By sustaining the trust and equality developed between the parties, political leaders can move forward with the changes needed to increase political participation, reduce crime and corruption, and encourage non-violent competition. Peace negotiations are then a vehicle for moving from Uslander's malevolent cycle to a benevolent cycle of equality, trust, and fair competition. Some insights about the transition process emerge from the empirical record.

A close examination of the implementation period for peace agreements reveals considerable variety among cases. The contrasting cases

of Mozambique (1992), which resulted in stable agreement, and Sierra Leone (1996), which did not, show clear patterns of the justice-durability sequence: Adherence or lack of adherence to procedural justice principles in the process leading to forward or backward looking and equality or inequality outcomes culminated in durable (Mozambique) or fragile (Sierra Leone) implementations. The 1994 Rwanda agreement, on the other hand, showed that adherence to justice principles did not lead to durable agreements. The high distributive justice index combined with poor implementation reflected a false justice that served the interests of the incumbent regime but did not last. Shortly after these talks, the president died in a plane crash and the genocide unfolded. Other cases highlight a difference between settlements and resolutions. The successful implementation of the Guatemala (1997) and El Salvador (1994) peace agreements masked a deeper failure to address societal problems. The economic and social reforms stipulated in the agreement were not implemented even though the violence came to an end. Thus, the conditions that fueled the conflict remained (see Paris, 2004). Durable agreements based on equality principles may not sufficiently address the difficult issues of change needed to prevent future civil wars or revolutions. These cases call attention to the distinction between durability (adhering to the terms of the agreement) and durable peace (the sources of conflict are addressed during implementation). Further research on this distinction is needed.

At the heart of the implementation problem are issues related to commitment problems and lingering security threats from ex-combatants and spoilers (Themnér, 2011; Walter, 1999). Many peace agreements are monitored by peacekeeping operations, whose presence has been shown to contribute significantly to the durability of peace agreements (Fortna, 2004a; 2008; Walter, 2002). The operations are intended to implement the provisions of the agreement, which include a ceasefire (Fortna, 2004b). First and foremost the peacekeepers are responsible for abating and containing violence as well as disarming and demobilizing troops on both sides of the divide. But, more recently, the mandates of missions have expanded to include a variety of nontraditional goals that render peacekeepers agents of social change (Doyle and Sambanis, 2006). These goals include reintegrating former combatants into civil society, promoting and ensuring the smooth conduct of democratic elections, encouraging widespread political participation and other aspects of democratization, providing humanitarian assistance including the protection of delivery of food and medical aid, and the protection of human rights. Going further afield from their traditional missions, peacekeepers have been assisting in fulfilling various peacebuilding objectives. These include protecting civilians in everyday activities, insuring that political decisions are made according to legal

rules, assisting in the provision of government services, and contributing to the transformation of attitudes and relationships to prevent the recurrence of armed conflict. This is a large agenda of activities and obligations. Thus, implementation largely turns on the effectiveness of peace operations. Modern peacekeepers are pivotal in achieving the durable peace envisioned by the agreements.

The expansion of peacekeeping activities has made performance evaluation complex. Recognizing this, Diehl and Druckman (2010) developed a multidimensional evaluation framework that includes indicators for core, nontraditional, and peacebuilding goals. The framework has been applied to the implementation of five peace agreements: Bosnia (UNPROFOR), Cambodia (UNTAC), Liberia (UNMIL), Cote d'Ivoire (UNOCI), and Timor-Leste. The results of these five applications show a mixed record of success and failure for the peacekeeping missions.

While UNPROFOR was successful in preventing the spread of violence across the country and in assuring voter registration and turnout, it was mostly unsuccessful in providing aid to the most vulnerable populations or in reducing corruption (Diehl and Druckman, 2010). While UNTAC was successful in containing the conflict it failed to end the violence. The mission succeeded in assisting in a large voter turnout for the transitional election but failed to disarm and demobilize former combatants (Whalan, 2012). UNMIL succeeded in achieving the core goals of abatement and containment but failed to provide adequate human rights protections for Liberian citizens (Farrall, 2012). UNOCI succeeded in providing election supervision but failed to disarm and demobilize former combatants (Bellamy and Williams, 2012). And, the various missions in Timor-Leste succeeded in accomplishing the core goals of abatement and containment but failed to disarm and demobilize as well as to police and control the local military (Braithwaite, 2012). These assessments make evident the difficulties often encountered during the period in which agreements are implemented. More specifically, they call attention to the considerable challenges to sustaining the peace agreements, including those where justice provisions are central and progress toward a more stable society is evident (Cambodia and Bosnia).

AREAS FOR NEW RESEARCH

To remain relevant, scholarship on peace negotiations needs to develop theory and methods of inquiry to capture changing patterns of conflict and intervention. Two types of improvements appear particularly beneficial to the study of negotiations as a means to achieve peace: (1) further

theorizing about negotiations aimed at addressing forms of violent conflict, which peace and conflict research has only begun to pay attention to, and (2) to sharpen the methodological tools to analyse the onset and process of negotiation, as well as the durability of peace agreements.

BROADENING THE SCOPE: DIFFERENT FORMS OF VIOLENT CONFLICT

A first limitation in current research on peace negotiations is that it rests on assumptions about a certain type of armed conflict – an inter-state or civil war – which is to be managed or resolved. The frequency of what conventionally is considered armed conflict or war, which by definition includes the state as a key actor, has remained fairly constant over the last decade (Pettersson and Themnér, 2011). While other conflicts are not new per se, they are gaining more attention in the international arena, but without the negotiation literature providing adequate tools to analyse and address them.

A few examples serve to illustrate this point. A first type of conflict barely accounted for in the research on peace negotiations are conflicts pertaining to non-state actors; conflicts in which neither of the parties is the state. These conflicts include a range of situations, such as when rebel groups fight each other, or when less organized actors – formed along ethnic, religious or tribal lines – engage in violence against each another. The latter are commonly referred to as communal conflicts (Brosché and Elfversson, 2012). A second type of conflict relates to situations of violent electoral disputes, which often include elements of non-state conflict, but also substantial amounts of violence perpetrated by one organized actor against civilians (Höglund, 2009; Bekoe, 2012). As an example, the post-election violence in Kenya in 2008 took the form both of non-state conflict (between Luo and Kikuyu) and state-perpetrated one-sided violence against protesters. The significance of this type of violence is illustrated by the fact that in two of the seven countries that have cases under investigation in the International Criminal Court for crimes against humanity – Kenya and Ivory Coast – the violence was committed during elections.

It is unclear to what extent conventional negotiation theory used in the study of peace negotiation can contribute to an understanding of the measures required to solve conflict other than conventional armed inter-state and civil war. Both theoretical analysis and case study evidence suggests that more adequate responses and measures could be crafted and put to the test if some of the differences are recognized. For instance, an emergent literature on the microfoundations of civil war emphasizes the linkages between conflicts at the local level and the central conflict. In fact, it has

been suggested that the focus on one main dividing line, the "master cleavage" serves to "simplify, streamline, and incorporate a bewildering variety of local conflicts . . . to tell a straight, compelling story out of many complex ones" (Kalyvas, 2006, 384). That a simplified conflict analysis would have negative influence on the outcomes of peace negotiations is alluded to in, for instance, the Darfur case. The 2006 Darfur Peace Agreement is posited to have broken down because of a failure to recognize that what was considered as a state-based conflict between a government and rebels, in fact consisted of three simultaneous and interlinked conflicts: "a) intergroup conflict at the grassroots level, b) a region-centred conflict over allegation of regional neglect of the central government and c) communal elite conflicts over holding political positions" (Mohamed, 2009, 8). This resulted in an agreement that in fact strengthened tensions rather than reduced them.

So, in what ways could negotiation research be improved by a better recognition of the array of conflicts that may be ongoing concurrently? Several differences have been pointed out which may have implications for conflict resolution. First, the role of the state in negotiation needs to be put in perspective (Brosché and Elfversson, 2012). The research on peace negotiations has a strong emphasis on the state as a problem solver or bargainer, and has thus failed to incorporate ideas about alternative approaches to conflict resolution. Moving beyond the state as a unit of analysis and incorporating research on methods of conflict resolution emphasized in, for instance, social anthropology, is likely to enrich the traditional peace negotiation paradigm, by allowing peace scholars to engage in arrangements with actors that have resonance and legitimacy in the societies subject to violent conflict (Mac Ginty, 2008).

Second, a main difference between state-based and non-state conflicts relates to the actors involved in conflict and their level of organization and capacity.[5] Communal conflict actors generally do not have a permanent capacity for sustained fighting. This has implications for violence patterns during the conflict, with outbreaks of violence tending to be short-lived and sporadic, but recurrent (Sundberg, 2008). An implication may be that standard measures that are negotiated as part of a peace agreement, such as programs to demobilize and reintegrate former combatants, are unable to address conflicts in which there are no formally organized actors.

A more comprehensive understanding of the diversity of violent conflict may also contribute to a better understanding of the success and failures of peace negotiations. An analysis of the main beneficiaries of a particular peace process is useful as a means to appreciate why the solutions favored by international mediators as remedies for violent conflict are sometimes deliberately manipulated or undermined. As an example, power sharing has become a cornerstone of international interventions to solve violent

electoral disputes and has been utilized in Kenya and Zanzibar, to give only a few examples. While power sharing is often the only possible compromise which addresses issues concerning security dilemmas and commitment problems, it may be an inadequate means for certain conflicts. For instance, the power-sharing agreement in Zimbabwe has been interpreted as a protection for incumbents refusing to accept election results that would oust them from power (Maina, 2011). In the Ivory Coast, as noted by Piccolini (2012), negotiations have been used to take control of the peace process as well as avoid seeking a solution to the crisis and reduce the influence of the international community. In line with the contingency approach of mediation, theories on negotiation success need to be refined to consider the wide array of violent conflicts in which negotiations can play a significant role.

METHODOLOGICAL DEVELOPMENTS

The primary source for knowledge about peace processes and negotiations has been the single case study. Often collected in thematic edited books or data archives, a considerable variety of cases are available (e.g., Stedman et al., 2002; Zartman et al., 1996; see also the Pew Case Studies, 1999). The gains achieved in deep understanding of particular cases have been offset by losses in systematic comparison afforded by the use of state-of-the-art methodologies. These methods have addressed the trade-off between matters of internal and external validity, which are at the heart of systematic research in social science.

With regard to internal validity, the researcher can extend the number of cases chosen for analysis in order to perform a focused comparison. Based on the logic that underwrites laboratory experiments, this method focuses on the selection of a small number of cases. Peace agreements are chosen because they are similar in most respects: They differ only on one or a few independent variables. For example, the chosen cases may be from the same region with a similar history of conflict but differ on the use of third parties. Examples from analyses of peace agreements come from the recent studies conducted by Irmer and Druckman (2009), Druckman and Albin (2011), and Albin and Druckman (2012).

The Irmer and Druckman study compared the negotiation processes in the similar cases of Georgia–South Ossetia and Nagorno–Karabakh. They differed on whether a problem solving (Georgia–South Ossetia) or distributive bargaining (Nagorno–Karabakh) approach was used. More comprehensive outcomes were achieved in the Georgia–South Ossetia case. The Druckman and Albin study compared the durability of peace agreements obtained in two pairs of similar cases: Bosnia and Cambodia

(intense conflict with more or less significant justice principles) and Guatemala and El Salvador (less intense conflicts with more or less significant justice principles). In both comparisons, durability was stronger for the case when justice principles were more central to the peace agreement. The Albin and Druckman study compared the durability of peace agreements for four cases that varied on adherence to procedural justice (PJ) principles during the process and the centrality of the equality principle in the agreement: The cases were the 2002 Sun City agreement in the DRC (high PJ, high equality), the 2000 Arusha accords in Burundi (low PJ, high equality), the 2005 Helsinki agreement in Aceh (high PJ, low equality), and the 2002 Luanda agreement in Angola (low PJ, low equality). Three of the four cases supported the hypothesis that the relationship between PJ and durability is mediated by equality outcomes. The Sun City agreement (high PJ, high equality) was moderate rather than strong on durability. (See also Lilja's [2012] analysis of two similar cases of peace processes in Sri Lanka and Aceh.)

Further evidence bearing on causal questions is provided by process tracing, referred to by George and Bennett (2005) as process verification. This is a qualitative time-series analysis that arranges events in a sequential order. Relevant questions concern trends in problem solving or distributive behaviors leading to more or less comprehensive outcomes: What are the trends in problem-solving statements (during the early, middle, or late phases) for more versus less comprehensive or durable agreements? The method is particularly useful for investigating stage transitions: Which events trigger turning points that move the talks forward to the next stage? Probing further, a search for explanatory mechanisms is sought with a strategy referred to as process induction (George and Bennett, 2005). Asking about whether trust mediates the relationship between peace negotiation processes and outcomes, Irmer and Druckman (2009) compared movement during the process from lower (mistrust) to higher (identity-based) levels of trust for cases with high and low frequencies of problem-solving statements. They showed that the development of trust accounted for the relationship between problem-solving (frequent or infrequent) and outcomes as comprehensive or partial. These methods are qualitative counterparts to quantitative time series.

A variety of statistical techniques have also been used to analyse peace negotiation processes and outcomes. Mediation attempts to get Armenia and Azerbaijan to the negotiating table were analysed with a six-year time series of events that occurred during the period leading up to and following the 1994 ceasefire talks (Mooradian and Druckman, 1999). Before and after mediation comparisons showed that each attempt was ineffective. The talks were shown to follow a brutal war and seemed intended to

resolve a mutually hurting stalemate. When a large number of cases can be sampled from a known universe of negotiations, statistical techniques can reveal patterns that apply as well to other cases not sampled. For example, multi-dimensional scaling (MDS) has been used to distinguish among various negotiating objectives (Druckman et al., 1999) and to generate clusters of problem solving or distributive processes (Wagner, 2008). Regression-based mediation techniques are useful for causal analyses as demonstrated in the studies of 16 peace agreements by Druckman and Albin (2011) and Albin and Druckman (2012). With the advent of larger datasets, such the UN Peacemaker Database, the Uppsala Conflict Database (UCDP) and the International Conflict Management (ICM) data, more robust analyses will be possible, enhancing the external validity of findings. More fine-grained information on conflict and negotiation in the form of geo-coded and event data, will open new avenues for research on the dynamics of peace negotiations and their successes and failures. Further, a renewed focus within peace and conflict research on field experiments is likely to advance research on peace negotiations, by providing alternative research designs for causal inference.[6]

Methodological advances have also been made by researchers working in other philosophical traditions. Several methods that spring from the constructionist research tradition have become popular in the field of conflict resolution. An inductive approach referred to as grounded theory (Strauss and Corbin, 1990) relies primarily on the coding of in-depth interviews for making inferences about conflict processes. Interviews are also the primary source of information used to derive meaning from narratives provided by discourses given by participants in conflict or in negotiations intended to resolve disputes (Mishler, 1986). Emphasizing the importance of participation in the life of a culture – including negotiation cultures – some researchers conduct fieldwork to construct ethnographies in order to discover the "social and cultural dynamics (that) foment, perpetuate, and resolve conflict" (Nordstrom and Martin, 1992, 9). Each of these approaches may be particularly useful for understanding the cultures of violence that surround the conduct of peace negotiations.

CONCLUSION

As negotiation has become a more frequently-used tool to address violent conflict, so have studies into the onset and dynamics of negotiation, as well as the implementation of peace agreements, become part of the agenda of peace and conflict research. This chapter has reviewed some of the key issues in research on peace negotiations and has outlined promising areas

for new further inquiry, including how the research can be revitalized and improved.

Two conclusions emerge from this chapter on how the research field has developed. First, a main share of current scholarship on peace negotiations pertains to intra-state conflict rather than inter-state conflict. This is understandable given that intra-state armed conflicts by far outnumber conflicts between states. Second, two main theoretical approaches, the problem-solving and bargaining approach, have dominated research on peace negotiations. While having different theoretical assumptions as starting points and implications that flow from these assumptions, in essence the two approaches are concerned with similar issues, such as trust, communication and the role and efficacy of mediation and other third-party interventions. A key to negotiation success, however, is the extent to which the parties, including third parties, manage the violence surrounding many of these attempts to make peace. The challenge for both researchers and practitioners is to find ways to reach agreements that endure the internal and external forces aimed at spoiling the progress made by negotiators. These forces are captured in our discussions of security dilemmas, commitment problems, spoilers, ripeness and hurting stalemates as well as by the distinction made between forward and backward-looking negotiation outcomes. These are also concepts that contribute more generally to the study of international negotiation.

NOTES

1. Important figures in the earlier stages of research on peace negotiations are: Curle (conflict transformation), Burton (track II), Fisher (interactive CR), Zartman (ripeness), Touval (mediation), Druckman (turning points), Mitchell (gestures of conciliation), Bercovitch (contingency theory of mediation), and Kelman (social-psychological factors).
2. The distinction between impartial and neutral mediators has been emphasized in several works, see for instance Young (1967) and Carnevale and Arad (1996).
3. Another widely used categorization of mediator roles and methods was launched by Touval and Zartman (1985). They distinguish between mediators as (1) communicators, (2) formulators, and (3) manipulators, indicating different levels of intervention.
4. Research on mediator motivation has, among other issues, characterized the driving forces behind the choice to mediate and analysed how mediator motives may influence choice of strategy (see, for example, Crocker et al., 2004; Mitchell, 1988; Touval, 2003; Höglund and Svensson, 2009).
5. Kalyvas and Balcells (2010) expose of warfare finds that external factors are fundamental to understanding how civil wars are fought. The ending of the Cold War changed the nature of warfare in significant ways.
6. For an overview of field experiments in the field of development studies, see Humphrey and Weinstein (2009).

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