

UNIVERSITY OF CALIFORNIA, SAN DIEGO

Politics by Means Other than War: Understanding International  
Mediation

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by

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2006



The dissertation of Kyle C. Beardsley is approved, and it is acceptable in quality and form for publication on microfilm:

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*To Jessica*

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ABSTRACT OF THE DISSERTATION

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A series of specific choices, made by both the antagonists in a conflict and the third parties that mediate, determine the distribution of mediation resources. These choices, which include the selection of whether to have mediation, the choice of who mediates, and the adoption of particular mediator strategies, ultimately affect the prospects for successful outcomes. Studying the mediation selection process has two primary purposes. First, it prevents misleading inferences caused by the involved actors conditioning their mediation preferences on their expectations of the outcomes. Second, it clarifies the constraints on optimal mediation, and thus provides insight into how effective mediation can be more prevalent.

Using quantitative analyses, the results demonstrate that mediation occurs when the bargaining problems are manageable enough for success to be likely, or when there are conditions that give the actors devious incentives for mediation. In the cases that receive mediation, the conflict actors prefer the most potentially effective intermediaries when the bargaining problems are less manageable. The project also finds that when persuasive third parties derive sufficient benefits, mediation is more likely to occur, more likely to involve these types of third parties, and more likely to include the most costly tactics.

Taking steps to mitigate selection and omitted variable biases substantially affects the inferences drawn regarding what contributes to effective mediation. Factors such as the type of mediator, power balance, changes in power balance, previous interaction, ethnic dimensions and overall third-party incentives to mediate appear to have no effect on mediation outcomes in analyses that do not take into account the selection process. Once the models are informed by the information in the selection process, the important effects of these factors materialize. Accounting for the selection process, the findings demonstrate that mediation is an effective vehicle toward peaceful resolution. In addition, the findings reveal that mediation performs best when the most resourceful mediators are willing to use all the tactics at their disposal, and when the belligerents do not have incentives to use mediation merely as a stalling tactic.

# 1

## An Overview of Mediation Selection

### 1.1 Introduction

Mediation is commonly practiced in legal matters, labor disputes and international politics as a strategy to efficiently resolve disputes short of costly conflict. Focusing on international mediation, many praise it as an often necessary path to peace. Benjamin Franklin captures this sentiment well in a 1783 letter, in which he writes, “All wars are follies, very expensive, and very mischievous ones. When will mankind be convinced of this, and agree to settle their differences by arbitration? Were they to do it, even by the cast of a dye, it would be better than by fighting and destroying each other.” This view contends that international mediation is an

alternative means of conflict resolution that would lead to a net improvement in global welfare if it were more heavily and effectively used. But it is not universally employed. There is tremendous variation in which disputes receive mediation and how it is implemented. That actors do not often pursue mediation in conflict resolution appears to contradict the notion that mediation invariably leads to better outcomes. If the proponents of international mediation are correct in extolling its virtues, they must account for so many instances of conflict that do not actually employ mediation.

Other scholars ignore or dismiss mediation in their explanations of international conflict resolution. Indeed, a survey of the published research reveals a noticeable disconnect between the mediation and general conflict literatures; the former stresses the importance of mediation, while the latter rarely gives it much credence. Unless a study is specifically focused on third-party conflict management, mediation is frequently left out of the picture. Many assume that mediation is epiphenomenal, in that it is mostly an indication of the readiness of actors to settle their grievances. It thus does not belong as an explanatory factor of settlement. Denying the relevance of mediation implies a counterfactual claim that most mediated conflicts would have had a similar outcome without an intermediary. But any such counterfactual claim requires firm knowledge about the conditions and incentives that lead to mediation implementation. That is, mediation skeptics and agnostics have to be able to capture the *ex ante* willingness for actors to com-

promise and demonstrate that it remains relatively constant during mediation. Only through a proper conceptualization of the preconditions for mediation will researchers be able to determine whether mediation should help explain the conflict resolution process or be explained by it.

Neither the mediation proponents nor the skeptics can substantiate their claims without an understanding of the processes that lead mediation to be implemented as it is. Despite significant variation in when and how mediation is implemented in international disputes, scholars and practitioners have given the causes of mediation only scant attention. Instead, most of the focus in both the academic and policy communities has been on the effects of mediation. We are then left with a gaping hole in our understanding of mediation. The puzzle of how mediation resources are allocated is left unexplained. We neither understand well an actor's motivation to pursue mediation as a conflict resolution strategy, nor do we have more than mere guesses at what drives a third party to offer it.

By studying when and how mediation is implemented, this research project demonstrates the problems of focusing on mediation effectiveness without carefully considering the prior selection processes. At best, previous research agendas have advanced empty conclusions about mediation. Even if a study correctly determines whether and when mediation improves the conditions for conflict management, practitioners will not know how to actually improve the prospects for peace. They will need to know why mediation is ever constrained in the first place to then

take steps toward actually making effective mediation more prevalent. At worst, mediation scholars will advance misleading conclusions about mediation. They will find it difficult to isolate the effects of mediation from the causes if they do not have a full understanding of the mediation selection process. The decision to mediate a conflict, the choice of mediator, and the mediator's choice of tactics are all endogenous to outcomes. Selection and omitted variable bias thus vitiate any studies of mediation effectiveness that do not take into account the selection mechanisms.

In other words, studying the mediation selection process has two primary purposes. First, it prevents misleading inferences caused by the involved actors conditioning their mediation preferences on their expectations of the outcomes. Second, it clarifies the constraints on optimal mediation, and thus provides insight into how effective mediation can be more prevalent. Each of these two purposes will be more adequately developed in turn.

## **The Perils of Naïve Analysis**

Much of the international mediation literature does not adequately consider when mediation occurs, and, as a result, is likely to get it wrong when it comes to inference about the impact of mediation. Mediation interacts with the crisis bargaining problems that block peaceful resolution. But mediation may occur when the bargaining problems are predisposed toward success or failure. Naïve analyses that



fail to take into account the mediation choice process will have difficulty estimating both the role of mediation in shaping outcomes and the impact of contextual factors. That is, previous analyses have the potential for omitted variable bias and selection bias.

For example, many use the 1978 Camp David Accords as a clear example where mediation had an indelible impact in securing peace. In fact, on 24 September 1979, near the first anniversary of the Accords, a Washington Post editorial boldly stated, “President Carter’s successful mediation at Camp David has done far more than transform relations between Egypt and Israel, an enormous accomplishment to begin with.” Such a statement that credits Carter’s mediation with redefining the relationship between Israel and Egypt takes a naïve view of the crisis by not considering the preconditions for mediation.

A more nuanced view would find evidence that the bargaining problems in 1978 were much more manageable than in the past, and thus mediation did not have such a prodigious impact. Such a view would note that the five wars between Israel and Egypt prior to 1978 allowed learning about the costs of perpetual conflict and the benefits of peace. In addition, Sadat’s trip to Jerusalem in 1977, well before the Camp David mediation, was a crucial turning point in Egypt-Israel relations. By risking alienating domestic audiences and Arab allies, Sadat’s overtures demonstrate that peace had become a distinct possibility in 1977. Finally, a more nuanced analysis would reveal that Israel and Egypt had much to lose if they

alienated the US through complete mediation failure. Sadat and Begin wanted successful mediation to be possible before proceeding with the high-profile mediation at Camp David (Princen 1992). Such an analysis demonstrates that mediation occurred because there was a predisposition toward peace. As a result, it is easy to overstate the effectiveness of Carter's mediation efforts without considering the preconditions for mediation.<sup>1</sup>

As another example, a *prima facie* view of mediation efforts in the Democratic Republic of Congo's (DRC) civil war from 1998 to 2002 might consider the efforts a catastrophic failure and an indication that mediation has no real effect on conflict behavior. This war involved many instances of mediation and different mediators including the Organization for African Unity (OAU), the Southern Africa Development Community, the UN, the EU, Zambia and South Africa. All except for the last failed, and even South Africa's mediation efforts took several rounds until finally the parties reached a durable agreement. Early in 1999, British special envoy Tony Lloyd criticized the efforts of the African states to resolve the conflict and questioned whether there was enough political will to terminate the conflict.

A careful view of this conflict, taking into account the conditions in which mediation occurred, would not have expected mediation success, even if mediation often does contribute to conflict resolution. First, with seven different state actors involved in the hostilities and multiple rebel groups, the war presented extremely

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<sup>1</sup>An alternative view need not contend that mediation was ineffective, just that it was not as effective as some claim.

difficult challenges to any resolution attempts. Second, many of the involved actors would have had devious incentives to use mediation as a stalling tactic instead of solely seeking conflict resolution. With lootable resources in the DRC and the ability to recruit support from rebel sympathizers and allied countries, it is reasonable to expect that some of the combatants saw mediation as a means to buy time in hopes of gaining strength for the future. It would have thus been extremely surprising to see any of the early mediation attempts actually succeed in this war. As this case demonstrates, a clear understanding of the preconditions for mediation can lead to clearer expectations of when mediation should succeed and help avoid misleading conclusions of mediation's utility in international politics.

It is difficult to assess the effectiveness of mediation if we do not understand the circumstances under which mediation occurs and how conflicts that experience different mediators or mediation strategies might be substantially different from each other. We must first explain the distribution of mediation resources before we can adequately address if and how those resources are ever effective in securing peace. Modelling the mediation implementation process can inform our inferences of the contributing factors of mediation success in both qualitative and quantitative settings. This research project will primarily focus on the pathologies of ignoring the mediation selection mechanisms in quantitative studies. But the dangers of selection bias and omitted variable bias are equally, if not more, serious in qualitative research. Quantitative analyses can often address the selection effects through

better model specification. Qualitative research will need to find thoughtful and creative solutions to separate the effects of mediation from the causes. This will be difficult in single case studies of mediated conflicts, which are inherently different than other cases in which the actors chose a different conflict resolution strategy.

## **Overcoming Barriers to Optimal Mediation**

Without a model of selection, we are also left without an explanation for why mediation resources are often withheld. Presumably, realizing optimal conflict resolution is a goal of most scholars and practitioners. They would do well to know if actors make mediation decisions so as to maximize its effectiveness or if there are constraints to optimal mediation in play. If the latter, then they will need to not only recommend what the best resolution path is, but also how to get the actors onto that path.

In January of 2000, Norwegian diplomats began mediation efforts between the LTTE – the primary Tamil rebel faction – and the Sri Lankan government, after nearly a quarter century of civil war. The mediation initially produced a relatively stable 2002 cease-fire but has since been unable to make further progress in resolving the fundamental issues and securing a lasting peace. The limitations on the Norwegian efforts should not be surprising. Norway is simply unable to bring substantial mediation “resources” to South Asia, including political, economic and military carrots or sticks, as well as access to information. The only leverage that

it has hoped to apply is indirect, in trying unsuccessfully to encourage India and the largest aid-donor countries to more strongly press for peace.

Why is such a weak mediator involved in a difficult and bloody conflict? More potentially effective mediators abound in the international system, yet they are not involved in the Sri Lankan peace process. An explanation of their absence and the presence of Norway can clarify the constraints on optimal mediation provision. This case reveals that choices of mediation implementation are not always obvious or decided optimally, where the mediators with the most potential to be effective are the ones actually chosen. This research project surveys the international system to take up similar questions about the selection of mediation to enable practitioners to better overcome barriers to optimal conflict resolution.

## **Framework Overview**

This project demonstrates that a series of specific choices, made by both the antagonists in a conflict and the third parties that mediate, determine the distribution of mediation resources. These choices, which include the selection of whether to have mediation, the choice of who mediates, and the adoption of particular mediator strategies, ultimately affect the prospects for successful outcomes. Mediation resources are not assigned randomly – they are often endogenous to mediation outcomes – and understanding the assignment can help avoid biased inferences of mediation effectiveness. Mediation resources are also limited, and mediation

efficacy should improve with an understanding of why third parties do not always commit the full possible amount of mediation resources.

International mediation is the product of demand- and supply-side decisions. The demand side pertains to the belligerents who either desire mediation as a means toward more efficient bargaining or, more deviously, as a means toward buying time when there are advantages from stalling. The belligerents perceive varying costs of mediation and will only demand mediation resources when the needs are sufficiently strong. The supply side represents the interests of the third parties in the international system. Mediation generally provides peace and stability, which are public goods that create incentives for third parties to free ride off of others' efforts. Third parties will actively seek to serve as a mediator and will be willing to contribute more costly resources only when they can achieve additional benefits from mediating.

The observable implications of the demand- and supply-side frameworks are tested empirically. The results demonstrate that mediation occurs when the bargaining problems are manageable enough for success to be likely, or when there are conditions that give the actors devious incentives for mediation. In the cases that receive mediation, the conflict actors prefer the most potentially effective intermediaries when the bargaining problems are less manageable. The project also finds that when persuasive third parties derive sufficient benefits, mediation is more likely to occur, more likely to involve these types of third parties, and more likely

to include the most costly tactics.

Once we account for the selection process, mediation is still an effective vehicle toward peaceful resolution, contrary to the expectations of more skeptical scholars such as Northedge & Donelan (1971) and Smith & Stam (2003). The substantive magnitudes of its impact on various conflict outcomes can now be more accurately estimated. In addition, the findings reveal that mediation performs best when the most resourceful mediators are willing to use all the tactics at their disposal. Mediation is less likely to succeed when there are incentives to use it as a stalling tactic, which demonstrates the importance of distinguishing between the causes of mediation occurrence when trying to assess the prospects for success.

While these findings support the conventional wisdom of mediation research, the framework and empirical tests also reveal additional findings that go against the grain of some of the previous literature that does not fully consider the mediation selection mechanisms. For example, the evidence supports the notion that actors seek mediation more strongly in the most intense disputes, but that mediation is less likely to succeed in the same conditions. Previous work which has posited that mediation will be less effective and less likely to be accepted in intense conflicts (Modelski 1964, Burton 1969, Bercovitch, Anagnoson & Wille 1991) would miss the fact that actors seek mediation more in bloody and costly situations. Other work such as that of Young (1967), who instead argues that mediation is more acceptable and more likely to succeed during intense conflicts, would miss the fact

that mediation is actually less likely to succeed in the most deadly conditions. The results also confirm that mediation is more likely to succeed when there is a history of conflict between the actors even though such scholars as Bercovitch, Anagnoson & Wille (1991) have argued the opposite. Finally, the analyses weigh in on the debate over whether power parity is best for mediation efficacy. Both the theoretical framework and the empirical results support the argument that mediation is more likely to succeed when the actors have roughly the same military capabilities. This is contrary to Organski (1960), Wright (1965) and Deutsch (1973) who have argued the opposite relationship should hold. This finding also diverts from from Miall (1992) and Greig (2001), who did not find a statistically significant relationship between power distribution and mediation effectiveness. Each of the findings in this research project comes out of the supply- and demand-side frameworks and is reached using methods that take into account the selection dynamics.

Accounting for the selection process in an assessment of mediation effectiveness reveals the pitfalls of a naïve analysis. Factors such as the type of mediator, power balance, changes in power balance, previous interaction, ethnic dimensions and overall third-party incentives to mediate appear to have no effect on mediation outcomes if the selection process is not taken into account. Once the models are informed by the information in the selection process, the important effects of these variables materialize. Mediation tends to be more effective when a great power



mediates, there is stable power parity, there is a history of conflict, there is an ethnic component, and third parties have strong incentives to intervene. Since these factors are also related to the choice processes behind mediation implementation, selection and omitted variable biases in less sophisticated models will mute their true effects on outcome. Taking steps to mitigate these endogeneity problems substantially affects the inferences drawn regarding what contributes to effective mediation.

## 1.2 Context

The broader application to the general conflict literature is that both mediation and war are part of a bargaining process toward a negotiated settlement. Information asymmetries, low costs of conflict and an inability to commit credibly are often behind the failure of belligerents to identify or agree to an alternative that is mutually preferable to war. The theoretical framework thus considers the extent to which mediation is chosen to address these specific problems versus the influence of other factors. By applying the rational bargaining framework to mediation, the analysis offers a significant advancement in the understanding of why mediation is assigned as it is and when it is likely to succeed or fail in reducing conflict.

Kleiboer (1996, 376) has argued that much of the previous work on international mediation is plagued by “the absence of more explicitly articulated theories on international conflict and its management, of which mediation theory is a part.”

It is indeed striking that few of the works on mediation draw upon existing theories of how wars are avoided or resolved to explain how mediation actually contributes to conflict avoidance and resolution. It is equally striking that few of the works on the causes of conflict consider how mediation can be implemented as a vehicle toward peaceful resolution. A bridge is thus needed from the literature on the causes of conflict to the literature on the resolution of conflict.

Though numerous theories of war abound, there is a general consensus that war is not an end in itself but a means toward some other end. The Clausewitzian view of war as a continuation of politics by other means captures the essence of this sentiment (Clausewitz 1832 [1968]). War is simply another means that states use to coerce each other. Voluntary concession and defeat are the same ends. The latter is achieved by war, while the former is achieved short of war. In a similar vein, scholars who view war as a byproduct of rational competition, as in the classic works of Schelling (1967), Blainey (1973) and Pillar (1983), as well as the more recent work of Powell (2004*a*), Wagner (2000) and Slantchev (2003*b*), have viewed war as part of a bargaining process. Geoffrey Blainey (1973, 292) notes, “If it is true that the breakdown in diplomacy leads to war, it is also true that the breakdown of war leads to diplomacy.” War occurs when actors cannot agree on the distribution of an issue or territory and ends when both sides accept a distribution with net-benefits that are preferable to fighting. War is thus inefficient, as there is a settlement reached after war that could have been reached *ex ante*, prior to the

costs of war. Fearon (1995) and Powell (1999, 2004*a*, 2004*b*), as well as numerous other international relations scholars, have focused on two principal causes for why a settlement is not reached short of inefficient war: private information and credible commitment problems.

Similar insight has been path breaking because it means that more structural factors such as polarity, culture, balance of power or presence of certain institutions cannot alone account for the occurrence of war. A theory of conflict must account for why the actors could not reach the outcome of conflict *ex ante* by other means short of war. So, in order to explain the existence of conflict, the barriers to successful bargaining, such as information barriers and commitment problems, should be the focus. Conflict resolution mechanisms thus do not have to perform heroic feats like realigning the balance of power or implementing durable institutions; their goals are more practical in finding alternative, peaceful means to reduce the specific bargaining problems that might occur in disputes of all sorts of causes, whether structural or not.

That war is another means toward ends that can otherwise be achieved suggests that war may not actually be necessary in the international system. The ability for alternative means to achieve the same end as war will make war less relevant. This is where mediation enters the picture. Like war, the chief end of mediation is to reach a bargained settlement. Like war, mediation occurs when the actors choose to pursue it as a conflict management strategy. It is thus useful to couch

the role of mediation in terms of how it affects the bargaining environment, which in turn affects the proclivity for war. Looking at mediation as an alternative to war in reaching bargained outcomes will enable us to better grasp what mediation is actually doing by way of conflict resolution. The direct effects of mediation, and the conditions for optimal mediation provision, can then be more carefully assessed. Neither the conflict management literature nor the literature on rational explanations for war, however, have thoroughly considered how mediation fits into the picture of reducing the reliance on war as a bargaining strategy.

## **1.3 The State of Mediation Research**

### **Defining What Mediation Does**

Definitions of mediation, though numerous, all generally recognize at least four necessary components of mediation: (1) two or more actors in a dispute, (2) permissive involvement of a third party, (3) the mediator's reliance on non-violent tactics, and (4) the inability of the actors to resolve the dispute on their own. For example, this research project adopts the widely-cited definition presented by Bercovitch & Houston (1996, 13), which states that mediation is "a reactive process of conflict management whereby parties seek the assistance of, or accept an offer of help from, an individual, group, or organization to change their behavior, settle their conflict, or resolve their problem without resorting to physical force or

invoking the authority of the law” (also see Bercovitch, Anagnoson & Wille 1991).

When actors cannot resolve an issue through direct negotiations, they will often consult a mediator.<sup>2</sup> To understand why mediation is ever pursued as an option, it is necessary to first understand what mediation actually does. To this end, it is a useful heuristic to group the functions of mediation into two overarching strategies: integration and cost-maximizing.

First, mediators might use what Carnevale (1986) and Kressel (1972) term an integrative strategy – enabling the actors to find a single agreement in a set of preexisting mutually agreeable options. Carnevale suggests that mediators might do this through making proposals that bridge an actor’s interests, reduce costs of an agreement, logroll issues, expand the pie, or address compensation between the actors. The key is that the mediator is able to allow the actors to achieve some agreement that is mutually acceptable without actually changing the incentives to find a resolution. Zartman & Touval (1985) similarly use conceptions of “pure” mediation – encompassing what they term communication<sup>3</sup> and formulation<sup>4</sup> styles – that captures these components of an integration strategy as well (see also Bercovitch 1997). Also consistent, Kressel & Pruitt (1985) use the term

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<sup>2</sup>Arbitration – binding third-party intervention – is very rare in the international system for major disputes; consequently, it is not developed as a likely alternative to mediation.

<sup>3</sup>The mediation as communicator terminology is very similar to what Burton (1984), Bercovitch, Anagnoson & Wille (1991), Bercovitch (1992), Bercovitch & Houston (1993, 1996, 2000) and Hopmann (1996) call facilitation.

<sup>4</sup>Bercovitch & Houston (2000) use the term “procedural strategies” when discussing the same general role of a mediator that is meant by formulation.

“contextual interventions” to refer to the same general set of mediation activity meant by integration.

Second, mediators might follow a strategy to maximize the costs of non-agreement. Mediators often have bargaining power vis-à-vis the combatants, and they often wield that bargaining power to structure the incentives and induce the actors into agreement. The cost-maximization strategy also closely corresponds to what Zartman & Touval (1985) term manipulation, and what Princen (1992) calls a “principal mediator.” Kressel (1972), Carnevale & Pegnetter (1985), Bercovitch, Anagnoson & Wille (1991), and Bercovitch & Houston (1993, 1996, 2000) call this style of mediation “directive.” Bercovitch & Houston (2000, 175) specifically describe it as involving a mediator that “affects the content and substance of the bargaining process by providing incentives for the parties to negotiate or by issuing ultimatums.” Cost-maximization refers here to opportunity costs, such that positive incentives, when unrealized because of noncompliance, serve as costs of conflict. Carnevale (1986) similarly discusses the two sides of cost-maximization in his terminology of pressing – using threats or punishments to exclude specific alternatives or move the actors’ reservation values – and compensation – providing benefits or guarantees in exchange for compromise. In this vein, Schrodt & Gerner (2004) assess the effects of both material cooperation and material conflict actions that a mediator can take vis-à-vis actors in conflict. A striking example of a manipulative (cost-maximizing) mediator that used both carrots and sticks – or pressing

and compensation – would be Colonel Qaddafi’s mediation of a 1972 crisis between North and South Yemen. To generate incentives for agreement, Qaddafi reportedly threatened to hold captive the delegation leaders of both sides if they failed to reach an agreement, and offered both sides monetary aid if they did reach an agreement.

A manipulative style often includes monitoring and enforcement (Susskind & Cruikshank 1987, Bercovitch 1997). Bargaining failures can occur because of credible commitment problems (Fearon 1995, Fearon 1998, North & Weingast 1989, Walter 1997, Walter 2002). Such problems might result from a time inconsistency problem in which a settlement might be in the parties’ best interest at one time period but not in future time periods. Gains in advantage from surprise attacks – as during disarmament in civil wars (Walter 1997, Walter 2002) – or changing capabilities (Powell 1999, Powell 2004*b*) are some factors that might contribute to a time inconsistency problem. In line with a cost-maximization rationale, mediators can use monitoring or threats of future punishment to maintain the expected costs of future non-compliance and thus reduce the incentives to renege.

The mediation literature therefore has proposed numerous ways by which mediators might contribute to conflict management and resolution. There is also empirical evidence to suggest that mediation has an effect on outcomes. Dixon (1996) finds that mediation is one of the only intervention strategies that third parties can use to effectively reduce escalation and promote the implementation

of peaceful settlements in international conflicts. In another empirical assessment, Carnevale & Pruitt (1992) conclude that mediation is effective in bringing parties to an agreement and increasing their satisfaction. Regan & Aydin (2005) also find that mediation significantly reduces the duration of intrastate conflicts. In experimental evidence, Wilkenfeld, Young, Asal & Quinn (2003) and Wilkenfeld, Young, Quinn & Asal (2005) find that in an environment in which commitment credibility is not an issue – the deals reached are automatically effective – mediation is still found to be effective in managing crises. Similarly, Rauchhaus (2004) and Beard-sley, Quinn, Biswas & Wilkenfeld (2006) have demonstrated that even mediation styles without a promise of enforcement are very much effective in bringing about successful outcomes in international crises.

## **Toward a Deeper Understanding**

Unfortunately, we lack a model of mediation in the context of bargaining failures. Much of the research on mediation begins with a tacit assumption that there is a preexisting need for mediation and then tries to explain how mediators use various styles to help resolve the conflicts. Instead of a deductive logic that is generalizable to a broad set of mediated cases, theories on mediation tend to be of an ad hoc and descriptive nature, and many are only applicable to the case studies from which they are derived (Kleiboer 1996). With a few recent exceptions (Kydd 2003, Kydd 2004, Favretto 2004, Schmidt 2004, Rauchhaus 2004), there



has been a dearth of research that begins with a conception of how actors might bargain over an issue and then use mediation as a means to help reach an agreement within the context of a bargaining model. Without a firm understanding of how mediation operates in a bargaining context, it is difficult to reach a consensus on when mediation will occur, who will mediate, how they will mediate, and ultimately whether mediation will be effective.

### **Moving Past Ripeness**

The literature on conflict “ripeness,” which looks at the situations that are most likely to lead to successful conflict resolution, can be used as a starting point to determine when disputants might be most willing to turn to mediation. Young (1967, 20) is perhaps the first to suggest that conflicts can have periods that are “ripe” for mediation success, in that “during any given crisis there are certain stages in which outside intervention is likely to have a noticeably greater chance of success than in other stages.” While no consensus on when a conflict is ripe exists, scholars often focus on the role of “mutually hurting stalemates.” In trying to identify when those opportune moments might occur, Zartman (1985), Touval & Zartman (1985), Modelski (1964) and Rubin (1991), among others, have argued that the most opportune moments for third parties to convince the combatants to compromise are when the combatants reach a situation in which the costs of conflict are making it increasingly difficult to conquer the opponent. Orme (2004) describes a similar situation that favors the implementation of peace when the threat of

costly conflict is at its greatest and terms this the “paradox of peace.” Empirically, Mooradian & Druckman (1999) analyzed six different mediation attempts in the Nagorno-Karabakh conflict and found that mediation was only effective around the time period of intense combat, suggesting that it took a perception of a mutually hurting stalemate to allow mediation to be effective. Greig (2001) also finds that mediation is more likely to contribute to long-term success when it occurs late in the lifetime of a rivalry, and when the number of previous stalemates in the rivalry accumulate.

Applied to the likelihood of mediation incidence, it might follow that mediation is most likely to occur in conflicts with the same characteristics of being ripe for resolution. To this end, Bercovitch & Houston (1996, 12) write, “mediation is likely to occur when (1) a conflict has gone on for some time, (2) the efforts of the individuals or actors involved have reached an impasse, (3) neither actor is prepared to countenance further costs or escalation of the dispute, and (4) both parties welcome some form of mediation and are ready to engage in direct or indirect dialogue.” Greig (2005) finds empirically that mediation is more likely in enduring rivalries during periods with some characteristics of a mutually hurting stalemate.

A notion of ripeness cannot fully address what mediation actually does to resolve conflicts or why mediation sometimes fails. Arguing that good fruit is harvested when the fruit is ripe tells us nothing about what the harvester is actually

doing to produce good fruit. The process of what mediation actually does must be used in an explanation of why mediation might fare better in certain conditions and how mediation is actually needed to reach the desired outcome during times of ripeness. This requires more thorough attention to the interests of the parties involved that goes much deeper than loose characterizations of ripeness.

Much of the problem is rooted in the confusion of whether “ripeness” is a cause or effect of mediation. The literature has not demonstrated that mediation actually can contribute to ripeness instead of just occurring when conflicts are ripe. In other words, it is tempting to conflate being ripe for resolution with being ripe for mediation. According to Kleiboer (1994), previous work on mediation ripeness has argued that ripeness greatly enhances a mediator’s success at conflict resolution, but also that mediators will often try to create a situation of ripeness as a means to conflict resolution when they do intervene (see also Zartman 1985, Haas 1991, Stedman 1991). If mediation and ripeness are endogenous to each other, then it becomes difficult to assess the effects of mediation on conflict outcomes independent of the level of ripeness that existed prior to mediation onset. It also become difficult to gauge when mediation is likely to occur, as the assumption that mediators will tend to intervene when the conflicts are already ripe may not be valid if mediation is actually a cause of ripeness. More theoretical rigor is needed to parse out the causal directions between ripeness and mediation.

The shallow theory with regard to ripeness also leads to tautologies (Kleiboer

1994). If ripeness simply means the opportune moments in which resolution is likely, then it can only be identified by the occurrence of resolution. By definition, a conflict that was resolved had achieved ripeness, making ripeness a hollow concept because it is trying to explain success when it is defined as being prone for success. In this way, ripeness can really only be identified ex post, unless more attention is paid to the mechanisms that actually create ripeness and how they can be identified ex ante, whether successful resolution follows or not.

This research project attempts to more carefully assess the selection processes in a way that avoids the use of such amorphous concepts as “ripeness.” It will be shown that mediation is more likely to occur in conflict situations that are more conducive to successful bargaining. In this way, the study is consistent with some of the conclusions of the ripeness literature. The addition of this study is to specify why this relationship might exist, why there will be some deviations from the relationship, and how an analyst can use specific criteria to assess when the bargaining environment is permissive to resolution as well as when mediation is likely to occur. In this way, circularity can be avoided by using ex ante explanations instead of ex post justifications for ripeness.

### **Taking Endogeneity Seriously**

In many empirical studies of mediation (Bercovitch 1986, Bercovitch 1997, Bercovitch, Anagnoson & Wille 1991, Bercovitch & Houston 1996, Leng & Regan 2003, Greig 2001), the scholars only analyze cases with mediation to look at the pre-

dictors of mediation effectiveness. However, as Regan & Stam (2000) correctly note, Greig (2005), Gartner, Melin & Bercovitch (2004) and Terris & Maoz (2005) find at the international level, and Schmidt (2004) discovers at the intrastate level, such analyses are strongly susceptible to selection bias because mediation is selected by the combatants and the mediators in a non-random fashion. The set of crises that experience mediation of a certain type is likely to be very different, in terms of the ex ante likelihood of mediation success, than the set of crises that did not experience mediation or experienced mediation of another type. For example, if mediators try to generally intervene at opportune moments, the conflicts without mediation are likely to have had fewer opportune moments. It thus becomes difficult to assess the effect of the contextual environment on mediation effectiveness when the set of crises being analyzed has already been selected based on the contextual environment's predisposition for effective mediation.

Moreover, without accounting for potential selection effects, causal inference on the impact of mediation is difficult because we must separate the effects of mediation on the conflict outcome from the effects of the contextual factors that are correlated with both mediation incidence and effectiveness. We may see mediation correlate with crisis abatement, but that observation may be spurious if abatement often occurs when the conflicts are likely to reach a quick resolution with or without mediation. Careful model specification is thus necessary to avoid this problem of endogenous selection effects, or omitted variables bias.

A theoretical and empirical assessment of mediation selection will be crucial to avoid the pitfalls of both selection and omitted variable bias in analyses of mediation effectiveness. The selection process worth studying includes when mediation occurs, who mediates, and what styles are employed. Each of these steps is a non-random choice that will shape the outcome of mediation.

Toward this end, Bercovitch & Jackson (2001), Bercovitch & Houston (2000) and Bercovitch & Schneider (2000) respectively analyze when mediation is selected, how the mediators might choose which styles to employ and who mediates. Stephens (1988) also describes some of the processes that might affect the acceptability of mediation initiatives. Mitchell (2002) and Mitchell, Kadera & Crescenzi (2005) argue and discover that the spread of democratic norms of peaceful conflict resolution – through increases in the number of democratic states in the international system and the strength of the democratic community – influences the likelihood of third-party settlement attempts. However, these studies are not rooted in a clear understanding of what role mediation plays in the bargaining process and generally do not consider the specific interests of the belligerents or third parties in requesting and offering mediation. In addition, Bercovitch & Jackson (2001) likely suffer from an additional bias by only looking at periods of negotiation and mediation instead of all periods during a conflict; Bercovitch & Houston (2000) only look at cases of mediation and do not offer hypotheses or results that indicate the direction of the relationships between the contextual factors and the choice of me-

diation style; and Bercovitch & Schneider (2000) do not look at the conflict-specific choices that lead to a particular mediator. While Stephens (1988) offers a detailed conceptual framework, no empirical assessment beyond an illustrative case study is offered. Wilkenfeld et al. (2003) and Wilkenfeld et al. (2005) also take a first cut at looking at the frequency of mediation in crises with different characteristics, but the explanations for the results are more inductive, without much attempt to understand the incentives of the actors involved and the bargaining problems at the root of the conflict. Each of these works, however, are sound starting points for a more comprehensive analysis of the mediation selection process.

Greig (2005) provides a comprehensive empirical analysis of the factors that make mediation more likely among enduring rivals. While Greig's analysis is an important step in understanding the incidence of mediation, there is little explanation of the decision calculus for actors to prefer mediation. Instead, the hypotheses are based on findings and assertions in the previous literature that tend to be ad hoc and often suffer from the selection effects that an analysis of mediation incidence should be used to avoid. Terris & Maoz (2005) also provide a game theoretic and empirical assessment of when mediation occurs. While this work is noteworthy because it considers the decisions of the disputants and mediators, it fails to consider when the preferences of the disputants and mediators might be different and thus affect the implementation of mediation and outcomes. Terris & Maoz (2005) also do not consider the specific bargaining problems that are behind a conflict and

how mediators are actually necessary to “transform” games with conflict as the equilibrium to games with cooperation as the equilibrium. The present study seeks to offer a more comprehensive account of the decision processes behind mediation by focusing on the incentives of the disputants in a conflict bargaining environment and the third party potential mediators. In addition, the present study goes beyond the selection of general mediation and includes a rigorous assessment of the selection of the specific mediators and strategies.

## 1.4 Organization of the Project

In light of the extant literature on mediation, the purpose of the present research project is twofold. First, this line of research will greatly improve analysts’ abilities to identify and correct methodological problems related to the endogeneity of mediation to various outcome measures. Naïve analyses are likely to get it wrong. Second, the project strives to more accurately gauge when and how mediation resources are allocated more efficiently.

In pursuit of these objectives, the rest of the research project unfolds as follows. Chapter two will provide the theoretical foundations that place mediation in the context of bargaining failures and self-interested third parties. It postulates how the supply and demand for mediation interact to define the selection process and generate observable implications. Chapter three will build on the theoretical foundations to develop and test hypotheses related to the overall incidence of mediation.



The next chapter will more specifically focus on the incentives of the combatants and potential mediators in order to assess the decision of who mediates. The fifth chapter will address the incentives of the mediators when choosing what strategies to employ. Chapter six assesses whether and when mediation is an effective conflict resolution strategy in light of the selection processes. Chapter seven provides some illustrative case studies to further explore the selection processes at work in historical cases, and sums up the findings and policy implications.

## 2

# The Logic of Demand and Supply in Mediation Implementation

Mediation occurs neither at random, nor by some process that automatically distributes the most effective type of mediation to the aspect of conflict that is the greatest hurdle to successful bargaining. Mediation is the outcome of a series of decisions made by both the combatants and the third parties. It may not occur when it is most needed. Even when mediation occurs, the resources brought to a conflict, defined by who the mediator is and the tactics employed, may not be provided optimally.

We must consider the demand and supply of mediation in order to understand the under-provision of effective mediation. Throughout, mediation demand is specific to the combatants' willingness and desire to have mediation. Mediation supply

refers to the willingness and desire of third parties to provide mediation. The nexus of supply and demand – the outcome of both combatants and third parties trying to maximize their utilities – determines when mediation occurs, who mediates, and the mediation tactics employed. This chapter first addresses the demand side of the process by considering how mediation affects bargaining outcomes and generates costs to the actors involved. It then turns to the supply side and assesses what the potential mediators have to gain, and lose, from intervention. The framework in this chapter will provide the basis for the hypotheses to be tested in subsequent chapters.

## 2.1 Demand: Accepting Mediation

By definition, mediation is acceptable to all the parties in a conflict. If a third party wants to mediate but is not acceptable to all sides of a conflict, mediation will not occur. While there are incentives that a third party might offer to increase its acceptability, the demand side of mediation must be understood if the process of mediation selection is to be understood.

Any demand-side explanation must begin with a discussion of the benefits of taking, or in this case allowing, a course of action. Mediation will affect conflict bargaining in a number of ways, so a conflict actor's preferences over mediation will be directly shaped by the particular barrier to successful bargaining that is present and the potential for mediation to counter that barrier. In order to explain

why mediation does not always occur when bargaining problems arise, the costs of mediation must also be considered. Combatants may prefer to resolve situations bilaterally if they perceive few mutual expected benefits to mediation that do not cover the costs. Specifically how mediation can be costly is addressed later in the section.

## **Mediation Benefits from the Perspective of the Conflict Actors**

### **Basic Crisis Bargaining**

The primary purpose of mediation is to assist actors in conflict to identify and agree upon an alternative that is mutually preferable to continuing conflict. Framing the discussion in similar terms of an often-used bargaining model explicated by Fearon (1995) and Powell (1999) will help explain how mediators are useful to that end.<sup>1</sup>

Crisis bargaining situations between two actors should have some overlapping issue space such that there exists some alternatives that are preferable to both actors over conflict - assuming the actors are rational and that conflict is costly.<sup>2</sup>

In a simple model with two actors bargaining over a single issue, each conflict

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<sup>1</sup>This bargaining model is one that has been used abundantly in the international relations literature. See Reiter (2003) and Lake (2003) for recent reviews of how similar models have been used.

<sup>2</sup>It is important to note that a crisis bargaining situation does not imply that violent fighting has already broken out, only that it is the implied result from bargaining failure. Actors in the crisis bargaining stage at the very least weigh the costs and benefits of fighting versus alternatives such as direct negotiations and mediation.

actor has an expectation of the benefits from fighting, and also has costs that it would incur from fighting. Each actor would therefore prefer any bargain that gives it more than the difference of the expected benefit of conflict and the cost of fighting. The minimally acceptable bargain is each actor's reservation point, or red line, and it represents the least that any actor would accept before resorting to costly conflict. The issue space in between each actor's red line is an area of overlapping bargaining space, which is similar to the term "zone of agreement (ZOA)" (Raiffa 1982).

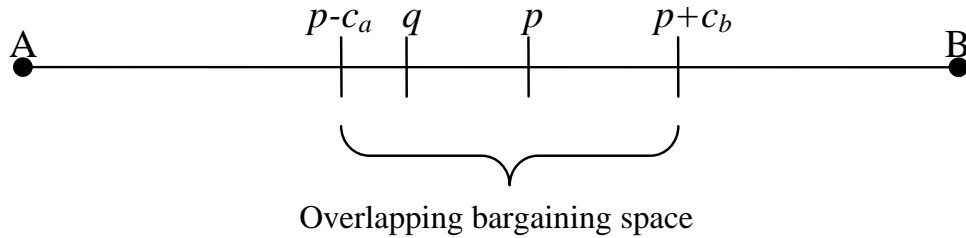


Figure 2.1 An Illustration of Bargaining

Figure 2.1 gives a spatial representation of the overlapping bargaining space. In this situation, there are two actors, A and B, who are in dispute over the distribution of some good. A's ideal point lies to the right and B's is on the left, where it is assumed that each gets a value of 1 at its ideal point. The actors can agree on some alternative in the issue space, or they can fight. If they fight, A's expected payoff is at point  $p$ , which is just his probability of winning multiplied by the value of winning. But A will have to pay a cost of  $c_a$  while fighting, so his expected net value of fighting is at the point  $p - c_a$ . Similarly, B's expected net

value of fighting is at  $p + c_b$ , as the expected benefit of fighting is  $1 - p$  and the cost is  $c_b$ . The space in between  $p - c_a$  and  $p + c_b$  represents the set of alternatives that would be mutually preferable to conflict because they give each actor a payoff that is greater than the expected gain from fighting.

Point  $q$  is A's value for the status quo, so that  $1 - q$  is B's value. If  $q$  is less than  $p - c_a$ , A will be dissatisfied because it has a higher expected utility for fighting than for keeping the status quo. A would then demand a new distribution. Similarly, if  $q$  is greater than  $p + c_b$ , B will be dissatisfied and will want a distribution more in its favor. So, when  $q$  falls outside of the overlapping bargaining range, there is a very real risk of serious bargaining breakdown. When  $q$  is inside the overlapping bargaining range, then the threat of complete break down is much less as neither state is truly dissatisfied. States may bluff when there is uncertainty about the bargaining range, hoping that their opponents will believe the challenging state is in fact dissatisfied, but the challenging state should never actually follow through with an attack if the demand is rejected. With different assumptions, bluffing can cause complications that may lead to breakdown – e.g., generating audience costs that make backing down less attractive (Leventoglu & Tarar 2005) – but such an event is outside of the model presented here.

Actors will often have asymmetric information and a strategic incentive to misrepresent their own capabilities. As a result, it may be difficult for the actors to identify the true overlapping bargaining space when there is uncertainty about

the capabilities and costs of conflict of the opponent. If the actors do not have a common estimate of either the probability of victory or the costs of conflict, then they may push for a distribution that is not mutually acceptable or refuse to believe that a challenger is legitimately dissatisfied, leading to bargaining failure.

A critical assumption made is that the likelihood of the actors reaching an agreement increases with the size of the overlapping bargaining space. With a larger bargaining range, there will be more potential agreements to choose from, and there is less chance that the status quo  $q$  will fall outside of the overlapping space as the space shifts over time. This assumption is not unchallenged, as Wilkenfeld et al. (2005) find some experimental evidence that a larger bargaining space may decrease the ability for actors to improve their utility. The assumption might make more sense outside of the context of the simple bargaining model presented so far. In reality, the division of an issue or good is often not continuous. So bargaining may sometimes involve only a limited number of options, not the infinite number of alternatives that are presented in the bargaining model in Figure 2.1. In such situations, expanding the bargaining range could involve allowing just one of the limited options to become mutually preferable to conflict, when perhaps no alternatives fall within a more narrow range. Hopmann (2001) similarly argues that a larger overlapping bargaining space is more conducive to identifying acceptable outcomes. Greater long-term costs of conflict can broaden and clarify the target that actors must hit in their proposals to avoid bargaining failure.

It is possible for actors to correctly identify the overlapping space but still fail to reach an agreement. Although there are mutual gains to be made by resolving the dispute short of direct conflict, conflicts may persist because of difficulty in committing to an agreement credibly (North & Weingast 1989, Fearon 1995, Fearon 1998, Walter 1997, Walter 2002, Powell 2004*b*). When there are substantial benefits to reneging on an agreement in the future, actors will find it difficult to convince their opponents that they will not defect from a settlement that is mutually agreeable in the present.<sup>3</sup> Bargaining can thus break down if the actors have difficulty identifying the overlapping bargaining space or committing to an alternative within it.

Before turning to how mediation can specifically affect the bargaining environment, it is worthwhile to demonstrate how different distributions of power might affect the size of the overlapping bargaining space. This has important implications to later chapters of this project. Scholars that have studied the effects of a mutually hurting stalemate have often argued that when there is relative power parity, the costs of conflict are greater and conflict bargaining becomes easier (Touval & Zartman 1985, Zartman 2000, Pruitt & Carnevale 1993, Bercovitch & Houston 1996, Modelski 1964, Greig 2005). This conclusion rests on the assump-

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<sup>3</sup>Additionally, an emerging literature consists of works that have formally developed reasons for why war might occur under complete information in which each actor is fully aware that the ex post payoffs from an agreement after conflict will be less than those if the same agreement was reached ex ante (Slantchev 2003*a*, Chiozza & Goemans 2004). How mediation might meet these additional reasons for war is left to future research



tion that actors would prefer to impose a settlement instead of negotiate if they can. This is not consistent with the bargaining framework presented here, where a bargained settlement should be preferable to an imposed one even if one actor is dominant. But there may be some truth in the mutually hurting stalemate logic that expects power parity to make the bargaining easier. This can be consistent with the current framework if we let an actor's costs of conflict be a function of the opponent's capabilities.

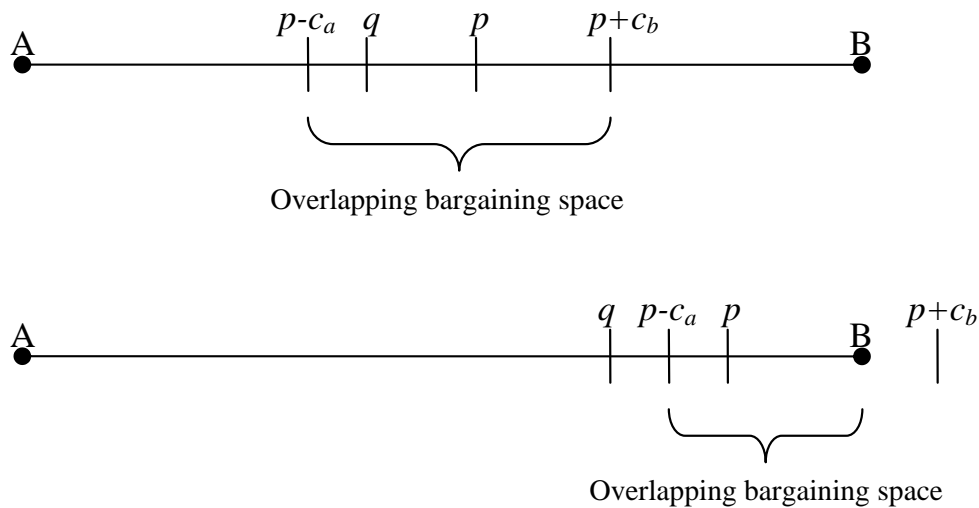


Figure 2.2 The Effects of Power Imbalance

Figure 2.2 illustrates this situation. With power parity, in the top graphic, the situation is the same as that in Figure 2.1. Neither actor is dissatisfied. When there is power disparity, with A as the dominant actor,  $p$  will be to the far right because A's probability of winning a total war is high. Also,  $c_a$  will be smaller because B has less ability to harm A, and  $c_b$  will be larger because A has a large

ability to harm B. The point at which A controls everything is within the bargaining range, so it is impossible for B to concede  $p + c_b$ . The bargaining range is therefore decreased. Moreover, A is now dissatisfied, even though the distance between  $q$  and  $p$  is the same as before, because of its smaller costs of conflict. This illustration demonstrates two reasons why power disparity might make bargaining more difficult. First, it can shrink the bargaining range and make it difficult for actors to identify an alternative that is mutually preferable to conflict. Second, the smaller bargaining range makes it more likely that the stronger state will be dissatisfied and willing to fight if its demands are not met. More generally, any time the bargaining range is reduced, there is less latitude for the overlapping bargaining range to move around the status quo over time without one actor becoming legitimately dissatisfied. We should thus see more crises involving serious threats of war when there is a smaller zone of agreement. This supports the overall sentiment that previous research has presented about the benefits of a mutually hurting stalemate.

### **The Effects of Mediation on Bargaining**

In cases of bargaining failure, fighting can help signal information about the true capabilities of an actor and reduce commitment barriers (Blainey 1973, Wagner 2000, Slantchev 2003*b*, Powell 2004*a*, Powell 2004*b*). Fighting is not the only way to achieve an agreement at an impasse, as mediation can also be used to help actors find mutually acceptable agreements when bilateral negotiations break

down. The two strategies of mediation, identified in the first chapter as integration and cost-maximization, offer different ways for mediation to facilitate reaching an agreement.

An integrative strategy of mediation can help the actors' prior expectations of conflict costs and outcomes converge on the actual values so that the overlapping bargaining area becomes more identifiable. The informational role of mediation has been argued in many different ways in the literature. Kydd (2003) and Rauchhaus (2004) have assumed in their formal models that mediators are often able to gather information about the conflict, which they then try to reveal to the combatants. Princen (1992) and Moore (1986) similarly argue that mediators can pool and relay information from both sides to reduce uncertainty and misperception over what the mutually agreeable outcomes really are. Carnevale & Peggnetter (1985) empirically find that a mediator's ability to inform bargainers about unrealistic expectations is an important component in mediation of public sector disputes.

More indirectly, the mediator may simply be keeping the lines of communication open so the actors can signal their own information more easily (Moore 1986). Actors may be unwilling to share information that they think will be leaked by the other side for political advantages. The very presence of a mediator will decrease the ability of the actors to leak false information because the mediator can serve as a witness to the communication flows. The Norwegian mediation team in Sri Lanka found this to be an important part of the mediation between the LTTE

and the government (Solheim 2005). Similarly, mediation can sometimes serve as a face-saving mechanism when actors do not want to communicate about potential concessions because of pressure from international or domestic audiences. As another example, Algeria may have played such a role in the Iran hostage crisis, as domestic audiences in both the US and Iran made it prohibitively costly for the two sides to directly meet on each other's turf. Algeria, through the relaying the messages and hosting the parties during the signing of the documents, allowed for direct negotiations to occur, which led to a mutually acceptable agreement without the parties losing too much face, or paying audience costs, at home (Christopher 1985, Sick 1985). In this way, mediation reduces the transaction costs and risks of communication when various barriers are in place.<sup>4</sup>

Also as an indirect information conduit, mediation might be an updating device, similar to seeking a second-opinion in choosing medical procedures. If it is possible for separate actors to reach different conclusions from the same data, then a mediator's opinion may simply allow actors to update their perceptions of a given situation, without the mediator actually providing more information.<sup>5</sup> An example of this is the case of Sri Lanka, where the Norwegian delegation frequently relayed messages from one side to the other and was asked to provide its inter-

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<sup>4</sup>For additional treatment of mediation as a means to reduce the transaction costs of information, see Mitusch & Strausz (2000), Schroeter & Vyrastekova (2003) and Jarque, Ponsati & Sakovics (N.d.).

<sup>5</sup>Similarly, Brander, Amit & Antweiler (2002) formally model the syndication of venture capital as a means to get a second opinion when the prospects of a project's success is in doubt.

pretation of the messages. The Norwegian delegation was also frequently asked to advise on the content of the messages sent, so as to decrease the chance that the messages would be unclear to the other side (Solheim 2005). The Norwegians did not actually know more about the situation, nor were they perceived as wiser in any way, but their views were actively considered because the opposition groups were uncertain if their interpretations, or perceptions of what the other side would interpret, were correct.

An integration strategy using the role of proposal making, can also facilitate an agreement within an elusively narrow or ambiguous overlapping bargaining area. A mediator might resolve some of the confusion if there is a large disparity in the offers being made by proposing an alternative that both actors should find preferable to fighting. If the actors do recognize an overlapping bargaining space but cannot decide on one outcome in the set of possible outcomes, a mediator can attempt to create a focal point (Princen 1992).

Figure 2.3 illustrates how an integration strategy of mediation might facilitate smoother bargaining. The top graphic presents a hypothetical situation without mediation and the bottom one presents a situation with mediation. In both situations, A is dissatisfied because  $q$  is less than  $p - c_a$ . To capture the effect of uncertainty, let us assume that B's estimate of A's costs of conflict falls on a uniform distribution with upper bound  $c_a^u$  and lower bound  $c_a^l$ . The situation without mediation presented here makes it possible for B to estimate that A is actually not

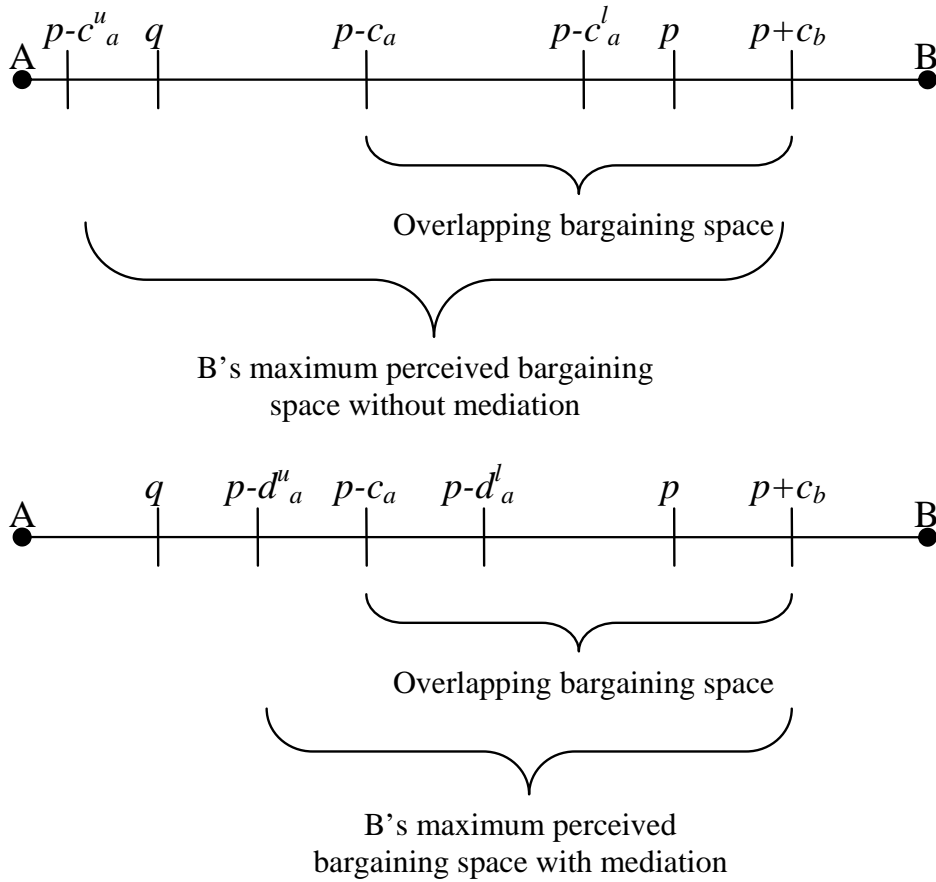


Figure 2.3 Mediation's Function in Reducing Information Problems

dissatisfied and is only bluffing when it demands a new settlement. That is, if B thinks that A's costs are  $c_a^u$ , then it will assume that A is bluffing since the status quo is actually worth more than  $p - c_a^u$ . When B holds these beliefs and rejects any movement from the status quo, A will prefer to fight and bargaining failure will occur.

When there is mediation, the new upper bound for B's estimation for A's costs is  $d_a^u$  and the new lower bound is  $d_a^l$ . If mediation is able to effectively reduce the

amount of uncertainty over A's costs – reducing the potential range in which it might fall – then B will always perceive that A is dissatisfied. While this does not guarantee an agreement, since sometimes A might reject any demands between  $p - d_a^u$  and  $p - c_a$ , it makes bargaining success more likely.

Mediators can also use a cost-maximizing strategy to help achieve an agreement when the actors cannot find a mutually acceptable agreement. By using threats and promises to increase the long-term opportunity costs of conflict, the most intrusive mediators can expand the overlapping bargaining space so that the actors have a greater chance of finding a proposal in that area (Carnevale 1986, Princen 1992, Schrodtt & Gerner 2004, Bercovitch, Anagnoson & Wille 1991, Bercovitch & Houston 1993, Bercovitch & Houston 1996, Bercovitch & Houston 2000).

Whereas an integration strategy that relies on information revelation would try to move the actors' expectations of the costs of conflict toward convergence with reality, a cost-maximization strategy simply attempts to increase the long-term costs of conflict. A distinction is being made here between immediate and long-term costs of conflict. The latter should be the important component of the costs of conflict in the bargaining context considered here because there are cumulative benefits and costs to cooperation or defection.<sup>6</sup> The short-term costs related to the day-to-day battle tolls may be correlated with long-term costs, but they do not have to be strongly so if the actors expect a short war or only periodic expensive

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<sup>6</sup>The standard bargaining models are static, which implies an assumption that the relevant costs and benefits have a sufficiently long time horizon to bypass momentary fluctuations in the expenses incurred and the benefits received.

exchanges.

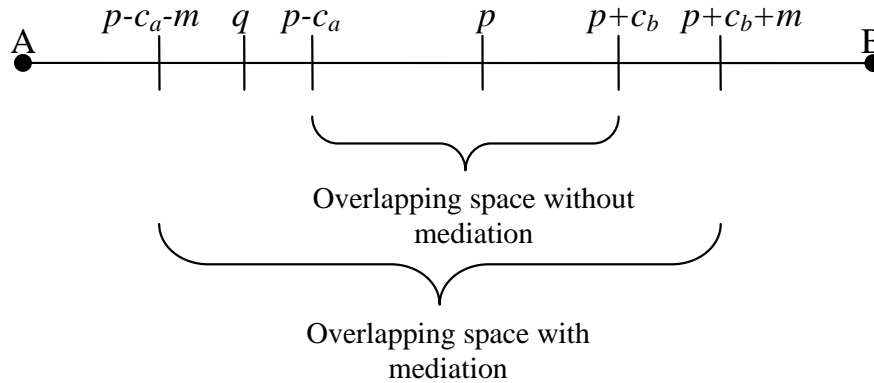


Figure 2.4 Mediation's Function in Maximizing Costs

Seen spatially, Figure 2.4 illustrates how a cost-maximization strategy might improve the bargaining situation. In this situation, the bargaining space without mediation does not contain the status quo  $q$ , so A will be dissatisfied. If mediation is able to increase the opportunity costs of conflict by some amount  $m$ , then the overlapping bargaining space with mediation is between  $p - c_a - m$  and  $p + c_b + m$ . With mediation,  $q$  is greater than  $p - c_a - m$ , so A would actually be satisfied in this situation and bargaining should be easier. Having mediation also increases the range of alternatives in the bargaining range. This will further facilitate crisis bargaining because it increases the likelihood that the actors will identify some settlement that is mutually preferable to conflict.

A cost-maximization strategy that is forward looking and offers monitoring or enforcement might also help resolve credible commitment problems, providing a



final means to overcome bargaining failures. A mediator that is able to monitor and enforce in the future may help maintain the costs of renegeing on an agreement by either increasing the probability of cheating detection or increasing the costly consequences of cheating. Applied to third-party intervention in general, Walter (1997, 2002) has found empirically and Schmidt (2004) has found formally that when the root of a crisis is an enforcement problem, strong intermediaries are often needed to resolve the credible commitment issue.

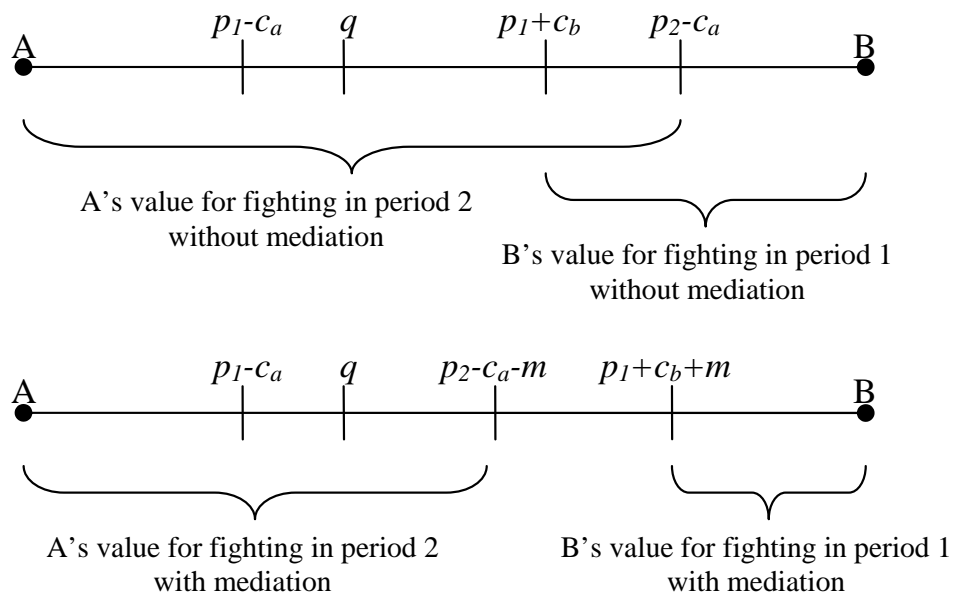


Figure 2.5 Mediation's Function in Securing Credible Commitments with a Large Power Shift

In terms of the bargaining models, a mediator that offers to monitor or enforce an agreement would essentially be raising the expected costs of conflict after an agreement, thereby increasing the chance that the overlapping bargaining space

contains the agreed distribution indefinitely, even as the capabilities and preferences of the actors change. With more certainty that it is in an opponent's interest to not challenge in the future, actors will be more willing to agree in the present. In addition, Figure 2.5, closely derived from Powell (1999), illustrates how mediation might reduce the difficulties of a time inconsistency problem in which a rising actor cannot credibly commit to not demanding concessions in the future that are unacceptable in the present.

In the top graphic of this figure, which represents the situation without mediation, A rapidly gains power from period 1 to period 2. In period 1, the status quo  $q$  is greater than A's reservation point of  $p_1 - c_a$ , so A is satisfied. In period 2, A's new reservation point of  $p_2 - c_a$  is greater than  $q$ , meaning that A is dissatisfied. According to Powell (1999), A could "lock in"  $p_2 - c_a$  by fighting in the next period and would want at least that much to avoid fighting in the second period. But, in the first period, B could "lock in"  $p_1 + c_b$  from fighting and would be unwilling to give up any more than that. Since  $p_1 + c_b$  is less than  $p_2 - c_a$  because of A's rapid power shift, an agreement is not possible here *even with complete information* and bargaining failure will ensue.

Mediation in this case could increase the current costs of conflict for B through the same cost-maximization strategy discussed above, and it could increase the expected future costs of conflict for A through monitoring and enforcement. For simplicity, the increase in both the current and future costs of conflict is denoted

by  $m$ . As seen in the lower graphic of Figure 2.5, this has the potential to make an agreement possible. With mediation,  $p_1 + c_b + m$  is greater than  $p_2 - c_a - m$ , so a settlement that would give each side more than what they could “lock in” from fighting can be achieved. B would concede just enough to keep the rising state from fighting.<sup>7</sup>

### **Devious Objectives**

It is a mistake to assume that all instances of mediation involve actors that are pursuing mediation for the sole purpose of resolving bargaining difficulties in the fashion described so far. There may be situations in which actors desire mediation as a simple stalling tactic when there are incentives to delay resolution and fighting. When faced with losses on the battlefield that are greater than expected, actors may desire a mediated cease-fire in order to regroup and fight again in the future from a stronger position. Richmond (1998) has provided the only extensive discussion of such motives for mediation and calls these “devious objectives.” Greig (2001) finds some empirical confirmation that this phenomenon exists, as the conditions that lead to short-term mediation success are not the same as long-term mediation success. The argument is that short-term cease-fires may actually occur because the actors have no desire for long-term conflict resolution and merely are using the cease-fire as an end to better outcomes in the future.

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<sup>7</sup>See Powell (1999, 2004*b*) for a more precise description of what the concessions would be.

While cease-fires that are negotiated bilaterally can certainly be used for the same purposes, mediators are often necessary for the actors to reach such cease-fires. First, the presence of a third party, and the monitoring and peacekeeping resources that they often bring, can reduce the threat of a surprise attack and minimize any security dilemmas. Second, mediating third parties may be able to use positive and negative incentives to convince an opponent to agree to a cease-fire. A state that desires a cease-fire may thus demand mediation in the hope that the mediator will pressure the other state to implement it.

For example, in the DRC civil war a number of cease-fires and mediation efforts were made during the four-year conflict. Fighting was intense during the war, and involved many different waves of hostilities with multiple combinations of actors. The pattern of behavior suggests that at least some of the actors in conflict only wished to use the cease-fires as a means to gain strength and secure coalitions of fighters. The presence of lootable natural resources gave the warring parties an additional incentive to prolong the conflict. In fact, a UN panel directly accused the combatants of using cease-fires to actually stall resolution, so as to exploit the natural resources. It should not be striking that so many of the mediation and cease-fire efforts failed when the actors did not actually want them to succeed.

The point is that a mediator may be asked to broker a cease-fire when at least one of the actors has every intention of breaking the cease-fire in the future. It is important to consider such circumstances for two reasons. First, when looking at

a relationship between the bargaining environment and mediation incidence, the analyst needs to account for these situations in which the preference for mediation has little to do with the actual bargaining problems. When there are devious motives in play, mediation may be just as preferred in difficult bargaining situations as manageable ones, as long as there is an incentive for an actor to use a cease-fire to gain an advantage. Second, these devious objectives likely contribute to many of the cases in which mediation fails because at least one of the actors did not intend to use mediation as a vehicle to peace. Analyses of mediation effectiveness should take this into account.

The devious objectives phenomenon should have some observable implications, as it is likely to be more pronounced in specific situations. Specifically, actors should have an incentive to pursue mediation as a means to a tentative cease-fire when the short-term costs of conflict are high. Actors in a weak position may hope for better future advantages and would want to stop paying current costs in a losing effort. Independent of the long-term costs and the effect on the size of the overlapping bargaining space, greater short-term costs of conflict should generate more incentives for devious incentives.

This effect may, however, be muted because mediation must be mutually acceptable, and the opponent of an actor that has devious objectives will likely deny mediation when they sense this to be the case. When mediation occurs with devious objectives in play, it is likely that one of the actors has devious objectives while

the other has more sincere objectives. That is, the other side of a dispute needs to be unaware of the devious objectives and have other motives for mediation that are different from the actor with devious incentives. The other motives can be the positive mediation benefits related to the removal of bargaining hindrances. Such an occurrence is not at all implausible, especially when the short- and long-term costs of conflict are correlated. When that occurs, it is likely that at least one actor will have devious incentives to reduce the short-term costs of conflict, while another actor will likely want to take advantage of the large bargaining space created by the high long-term costs of conflict. The empirical results can test if the effect is manifestly evident or hidden by the unwillingness of actors to have mediation when the opponent is suspected of devious objectives.

### **The Varying Benefits of Mediator Types**

We must consider how each type of mediator might be more or less beneficial in different bargaining situations in order to understand when they are demanded to a greater or lesser extent. While some affective characteristics that Young (1967) mentions, such as independence, salience, respect and continuity, are likely to play a role in weeding out some types of mediators, it is not clear how those characteristics operate systematically in a bargaining context. As a result, the focus here will be on some of the other characteristics that Young mentions related to the resources that third parties might directly contribute to a dispute and alter the bargaining situation. Relevant to the previous discussion on how mediation can

address bargaining failures or devious objectives, the different situations that will be considered are when there are varying levels of private information, long-term costs of conflict, commitment problems and short-term costs of conflict.

When private information is especially a problem, the best brokers will be those that can contribute to the reduction of information barriers. In the discussion of integrative mediation, a number of means to reduce the inhibiting effects of private information were discussed. Some of these strategies, such as reducing the transaction costs of direct negotiations or serving as a second opinion, seem to be equally possible for all types of mediators. The actual provision of information, or what Princen (1992) calls “information pooling,” should vary among mediator types. Those mediators with superior intelligence capabilities are likely to be the most effective mediators in this regard. As a result, we should expect great-power states to be ideal in meeting the needs of information provision. For example, in a 1990 crisis between India and Pakistan, the US sent Deputy Director of the CIA, Robert Gates, along with Richard Haass (National Security Council aide for the region), to the region as mediators. These intelligence experts helped reduce tensions by warning Pakistan that it would lose in a war with India and warning India that Pakistan may resort to nuclear weapons out of desperation.

With regard to long-term cost maximization, those actors that have substantial economic and military resources are likely to thrive as mediators in conflicts that have small costs of conflict. Such actors can better afford to offer side payments

as a way to increase the opportunity costs of continued conflict, and they are able to more credibly make sufficient threats to increase the direct costs of bargaining failure. Again, great-power states are the best option in this regard, followed by global governance organizations and regional governance organizations. Great-power states clearly have the most direct access to resources that could be used as carrots and sticks in negotiations. An example of mediators pressing this way is when US envoy Richard Holbrooke threatened Yugoslavia with additional air strikes while mediating the Dayton Accords.

Turning to commitment barriers, great-power states also have substantial resources to be effective peacekeepers, more so than the borrowed resources of the IGOs, but often lack a sufficiently long time horizon because of frequently changing domestic political climates and the lack of incentives to stay the course and pay the costs of peacekeeping. For instance, the US preferred an international peacekeeping force to intervene after Charles Taylor fled Liberia in 2003, even though the international community was pushing for a strong US role, because the US was unwilling to pay the costs of extended deployment in Liberia when its troops were also needed in Iraq, Afghanistan and Haiti. The very fact that great-power states are frequently called to serve as peacekeepers, for example, with the US in Liberia in 2003 and Sudan in 2005, indicates that they are viewed as potentially effective peacekeepers. Global and regional governance organizations should also do relatively well in mediating and enforcing cease-fires and agreements. With



strong mandates to secure international peace and the ability to draw from the physical resources of many states over the course of a peacekeeping mission, actors such as the UN, League of Nations, OAS, OAU and Arab League should enjoy sufficient resources and lengthy time horizons that make them good intermediaries when there are commitment problems. Intergovernmental interventions simply are able to spread out the costs of action across multiple actors and have a general continuity in mission. For example, the UN mission to India and Pakistan, UNMOGIP, that monitors the Line of Control, was established in 1949 and is still currently involved in the peacekeeping efforts.

Great-power states, global governance organizations and regional governance organizations will also be most effective at securing some sort of cease-fire agreements in the midst of heavy conflict. By supplying observer or peacekeeping forces, the presence of these actors can pressure the combatants to temporarily halt hostilities and reduce the risk of surprise attacks during a break in fighting. If Richmond (1998) is correct that actors will often want to have mediation for the sole purpose of creating a cease-fire that will be broken when forces have been fortified, then we should expect that such third parties would be preferred as mediators when the short-term costs of conflict are the heaviest.<sup>8</sup> In this case, great powers and IGOs are not preferred for their enforcement capabilities, but for their ability to

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<sup>8</sup>It is not contradictory to suggest actors would want an efficacious actor to mediate both when they wish to commit to an agreement and when they have every intention of violating a temporary cease-fire. Violating a cease-fire should not imply the same punitive effects as violating a formal resolution because there is simply no agreement in place that would establish the basis for punishments.

temporarily separate the competing forces and reduce the incentives of a surprise attack.

A note on the demand for unbiased mediators is useful here.<sup>9</sup> Some scholars have argued that mediation is most effective – and thus in more demand by the logic presented here – when there is an unbiased mediator who is perceived as gaining equal benefit independent of which of the sides prevails in a conflict (Young 1967). Others, such as Touval (1975), Carnevale & Arad (1996), Princen (1992), Touval & Zartman (1985), Pruitt (1981) and Betts (2001) have argued that neutrality is not a necessary condition for mediation success and that biased mediators may be useful because of their additional motivations in the resolution of the conflict. More recently, scholars have assessed the specific conditions under which biased mediation is likely preferred. Kydd (2003, 2004) has posited that biased mediators are the most effective types to credibly communicate information, but unbiased mediators are better at resolving issues of trust between actors. Rauchhaus (2004), however, finds some situations in which unbiased mediators may actually be the best communicators. Schmidt (2004) identifies two intervening variables that may affect the role of bias in peacekeeping and finds that a biased intermediary will perform better when the purpose is enforcement and there is an asymmetric commitment problem. Keeping in mind the objections of Rauchhaus (2004), we will take the results of Kydd (2003) and Schmidt (2004), and expect

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<sup>9</sup>Bias is used here to specifically refer to having a preference for the objectives of either side of a dispute, and does not include being biased toward peace as an end in itself.

that a biased mediator is most effective when private information and asymmetric commitment problems are great needs. Additionally, using similar logic as that of Touval (1975), Carnevale & Arad (1996), Princen (1992), Touval & Zartman (1985) and Pruitt (1981), it is reasonable to expect that biased mediators are more willing to commit resources and able to exert leverage to influence the outcome because of the interests that they have at stake. For example, in the Chinese mediation of the US-DPRK crisis in 2002, prior to the six-party talks, China agreed to provide North Korea a considerable amount of energy resources. Presumably, China was biased toward the DPRK and wished to influence the outcome by being a very active third party. It should follow that biased mediators will be preferred when the long-term costs of conflict are low and the short-term costs of conflict generate devious objectives that demand a cease-fire because of the expected willingness and ability of the mediators to devote resources and leverage.

This discussion on the potential benefits of various types of mediators begins to unveil why certain types of mediators are preferred over others. So far, great-power states, IGOs and biased third-parties are likely to be preferred in each of these situations with substantial barriers to successful bargaining. Then why are non-great-power states, NGOs, or individuals ever accepted as mediators? In the International Crisis Behavior (ICB) data (Brecher & Wilkenfeld 2000), 15% of all mediated crises are not mediated by a great power, global governance organization or regional governance organization. Moreover, less than half of all mediated crises

include a great-power state as a mediator even though our expectations tell us that great powers are likely to perform best in most situations. The supply-side of mediation selection likely plays some role, but so do the costs of choosing some types of mediators. The costs of mediation to the combatants has not been given much attention in the mediation literature, and will be dealt with next.

### **Costs for Accepting Mediation**

The costs of mediation to the conflict actors need to be adequately addressed in order to explain why the actors do not always choose the most potentially beneficial mediator. With the presence of mediation costs, there is often a tradeoff between reaping the benefits of mediation and paying the costs of allowing a particular actor to mediate. Coordinating to find a mutually acceptable third party, negotiating over the terms of its role as an intermediary, and actually negotiating with the mediator are likely to be costly to the combatants in both tangible resources and time. These expenses are static across mediator types. They may help explain a tradeoff between mediation and no mediation, but likely do not lend much to the tradeoff among mediator types. The crucial costs that are likely to vary across different types of mediators are the amounts to which flexibility and autonomy are constrained.

One way to think about the possibility of reducing autonomy is to think of the degree to which actors become susceptible to coercion. When actors that are

able to threaten strong punishment mechanisms are brought in to mediate, the combatants are risking a higher chance of being coerced into certain patterns of behavior. Bringing in a mediator does not necessarily entail giving up any residual rights of control and establishing a hierarchical relationship (Lake 1999). But it does give them a legitimate seat at the negotiation table, where they can better observe who is responsible for bargaining failure and can more credibly threaten actions to the culpable parties in exchange for concessions. Third parties are likely less willing to use coercive tactics as a policy tool if they do not know who is actually at fault for not attaining the desired outcome. By gaining inside information on the bargaining dynamics, mediators are better able to determine against whom to use sticks in hopes of moving the negotiations forward. In addition, the credibility of a third party's threats are backed up by the desire of the third party to be effective in its role as mediator, beyond just the interests that existed previously. So, combatants risk a greater chance of third party coercion by giving a mediator better access to the bargaining tactics and a greater incentive to press for an agreement.

For example, prior to the Camp David mediation efforts by Carter between Begin and Sadat, Israel was hesitant to include an intermediary and pushed for bilateral talks. Princen (1992) notes that Israel had much to risk by allowing the US to mediate. Specifically, Israel risked allowing agreement failure to alienate the US, which might lead to a withdrawal of support to Israel in the face of encroaching

Soviet influence and stronger US-Egyptian ties. By keeping the US on the outside of any negotiations, Israel would not have been taking such high risks because it could always point to Egyptian intransigence as the root of bargaining failure, whether that was the case or not. Moreover, Israel would not have put the US in the position of having to succeed in what Carter saw as a last-ditch effort at Arab-Israeli peace that would have burned bridges if unsuccessful (Princen 1992). The US would have likely been less adamant about concessions from Israel without the added pressure of having to succeed as mediator.

Mediation can also reduce a combatant's flexibility in negotiations. Third parties generally have a preference over the outcome of the conflicts in which they are involved. Either the broker is biased to have the outcome favor one of the actors, or it is biased toward peace in that it prefers an outcome of quick peace over any other outcome that might lead to prolonged disagreement (Rauchhaus 2004). As a result, the presence of a mediator will often restrict the ability for certain ranges of outcomes to be achieved. Actors that want to have as many options to choose from as possible may therefore be unwilling to bring in a mediator that will narrow the range of options to not only what is acceptable to the opponent, but also to what is acceptable to the mediator. As Young (1967) and Princen (1992) have noted, (principal) mediators will often make side bargains as a means to a negotiated settlement. These side bargains will constrict the set of options that are unanimously agreed upon, similar to a veto player logic (Tsebelis 2002).

From another perspective, mediation can restrict an actor's flexibility to credibly demand an alternative that is closer to its ideal point. For example, in Figure 2.4, the dissatisfied actor loses the ability to credibly challenge the status quo and demand an agreement that is more in its favor because of the expansion in the costs of conflict. By accepting mediation in this case, A's expected utility from making a challenge decreases, which can be considered a flexibility cost. A might accept mediation if it hopes that the mediator only expands the costs such that the status quo is still unacceptable and new terms can be reached. But there is probably some risk that the mediator could expand the costs more than expected and decrease the opponent's willingness to alter the status quo at all. Mediation thus involves some costs even though it could make bargaining mutually more efficient.

The constraints on autonomy and flexibility are likely to be greatest when the coercive resources of the mediator are maximized. For example, a great-power state is likely to have a higher risk of forcing an actor into some concessions, or restricting the bargaining space to be more in sync with the mediator's preferences, than individual mediators. Simply, they have the resources to compel the actors to more strongly heed the mediator. As a result, we should expect the potential costs of mediation to increase proportionally to the coercive resources, which places great-power states, followed by global governance organizations and then regional governance organizations at the top of the list, for the same reasons why they are likely to be the best long-term cost maximizers.<sup>10</sup> In addition, biased mediators

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<sup>10</sup>It may seem odd to think of the actors that have the most potential to expand

should substantially constrain the level of flexibility in negotiations by pressuring the side that is favored to not make concessions and the side that is not favored to make concessions that would not be made otherwise. That there are substantial costs to having mediators with the best resources and most willingness to use them begins to explain why the most potentially effective mediators are not always chosen to mediate.

## **How Costs and Benefits Shape Mediation Preferences**

The bargaining environment provides some expectations of the conflict actors' desire for mediation. Private information and low long-term costs of conflict can contribute to an overly narrow or nonexistent bargaining space, and commitment problems often prevent a mutually acceptable agreement from being implemented. Such situations are likely to decrease the potential effectiveness of mediation and increase the attractiveness of fighting that might begin to appear inevitable to the combatants.

Mediators are limited in what they can do, and we should not overstate their ability to help preferences converge or maximize the costs of conflict. It is unlikely that mediators will be able to credibly reveal a substantial amount of in-  


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the overlapping bargaining space through cost maximization by the mediator types that are the greatest risk to reduced flexibility. But the expectation that these types of mediators will be demanded when there are small long-term costs of conflict is not necessarily contradicted. When a mediator is needed to increase the long-term costs of conflict, the threat to flexibility is a fixed cost that will weed out many mediators that cannot also expand the overlapping region and “undo” their constraining effects.



formation that had previously been private simply because it may be difficult for the mediators to also discover that private information. Regarding effective cost maximization and enforcement, mediators that enter a conflict under the guise of bringing peace may find it difficult to manipulate the disputants' costs of conflict with threats of military intervention.

The logic here is that conflict actors will most strongly demand mediation when the bargaining problems are manageable. When the bargaining problems are not manageable, mediators will have to accomplish a great deal to find a mutually acceptable agreement. In such situations, the combatants will be less willing to pay the costs of mediation because complete failure is likely. Of course, the bargaining problems cannot be too manageable because these crises would be excellent candidates for successful bilateral negotiations that would avoid the costs of mediation. So, mediation will be in greatest demand when the bargaining situations are difficult enough to expect some sort of bargaining failure without mediation – namely in some sort of crisis situation – but not too difficult that mediation has a high probability of failure.

This logic can be rephrased in terms of the bargaining models illustrated above. In Figure 2.3, if the upper bound of Actor B's perception of A's costs does not change that much with mediation –  $c_a^u$  is not much larger than  $d_a^u$  – then there can still be a pretty large probability that B will overestimate A's costs and reject any demand to move from the status quo. If mediation is not able to help reduce the

bargaining problem by much, then there is little incentive for the involved actors to pursue costly mediation. Similarly, in Figures 2.4 and 2.5, if the costs of conflict do not change enough with mediation so that the actors still have a credible threat to wage war if their demands are not met, then mediation is not likely to be pursued. That is,  $m$  should be large enough to sufficiently expand the bargaining range so that there is no credible threat for war in the present time period, as when  $m > p - c_a - q$ . Also, when there is a rising actor,  $m$  should be large enough to allow for the rising and declining actors to agree to a mutually acceptable division without fighting, as when  $2m > (p_2 - c_a) - (p_1 + c_b)$ . As mentioned previously, third parties are limited in the size of the incentives they can credibly offer and the strength of the commitments they can secure. As a result,  $m$  is often relatively small. If  $m$  does not meet the above threshold requirements, then mediation is not likely to occur because it would not be seen as worth the costs.

Unrelated to the expectation of mediation success, high short-term costs of conflict may shift the focus away from resolution toward positioning for better gains in future bargains. This is likely to actually increase the attractiveness of mediation, as the desired outcome is just a temporary halt to aggression and not an actual resolution. We thus expect a negative effect of bargaining barriers on the combatants' preference for mediation, but a positive effect of devious objectives on mediation demand.

Turning to the demand for specific types of mediators, there is a tradeoff be-

tween the effectiveness and costliness of different mediators. Those mediators that might be the most effective at resolving particular bargaining problems are also likely to be the most costly because of their potential threats to autonomy and flexibility. For example, strong states are expected to be an effective mediator type at reducing commitment barriers, but strong-state mediation carries a threat of significant costs to the combatants because the resources that are useful in securing an agreement are also useful in coercing the combatants.

The logical conclusion is that we should observe the potentially most costly third parties demanded as mediators only when less costly mediators cannot perform adequately in a given situation. When the best mediators for a particular problem are the most costly, a positive relationship between bargaining problems and costliness of a mediator is likely, even though there is an expected negative relationship between bargaining problems and mediation incidence.<sup>11</sup> It is not contradictory logic to argue that the actors are willing to bear more costly mediation in the situations in which resolution is most difficult, but that they will tend not to bear the costs of overall mediation in the same situations. If increasingly costly and effective mediation can be thought of as additional units of mediation, then the actors will demand more units when less units are not suitable to lead to any benefits from the mediation. When the maximum units possible are not suitable,

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<sup>11</sup>It is important to clarify that the expected effect on the demand for who mediates is relative to the set of cases that experienced mediation. It may not be the case that the overall likelihood of demand for a costly mediator increases when the bargaining problems increase because these cases should be less likely to have a demand for mediation in general.

then conflict, a substitute good, becomes more attractive.

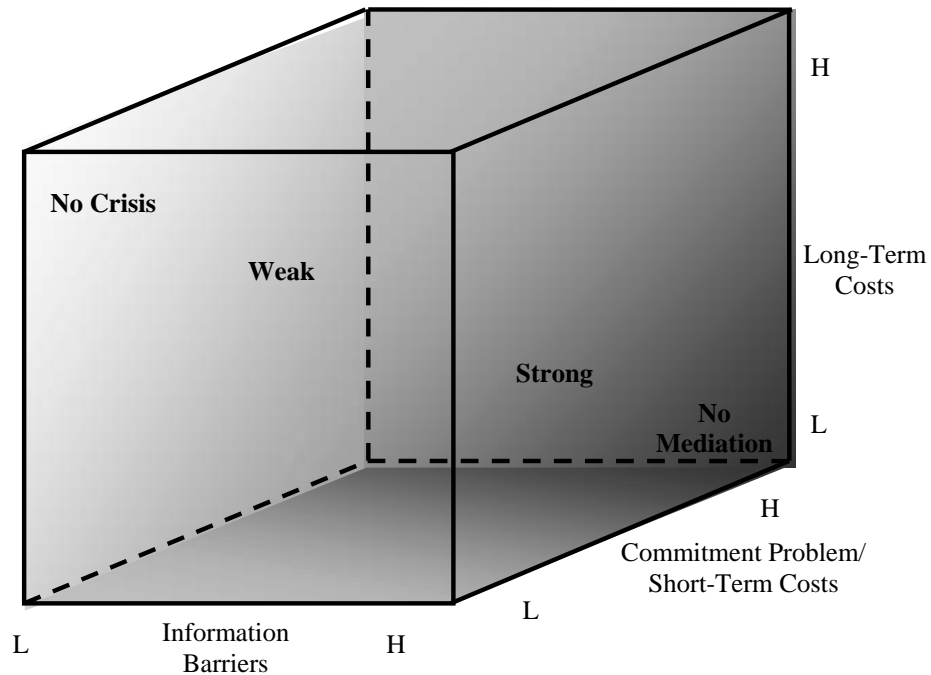


Figure 2.6 An Illustration of Mediation Demand

Figure 2.6, representing the universe of dispute situations, provides a means to summarize the arguments presented so far. The three variables considered here that influence the bargaining environment – information barriers, long-term costs of conflict and commitment problems – define the three axes. Inside the cube, the mediator preferences of the combatants are presented. A “strong mediator” is loosely defined here as a mediator that is a great-power state, global governance organization or regional governance organization. Chapter 4 will more precisely analyze the differences between these types of actors, but, for heuristic purposes,

it is useful to lump these mediators with the most potential resources together.

The shading in Figure 2.6 indicates the difficulty of the bargaining situation. The back-lower-right corner, where information barriers are greatest, long-term costs are lowest and commitment problems are strongest, has the darkest shading because the variables come together to form the most difficult bargaining environment. The easiest environment is directly opposite, in the front-top-left corner and gets the lightest shading. Short-term costs of conflict are also listed on the same axis as the commitment barriers because the combatants' mediator preferences when there are high short-term costs parallel the preferences for when there are high commitment barriers. Namely, the actors will generally prefer a third party that is able to provide peacekeeping resources, which are "strong" mediators here. The shading, however, may not match up as nicely with the short-term costs variable because having devious objectives does not map to bargaining problems in any way argued so far. This should be recognized when interpreting the figure with short-term costs in mind.

According to the logic presented in this chapter, actors will tend to not want mediation in the most difficult situations because they do not want to pay the costs of mediation when it is likely to be ineffective. This is why the darkest part of the cube is labelled as no mediation. When mediation is chosen, actors will only want to pay for the most costly mediators when they need them most. If we continue to assume that the most costly mediators have the most resources to

be effective, then the dark parts of the cube that do get mediation are going to involve strong mediators. In the lighter parts of the cube, where the bargaining problems are less severe, weaker mediators are more likely because the actors will be less willing to pay for more costly ones. In the easiest situations, crises are not likely to even occur because actors can resolve their disputes short of escalation or need for outside assistance.

The demand side of mediation is powerful in determining when mediation occurs and who mediates. The previous section has used a bargaining framework to argue that the belligerents will only desire mediation in the crises with a sufficient chance of successful resolution. When they do desire mediation, the conflict actors will be willing to accept the most potentially effective and costly third parties when the bargaining problems are more difficult. But demand is not the entire story. Mediation does require a willing provider, and the supply side may also be especially influential. Next, we consider two elements of supply that affect mediation selection. The first is the strength of the desire to mediate; the second is the ability of the potential mediators to convince the combatants that they should in fact mediate.

## 2.2 Supply: Providing Mediation

### Desire

The provision of mediation should be considered similar to the provision of other public goods like security, as developed in the seminal work of Olson & Zeckhauser (1966). The collective benefits of successful mediation include a more stable international system, decreases in negative externalities and risks of conflict in neighboring states (see Gleditsch 2002, Siverson & Starr 1990), and benefits related to humanitarian affinities. More concretely, mediation provides more efficient bargaining to the actors in dispute, which is a good not consumed by the mediator.

For a public-good provision problem to be present in this situation, there needs to be costs to the provision of the good (Olson & Zeckhauser 1966). Bercovitch & Schneider (2000) consider the fixed costs of mediation that include lost face, adverse publicity, administrative burdens, and recruitment of peacemakers, as well as the variable costs of receiving blame when mediation fails and implementing sanctions when needed. While some of these costs may or may not apply in different situations, it should be the case that all mediators expend some amount of political capital. And many mediation attempts involve paying the costs of material benefits or sanctions (Carnevale 1986, Schrodtt & Gerner 2004).

Many cases of mediation may involve very little costs, especially if carrots and sticks are not feasible options in the mediation. Note that the under-provision issue

is not whether mediators will find the total benefits of mediation to be greater than the total costs. It is whether they find the marginal benefits to be greater than the marginal costs, when the costs are distributed only to the providers of the good and the benefits are distributed to all actors. This is the root of the public-good provision problem. So, in the question of who is willing to provide mediation, it is important to not only consider the direct costs, but also the public-good provision problem. In this way, Bercovitch & Schneider (2000) may be oversimplifying when they assume that the actors that are most willing to supply mediation are those that are best able to afford the costs. The issue of selective incentives to provide mediation is important to consider as well.

With some costs associated with mediation provision, and non-excludable and non-rivalrous benefits from mediation, the supply of mediation thus is prone to free riding – by not contributing to an optimal provision of mediation while reaping the benefits that are produced. There will be a greater supply of mediation when there are more selective incentives, or benefits that give the third parties extra motivation to pay the costs of production. Continuing to use the logic presented by Olson & Zeckhauser (1966), those potential mediators that value the outcomes of mediation more should be much more willing to provide the public good than other actors with less of a value for the good. Actors are likely to be especially willing to mediate if they derive some benefits from mediating. This project considers three types of benefits that will affect a third party's mediation decisions: the degree of



negative externalities, the humanitarian concerns and the interests at stake.

First, third parties will get direct benefits from mediating and contributing to conflict resolution when they are able to reduce any negative externalities or spillover from the outbreak of violence. Conflicts that are destabilizing to international order and thus the political and economic interaction among states should receive the most attention. Those conflicts with a lengthy history of negotiation and mediation failure are especially prone to be destabilizing because of their recurrent nature. They have disrupted order in the past and are likely to do so again in the future.

In addition, ethnic conflicts can pose serious externality concerns. With the displacement of people groups, there is likely to be a higher potential for refugee flows to surrounding areas. Actors in those surrounding areas thus have a strong incentive to facilitate peace and stability. In addition, Davis & Moore (1997) have argued that ethnic conflicts can involve transnational ethnic alliances and the proclivity for diffusion of the conflict. Third parties that are wont to keep conflicts localized and prevent destabilization will thus have more of an incentive to help resolve conflicts with a strong ethnic dimension.

Second, with regard to humanitarian concerns, it is likely that actors will value these benefits differently. IGOs, like other governance bodies, are created to secure order and prevent suffering, so they should have more pressure to provide peace in the most bloody conflicts. IGOs and NGOs are likely to value peace and stability

as ends in themselves more than other actors simply because it is often in their charters to promote these ends. In addition, the personnel that staff such organizations likely elect to dedicate their careers to conflict management and peacekeeping because they have a high humanitarian affinity. For similar reasons, individuals that might serve as mediators should tend to have a higher value for humanitarian benefits than other state actors. Their interest in peacemaking belies a dedication to peace more so than the desire of a state to mediate. Such actors will be more willing to provide and advocate mediation when more lives and societies are being destroyed.

Third, actors of all types will get substantial benefits from mediation in conflicts that have a lot at stake to the third parties. This might particularly occur in conflicts with a high international or regional profile. If international actors have a general interest to shape the international system in their favor (Gilpin 1981), then they may have a desire to be involved in the negotiations in which great powers are deciding outcomes that affect elements of the entire system. Theodore Roosevelt's mediation in the Russo-Japanese war during the early stages of the United States' rise to great power status, for instance, was motivated by a desire to get a firmer foothold in Asian affairs (Princen 1992). Third parties should be eager to mediate those crises that have the most effect on international politics.

Third parties will also tend to have much at stake when the range of possible outcomes is greatest. In some disputes, the difference in utility between one side

winning and losing is not that great relative to other conflicts. Other conflicts involve a threat to an actor's existence or severe damage in which it matters a great deal whether one side wins or loses. For example, the triumphant party of a fishing dispute will have gained much less compared to the victor of an invasion attempt, such as the Iraqi invasion of Kuwait. When the combatants are fighting over an issue in which it really matters which side wins because the issue space is relatively wide, mediators will be especially affected and eager to intervene. Because third parties often have vested or political interests in any side of a given dispute, we should observe them more strongly push for mediation to help shape the outcome in such situations.

### **Mediator Incentives and Tactics**

Until now the discussion has focused on the desire and willingness of various third parties to mediate in different situations. The same factors that lead them to supply mediation also affect how they will mediate. Some of the mediator tactics will be more costly to the mediators than others. Specifically, third parties might levy sanctions or provide tangible positive benefits to alter the long-term opportunity costs of continuing conflict. Additionally, mediators might commit monitoring and peacekeeping forces to prevent noncompliance to agreements. Such elements of a cost-maximization strategy are prohibitively costly for many mediators. There should thus be a clear selection process behind employing a cost-maximization strategy, as many mediators will want to or will have to avoid such tactics.

Building on the discussion so far about mediation supply, only those actors that derive substantial benefits from mediation will be willing to devote enough resources to a conflict for a credible and effective cost-maximization strategy. While threats and promises are cheap, those threats and promises will often need to be backed up with an actual willingness to provide promised resources or carry out threatened sanctions in order for the costs of conflict to actually increase for the combatants.

## **Persuasion**

Having a desire to provide mediation in light of the public goods problem and the direct costs of mediation is not the entire story of the supply side of mediation. The potential mediators often need to persuade the actors that they should accept mediation. In cases where the combatants may not see much of a positive benefit from mediation, because it is not likely to be successful, the third parties that would like to reap the benefits of mediation may need to provide various inducements. This is often illustrated when the Secretary General of the United Nations is observed pleading with the actors of a conflict to accept mediation. For example, in the 1991 crisis surrounding the secession of Croatia and Slovenia, prior to mediation by the Secretary General, the UN adopted Security Council Resolution 713 that actually called for the occurrence of mediation. In another example, the US, UK and UN frequently try to convince India and Pakistan to allow them to mediate.

While India has had a general policy of no outside intervention, occasionally the potential mediators are able to persuade India to allow some limited mediation, as occurred in the 2002 Kaluchak crisis after the US applied political pressure to both sides.

The demand-side explanation has dealt with how combatants may view the potential benefits of various mediators. But, there may also be pressure from the potential mediators that further influences their decisions. Mediation suppliers thus try to often induce demand. The actors best able to persuade the combatants – beyond their potential effectiveness – are those with the greatest access to bribing or coercive resources. Actors may promise certain material or political benefits to the combatants for allowing them to mediate. Or, more coercive pressure may be levied, with threats to stop aid, impose sanctions or ally with the opposition if they are not allowed to mediate. As a result, we should expect that great-power states would be the most persuasive when the potential benefits from mediation are great. Conflicts in which resolution will generate the most benefits to the strongest actors should thus receive the most attention on the supply side of mediation.

### **2.3 Optimal and Effective Mediation Provision**

While the decision process of mediation selection is interesting in its own right because it reveals what mediation is actually doing, it is also worthwhile to consider what the selection process suggests about when mediation is likely to be either

effectively or optimally provided. Suboptimal provision of mediation resources will often lead to mediation ineffectiveness, but the two are considered separately because mediation can be ineffective even when optimally provided. Mediation is considered to be effective when it contributes to the reduction of tension by overcoming various obstructions to successful bargaining. Mediation is considered to be optimal when the maximum amount of resources are devoted to enable successful bargaining. Most situations fall short of that optimal goal, especially when mediation is not provided at all.

In the context of this research project, both demand and supply factors can explain when mediation is not allocated optimally. Mediation resources will be under-provided when the combatants do not mutually accept mediation, or when they accept mediation but mutually prefer a third party that lacks the full resource capabilities. Looking at supply, mediators will not provide optimal mediation when the third parties with the most resources do not find it in their interest to actually mediate or provide the most costly tactics. We turn to consider how supply and demand might interact to flesh this out even more.

Mutual demand is something that approximates a sufficient condition for mediation, as we rarely observe cases in which actors desire mediation but cannot find a willing third party. In the ICB data, there are only three cases in which mediation is requested but not provided, and these cases show no indication of a mutual demand for mediation.<sup>12</sup> This is not to say that demand for a specific third

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<sup>12</sup>The three crises are The Rhenish Rebellion (France and Germany, 1920),

party is a sufficient condition for that third party mediating. From the framework, there will be times when a particular outside actor will not want to bear the costs of mediation. With the abundance of potential mediators in the international system, especially IGOs with primary purposes to resolve disputes, it is unlikely that all third parties will be unwilling to provide mediation when it is desired by both sides of a conflict.

On the supply side, third parties that will benefit much from mediation can induce demand in some cases. It is theoretically possible to think of the presence of very persuasive third parties with a high desire to mediate as another sufficient condition for mediation. In practice, it is suspected that many such circumstances will lead to non-mediation interventions by the third parties and will not become mediation cases. But it should not be lost that the desire of persuasive third parties to mediate is more of a sufficient condition than a necessary condition for mediation.

Table 2.1 Interaction of Supply and Demand in Optimal Mediation Provision

		Demand for Optimal Mediation	
		Low	High
Benefits to Third Party	Low	No Mediation	Suboptimal Mediation
	High	Suboptimal Mediation or Optimal Mediation	Optimal Mediation

Table 2.1 provides a simple illustration of the expectations of whether mediation Uganda Claims (Kenya, 1976), and Ecuador-Peru Border IV (1991).

is provided optimally or not. Whether optimal mediation occurs is defined as the most capable mediators – the strong mediators in Figure 2.6 – using the most effective tactics that will often involve considerable costs. Thus, optimal mediation will only occur when there are sufficient benefits from mediation. In this way, a strong supply-side component, from the presence of many benefits from mediating, is a necessary condition for optimal mediation. The ambiguous outcome, in the lower-left corner, when there are benefits present but little demand has to do with the issue of persuasion. When persuasive third parties can benefit much from providing mediation, they will often be able to induce demand. The outcome is ambiguous because sometimes it is the less persuasive actors that would benefit from mediating, and sometimes the unwillingness of the conflict actors to have costly mediation will be too strong. The other mismatch between supply and demand is more straightforward. When there is demand for optimal mediation, but little incentive for the most capable mediators to use more costly tactics, suboptimal mediation is a likely outcome. Either the mediator will be one that is less capable, or a capable mediator will not devote itself as fully as it otherwise would.<sup>13</sup> Mediation on the cheap should lead to an under-provision of mediation resources. But note that mediation is still likely to occur in this situation because it is unlikely that the actors will have a demand for mediation that is unwilling to

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<sup>13</sup>Note that when the tactics needed are not costly (e.g., proposal making or indirect information provision), optimal mediation may result when the combatants directly appeal to an actor like the UN that is not likely to deny mediation – the UN exists in part to be a conflict manager – and will be willing to use the most effective tactics that are not costly.



be provided by all actors in the system.

The matching of supply and demand, as in the upper-left corner of Table 2.1, can also explain many of the cases in which mediation is grossly under-provided. When mediation is not seen as likely to improve the bargaining situation, it will often be avoided by the combatants to avoid paying additional expected costs. These situations of course could benefit the most from mediation, but there is also little external pressure for mediation because of the lack of benefits.

Suboptimal mediation is likely to lead to ineffective mediation. In addition, there are other factors in the selection process that will lead to ineffective mediation. For instance, when there are devious objectives in play, then some mediation attempts should be destined for failure. If an actor only wants mediation as a means to gain strength in future battles, then there is no expectation of mediation success, and any success is really an unintended consequence.

## 2.4 Conclusion

This chapter has provided the theoretical framework that will form the foundation for all the hypotheses and tests in the rest of the project. Beginning with a general understanding of how mediation operates within a context of demand and supply frameworks, the selection process of mediation has been developed. Figure 2.7 summarizes many of the points made in this chapter. In the top part of the figure are the supply-side factors; the demand-side is depicted on the bottom. In

the middle are four variables to be explained from the presented theory. Each of these four variables – mediation incidence, who mediates, mediation tactics and mediation success – will be the primary dependent variable in separate chapters in this study, as indicated. Using this figure as a guideline, the general arguments can be briefly summarized.

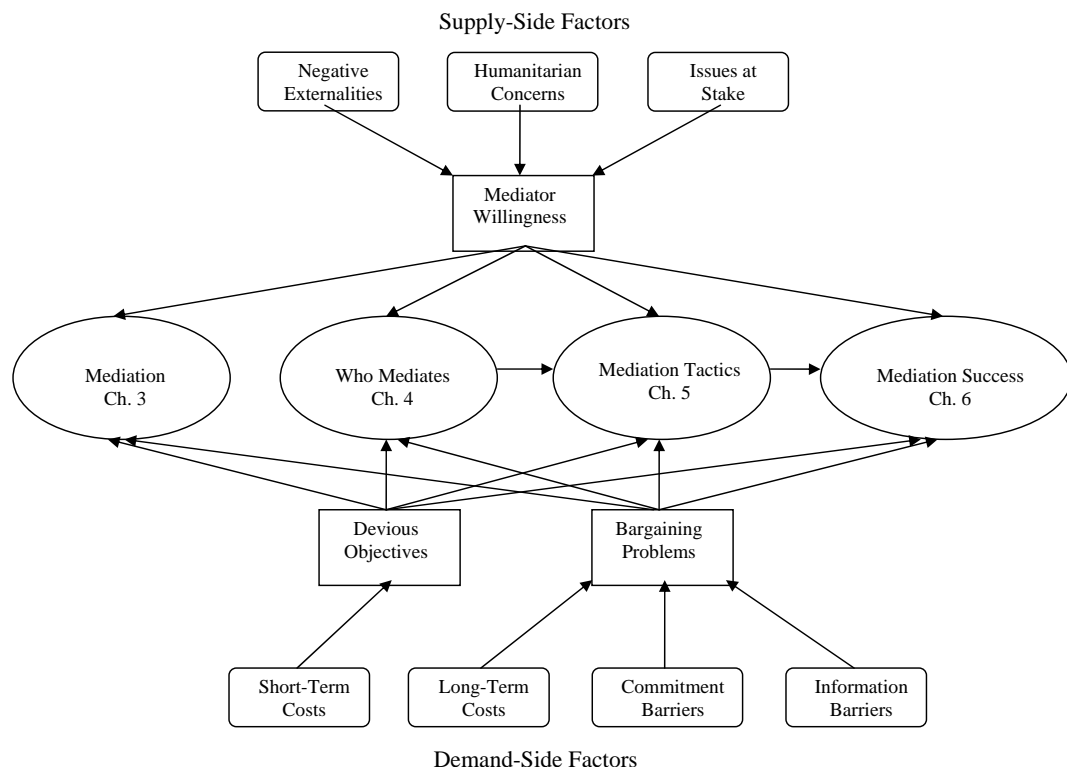


Figure 2.7 Summary of the Causal Pathways

There are three primary factors that shape the likelihood of mediation. On the demand side, bargaining problems – from information barriers, low long-term costs of conflict and commitment barriers – will make mediation less likely as the actors will be less willing to pay for costly mediation when it is increasingly likely to fail

in improving conflict resolution. In addition, devious objectives of an actor who wishes to use the mediation period as a time to gain strength for future fighting will increase the probability of mediation. The size and distribution of third-party benefits will be influential on the supply side. When actors have strong selective incentives to pay the costs of mediation and supply the public good, they will try to persuade actors in a conflict to accept mediation if the level of demand is not high enough for mediation to occur otherwise. As a result, some cases of mediation may be “induced” from the supply side.

The supply-side determinants of who mediates operate similarly to the process of mediation incidence. The third parties that derive substantial benefits from mediation will often convince the actors to choose them as a mediator. In addition, the overall willingness of the third parties, independent of their ability to persuade, will be influential. Third parties that are simply willing to mediate because the benefits outweigh the costs will do so when approached by the actors, but the actors may need to go elsewhere with their mediation requests if the potential mediator will not benefit enough from being a part of the conflict resolution process. On the demand side, stronger bargaining problems will lead to an increased willingness to accept more costly mediation when less costly mediation is less effective. In addition, devious objectives generated by higher short-term costs of conflict will lead to a preference for a type of mediator that can best implement cease-fires.

Mediation tactics and resources will generally be shaped by four factors. First,

the nature of the bargaining problem will affect what resources are needed to find and implement a mutually agreeable settlement. Tactics that are not needed should not be implemented. Second, who mediates will determine the potential resources that might be devoted to resolve the relevant bargaining problem(s). Third, the motivation of the mediator to expend resources on a conflict will affect the set of tactics that might potentially be implemented. In some situations, certain tactics may be especially effective, but the chosen broker may not be willing to implement those tactics. Finally, devious objectives will lead to a demand for cease-fire implementation.

Mediation success will be shaped, in turn, by the willingness of mediators and the ability of their tactics to meet the needs of the bargaining situation. When the potentially most effective mediation tactics and resources are not implemented because of inability or unwillingness, such mediation efforts are more likely to fail. In addition, when there are devious objectives in play, mediation is not likely to be effective because at least one of the actors is only using mediation to actually gain an advantage on the battlefield. Finally, the bargaining environment itself should shape mediation effectiveness, as the situations with the least problems will be the most amenable to mediation, *ceteris paribus*.

# 3

## Seeking Counseling: The Logic of Mediation Selection

### 3.1 Introduction

Much of the international mediation literature does not adequately consider when mediation occurs, and, as a result, is prone to get it wrong when it comes to inference about the impact of mediation. Mediation interacts with the crisis bargaining problems that are blocking a peaceful resolution. But mediation may occur when the bargaining problems are more or less amenable to resolution. Naïve analyses that fail to take into account how mediation is chosen will have difficulty estimating both the role of mediation in shaping outcomes and the impact of other covariates. That is, without accounting for when mediation is implemented, analyses will have

the potential for omitted variable bias and selection bias.

From the frameworks presented in the previous chapter, this chapter considers three causes of mediation selection that need to be considered in models of conflict and crisis outcome. First, mediation is more likely to occur when bargaining problems are more manageable, as the actors in dispute do not want to pay the costs of mediation if it is likely to be in vain. Analysts that do not account for this tendency will tend to overstate mediation effectiveness. Second, actors will sometimes have incentives for devious objectives when pursuing mediation, where mediation is a means for the actors to buy time from fighting while gaining strength. This effect will tend to mute the true effect of mediation, as actors in these situations are not expecting mediation to bring about an actual resolution. Third, and on the supply side, third parties will often try to encourage belligerents to accept mediation if there are benefits to be extracted from mediating. The presence of benefits should give the third parties extra incentive to provide the necessary mediation resources that are most effective. But the presence of benefits might also create overly eager mediators that do not act in accordance with what the actors actually need from mediation. Depending on the relative impact of these factors, analysts can also err in estimating mediation effectiveness if they do not take into account how the presence of benefits to the third parties affects the likelihood of both mediation and its optimal implementation. Taking into account the selection of mediation will help clarify the impact that mediation actually has

independent of contextual factors. This chapter will focus on how the mediation selection process actually works, while Chapter 6 will take up how the selection process specifically affects our inferences about mediation effectiveness.

In addition to revealing the potential for biased inference of mediation effectiveness, this chapter sheds light on the factors that contribute to a shortage of international mediation. This can enable researchers and practitioners to adopt an appropriate course of action to overcome any barriers when mediation is recommended for conflict resolution in some situations but is not forthcoming. If mediation is useful for actors to achieve mutually agreeable settlements, then why does it not always occur? Explaining why mediation does not always occur will reveal a good amount about the various costs and risks associated with mediation. On the other hand, assessing the situations in which mediation does occur will indicate what positive benefits the antagonists perceive mediation to deliver. Greater understanding in this regard permits us to better anticipate what incentives are needed to allow mediation to become a more likely conflict management tactic.

Table 3.1 indicates the prevalence of mediation across different data sets of international conflict. The listed figures for the ICB and SHERFACS data sets are from modified versions created in this research project as detailed later in this chapter. The other figures reported are as given in the cited references. As evident, the frequency of mediation varies across the different data sets, as each

Data Set	Percent of Mediated Conflicts
International Crisis Behavior	30%
SHERFACS	20%
Northedge & Donelan (1971)	62%
International Conflict Management (Bercovitch & Jackson 2001)	58%

one presumably has a different definition of what constitutes a conflict and what constitutes mediation. For example, the International Conflict Management data set has a restrictive definition of conflict – there must be a significant use of force. In comparison, the ICB data do not require a use of force, but rather only some perceived threat of increased hostilities. Such a difference is likely to affect the reported frequencies of mediation, as Bercovitch & Jackson (2001) have found that the use of force is correlated strongly with the occurrence of mediation.

The figures in Table 3.1 reveal two important notions. First, there is much to be explained in why mediation occurs in some conflicts and not others. Mediation is neither overly rare nor common, and there should be systematic reasons for why mediation occurs in one- to three-fifths of all serious international disputes. Second, the variation across data sets should not be overlooked. Studies of mediation should include analyses of multiple data sets where possible for verification. This study will use both the ICB and SHERFACS data, as they have suitable variables for all the analyses in the project and have a less constraining definition of conflict,



encompassing a broader set of international disputes.<sup>1</sup>

## Background

The question of when mediation will occur has been loosely addressed in much of the earlier mediation literature (Young 1967, Touval & Zartman 1985, Princen 1992). A general consensus from the previous works is that mediation will occur when it is mutually acceptable to the combatants, i.e., when it will be able to supply some benefit to the parties that cannot otherwise be achieved.

The importance of mutual benefit is related to a significant body of literature suggesting conflicts are predisposed to successful resolution during “ripe” moments that usually entail a mutually hurting stalemate (Zartman 1985, Touval & Zartman 1985, Haas 1991, Stedman 1991, Rubin 1991, Mooradian & Druckman 1999). As argued in Chapter 2, when discussing notions of ripeness, it is tempting to conflate being ripe for resolution with being ripe for mediation. If the two notions of ripeness are related, then the causal process should be developed. If the two are not related, then we should be careful not to assume that mediation will be more common during such times as mutually hurting stalemates. The ripeness literature is generally not clear on this relationship, and thus offers little with regard to whether mediation is only occurring in opportune moments or in fact actually does something to create those opportune moments.

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<sup>1</sup>Since level of conflict is likely associated with various outcomes throughout this project, selection bias will be a problem in data with more narrow definitions of conflict.

Greig (2005) provides the most thorough analysis of when mediation occurs, but also does not develop the theoretical underpinnings of the ripeness and mutually hurting stalemates concept. He assumes that mediation will occur when resolution will be successful and finds that mediation occurs more often in mutually hurting stalemates. Unfortunately, the discussion on *why* mediation will be chosen when resolution is likely instead of when mediation is most needed is underdeveloped. The theory is based on a previous literature that uses loose descriptions and assumptions about mediation. Similarly, Terris & Maoz (2005) use game theory and some empirical tests to demonstrate that mediation is more likely to occur when the strategic environment can be easily changed from one of conflict to one of cooperation. However, the incentives for both the disputants and mediators to prefer mediation in more “versatile” games are merely assumed without much theoretical justification or consideration of the specific costs and benefits from mediation. They also do not develop how the preferences of the mediators and the actors might sometimes be different, how mediators are actually able to transform the games, or why the actors themselves cannot transform the “versatile” games without help. Terris & Maoz (2005) and Greig (2005) provide the literature with important first steps in discovering some of the correlates of mediation. But neither begin with an account of the involved actors’ interests and what they expect to get out of mediation. As a result, they miss much of the underlying causes of mediation implementation.

A clear perspective of what causes mediation and how that process is related to the expectations of mediation outcome, if at all, is mostly absent in the current literature. Studies of mediation effectiveness are likely to suffer from biased inferences since the endogeneity between mediation occurrence and the expected mediation outcomes has not been carefully addressed. Toward this end, a more developed theory about mediation incidence, beyond general notions of mutual benefit that should be true by definition, is needed. In addition, empirical tests are needed to test the theory and effectively divorce any normative and positive elements of the arguments. This chapter develops the supply and demand frameworks for mediation, and tests the observable implications on multiple data sets.

This chapter builds on the discussion in Chapter 2 and argues that both the demand and the supply sides can serve as approximate sufficient conditions for mediation. On the demand side, when there is mutual desire to have a mediator, the combatants should be able to find some actor in the international system that is willing to broker the conflict. Since mediation is costly to the actors, they will only want mediation when it is likely to be effective. They will prefer the alternative of continued conflict if the costs of mediation are likely to be spent in vain. On the supply side, it is argued that when third parties with the resources to influence the choice of the belligerents derive substantial benefits from mediating, they are often able to “induce demand” and affect the selection of mediation. Data from the International Crisis Behavior (ICB) project and the SHERFACS data set are

used to test the hypotheses. The results strongly support the theoretical framework. Mediation is more likely to occur when 1) bargaining problems - i.e., high information barriers, low long term costs of conflict and high commitment barriers - of a conflict are reduced, 2) there is a high propensity for devious objectives - i.e., the immediate costs of conflict are high - and 3) it is likely that third parties will gain strong benefits from serving as a mediator.

## 3.2 The Arguments

The observable implications from the theoretical framework in Chapter 2 will be presented here as hypotheses. The dependent variable in all the hypotheses is whether or not mediation occurred. While it would be ideal to frame the hypotheses in terms of whether mediation was explicitly demanded or offered, such events cannot be independently observed. When there is a mismatch of supply and demand, mediation will often still occur; so whether mediation was demanded or offered will be hidden unless explicit overtures were made.<sup>2</sup> As a result, the hypotheses need to be stated in terms of overall mediation incidence, since this is the observable behavior that is a function of mediation supply and demand. Methods are implemented to avoid biases that result from only observing the aggregate impact of supply and demand, and not the individual demand and supply latent

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<sup>2</sup>Observing requests or offers of mediation may be difficult to observe because the actors may only make public declarations of their mediation intentions when they are certain that the request will be provided or the offer will be accepted.

outcomes.

On the demand side of mediation, it is important to recognize that mediation carries certain costs to the disputants – especially if it fails – that are not incurred in direct negotiations. Time and basic effort can be considered as fixed costs regardless of the type of mediation. Reduced autonomy is a stronger cost, in which actors are more susceptible to coercion when third parties are given inside information about the negotiation process and an incentive to influence the outcome. If mediation fails, these third parties will be more prone to use coercion to influence the outcome if they actually know who the intransigent parties are. Turning to another cost, actors risk losing flexibility during mediation because third parties have their own interests that are likely to restrict certain outcomes.

The costs will lead actors to prefer other means of dispute resolution when mediation is likely to be unnecessary or fail. Since mediation is often needed to reduce barriers to uncertainty, increase the long-term costs of conflict and reduce commitment barriers, mediation will not be pursued when these bargaining problems are either too strong or too weak. When bilateral negotiation is effective, mediation will not be pursued. When bilateral negotiation has failed, mediation will not be pursued if fighting is seen as inevitable because of the high probability of mediation failure.

The set of disputes that are of interest to this project are those that have already reached a crisis or conflict stage in which direct negotiations are in peril.

Interactions with weak bargaining problems are thus excluded from the analysis completely, which means that the theory and results here should not be applied to situations that have yet to reach a crisis stage. Selection bias would likely prove problematic when the findings here are applied to the set of disputes that never become crises because bilateral negotiations were sufficient to resolve the dispute without escalation.

**Implication 3.1.** Mediation is more likely to occur in international crises with manageable bargaining problems.

**Hypothesis 3.1.1.** Mediation is more likely to occur when there are low information barriers.

**Hypothesis 3.1.2.** Mediation is more likely to occur when there are high long-term costs of conflict.

**Hypothesis 3.1.3.** Mediation is more likely to occur when there are low commitment barriers.

Aside from the benefits that mediation might bring to resolve bargaining problems, mediation might also be pursued as a delaying tactic for an actor to recruit, regroup or otherwise be stronger in future combat (Richmond 1998). When there are high short-term costs of conflict, an actor might have incentives for devious objectives and want to temporarily reduce the costs of conflict by bringing in an intermediary that is able to divide and monitor each side to reduce the risk of

surprise attack.<sup>3</sup> These devious objectives should lead to a demand for mediation that is mostly independent of the bargaining barriers mentioned above.

**Implication 3.2.** Mediation is more likely to occur when at least one actor has incentives for devious objectives.

**Hypothesis 3.2.1.** Mediation is more likely to occur when there are high short-term costs of conflict.

Pertaining to the supply side, third parties face costs when they mediate, related to administrative burdens, the risks of blame and the frequent need to provide material benefits or sanctions. In addition, mediation is a public good that increases the non-excludable and non-rivalrous benefits of peace and stability. There will thus be an incentive for third parties to free ride in providing mediation even though some benefit will be received. Mediation should never be denied by all actors in the system, especially since IGOs and NGOs exist for the very purpose of resolving international disputes. Variation in mediation thus cannot be explained by *willingness* of some third party to mediate because that should not change. But looking at the *potential for persuasion* can explain some of the variation in mediation incidence. Third parties with persuasive potential may be able to induce demand for mediation when they derive substantial benefits from mediating.

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<sup>3</sup>There might be other circumstances in which there are incentives for devious objectives, but most would be difficult to capture in an empirical analysis where the true motives of the actors are unknown. Chapter 7 takes up this concern in a thorough analysis of the 1994 DPRK nuclear crisis.

The benefits from mediation can fall into three categories. First, third parties can benefit from reducing negative externalities from destabilizing conflicts. Recurring conflicts and those that have the potential to spill over into adjoining areas will be the most threatening to the international community and thus most costly to outside actors. Second, third parties can benefit from reducing the humanitarian threats of a crisis or conflict. Actors such as the UN, regional governance organizations, non governmental organizations and individuals will value the public benefits of peace and the reduction of fatalities. They will push for an active role in the conflict resolution process when there are humanitarian threats involving many fatalities from a dispute. Third, outside actors will be more likely to encourage mediation when there is much at stake in a conflict. Such conflicts might involve great-power states and have implications beyond a single region. In salient cases, third parties can exert influence on the international system via their role in affecting the outcome as a mediator. In addition, when the issue space, or an actor's difference in utility from winning or losing, increases, third parties with interests tied to either party will be more eager to be part of the negotiations to influence the outcome.

**Implication 3.3.** Mediation is more likely to occur when there are strong benefits to potential mediators.

**Hypothesis 3.3.1.** Mediation is more likely to occur when there is a greater threat to instability.



**Hypothesis 3.3.2.** Mediation is more likely to occur when there are greater humanitarian threats.

**Hypothesis 3.3.3.** Mediation is more likely to occur when there is more at stake.

## 3.3 Methods

### Data

These hypotheses will be tested using the International Crisis Behavior (ICB) and SHERFACS data sets. The ICB project defines a crisis as having three necessary conditions that together are sufficient. First, an international crisis requires that a state perceives another state as a threat to its basic values. Second, there needs to be a heightened perception of the threat of military hostilities. Third, a crisis requires that the states face a finite time horizon in which an agreement must be reached. The ICB data contain information on a longer time scale than the SHERFACS data – 1918 to 2002 versus 1937 to 1985 – and has the additional advantage of having easily accessible case summaries to allow for more precise coding of who mediates in each crisis.<sup>4</sup> The unit of analysis in the ICB data is each interstate crisis; the variables do not vary over the course of a crisis.

The SHERFACS data have useful intra-conflict information, as the unit of analysis for these purposes is each distinct phase in a conflict. These data include

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<sup>4</sup>The ICB data and case studies are available online at <http://www.cidcm.umd.edu/icb>.

all conflicts from 1937 to 1985. A conflict is defined as “a situation where there exists mutually exclusive sets of competing claims or challenges to sovereignty between at least two actors, one of which must be an internationally recognized political actor” (Sherman 1995, 11). The data set uses the earlier work of Butterworth (1976) as the primary basis for the data. The SHERFACS observations with any non-state primary actors were omitted from the analyses since many of the independent variables are specific to states.<sup>5</sup> The ICB data have 440 crises, and the SHERFACS data have 1446 international conflict phases. The independent variables that are static across conflicts are used in the ICB analyses, while the variables that vary across conflicts are used in the SHERFACS analyses.

## Variables

The dependent variable in all the analyses is a binary indicator of whether mediation occurred or not. This variable is taken directly from the ICB data. For the SHERFACS data, mediation was considered to have occurred if there was a third-party conflict manager who used mediation, conciliation or good offices. Conciliation and good offices, as defined in SHERFACS fit the definition of mediation in the ICB data.

For the ICB data, in which the crisis-level data is used as the base, some of the independent variables are taken from the Polity IV (Marshall & Jaggers 2002),

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<sup>5</sup>The framework should apply to relationships among both state and non-state actors, but the available measures are limited to states.

National Material Capabilities 3.01 (Singer, Bremer & Stuckey 1972) and actor-level ICB projects. Unfortunately, the units of analysis do not match across the data sets. The system-level ICB data treat each crisis as a separate observation, while Polity uses each country-year, many of the COW variables use each dyad year, and the actor-level ICB data use each crisis actor. In order to filter all the information into a format with each crisis as the unit of analysis, two manipulations are involved. First, the Polity and COW variables are merged onto the actor-level ICB data or the dyadic version created by Hewitt (2003). Second, the data are collapsed such that one measure for each crisis is retained. These new crisis-specific variables are then merged onto the system-level ICB data. The choices of how to code representative values for each variable at the crisis level from values given at the actor and dyadic levels are made as described below. The overall logic is to choose the independent-variable values that indicate the maximum possible levels of the relevant concept, whether it is uncertainty, low long-term costs of conflict or commitment problems. In this way, the data are coded based on each crisis' potential levels of the key variables.

In order to get to the phase level of analysis, the management- and actor-level SHERFACS data were aggregated to one observation per phase. In addition, variables from other datasets were integrated similar to the ICB data. The variables that have little potential to vary over the course of a conflict are not included in the SHERFACS models.

## Demand-Side Variables

**Informational Problems.** The first group of independent variables contains indicators for the amount of uncertainty in each crisis situation. Contiguity is a good measure for how familiar two states might be with each other and is measured as a dichotomous indicator of whether the principal adversaries in a crisis are geographically contiguous. Most & Starr (1989) consider a shared border to be a crucial predictor of the level of interaction between two state actors. Contiguous actors will be more familiar with each other's tendencies, will have an understanding of the battlefield environment and will need less developed intelligence capabilities. This variable is coded directly from the system-level ICB data. Another measure of the potential for uncertainty is the level of competitiveness in domestic institutions. Following Schultz (1998) and Ramsay (2004), states with competitive political parties are more transparent in their foreign-policy decisions because a competing opposition party constrains the government from making unreasonable threats or promises. The Polity IV variable of the competitiveness of participation is used to form a dichotomous indicator of whether there is at least one crisis actor that has regular domestic political groups that compete for influence at the national level. The primary means to measure the potential for uncertainty using the SHERFACS data is through using the specific phase types. There are six different phases in the data: dispute phase (PHASE I), conflict phase (PHASE II), hostilities phase (PHASE III), post-hostilities conflict phase (PHASE IV), post-hostilities

dispute phase (PHASE V), and settlement phase (PHASE VI). Not all conflicts have one of each phase, and many conflicts have multiple phases of the same type. If actors discover private information while fighting (see, e.g., Powell 2004a), then we should expect the level of uncertainty to be lower immediately after hostilities. Phases IV and V should be good measures of high information availability.

**Long-Term Costs of Conflict.** Turning to the long-term costs of conflict, power parity is used as an operational variable. The logic for this operationalization was presented earlier in the context of Figure 2.2. If costs are a function of the opponent's capability, actors will view their long-term costs of conflict as smaller when facing a weaker opponent that is less able to inflict damage and will likely collapse quicker in the event of total war. When facing an opponent of equal strength, the costs are likely to be viewed as greater. Of course, when the opponent is stronger, the costs are even greater, but then the opponent would not have a very high valuation of the costs of conflict. The relevant mechanism at hand has to do with a *mutual* perception of the costs of conflict because both sides should be on the same page for demand to have an effect on mediation incidence. Bargaining will often be more difficult when one state is facing low costs of conflict because there is a higher chance that the actor with low costs is willing to fight if the status quo is maintained, and there are fewer alternatives that will satisfy it. Long-term costs should be mutually high when there is relative power parity. Empirically, Bennet & Stam (1996) have found that power balance tends to lead to longer

wars. Similarly, Greig (2005) argues that power symmetry is an indicator of a mutually hurting stalemate.

The National Material Capabilities data include an index of capabilities (CINC) for each state-year, calculated from six measures: military expenditures, total population, urban population, iron and steel consumption, primary energy consumption, and military personnel. For each ICB dyad in a crisis, the difference in the states' capabilities index is taken, giving a measure of the balance of capabilities in that crisis dyad.<sup>6</sup> By implication from the theoretical framework, when the difference in capabilities is large, the costs of conflict should be expected to be small and the difficulty of the bargaining problem high. When there are multiple dyads in a crisis, the largest difference score is used as the measure of the balance of capabilities to indicate the potential for low costs of conflict. For the SHERFACS data, the capabilities index scores for each state are summed together for both sides of the conflict. The absolute value of the difference between each side's summed capabilities score is then used as the capability difference variable.<sup>7</sup>

**Commitment Barriers.** There are also a few variables used to measure the potential for commitment problems. In the ICB data, the first is the change in the power distribution. Powell (1999, 2004*b*) and Werner (1999) have found that a quickly rising state may not be able to credibly commit to not using its power

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<sup>6</sup>The absolute value of the difference in capabilities is taken because only the magnitude of the difference matters.

<sup>7</sup>Such a calculation is not possible with the ICB data because the dyad ICB data do not list to which side each actor belongs.

for concessions in the future, which may spark an attack by the reigning power even under complete information. This variable is constructed in the ICB data by calculating the first difference of each dyad's difference in capabilities. Since the magnitude of change is the only thing that matters, the absolute value is taken. In crises with more than one dyad, the value from the dyad with the greatest change in the power balance is used as the indicator to provide a measure of the potential for commitment problems. In the SHERFACS data, the changes in capabilities for the actors on each side are summed, and then the absolute difference between each side's summed scores is taken.

A second measure of commitment barriers in the ICB data is the level of constraints on an executive in policy decisions. The Polity IV variable dealing with executive constraints, which is a seven-point scale from complete authority to subordination to a legislature, is used as the basis for the executive constraints variable in the analysis. When there is more than one actor in a crisis, the minimum value on the constraint variable is used in order to indicate the potential for complete executive discretion in a crisis. As part of the analysis, a curvilinear relationship between regime constraints and mediation is assessed; the executive constraints variable is therefore squared and that term is included in the models. It is expected that states with either a dominant legislature or executive will be best able to credibly commit to a course of action; states with no clear dominance might suffer from power struggles in which one domestic institution attempts to overturn

the decisions of the other. To this end, Assefa (1987) argues that the availability of decisive leaders that can negotiate and secure commitments is important for mediation success.

**Aggregate Count of Bargaining Problems.** While the individual effects of these demand components will be insightful, it is worthwhile to also look at how they act in the aggregate. As a result, an ordinal variable is created that counts how many categories of potentially difficult mediation each observation contains. Potentially difficult mediation is in reference to the barriers to successful bargaining presented in the theoretical framework. For example, if a crisis has at least one variable that indicates high potential for uncertainty, low long-term costs of conflict and high commitment barriers, it receives a score of 3. If there is only evidence for high commitment barriers, it receives a score of 1, and so on. Evidence for high potentials for uncertainty was determined if there is no contiguity, no competitive domestic institutions, or the phase is not IV or V. Evidence for low long-term costs is determined if the capability difference scores are greater than the means. Evidence for high commitment barriers is assessed if the change in capability difference scores are greater than the means or if the executive constraints variable is in the mid-level of 3,4 or 5. This produces a 4-point aggregate variable.

In terms of construct validity, this aggregate count matches up well with a few other variables that should be related to overall bargaining difficulty. In a bivari-



ate analysis, the four-point count indicator is positively related to both violence and the threat severity of a crisis. Both relationships are statistically significant. Bargaining failure logically leads to negotiation collapse and the actors' willingness to resort to violence and severe threats.

**Short-Term Costs of Conflict.** The severity of casualties is one way to measure the short-term costs of conflict. Using the SHERFACS data, an 8-point ordinal indicator of the number of battle-field fatalities, from no fatalities to over a million, is used. In addition, the SHERFACS data have ordinal variables that measure the economic costs to each side in each phase. Again, the mutual costs of conflict are most relevant, so the current costs variable is a dichotomous indicator of whether the conflict is moderately to severely costly to both sides.

### **Supply-Side Variables**

**Threat to Instability.** In the ICB data, an indicator of previous mediation between any of the antagonists and an indicator of whether a crisis is considered protracted are measures of the potential for instability and negative externalities. These variables represent measures of failed past peace attempts. Crises that have previously failed to reach a stable peace are most threatening to international stability because of their recurrent nature. Consistent with this logic, Greig (2005) finds that third parties are more likely to offer mediation when there have been many previous instances of mediation.

Whether or not there is an ethnic component in a crisis is also a measure of

threats to instability. This indicates the potential for a crisis to raise externality concerns. Irredentist and secessionist conflicts often create refugee flows because claims over control of a territory generally displace other groups. Davis & Moore (1997) also find that ethnic conflicts have an increased potential to draw in other actors via transnational ethnic alliances. When ethnicity is involved, third parties have an increased incentive to try to contain the conflict and prevent diffusion.

**Humanitarian Threat.** Using the SHERFACS data, the 8-point ordinal indicator of the number of fatalities, from no fatalities to over a million, is again used. This captures the risk of humanitarian damage in a particular conflict. We must take care in interpreting the coefficient of this variable, since it is used as both a demand- and supply-side measure.

**The Stakes.** Two indicators are used to capture how much a mediator might have at stake in the outcome of a particular crisis or conflict. The geostrategic salience variable is a five-point ICB indicator of the number of international systems that are affected. The lowest value of this variable indicates one subsystem, while the highest value indicates a crisis that affects the entire global system. Additionally, in the SHERFACS data, we can use a threat severity variable as a dichotomous indicator of whether the threat of a conflict is a matter of existence, grave damage, influence in the international system or loss of colonial territory. Third parties with interests tied to one of the actors in dispute will be greatly affected by the outcome of conflicts with these types of threat.

**Aggregate Count of Potential Third-Party Benefits.** Just as on the demand side, it is useful to see how the likelihood of mediation changes as more and more indicators of third-party benefits are present. As a result, a similar four-point variable was created for the ICB data, indicating how many of the variables indicating potential third-party benefits are present in a particular crisis.<sup>8</sup> So, the count score increases by one if antagonists in the crisis had previous mediation or if the crisis is a protracted conflict, if the salience of the crisis involves the main international system and if there is an ethnic component.

**Aggregate Count of Bargaining Problems and Third-Party Benefits.** Finally, the models implement an overall “support” variable that combines the variable that counts the number of potential bargaining problems with this supply-side count variable. The bargaining-problems variable is first reversed so that higher values indicate less problems and more demand for mediation. This new indicator ranges from 0 to 6 and is an indication of overall support for mediation from the demand and supply sides.

### **Control Variables**

In the empirical models, a few factors need to be controlled to decrease the threat of finding spurious relationships. First, the gravity of the crisis is included in the ICB models. Many of the hypothesized relationships have to do with specific

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<sup>8</sup>This variable is not constructed for the SHERFACS data because they only contain two indicators of the third-party benefits. Also, this variable is primarily for illustrative purposes and not to fully capture the supply-side factors.

aspects of severity, such as the saliency to the international system, the number of fatalities, and the costs of conflict. To be able to conclude that these specific mechanisms are at work and not some other mechanism that loosely links gravity to mediation, the models include a dichotomous indicator of whether a threat is at least considered “grave” as a control variable. This variable is close to the threat severity explanatory variable in the SHERFACS analysis, so it is not needed as a control in those models. Ideally, this variable should measure intra-crisis changes, which is why it is only used as a control variable in the ICB analysis instead of a proxy for how much is at stake.

Second, in the ICB data, the time period of the crises is held constant. The frequency of mediation has changed over time and is likely affected by such structural changes as the presence of the UN, the Cold War and power shifts. Mitchell (2002) and Mitchell, Kadera & Crescenzi (2005) find that the probability of third-party settlement attempts vary with the number of democracies in the international system and the strength of the global democratic community. These normative trends could influence the analysis if the general structure of the international system is not held constant. PERIOD, a five-point indicator of discrete time periods increasing in time, and corresponding to shifts in the polarity of the international system, is thus taken from the system-level ICB data. Such a variable is not as necessary in the SHERFACS data because the vast majority of the conflicts occurred during the Cold War.

Third, the geographic region is controlled for in the analyses. Each region may have different norms of how disputes are settled and different potential mediators that are more or less attractive. Leng & Regan (2003) have found that the effectiveness of mediation often depends on the shared cultures of the combatants, so other cultural factors across regions might matter as well. Region might also be correlated with some of the independent variables because of the nonrandom distribution of actors – with regard to their capabilities and institutions – and should therefore be held constant. The four regions are the Americas, Europe, Asia (including the Middle East) and Africa.

Fourth, the duration of a crisis should be an important control variable. Crises that last longer have more of an opportunity for mediation to be implemented. In addition, Regan & Stam (2000) and Greig (2001) have found that timing is an important determinant of mediation success, so actors may condition their preference for mediation on the duration of a conflict. If other independent variables, such as capability balance, can contribute to the length of a crisis, then any relationship between them and mediation incidence might not involve a direct causal link. Instead, the incidence of mediation might just be a function of the length of a crisis.

Finally, in the SHERFACS data, it is possible to include an indicator of how likely it is for third parties to join in the conflict militarily. This is useful to control for the predisposition of each conflict to be in the interest of outside actors. In this

way, mediation can be treated as a process that is independent from a larger menu of third party options. As Favretto (2004) argues, actors may prefer mediation if they think they will face more coercive intervention in the future, which means they would not be choosing mediation based on the explanatory variables in this analysis. In addition, having an outside actor that may intervene depending on how the conflict plays out will likely affect the levels of uncertainty and expected costs of conflict in a situation. Holding constant the proclivity for other forms of outside intervention is thus useful. The dichotomous joiners variable indicates whether a third party actually joined or was going to join the conflict phase militarily.

Table 3.2 summarizes and provides some descriptive statistics of all the independent variables. Table 3.3 illustrates the directions of the expected relationships. It includes the general factors that are suspected to be at work, as well as the specific operational variables that are proxies for those general factors.

## **Models**

Most of the models used are standard probit regressions because the dependent variable is binary. When used with the SHERFACS data, the models use robust standard errors clustering for each conflict, since the unit of analysis is the conflict phase, and the phases within a conflict are likely to not be independent of each other. The probit models should suffice in testing for the hypothesized monotonic effects of increases in demand – desire of the combatants to have mediation – and

Table 3.2 Summary of the Principal Independent Variables

IV	Variable Description	Min	Max	Mean
<b>Aggregate Indicators</b>				
Barg. Prob. Count (ICB)	Number of potential bargaining problems	0	3	1.86
Barg. Prob. Count (SHERFACS)	Number of potential bargaining problems	0	3	1.50
Third-Party Ben. Count	Number of potential third-party benefits	0	3	1.60
Support Count	Number of potential bargaining problems and third-party benefits	0	6	2.74
<b>Uncertainty</b>				
Contiguity	Contiguity of main actors	0	1	0.68
Competitive	Crisis actor with competitive political parties	0	1	0.32
Phase IV	Post-hostilities conflict phase	0	1	0.11
Phase V	Post-hostilities dispute phase	0	1	0.057
<b>Long-Term Costs</b>				
Cap. Difference (ICB)	Maximum difference in CINC scores of the opponents	0	0.38	0.067
Cap. Difference (SHERFACS)	Difference in the summed CINC scores for each side	0	0.60	0.067
<b>Short-Term costs</b>				
Fatalities	Indicator of battle deaths	3	10	3.58
Current Costs	Both sides perceived the phase as costly	0	1	0.22
<b>Commitment Barriers</b>				
Change Cap. Diff. (ICB)	Change in CAPDIF from the year prior	0	0.084	0.0075
Change Cap. Diff. (SHERFACS)	Change in CAPDIF from the year prior	0	0.10	0.0046
Exec. Constraints	Minimum Polity IV indicator of executive constraints	1	7	2.84
<b>Third-Party Benefits</b>				
Previous Mediation	Previous mediation between the opponents	0	1	0.39
Protracted Conflict	Crisis is part of a protracted conflict	0	1	0.59
Ethnic Component	Irredentist or secessionist component	0	1	0.31
Fatalities	Indicator of battle deaths	3	10	3.58
Geostrategic Salience	Indicator of geostrategic salience	1	5	1.76
Threat Severity	Conflict phase involved a severe threat	0	1	0.20

Table 3.3 Hypothesized Effects on Mediation

Independent Variable	Direction
<b>Aggregate Indicators</b>	–
Bargaining Problems Count	–
Third-Party Benefits Count	+
Support Count	+
<b>Information Barriers</b>	–
Contiguity	+
Competitive	+
Phase IV/V	+
<b>Long-Term Costs</b>	+
Cap. Difference	–
<b>Short-Term Costs</b>	+
Fatalities (demand side)	+
Current Costs	+
<b>Commitment Barriers</b>	–
Change Cap. Difference	–
Exec. Constraints	–
Exec. Constraints <sup>2</sup>	+
<b>Third-Party Benefits</b>	+
Protracted Conflict	+
Previous Mediation	+
Ethnic Component	+
Fatalities (supply side)	+
Geostrategic Salience	+
Threat Severity	+



supply – desire of the third parties to provide mediation – on the occurrence of mediation if the supply and demand processes are independent of each other.

Concerns, however, might be raised about modelling the two processes together in a straightforward probit, although doing so is the most straightforward way to mitigate spurious relationships caused by positive correlation between the demand and the supply processes. If mediation only occurs when supply and demand interact in a certain way, then the individual effects of the supply or demand processes may not be accurately characterized in a simple probit model that treats the effects of all independent variables as additive. Finding an appropriate model may be even more problematic here because the latent outcomes of supply and demand are not observable; only the joint outcome of mediation is observable. The chapter appendix provides a discussion of which model is most appropriate for such a partial observability problem when two latent processes are close to sufficient conditions for the outcome. It is concluded that, following Braumoeller (2003), a Boolean probit model may be a good solution, but it is not necessarily the best model because the actual interaction of the causal mechanisms may not be clearly defined and cannot be observed. The Boolean probit allows the analyst to specify different latent causal paths to an outcome. Combined with the straightforward probit models, the Boolean probit model serves as a good robustness check when possible. The control variables are suppressed in the Boolean probit models to facilitate convergence – these models are demanding of the information in the data

– and because the control variables do not have much influence in the other models.

### 3.4 Results

Models 1 through 5 in Table 3.4 provide the results of probit specifications, while Model 6 provides the results of a Boolean probit regression, specified as the demand *or* supply mechanisms affecting mediation. Model 1 is just a baseline model to justify the selection of control variables. The key explanatory variables are included in Model 2, and there is much support for the predicted relationships. Mediation is significantly less likely to occur in crises with an imbalance of capabilities and with a rapid change in the distribution of capabilities. Mediation is significantly more likely to occur when there has been previous mediation between any of the antagonists, and when there is an ethnic component. There is some evidence of the expected curvilinear relationship between executive constraints and mediation incidence, as the linear term is negative and statistically significant and the squared term is positive and approaching significance. It appears that mediation is least likely at middle levels of executive constraints.

When the coefficients in Model 2 are compared to those in Model 6, the relationships are consistent.<sup>9</sup> Moreover, the competitive variable, an indicator of democratic transparency, was only approaching statistical significance in Model 2, but it is positive and statistically significant in Model 6, as expected.

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<sup>9</sup>Some variables had to be dropped due to estimation difficulties in which the models fail to converge.

Table 3.4 ICB Models of Mediation

IV	(1: Prob.)	(2: Prob.)	(3: Prob.)	(4: Prob.)	(5: Prob.)	(6: Bool. Prob.)
Support Count					0.365*	(0.056)
<b>Demand-Side Var.</b>						
Barg. Prob. Count			-0.361*			(0.083)
Barg. Prob. Count=1				-0.102		(0.310)
Barg. Prob. Count=2				-0.444		(0.316)
Barg. Prob. Count=3				-0.925*		(0.330)
Contiguity		0.228				0.174 (0.262)
Competitive		0.349 <sup>+</sup>				0.573* (0.228)
Cap. Diff.		-3.233*				-6.209* (2.956)
Change Cap. Diff.		-41.123*				-27.999* (15.549)
Exec. Constraints		-0.309*				(0.183)
Exec. Constraints <sup>2</sup>		0.036				(0.023)
<b>Supply-Side Var.</b>						
3rd Party Ben. Count			0.369*	0.364*		(0.091) (0.091)
Previous Mediation		0.358*				0.947* (0.407)
Protracted Conflict		0.173				(0.194)
Ethnic Component		0.359*				1.088* (0.410)
Geostrategic Saliency		-0.074				-0.326 (0.263)
<b>Control Var.</b>						
Grave Threat	-0.141	-0.100	-0.027	-0.022	-0.026	(0.173) (0.230) (0.183) (0.184) (0.183)
Europe	-0.592*	-0.542*	-0.571*	-0.563*	-0.569*	(0.254) (0.319) (0.274) (0.273) (0.272)
Asia	-0.427*	-0.492*	-0.463*	-0.471*	-0.461*	(0.214) (0.264) (0.228) (0.228) (0.226)
Africa	-0.310	-0.515*	-0.459*	-0.471*	-0.458*	(0.226) (0.280) (0.239) (0.240) (0.237)
Period	0.233*	0.019	0.193*	0.198*	0.193*	(0.063) (0.082) (0.066) (0.066) (0.065)
Crisis Duration	0.002*	0.003*	0.002*	0.002*	0.002*	(0.000) (0.001) (0.000) (0.000) (0.000)
Intercept	-1.263*	-0.208	-1.095*	-1.328*	-2.176*	(0.287) (0.487) (0.365) (0.435) (0.336) (0.254)
Intercept (2)						-1.755* (0.609)
N	432	357	432	432	432	365
Pseudo R <sup>2</sup>	0.117	0.254	0.203	0.205	0.203	

\* Significant at a 0.05 level in a one-tail test; <sup>+</sup> significant at a 0.055 level. Standard errors in parentheses.

Model 3 in Table 3.4 gives evidence that the bargaining problems count variable, which is an aggregate count of how many of the three bargaining problems are present, has a negative and statistically significant effect on mediation. Substantively, as this variable moves from its minimum to maximum, while all the other variables are held at their medians, the probability of mediation drops by 40 percentage points. Model 4 breaks up this variable into a series of dummy variables for each value to see if there is a monotonic relationship between the number of bargaining problems and the likelihood of mediation. Since the coefficients increase in magnitude as the number of problems increase, this demonstrates such a monotonic effect. This finding is important because it supports the assumption that the set of crises in the data has weeded out most disputes with bargaining problems that are too easy to resolve to justify costly mediation. If we began with a lower threshold of dispute, we should expect a curvilinear relationship in which the bargaining problems have to first get difficult enough to warrant mediation and then the probability of mediation would drop off as the bargaining problems become too severe.

Models 3 and 4 also demonstrate that mediation is more likely as the number of potential third-party benefits increase. Substantively, as the number of potential benefits increase from 0 to 3 with all other variables at their medians, the probability of mediation increases by 39%. Using the count of both demand- and supply-side support factors, Model 5 demonstrates that as this variable increases,

so does the probability of mediation. The effect of this variable is quite strong, as seen by the size of the coefficient and the Z-score. As the number of support factors increase from 0 to 6, with all other variables held at their medians, the probability of mediation increases by 71%.

The results demonstrate that most of the relationships hold, with the exception of contiguity, protracted conflict and geostrategic salience. While the signs on the contiguity and protracted conflict coefficients are positive, they are not statistically significant. Geostrategic salience also appears to not be statistically significant, and the sign of the relationship is negative. It appears that geostrategic salience is partially measuring power relationships among the actors involved, in that the most salient crises are often those with the most powerful actors or the most quickly transitioning actors.

To study the effects of intracrisis variation, we can now turn to the SHERFACS data. Table 3.5 provides the results of four models. Model 1 uses the individual explanatory variables. Model 2 is very similar, but instead of using Phase I as the reference category for the phase variables, it compares the key phases of IV and V to all the rest. Model 3 uses the aggregate count of bargaining problems in lieu of the individual variables. Finally, Model 4 implements a Boolean probit to see if there are any differences when the latent interaction of the supply- and demand-side factors is taken into account.

On the demand side, Phases IV and V are statistically significant and positive

Table 3.5 SHERFACS Models of Mediation

IV	(1:Prob.)	(2:Prob.)	(3:Prob.)	(4:Bool. Prob.)
Bargaining Problems Count			-0.318*	(0.055)
Phase II	0.333*			
	(0.129)			
Phase III	0.297*			
	(0.162)			
Phase IV	0.850*	0.636*		0.926*
	(0.147)	(0.080)		(0.176)
Phase V	0.632*	0.461*		0.737*
	(0.172)	(0.149)		(0.242)
Phase VI	0.102			
	(0.180)			
Fatalities	0.111*	0.131*	0.136*	0.285*
	(0.038)	(0.034)	(0.031)	(0.059)
Current Costs	0.262*	0.292*	0.339*	
	(0.117)	(0.105)	(0.108)	
Cap. Difference	-2.144*	-2.209*		-13.769*
	(0.703)	(0.698)		(4.427)
Change Cap. Difference	3.606	3.423		
	(6.703)	(6.547)		
Supply-Side Variables				
Fatalities (2)				0.138*
				(0.069)
Threat Severity	0.374*	0.361*	0.436*	0.496*
	(0.110)	(0.106)	(0.098)	(0.159)
Control Variables				
Americas	0.594*	0.592*	0.532*	
	(0.181)	(0.179)	(0.180)	
Africa	0.537*	0.531*	0.493*	
	(0.188)	(0.186)	(0.167)	
Asia	0.032	0.028	0.107	
	(0.207)	(0.205)	(0.182)	
Third-Party Joiners	0.441*	0.500*	0.413*	
	(0.127)	(0.115)	(0.102)	
Intercept	-2.147*	-2.043*	-1.631*	-2.326*
	(0.174)	(0.133)	(0.115)	(0.270)
Intercept (2)				-2.164*
				(0.271)
N	1306	1306	1446	1373
Pseudo R <sup>2</sup>	0.175	0.170	0.160	

\* Significant at a 0.05 level in a one-tail test. S.E. in parentheses.

indicators of mediation, as are the indicators of fatalities and mutual costliness. The Phase IV coefficient is larger than those on all the other phases. In addition, the power balance has a statistically significant and negative relationship with mediation. Fatalities and current costs, indicators of the short-term costs of conflict, are also both statistically significant and positive. All of these relationships are as expected and robust across model specifications, including the Boolean probit model.<sup>10</sup> Of particular note is that the variable that indicates the number of potential bargaining problems has a negative and statistically significant coefficient in Model 3. This finding is consistent with the ICB data, and supports the proposition that demand for mediation will be less when there are stronger barriers to successful bargaining. The change in capability difference, however, is not statistically significant in any of the models. It appears that the change in power balance does not have much effect when viewed within each conflict.

On the supply side, the number of fatalities and threat severity are both positive and statistically significant predictors of mediation incidence. Again, these variables agree with the hypotheses, and are robust across various specifications. Note that fatalities continue to be an important indicator of mediation even when the mutual costs of conflict are held constant. While mutual costs are pertinent only to the demand side, it has been argued that fatalities might have both a supply- and demand-side effect. Fatalities likely factor into mutual costs, so when

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<sup>10</sup>Current costs had to be dropped from the Boolean probit model because of estimation difficulties when it was included.

mutual costs are held constant, the variation in fatalities that is only relevant to the demand side is better controlled. As a result, we can confidently say that fatalities have a supply-side effect on mediation. In addition, the Boolean probit model shows that fatalities is positive and statistically significant on both the demand and the supply side. In Model 4, it is included in the model twice, once with the demand variables and once with the supply variables. Its significant effect on both sides supports both expectations that adversaries will push for mediation when there are incentives to deviously buy time in the face of high immediate costs and that third parties will actively encourage mediation when there are more casualties and humanitarian concerns.

Substantive interpretations are useful to assess the relative impacts of each of the variables. Using Model 1 from Table 3.5, the baseline probability of mediation when all the variables are held at their medians is 3%. The probability of mediation increases on average by 13% when conflict reaches Phase IV, and 8% when in Phase V. The number of fatalities also has a substantial effect on mediation, which increases by 13% when the fatalities variable moves from its minimum to maximum. The mutual costs of conflict appear to have less of a substantive effect, as the probability of mediation is only 2% higher when the conflict is costly for both actors than when it is not. The probability of mediation decreases by 3% as the capability difference variable moves from its minimum to maximum, while conflicts with severe threats have a probability of mediation that is 4 percentage points



higher than other conflicts. Finally, using Model 3 in Table 3.5, the probability of mediation drops by 10% when the number of potential bargaining problems increases from 0 to 3.

### **3.5 Discussion**

The empirical models generally support the hypotheses. The findings tend to be robust across different model specifications. There are three general conclusions that can be taken from the analysis. First, mediation is more likely to occur when the bargaining situation is predisposed to successful conflict resolution as an alternative to fighting. Second, devious objectives are likely to be a factor in the demand for mediation. Third, conflicts that give strong incentives to third parties are more likely to be mediated. Each of these conclusions will be discussed in turn.

The results generally corroborate the results of a related study by Greig (2005) – using a different set of data – especially the findings that mediation is more likely when it is expected to be successful and when there has been previous mediation, and it is more likely to be demanded when there is power parity. The results also corroborate the findings of Terris & Maoz (2005), as mediation is more likely in the more manageable conflicts. The principal benefit of the analysis here is that it is based on a consistent framework that is built on an understanding of the actors' incentives in a bargaining context.

## **Bargaining Difficulty and Mediation Demand**

Conflict actors will only accept or demand mediation when it has a good chance of succeeding in resolving the relevant bargaining problems and providing the actors with some mutual benefit. If mediation is almost certain to fail, then the actors will not want to pay the costs of mediation, preferring to fight as a means of crisis bargaining because doing so may seem inevitable. The elements of bargaining difficulty considered here are information barriers, low long term costs of conflict and high commitment barriers. Each of these individual factors appear to be at work in the mediation selection process. In addition, an aggregate index of how difficult a bargaining situation might be, based on how many of these three bargaining problems are present in a crisis, is a strong predictor of mediation. As there are more and more barriers to successful bargaining, the likelihood that the actors will see mediation as a viable alternative to fighting decreases rapidly.

This of course does not mean that mediation only happens in the situations without bargaining problems. Mediation is not only an alternative to fighting; it is also an alternative to direct negotiation. Those disputes where a bargained outcome is obvious and without commitment problems should not reach the level of escalation where severe conflict is imminent. They will be negotiated and resolved short of crisis escalation. In this regard, Bercovitch & Jackson (2001) find that mediation occurs in more difficult situations than the ones that are directly negotiated. Their paper demonstrates that once negotiations have failed or have

been generally ruled out, mediation will generally be preferred to fighting in those situations in which mediation is likely to prove useful. The monotonic relationship between the number of potential bargaining problems and the probability of mediation supports this argument.

Turning to the first of the three bargaining problems, crisis and conflict situations that involve high information barriers are likely to be difficult for the actors to identify and commit to an agreement that is mutually acceptable. Taking advantage of information barriers, each actor will purposefully misrepresent its military strength and resolve in hopes of securing a better bargain. Indicators of information barriers are contiguity and institutional transparency. Both were found to have a positive relationship with mediation likelihood, although the former failed to be statistically significant. Note that the proposed mechanism that links competitive party systems to mediation via transparency provides an alternative to Raymond (1994), who argues that democratic institutions are positively related with mediation by solely normative means. Here is an institutional explanation of the same general relationship that avoids lumping all democracies together and focuses on one particular element of democratic governance that affects the demand for mediation.<sup>11</sup> More transparency enables better access to information, which makes the prospects of mediation more attractive.

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<sup>11</sup>It is interesting that the models display a negative relationship between executive constraints, another aspect of democratic governance, and mediation. This evidence demonstrates the utility of disaggregating democracy, as the specific institutional elements that often characterize democracy do not necessarily move together and may have competing effects.

Low long-term costs of conflict can also make it difficult for actors to identify a mutually acceptable agreement. Consistent with the logic of mutually hurting stalemates (Touval & Zartman 1985, Zartman 1985), actors will prefer a wider range of negotiated outcomes to fighting when fighting looks like it will not terminate soon and will involve heavy costs. If costs of conflict are a function of opponent strength, then power disparity is an indicator of mutual low long-term costs of conflict and has an expected negative relationship with mediation. Actors will tend to prefer a wider range of settlements to fighting when they will have to spend more resources and time defeating an opponent with a potential to inflict more substantial damage.

High commitment barriers are also a substantial impediment to effective bargaining and will decrease the ability for mediation to succeed in getting the actors to agree to a settlement. Following Powell (1999, 2004*b*) and Werner (1999), commitment problems may be most severe when one side is gaining in relative strength too quickly. The rising state cannot credibly commit to not demanding more concessions when it is stronger, so the opponent will have an incentive to pursue fighting instead of negotiating. To this end, there is an observed negative relationship between changes in the distribution of power and mediation. Another indicator of commitment barriers is the absence of strong executive or legislative control over foreign policy decision making. The evidence for a curvilinear relationship, in which there is a negative and statistically significant effect of executive constraints

and a positive and a near-significant effect of the squared constraints term, is more tenuous than some of the other findings, but still a plausible interpretation of the results.

## **Devious Objectives and Mediation Demand**

The second overall mechanism for mediation selection that is analyzed in the results is that of devious objectives. It is argued that actors which face high short-term costs of conflict may want mediation as a means to have a more stable cease-fire during which they can recruit or regroup to be in a stronger position when fighting resumes. Mediation is sought as a means to better bargaining leverage, not as a means to peace by at least one of the disputants, which should have strong implications on mediation effectiveness. The results substantiate the expected positive relationships between both high levels of fatalities and overall costs of conflict and the incidence of mediation.

Two points are worth noting about these findings. First, devious objectives can only succeed in securing mediation when both sides want mediation. If, say, a losing actor in an intense fight has devious objectives, and the other side has no desire for mediation, mediation should actually not happen. So, devious objectives will often need to accompany other factors that lead an opponent to also desire mediation. These other factors may involve an easing of the bargaining situation or third-party pressure for mediation acceptance. A likely mechanism is that long-term

and short-term costs are correlated, as costs in the present lead to expectations of costs in the future. When one sees an opportunity for a devious cease-fire, the other sees an opportunity for effective cost maximization. For example, in Sri Lanka, the Norwegian mediation began after a very bloody period in 2000. The high levels of casualties, in conjunction with the fact that the civil war had persisted for nearly two decades at that point, likely led to a perception of both high short-term costs of conflict and high long-term costs of conflict. So, it is plausible to argue that the LTTE, who initiated the mediation and who were on the losing end of many of the exchanges at that time, wanted mediation to help secure a cease-fire so that they could solidify key positions. At the same time, the Sri Lankan government could have accepted mediation at that time because of the growing realization that a complete defeat of the LTTE would be prohibitively costly.<sup>12</sup>

Second, this line of argument stresses the distinction between short-term costs and long-term costs. While both are confirmed to be positively associated with mediation incidence, it is expected that they will have opposite effects in determining who mediates, as argued in the next chapter. Previous works on mutually hurting stalemates do not make this distinction clear. Here, long-term costs of conflict are associated with the type of logic of a mutually hurting stalemate, while the short-term costs should remain analytically distinct.

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<sup>12</sup>This is only one plausible story, as the devious objectives could be the other way around, or mediation could have been honestly sought as a means to resolution by both sides.

## Selective Incentives and Mediation Supply

Because of the costs involved in mediation and the incentives to free ride, third parties will only provide mediation if they receive sufficient benefits from mediating. Since there are an abundance of potential mediators in the international system this public goods provision problem will likely have little independent effect on explaining why certain disputes were *not* mediated. Indeed, it is rare that mediation is ever asked for but not provided. Instead, this public goods provision problem might explain why some cases with little demand for mediation end up with mediation. That is, powerful actors may be able to persuade some states to accept mediation, and that persuasion will be most forceful when the benefits to the third party are high. The results also support this logic.

First, third parties will benefit from mediating disputes that have a high potential to destabilize the regional or international systems and otherwise have high negative externalities. There is some evidence that third parties will desire to mediate in conflicts that have been difficult to resolve in the past. Such conflicts are a threat to international stability because their recurrence demonstrates that the nature of the dispute is such that more events are likely in the future. While the evidence does not suggest that mediation is more likely in protracted conflicts, it does confirm that mediation is more likely when there has been previous mediation between the principal actors.<sup>13</sup>

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<sup>13</sup>The protracted conflict measure may be capturing a demand-side effect in which the more difficult bargaining situations tend to also be protracted. If this is the

Crises with a strong ethnic component, which indicates a potential for refugee flows and negative externalities, are also more likely to have mediation. Third parties will have a stronger incentive to contain conflicts with such potential for spillover through becoming involved in the peace process. If the concerned countries are sufficiently persuasive, they may be able to convince the disputants to accept mediation, or they may be able to pressure the UN, or a regional organization similarly concerned with stability, to exert additional pressure on the combatants to accept mediation.

Second, third parties are also more likely to want to mediate when there are strong humanitarian concerns. Even when the mutual costs of conflict are held constant, the level of fatalities has a positive relationship with mediation. So, the most violent conflicts will raise much concern in international organizations such as the UN who are charged to reduce human suffering. Such third parties will likely put added pressure on the actors to accept mediation and step away from fighting.

Third, and with regard to what is at stake in a dispute, we see that threat severity has a positive relationship with mediation. When there is more at stake in a conflict, those outside actors that prefer certain outcomes will have more of an incentive to try to influence the outcome in their favor. So, specifically those third parties with ties to either side of a conflict will push harder for involvement 

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case, then less demand in the face of a difficult bargaining environment might counter the expected supply-side effect.



in the conflict when the difference between one side winning and losing is great.

### **3.6 Conclusion**

This chapter has explored the demand and supply processes that drive the selection of mediation in international conflicts and crises. Using multiple data sets and model specifications, robust results were found that support the hypotheses. On the demand side, mediation will be accepted or sought when the bargaining problems are sufficiently mild to expect a good chance of mediation success, or when there are incentives for actors to pursue mediation for devious objectives. On the supply side, the most persuasive actors in the system will push for mediation when the benefits of mediating are plentiful.

The results demonstrate the utility of thinking about mediation in terms of the specific interests and decisions of the involved actors. Much of the previous literature has ignored the bargaining processes that are often at work in international conflicts. But the bargaining dynamics are actually essential to understand when there will be a mutual preference for mediation. There has also been scant attention paid to the interaction of the supply and demand for mediation, and how both, but especially the demand, can be considered as approximate sufficient conditions for mediation. When there is a strong demand for mediation, it seems absurd that the entire international community would boycott such a plea. When a powerful actor is offering carrots and sticks to accept mediation, many actors

will be persuaded to accept even though the demand is not really present.

There are some additional overall implications of the findings to expectations of mediation effectiveness. Because of the intentional selection of mediation, analysts assessing if mediation is effective in bringing about conflict resolution will tend to overstate the utility of mediation if they do not control for the easier bargaining situations, or they will tend to understate mediation effectiveness if they do not control for the devious objectives that might be in play. This leads one to wonder why mediation ever fails. If mediation is chosen in the situations in which it is likely to succeed, then why is mediation not almost universally successful. The devious objectives likely have a role, but the next chapter demonstrates that this is not the only cause of mediation failure even though there is selection based on the manageability of the bargaining environment. The type of mediator might play a large role in determining the success of mediation, and the most resourceful third parties are not always chosen as the mediator. Understanding why will allow us to identify some of the underlying causes of mediation failure and then pinpoint strategies of how to increase mediation effectiveness.

### **3.7 Appendix: Models of Latent Processes**

Different model specifications are considered here to account for potential biases caused by simplifying the effects of the two separate processes into a single probit equation. A bivariate probit with partial observability is one possibility of a model

that would take into account the problem of two latent decision processes driving an outcome that is observed. This model has been explicated by Poirier (1980). This model is necessary when there is a single observable outcome of decisions made by different agents. Applied here, the decisions of the combatants can represent a single “demand” agent, and the “supply” agents are the potential mediators with persuasive resources. Similarly, Abowd & Farber (1982) use such a model to assess the outcome of the demand and supply of union labor. Przeworski & Vreeland (2002) provide an example of a bivariate probit model with partial observability in an international relations context, as they model the joint outcome of IMF and state government decisions. Unfortunately, such a model is based on the assumption that both processes are necessary but not sufficient conditions for the outcome variable. This chapter has argued that the demand for mediation and a strong desire to mediate by persuasive third parties are approximate sufficient conditions. Neither the demand nor the supply side is actually a necessary condition because strong forces on either side can overturn the tendencies that would otherwise occur. It is possible for there to be mediation even when the predictors of supply receive low values, just as it is possible to have mediation when the indicators of demand are low.<sup>14</sup>

So, a bivariate probit model is not appropriate here. Another alternative is a Boolean probit model, as presented in Braumoeller (2003). Boolean probit allows

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<sup>14</sup>To the skeptical reader that does not accept the view that the demand or supply sides of mediation can be sufficient conditions, bivariate probit models with partial observability did not substantially change the findings presented in the analyses.

multiple paths of causality to be modelled when the latent dependent variables cannot be observed. The interaction of these latent processes can be specified in many complex ways, and do not require them to be necessary conditions.

The processes are modelled to interact as follows. The dependent variable of mediation is predicted to be true when the first latent dependent variable of demand is true, or the second latent dependent variable of supply is true. In other words, it is expected that mediation will almost always occur when there is demand *or* when there are strong third-party benefits to providing mediation. A bivariate probit model with partial observability would model the situation in which mediation is true when the first latent dependent variable is true *and* when the second latent dependent variable is true.

More formally, there are two decision makers,  $j \in \{A, B\}$ , that represent the demanders – the crisis actors – and the suppliers – the third parties with persuasive potential – of mediation respectively.<sup>15</sup> Each decision maker is faced with a binary choice,  $d_j \in \{1, 0\}$  about whether to proceed with mediation ( $d_j = 1$ ) or not ( $d_j = 0$ ). Proceeding with mediation for the demander means either requesting or accepting it, while it means being willing to exert enough pressure to induce mediation for the supplier.

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<sup>15</sup>All third parties are not lumped into the “supplier” category because the third parties without persuasive potential will not be able to affect the outcome of mediation. All crisis actors are subsumed under the demand category to capture the mutual preference for mediation. This does not mean that adversaries are actually one actor. Instead, it is merely an assumption that factors exist which affect their mutual preference for mediation.

The net value of mediation to each decision maker is given by

$$d_j^* = \mathbf{x}_j\beta + \varepsilon_j, \quad (3.1)$$

where  $\mathbf{x}_j$  is a vector of observed variables related to the value of mediation,  $\beta$  is the vector of coefficients and  $\varepsilon_j$  is the error term that is assumed to be normally distributed. The demanders or suppliers will desire mediation when they receive a positive net value of mediation, such that

$$d_j = \begin{cases} 1 & \text{if } d_j^* > 0 \\ 0 & \text{otherwise.} \end{cases}$$

Following Przeworski & Vreeland (2002) and Abowd & Farber (1982), if we assume that the unobservable variables are independent, we can write the four possible combinations of the demand and supply processes as follows:

$$\begin{aligned} p(d_A = 1, d_B = 1) &= F(\mathbf{x}_A\beta_A)F(\mathbf{x}_B\beta), \\ p(d_A = 1, d_B = 0) &= F(\mathbf{x}_A\beta_A)[1 - F(\mathbf{x}_B\beta)], \\ p(d_A = 0, d_B = 1) &= [1 - F(\mathbf{x}_A\beta_A)]F(\mathbf{x}_B\beta), \\ p(d_A = 0, d_B = 0) &= [1 - F(\mathbf{x}_A\beta_A)][1 - F(\mathbf{x}_B\beta)]. \end{aligned} \quad (3.2)$$

Since demand and supply effects can be sufficient for mediation to occur, the probability of mediation can be written as

$$p(d = 1) = p(d_A = 1 \cup d_B = 1). \quad (3.3)$$

From adding the first three probabilities in the list of combinations above, the probability of mediation becomes

$$p(d = 1) = F(\mathbf{x}_A\beta_A) + F(\mathbf{x}_B\beta) - F(\mathbf{x}_A\beta_A)F(\mathbf{x}_B\beta). \quad (3.4)$$

If we assume a normal link function, or a probit functional form, then the likelihood from observing mediation in any particular observation can be written as

$$L = 1 - [1 - \Phi(\mathbf{x}_A\beta_A)][1 - \Phi(\mathbf{x}_B\beta_B)], \quad (3.5)$$

where  $\Phi$  is the standard normal cumulative distribution function.

From equations 3.4 and 3.5, it is apparent that an additive model of the supply and demand processes, as in any straight forward regression, may not be appropriate to model the probability of mediation. Interacting the supply and demand processes through multiplication is one option, but the analyses here use many variables for each process, which makes the generation and use of all the appropriate interactions impractical. The parameters in this model can be easily estimated using a Boolean probit maximum likelihood estimation when possible. In doing so, numerous variables do not need to be generated, and equation 3.4 can be estimated.

While such an analysis has the advantage of taking into account the separate latent causal processes, it has a disadvantage of assuming that the processes are actually both sufficient conditions. As argued earlier, the conditions that would make a persuasive third party's desire to mediate sufficient may not be present very frequently. There may be plenty of cases with some pressure by a third party to mediate that cannot be considered sufficient and will depend on how much demand is also present. If the presence of supply-side effects is much more probabilistic than can reasonably be assumed in a model of two sufficient conditions, the decision between a straight forward probit model and a Boolean probit model may be a toss

up. Results from both models are generated when possible to ensure robustness of the findings.

# 4

## Not All Mediators Are Created Equal: Choosing Who Mediates

### 4.1 Introduction

From the previous chapter, we observed that mediation is most likely to occur in conflict situations with bargaining problems that are more amenable to resolution. That is, actors select mediation when much of the leg work has already been done for mediation to be successful. Greig (2005) similarly finds that mediation is more likely to occur during conditions that are suitable for conflict resolution. If this is the case, then the obvious question is why mediation is not more successful than it is.

The overall impact of mediation leaves many crises with unfavorable outcomes.



Using two measures of crisis outcome in the ICB data set, only 63% of mediated crises experienced a reduction in tensions five years after the crisis, and only 44% of mediated crises resulted in a formal agreement of some sort. While this is not to argue that mediation is ineffective in comparison to cases without mediation – indeed Dixon (1996), Beardsley et al. (2006) and Regan & Aydin (2005) find evidence that mediation is successful, as also evidenced in the fact that only 49% of unmediated crises experienced tension reduction and 11% of unmediated crises resulted in a formal agreement – it does demonstrate that there are still many cases in which mediation fails despite the favorable selection process. We saw in Chapter 3 that some of the mediation cases might be the product of devious objectives, in which mediation is attractive when the combatants need to regroup, and do not pursue mediation as a means to produce peaceful outcomes. This chapter will shed further light on how a devious-objective explanation is just one of multiple factors at play to explain why so many cases experience failed mediation.

This chapter considers the selection of who mediates as important in influencing mediation success or failure. The supply and demand sides of mediator selection will again be assessed. Combatants and potential mediators alike balance the benefits and costs of mediation. In considering the situations when certain types of mediators are chosen, it is demonstrated that in many cases the mediator chosen is not the type of mediator ideal for effective resolution. This occurs primarily for two reasons.

First, there may be a shortage of supply, driven by the interests of the third parties. There are costs to the mediators that make the provision of mediation a public good and keep many third parties out of the mediation market. In some cases, conflict actors may prefer a third party that is simply unwilling to pay the costs of mediation in that particular dispute. This mismatch places mediation success on tenuous ground, as the most capable brokers refuse to mediate.

Second, and independent of the mediator incentives, there are varying costs of mediator types that lead the combatants to prefer less costly, but often less able, mediators. This chapter demonstrates that the most able mediators are preferred when the needs are the greatest, and less able mediators are preferred when needs are minimal. As a result, the crises and conflicts that are least amenable to resolution receive better attention than the crises that have a greater expectation of success. The playing field of expected outcomes thus seems to be levelled by the tradeoff between mediator ability and mediator costs. Few crises and conflicts actually become “slam dunks” for successful mediation. While this is perhaps good news for those that hope for successful resolution of the most troublesome conflicts, it provides some explanation for why we do not see much more mediation success.

This chapter expands on the Chapter 2 theoretical framework of suboptimal mediator selection that is the basis for an understanding of mediation failure. The demand and supply mechanisms of mediation selection vary systematically, as will be demonstrated in an empirical assessment using multiple data sets. We find that

great-power states and biased mediators, which are expected to be most effective in resolving each of the bargaining problems, are more likely than other third parties to mediate when the bargaining problems are more severe. When there are high short-term costs of conflict, which produce devious incentives, mediation by the actors that are best able to implement a cease-fire is more likely. Finally, the strongest third parties are more likely to mediate when there are benefits to be gained.

These selection processes will be useful to help explain the initial puzzle of variation in mediation effectiveness. They will also be helpful to avoid future biased inferences in analyses of which mediator types are most effective. Previous theoretical and empirical research on the different effects of different mediator types has not addressed the non-random nature of when certain types of third parties are more likely to mediate (see, e.g., Young 1967, Princen 1992, Kydd 2003, Rauchhaus 2004). The results in this chapter suggest that certain types of mediators, especially great-power states and biased third parties, are more likely to intervene in situations that are less conducive to success. Any assessment of whether strong states or biased third parties are effective or not should take into account these findings – as done in Chapter 6 – lest it underestimate the actual impact that these mediator types have in the cases they are given.

## 4.2 The Menu

Six different types of mediators are considered in this chapter, akin to the typologies used by Bercovitch & Schneider (2000) and Young (1967). The types are great-power states, other states, global governance organizations, regional governance organizations, non-governmental organizations and individuals. Much of the theoretical framework at hand focuses on the mediator types that have sufficient resources suitable for strong carrots or sticks against state actors and those that do not. The set of actors that would fall into the former category are the great-power states, global governance organizations and regional governance organizations. This distinction is crucial to understanding the hypotheses and the empirical tests of the observable implications. In addition, biased and unbiased third parties will be considered as another typology.

Prior to WWII, great powers are taken to be those states that are defined in the ICB data as part of the great power complex. They include the US, the Soviet Union, the UK, France, Italy and Japan. After WWII, the great powers are considered to be the five states that have permanent member status on the UN Security Council and were the first to develop nuclear weapons.<sup>1</sup> Such actors have dominated much of the activity in the international system and are worthwhile to be considered together as a unit. For both great-power and non-great-power states, any agents of a state that mediate are assumed to represent mediation by

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<sup>1</sup>The People's Republic of China is considered a great power throughout this time period even though Taiwan had the security council seat for some time.

the state as a whole.

Global government organizations are taken to mean either the League of Nations or the United Nations. No cases of international conflict are known in which a non-security global IGO such as the IMF has mediated. Regional government organizations have also frequently been involved as mediators. The most active regional organizations in the ICB data have been the Organization for African Unity (OAU), the Organization of American States (OAS), and the League of Arab States (for similar statistics in the International Conflict Management dataset, see also Bercovitch & Schneider 2000). There are many different organs of these global and regional government organizations that might serve as mediators. While it is often the Secretary General – or the equivalent position at the regional level – that mediates, when any of the representatives of the organizations mediate, the overall organization is said to have been involved in the efforts.

There are few cases in which individuals or nongovernmental organizations have mediated in international crises. Former US President Carter's mediation of the crisis between the DPRK and the USA in 1994 is one notable exception in which an individual is accepted as a mediator.<sup>2</sup> Yasser Arafat's mediation of two Middle Eastern crises in the 1970s are the only two other situations in which there was an individual mediator in an international crisis. The Vatican's mediation in two

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<sup>2</sup>Carter is not considered an agent of the US because his stance on the resolution of the crisis was at odds with the Clinton Administration (Wit, Poneman & Galucci 2004).

Latin American crises are the only two crises coded as having NGO mediation.<sup>3</sup>

Table 4.1 Types of Mediators in the ICB Data

Type	Count	Percent of Mediated Crises
Great-Power States	57	44%
Non-Great-Power States	47	36%
Global Governance Organizations	41	31%
Regional Governance Organizations	38	29%
Individuals	3	2%
Nongovernmental Organizations	2	2%
Multiple Types	45	34%
Any Type	131	100%

Note: The percentages of the types of mediators do not sum to 100 because 34% of the crises involved more than one type of mediator.

Table 4.1 displays the counts and percentages of the types of mediators in the ICB data. There are 131 crises with mediation, out of 440 ICB crises. It is clear that state and governmental organizations dominate the role of mediator, with almost half of all mediation attempts involving a great power. These numbers are generally consistent with the allocation of mediators in the International Conflict Management data, as reported in Bercovitch & Schneider (2000).

Each type of mediator has different characteristics when it comes to the resources that it brings to a mediation situation, its interest in serving as a mediator,

<sup>3</sup>The distinctions of whether the head of the PLO represents an individual or NGO, and whether the Pope represents an individual or NGO, will not matter to either the theoretical arguments or empirical assessments made here. Both individuals and NGOs are considered very similar in the relative resources they can bring to bear in mediation efforts.

and the costs it is willing to bear in a mediation situation. How these differences likely affect their supply and demand is detailed in the next two sections.

### **4.3 Who Mediates as a Function of Demand**

As in Chapter 3, the demand for mediation is the willingness and desire of the conflict actors to participate in mediation. Demand for overall mediation may be approaching a sufficient condition for mediation occurrence because of the sheer number of potential mediators in the international system and the prevalence of international organizations that are not likely to reject mediation demands. The demand for a specific type of mediator, however, is not nearly as close to a sufficient condition. Conflict actors will rarely have the ability to convince a third party that it should mediate when it is reluctant to pay the costs of mediation in the absence of sufficient benefits. The US reluctance to serve as an intermediary in Liberia in 2003, as well as India's reluctance to serve as a mediator in Sri Lanka since 1990 demonstrate that third parties can and will deny mediation when it is not in their interests.

The effect of the combatants' demand for mediation on who actually mediates is thus more tenuous than the effect on when mediation occurs. This does not mean that demand is not important to understanding who mediates. Most conflicts will have multiple third parties that would accept mediation duties if asked to do so. Because of incentives to free ride that will be considered in the context of

the supply side, these third parties simply may not come forward to offer their mediation services because of the assumption, or wishful thinking, that someone else will step forward. Or, more simply, the potential third parties will not know there is a mutual preference for mediation in a conflict until the actors indicate this by asking for mediation. In either case, the selection of who mediates out of a pool of willing mediators will often be decided by the preferences of the conflict actors. To the combatants, some potential mediators will simply be unacceptable because they would entail high costs or general incompetence. Others will be mutually acceptable in terms of the costs involved and the resources able to be brought to the conflict. The demand for who mediates is thus essential to understand mediator selection.

Bercovitch & Schneider (2000) take up the question of who mediates, but they focus mostly on the supply-side variables related to the costs and benefits to the mediator.<sup>4</sup> Their analysis, which models the number of times a state serves as a mediator from 1950 to 1990, does not attempt to capture the context of each conflict that affects the combatants' decision calculus. The demand-side characteristics considered in their analysis are fixed for each type of third party, so they cannot explain why one mediator would be preferred as a mediator in some conflicts and not others.

This tends to be true of the overall mediation literature. When demand-side

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<sup>4</sup>Corbetta & Dixon (2005) also only focus on the supply-side issues of the frequency of third-party partisan interventions.



factors are mentioned, it is often related to whether the third parties are acceptable on a general level. For example, Young (1967) discusses the factors that third parties often need to be effective mediators – impartiality, independence, salience, respect, continuity, knowledge of politico-military affairs, skill, initiative, physical resources and mobilization – with little attention to what types of conflicts demand more of these attributes than others. Similarly, Kydd (2004) discovers that the previous literature about the pros and cons of biased intermediaries contains little discussion of how the context might matter in determining whether a biased mediator can be effective, and thus preferred, or not.

### **Differing Benefits of Mediator Types**

The benefits of a potential mediator, as perceived by the combatants, depend on what resources the third party is able to contribute to affect the principal bargaining problems. As in the previous chapter, the three different bargaining factors that will be considered are the levels of private information, long-term costs of conflict, and commitment problems. Private information and low long-term costs of conflict can contribute to perceptions of an overly narrow or nonexistent overlapping bargaining space; and commitment problems often prevent a mutually acceptable agreement from being implemented. The underlying rule used to understand the combatants' preference for certain mediators in each situation is that mediators with the most resources that can meet the greatest impediment to suc-

cessful bargaining will be considered best. If the purpose of mediation is to use a third party to help bring about an outcome that could not otherwise be achieved (Zartman 1985), then we should expect the most beneficial mediator in a given situation be the one that has the greatest capability to meet the needs of the situation.

With regard to all three types of bargaining problems, great-power states should be ideally suited with the necessary resources. In terms of directly reducing information barriers, great-power states will have the most advanced intelligence capabilities to supply the combatants with information about the capabilities and intentions of the opponents. Great-power states may also fare well in indirectly promoting information revelation, by pressuring the disputants to disclose more information through threats of sticks or promises of carrots. With regard to managing the long-term costs of conflict, great-power states will also have the most resources to provide positive or negative incentives to stop fighting. Offers of aid, preferential trading status and arms sales, as well as threats of sanctions and direct military intervention, will be relatively influential when coming from a great-power state. Similarly, great-power states will tend to have the resources available to sustain monitoring or peacekeeping missions. Just as great powers can widen the bargaining space by making the costs of conflict higher, they can also keep that bargaining space wide after conflict through persistent involvement. The major drawback of having a great power mediate and provide peacekeeping

resources may be a lack of political will to sustain peacekeeping efforts. Government turnover, yearly budgetary approval and incentives to free ride will make states more susceptible to premature withdrawal of peacekeeping. So, while strong states may have the best ability to prevent renegeing on a peace agreement in the future, there are greater risks that the efforts will be withdrawn before mutual commitment to peace is self-sustainable.

Intergovernmental Organizations (IGOs), encompassing global and regional governance organizations, will do well to mediate conflicts with each of the three bargaining problems, but generally less so than great-power states. Without standing armies or an autonomous economy, the major resources that IGOs are able to bring to a mediation effort are borrowed from the member states. This reduces the ability of IGOs to enable information revelation, as well as credibly threaten or promise carrots and sticks. Major incentives such as aid provision, sanctions or military intervention require the willingness, and often permission, of state actors to actually implement the promise or threat. So, even if it is in the interest of the organization leadership – e.g., the Secretariat in the case of the UN – to use mediation to mitigate various bargaining problems, it must also often be in the interest of member states in order for the methods to be effective. This limits the expected capability of IGO mediation efforts. A major benefit of IGO mediation, in contrast to the shortcoming of great-power states, is perhaps its ability to have an extended mandate in monitoring and peacekeeping missions. With the ability

to spread commitment costs across states, and a permanent mission toward conflict resolution, IGOs do not suffer from the same level of political myopia that perhaps hampers state actors. So, even though IGO peacekeeping efforts will have less teeth than great-power states, there is less risk of early abandonment. It should finally be noted that global governance organizations will tend to have more resources to contribute to mediation than regional governance organizations because of the larger pool of states from which resources can be borrowed.

Non-great-power states should have even less resources for direct information-barrier reduction, increasing the long-term costs of conflict, and enforcing agreements. Intelligence capabilities, as well as military and economic carrots and sticks will simply be less than great-power states, and there is no direct mechanism to borrow from other actors in the system. These resources will be even more lacking in NGO and individual mediation.

Orthogonal to the typology considered so far, biased mediators will also have different resources they can bring to a mediation attempt. Kydd (2003) has formally argued that biased mediators may be the best able to signal private information because their incentives in a dispute have the potential to belie the validity of their signals. Strictly neutral mediators will be less able to meaningfully reveal information with cheap talk signals. In addition, Touval (1975); Carnevale & Arad (1996) and Princen (1992) have argued that biased mediators may be preferred because their interests in a dispute give them additional incentives to contribute

more resources as a broker, and more leverage over the protégé (see also Touval & Zartman 1985, Pruitt 1981). Biased mediators may thus be more willing to pay the costs associated with offering carrots or sticks as incentives. Similarly, Schmidt (2004) argues and demonstrates that biased brokers will be most effective as peacekeepers when there are asymmetric commitment problems because the actor that is biased against the side with a commitment problem will have great incentives in keeping that actor in line. Contrary to earlier works, such as Young (1967), we should thus expect that biased mediators will often be most effective and preferred in resolving the most difficult bargaining problems.

Thus far, we have only considered the benefits of the mediator types for actors that are using mediation as a vehicle for peaceful resolution. When an actor does not really care about resolving bargaining problems because of devious objectives, this may also affect the preferences over who mediates. Chapter 3 found empirical support that incentives for devious objectives might explain some of the occurrences of mediation. These incentives will be most present when there are high short-term costs of conflict that give an actor that thinks it is in a weak position to stall and wait until it is better suited to wage conflict. In such circumstances, the actor with devious objectives should have a higher preference for an actor that is best able to implement a cease-fire. Using similar logic as above, great-power states should be best able to provide the resources needed to separate and monitor the opposing sides, while IGOs will also have a good amount of resources plus a

greater ability to stay the course during a prolonged cease-fire.

## Prices for Peace

The costs associated with each type of mediator help explain why the most effective third parties are often not demanded as the mediator in a conflict or crisis. If the most effective types of third parties are also the most expensive to the combatants, then there should be some tradeoff of costs and benefits, depending on the level of need for an effective mediator. Some costs are likely to be fixed across mediator types. For example, the administrative costs should vary little depending on who mediates. Other costs will vary across types, and these are worth considering to understand preferences of particular third parties. This research project considers two costs of mediation – threats to autonomy and flexibility – that vary proportional to the level of coercive resources that a mediator has at its disposal and is willing to use. It follows that the third parties with the most resources to contribute to mediation effectiveness will often be the same third parties that will entail the most costs to the combatants, creating a tradeoff dynamic worth analyzing.

First, third parties with coercive resources that can be used as economic, security, or political sanctions against conflict actors will pose greater threats to an actor's autonomy. Simply, combatants facing a strong mediator will be more susceptible to coercion by a third party. Third parties may be less willing to persuade

an actor into a course of action – presumably concessionary actions – if it does not know which actor is being intransigent. By giving a mediator inside information about a conflict and a legitimate role in conflict resolution, that third party will be more willing to sanction the offending party. In addition to the access to inside information, mediators will also have an added incentive to use sanctions against the combatants than other third parties. If the mediators face costs for failure, then they will want to avoid those costs if possible and will be more willing to use costly sanctions as a means to success. This logic suggests all mediator types should have a higher reliance on sanctioning tactics than uninvolved third parties, but the ability of certain types of mediators to threaten the conflict actors' autonomy should increase with the costs that the sanctions would inflict. Great-power states, followed by IGOs, should be the greatest threats to autonomy.

Second, third parties with greater access to coercive resources will threaten the flexibility of the actors more. Following Young (1967) and Princen (1992), mediators will often have their own interests in the outcome of a conflict, whether it is a preference for peace or a preference for one side to prevail. The presence of a mediator could restrict the set of options that are available to the actors. The ability of a broker to constrain a set of options will depend on the resources at its disposal to persuade the conflict actors to act according to its wishes, making great powers and IGOs the greatest threats to flexibility. In addition, biased mediators should be more active in constraining certain outcomes. For example, a biased

mediator may threaten direct intervention if its favored side is forced to concede too much. To the unfavored side, a biased mediator may impose severe restraint on the set of possible outcomes.

The actors with the most persuasive potential, which can be useful in making sharp reductions in bargaining barriers, will thus also pose the greatest threats to flexibility and autonomy and lead the conflict actors to only prefer the most costly mediators when they are most needed. Biased third parties and great-power states, followed by global governance organizations and then regional governance organizations, are likely to be the most costly third parties for many of the same reasons that they are expected to be the most effective mediators. Their access to superior resources and willingness to use them enables them to reduce information barriers, increase the long-term costs of conflict and decrease commitment barriers at the same time that it makes them a greater risk to an actor's flexibility and autonomy. That the same resources that make them most potentially effective and potentially costly explains both why they are not always preferred – the actors do not perceive the benefits as worth the costs – and why they are not always passed over for a less threatening third party – the alternative third parties are likely to be less effective.

Two examples of the tradeoff between potential effectiveness and costs might be worthwhile. In the 1973 territorial dispute between Iraq and Kuwait, Yasser Arafat was brought in to mediate the crisis. Arafat, as leader of the PLO, had



little ability to use economic or military pressure in the situation, making him less threatening to autonomy and flexibility, but also less able to pressure the parties toward agreement. Consistent with the logic in this chapter, a mediator like Arafat was acceptable to both parties because not much was required of the mediator. By the time of mediation, the fighting had already stopped and the Iraqi forces were contained. In addition, the contiguity and previous histories of the countries likely meant there were few information barriers related to capabilities and resolve. Credible commitment problems were also not likely a problem, as the dispute was over access to oil wells, which are static geographic locations that can be monitored. By way of contrast, the US mediated in the Falkland-Malvinas war between Argentina and the UK. In this conflict, there was much uncertainty regarding the willingness of the UK to commit resources to the distant region; the long-term costs of conflict were likely small to the UK because its civilians were not in harm's way and the Argentine military posed little threat to the British Navy; and it may have been difficult for Argentina to credibly commit to a course of action because of the recent history of political instability. This relatively difficult conflict called for a strong, biased mediator that was able to apply economic, political or military pressure to the actors, as the US did toward Argentina, though unsuccessfully. At the time of mediation, the potential benefits of US intervention were worth the risks of less autonomy and flexibility.

## 4.4 Who Mediates as a Function of Supply

The supply side of mediation is also essential in determining the factors that lead to mediator selection. Third parties that have a strong interest in mediating a certain conflict will tend to supply the public good of mediation. They will frequently pressure the combatants to accept mediation by offering various carrots and sticks. If those carrots and sticks are strong enough, then they can induce demand for mediation. In this way, a high desire of a persuasive third party to mediate can be an approximate sufficient condition for mediator selection, just as it was argued to be almost a sufficient condition for the overall occurrence of mediation in Chapter 3.

The benefits that result from mediation are for the most part available to all types of actors. As a result, an increase in the potential benefits should lead to an increase in the pressure of all third parties to mediate. The third parties with the most persuasive potential – namely, great-power states followed by IGOs – will be the most influential in shaping who mediates and should thus have a higher likelihood of mediating when there are benefits to gain.

Third parties will be most interested in attenuating any conflicts that threaten international and regional stability. To minimize negative externalities, we should observe more pressure on the adversaries to accept mediation when there is a large potential for ongoing instability and spillover. As in Chapter 3, conflicts and crises with a history of failed negotiations or an ethnic component will draw the attention

of third parties for mediation. Stronger third parties have the potential to be more persuasive in encouraging mediation in these situations. They will also be the most affected by the instabilities because of the scope of their reach and thus the most eager to provide mediation.

Humanitarian concerns can influence the pressure of third parties to serve as mediators as well. IGOs, individuals and NGOs will gain the most benefit from the public goods of peace and security for civilian populations. In the case of IGOs their charters practically define them to care about peace between member states and the reduction of human suffering. Per NGOs and individuals, these actors often become active in the international system because of humanitarian affinities and thus self-select in. These humanitarian-oriented actors, however, will have limited direct impact on affecting who mediates because they lack the persuasive capacity to override demand. IGOs can lobby member states to push for mediation and general conflict resolution, so their concern for mediating the most bloody disputes might be felt indirectly through encouraging states with more persuasive potential to step forward. This is often evident in joint mediation efforts involving UN and state-actor envoys. For example, in the Bosnian conflict, the UN and EU made early efforts toward peace in response to the brutal escalation of violence. These efforts were eventually backed up by a stronger push for resolution by the US and other European allies, especially after the Srebrenica massacre in a declared UN safe area. So, great-power states might try harder to mediate the

most bloody conflicts either because of pressure from international or domestic entities with humanitarian affinities or because the leaders themselves value peace and the reduction of suffering.

Another benefit from mediating is the increased ability to shape the outcome of a conflict with many ramifications to long-run international security. Third parties can help shape a dispute's outcome through mediation and will strive to do so the more the outcome of the dispute actually matters to the entire international community. Similarly, the conflicts with the largest issue space – the difference between one side winning and losing – will generate the most interest from third parties with ties to either side. In other words, the third parties with biases toward either side will have more at stake in the outcome and will push hardest to serve as the mediator

From these arguments, benefits should be strongly in play when the conflicts have a history of negotiation failure, have an ethnic component, involve many fatalities, are salient to the international system, and have much at stake. It should be the case that the actors that are most able to influence the combatants to accept mediation will be more likely to mediate in such situations.

The Chinese mediation in the early stages of the US-DPRK crisis over North Korea's nuclear program in 2002 is an illustrative example of how third parties with persuasive potential can increase the chances of them mediating when there are many potential benefits. The conflict, which involves the major power in the

international system, the issue of nuclear weapons, the security in the region that China dominates, and an actor that China is biased toward, contained many private benefits for China if it stepped in and helped shape the outcome. Through promises of aid, China was able to convince the DPRK to allow for Chinese mediation, and eventually the six-party talks, even though the DPRK had a firm demand for bilateral negotiations with the US.

## 4.5 Hypotheses

From the preceding discussion, a number of observable implications arise that will be hypothesized and empirically tested. Because the individual preferences and decisions of each involved actor are generally unobservable, and only the outcome of who actually mediates can be observed, the hypotheses will be framed in terms of that outcome.<sup>5</sup>

On the aggregate, the hypotheses below should be expected if the arguments presented are generally correct and an increase in demand for a particular type of mediator will lead to an increase in the likelihood of that mediator being chosen. While the theoretical framework suggests a good deal about the relative positions of demand for and supply of each mediator type, causal inference with the data available is quite difficult in determining the precise rank ordering of the demand, supply and overall choice of each mediator type. As Table 4.1 illustrates, the

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<sup>5</sup>While this is not ideal, it is still possible to use the frameworks to form observable implications of equilibrium behavior and test them.

outcome of who mediates is not mutually exclusive, as multiple types of mediators can operate at the same time. A choice for one type of mediator does not preclude the choice for another type of mediator. So, if a third party type is, say, expected to be the second-most preferred type under some circumstances, it is difficult to speculate of whether the probability of that type of mediator is more or less likely when those circumstances are more prevalent. It could be argued it would be more prevalent because it would be more preferred than some other types of mediators. It could also be argued that it would be less prevalent because the most preferred type will mediate in an increasing number of cases. Multinomial and conditional regression techniques will not be of use because of the non-exclusive nature of the mediator choices.

As a result, the hypotheses are restricted here to the expectations of the mediator types that are most clearly affected by the presented logic. These are the types that should be the most likely mediators when the relevant independent variables are at the highest magnitudes. That is, the empirical tests will focus on when great-power states and biased mediators are likely to mediate. These two types of third parties have the most potential for efficacious mediation but are also the most costly. Actors should demand them only in the mediated cases with great needs.

**Hypothesis 4.1.** Great-power states and biased third parties will be more likely to mediate when the overall difficulty of mediation increases.

**Hypothesis 4.2.** Great-power states and biased third parties will be more likely to mediate when the information barriers increase.

**Hypothesis 4.3.** Great-power states and biased third parties will be more likely to mediate when the long-term costs of conflict decrease.

**Hypothesis 4.4.** Great-power states and biased third parties will be more likely to mediate when the commitment barriers increase.

**Hypothesis 4.5.** Great-power states and biased third parties will be more likely to mediate when the short-term costs of conflict increase.

Turning to the supply side, it has been argued that when third parties extract benefits from mediation they will insist on serving as an intermediary. Great-power states likely have the most persuasive potential. They should be the most likely mediators when there is a potentially strong stream of benefits that would go to a third party mediator. Biased mediators are also more likely to try to get involved and reap the benefits from shaping the outcome when much is at stake in who wins.

**Hypothesis 4.6.** Great-power states will be more likely to mediate when there is a greater threat to instability.

**Hypothesis 4.7.** Great-power states will be more likely to mediate when there are strong humanitarian concerns.

**Hypothesis 4.8.** Great-power states and biased third parties will be more likely to mediate when there is more at stake.

Table 4.2 Summary of Overall Expected Relationships

Conflict Characteristic	Most Likely Mediator
<b>Demand Side</b>	
Many bargaining problems	Great Power & Biased
High information barriers	Great Power & Biased
Low long-term costs of conflict	Great Power & Biased
High commitment barriers	Great Power & Biased
High short-term costs of conflict	Great Power & Biased
<b>Supply Side</b>	
High potential for instability	Great Power
High humanitarian concerns	Great Power
High stakes	Great Power & Biased

A summary of the hypothesized relationships is illustrated in Table 4.2. Each of these hypotheses is empirically testable using aggregate data sets.

## 4.6 Methods

As in Chapter 3, these hypotheses will be tested using the International Crisis Behavior (ICB) and SHERFACS data sets. Using the multiple datasets again enables the external validity of the results to be tested. The analyses of the conflict



characteristics that do not vary across crises will use the ICB data. The SHERFACS data will be used to account for some of the intra-conflict variation. Where possible, the estimation adjusts the standard errors for clustering on the overall conflict when the SHERFACS data are used in order to mitigate non-independence among phases in the same conflict.

The complexity of the mediator selection process unfortunately makes it difficult to choose an ideal model that can be used with only 131 cases of mediation in the ICB data and 207 phases of mediation in the SHERFACS data. In addition, the choice of who mediates can be thought of in two different ways. The first is as a two-step choice process in which the involved actors first choose mediation and then choose a mediator. The second is in one step, as the actors choose both who mediates and whether to have mediation simultaneously. Both ways of thinking about the mediation selection process are modelled to demonstrate robustness.

If one suspects that the preferences of who mediates are not directly comparable to the choice of whether to have mediation at all, then it makes sense to model mediation as a two-step process. The second stage becomes the most important one to the causal inference, as the researcher assesses how the involved actors decide who mediates, given that mediation has already been chosen. If mediator selection is conceived as part of a two-step process, then the analyses need to address the fact that the data relevant to the second step will be censored to only the mediation cases. Since the choice of mediation is not random, as seen in Chapter 3, selection

bias may be problematic in using the data. The chapter appendix describes the problem of selection bias in detail and recommends that a heckman-type model be used to account for selection bias. Since the dependent variable of whether a certain type of mediator is chosen over the others is dichotomous, censored probit is the preferred method if selection bias is a factor (see Sartori 2003). In the censored probit models, the control variables used in Chapter 3 are included in the selection equation and omitted in the outcome equation. The exception is JOINERS, an indicator of whether other third parties tried to intervene militarily, which is included in both stages. The omitted variables serve as the exclusion restriction to help identify the two stages. Their omission in the mediator selection equations is theoretically justified because variables such as region and time period should not be closely tied to choices of who mediates, which is an outcome of predominantly micro-processes at work in a given conflict. Analyses that include the Chapter 3 control variables as predictors of who mediates confirm that they have no significant bearing on the choice of mediator.

If censored probit is not necessary because the errors in the first stage are not correlated with the errors in the second stage – i.e.,  $\rho$  is not statistically significant in the censored probit model – then other models can be used. A straight forward probit on the censored data would suffice to look at the overall relationship between the crisis characteristics and the probability of a certain mediator being selected. Boolean probit regressions, like those used in Chapter 3, are not used here because

there is no theoretical reason to suspect that demand for a specific type of mediator is a sufficient condition for choice of that mediator.

If the involved actors have preferences for mediator types that are comparable to preferences for the no-mediation outcome, then a single-equation analysis of mediation and mediator selection can be implemented. This allows for us to view how declining interest in a type of mediator might lead to an increase in interest in no mediation. Combining the logic of Chapter 3 with that presented here, it is worthwhile to consider how the choice for mediation in general fits in with the choice of mediator. A three-part ranking of who mediates is implemented. Again focusing on the choices for the type of mediator that is most clearly implicated in the logic, the expected most likely mediator is compared to all other types of mediators and the outcome of no mediation.

Table 4.3 illustrates the expected relationships when considering a one-step process of mediation and mediator selection. As the bargaining problems increase, the demand for mediation will decrease because it is feared to be ineffective and costly, as indicated in the previous chapter and in the findings of Greig (2005). Within the set of mediated cases, when the bargaining problems are still relatively difficult, the potentially most effective mediators will be preferred. Mediation by less effective third parties will only occur in the circumstances without too many bargaining hindrances. When there are substantial short-term costs of conflict and devious objectives are in play, there will be a high demand for mediation, and

Table 4.3 Looking at Choice of Mediator and Choice of Mediation

Conflict Characteristic	Expected Mediation Ranking
<b>Demand Side</b>	
High overall bargaining problems	$NM > GP\&BM > OM$
High information barriers	$NM > GP\&BM > OM$
Low long-term costs of conflict	$NM > GP\&BM > OM$
High commitment barriers	$NM > GP\&BM > OM$
High short-term costs of conflict	$GP\&BM > OM > NM$
<b>Supply Side</b>	
High potential for instability	$GP > OM > NM$
High humanitarian concerns	$GP > OM > NM$
High stakes	$GP\&BM > OM > NM$
GP: Great-Power State; BM: Biased Mediator; OM: Other Mediators; NM: No Mediation	

specifically the most effective at supplying a cease-fire. Finally, an abundance of benefits from mediating will lead actors with high persuasive potential to encourage mediation and for themselves to be the ones chosen.

Ordered Probit models are well-suited to capture these relationships. Different sets of dependent variables along the lines of the rankings in Table 4.3 will be used in the models to specifically test for the proposed relationships. It is the subject of variables to which we can now turn.

## **The Variables**

All of the independent variables used in the models are the same as those used in the models of mediation selection in Chapter 3. In contrast, the dependent variables are introduced for the first time here. This section provides a brief summary of how all the dependent variables are operationalized.

For the analyses that look at mediator selection as more of a two-step process, the dependent variables are dichotomous indicators of whether a certain type of third party mediated. For the models that look at mediator selection and mediation selection in the same stage, the dependent variables are three-point ordinal variables that indicate whether the relevant type of third party mediated, whether some other type mediated, or whether mediation did not occur. Multiple variables of this sort were constructed to directly test the predicted relationships in Table 4.3.

The information on who mediated mostly comes from the existing ICB and SHERFACS data. Neither data set actually has a “great power” coding. Whenever the data indicated that a state or multiple mediators were involved in mediation, the case summaries of the ICB data or the lists of management actors in the SHERFACS data were consulted to code if a member of the great power complex prior to WWII or a member of the P-5 after WWII were involved as mediators. The ICB data do not have information about the potential biases that mediators have. The SHERFACS data, however, do have such a code. A mediator is considered as biased if the SHERFACS coding indicates that there is any bias to either side in a dispute.

Unfortunately, there seems to be a sharp discrepancy in how states were coded as mediators in the SHERFACS data. When great-power states are coded from the lists of management agents in the data, only 15% of the mediated conflict phases experienced strong-state mediation. This is in contrast to the 44% that mediated in the ICB mediated crises and similar numbers in Bercovitch & Schneider (2000). It appears that many of the strong-state actors that mediated in the SHERFACS conflicts are hidden in the coding that refers to a “concert” of state actors that may or may not include great-power states. A similar coding in the ICB data was able to be circumvented by using the case summaries, but similar case summaries do not exist for the SHERFACS data. Sorting through the original sources would require a great deal of time but might be worthwhile for future research.

For the present purposes, a variable that indicates if a great-power state, a strong IO, or a concert of states mediated is used with the SHERFACS data to test the hypotheses relevant to strong-state mediation.<sup>6</sup> A strong IO is one that involves collective security, collective defense or adjudicatory functions. These types of IOs have more potential resources relative to other types – i.e., functional/economic IOs and affiliative IOs. The theoretical framework suggests that a strong IO would be at least the second-most preferred type of mediator in the same situations in which a great-power state is the most preferred. A concert of states, which often includes great powers, should be able to bring a substantial amount of mediation resources as well. By aggregating the categories, the expectations in the theoretical framework – that the third parties with the most resources will be perceived as the most costly and the most effective, and will be the most persuasive when incentives are present – can still be tested.

## 4.7 Results

Table 4.4 gives the results of the models using the ICB data. The results provide support for a number of the hypotheses relevant to both the demand and supply sides. Models 4 and 5 in the table are censored probit analyses of whether a strong-state mediated. The  $\rho$  parameter is not statistically significant, which means that the mediation selection and mediator selection processes do not have errors that

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<sup>6</sup>The results are almost identical if the “concert” mediators are not included as strong mediators.

Table 4.4 ICB Strong-State Mediation

IV	(1:Prob.)	(2:Prob.)	(3:Prob.)	(4:Cen. Prob.)	(5:Cen. Prob.)
<b>Outcome Eqn. Variables</b>					
Barg. Problems Count			0.310*		0.297*
			(0.138)		(0.161)
Third Party Ben. Count			0.049		0.064
			(0.145)		(0.171)
Contiguity	-0.273			-0.285	
	(0.353)			(0.345)	
Competitive	-0.387			-0.476	
	(0.342)			(0.350)	
Cap. Difference	4.466	4.224*		5.110*	
	(3.004)	(2.407)		(2.983)	
Change Cap. Difference	-24.544			-15.193	
	(35.187)			(36.458)	
Exec. Constraints	0.661*	0.753*		0.669*	
	(0.299)	(0.282)		(0.293)	
Exec. Constraints <sup>2</sup>	-0.067*	-0.081*		-0.068*	
	(0.038)	(0.035)		(0.037)	
Previous Mediation	0.191			0.120	
	(0.294)			(0.308)	
Protracted Conflict	0.728*	0.811*		0.732*	
	(0.305)	(0.267)		(0.301)	
Ethnic Component	-0.054			-0.135	
	(0.272)			(0.291)	
Geostrategic Salience	0.223			0.227	
	(0.188)			(0.183)	
Intercept	-1.777*	-1.888*	-0.754*	-1.480*	-0.816
	(0.571)	(0.451)	(0.374)	(0.735)	(0.543)
<b>Selection Eqn. Variables</b>					
Barg. Problems Count					-0.360*
					(0.083)
Third Party Ben. Count					0.370*
					(0.091)
Contiguity				0.239	
				(0.218)	
Competitive				0.365*	
				(0.221)	
Cap. Difference				-3.265*	
				(1.628)	
Change Cap. Difference				-41.457*	
				(15.089)	
Exec. Constraints				-0.326*	
				(0.184)	
Exec. Constraints <sup>2</sup>				0.038 <sup>+</sup>	
				(0.024)	
Previous Mediation				0.347*	
				(0.190)	
Protracted Conflict				0.170	
				(0.193)	
Ethnic Component				0.357*	
				(0.182)	
Geostrategic Salience				-0.086	
				(0.094)	
Europe				-0.571*	-0.578*
				(0.315)	(0.271)
Asia				-0.532*	-0.472*
				(0.262)	(0.225)
Africa				-0.559*	-0.453*
				(0.279)	(0.244)
Period				0.010	0.193*
				(0.082)	(0.066)
Crisis Duration				0.003*	0.002*
				(0.001)	(0.000)
Intercept				-0.114	-1.099*
				(0.495)	(0.367)
$\rho$				-0.297	0.057
				(0.409)	(0.369)
N	112	117	131	357	432
Pseudo R <sup>2</sup>	0.157	0.134	0.029		

\* Significant at a 0.05 level; <sup>+</sup> significant at a 0.055 level in a one-tail test. S.E. in parentheses.



are correlated with statistical significance. This means that the ordinary probit models can suffice for interpretation of the relationships without much concern for selection bias. It is worth noting that the directionality and statistical significance of the coefficients are generally consistent in both the regular probit and censored probit models.

In Model 1, the coefficient on the capability difference variable is approaching significance and is positive. Model 2 drops the variables that seem to have no relationship with choice of mediator to avoid overspecification and the inflation of the standard errors. In Model 2, capability difference has a positive and statistically significant coefficient. This is as expected – mediation by a great power is more likely as the long-term costs of conflict decrease. In both Models 1 and 2, the executive constraints variable is significant and positive, while its squared term is significant and negative. This means that the effect of executive constraints on the probability of great-power mediation has an inverted U-shape, again as hypothesized, where great-power mediation is more likely when neither an executive nor a legislature has clear foreign policy authority. On the supply side, the presence of a protracted conflict has a statistically significant and positive relationship with great-power mediation. Model 3 demonstrates that the total number of potential bargaining problems has a robust and statistically significant positive effect on the selection of a great power as mediator. It appears that the more difficult the bargaining environment, the more a great-power state is demanded. Changing

this variable from its minimum to maximum while holding all other variables at their medians will increase the probability of great-power mediation by 43%, from a baseline probability of 33%. Increasing the total number of potential third-party benefits does not significantly increase the likelihood of mediation by a strong state.

Table 4.5 provides the results of the models using the SHERFACS data. Models 1 and 2 look at the factors that affect “strong” mediation using probit specifications. Model 3 uses a censored probit model, but this has a statistically insignificant  $\rho$  value. It is again worth noting that the interpretation of the coefficients would not change much regardless of whether an ordinary probit or censored probit model is used.

These results corroborate some of the findings in the ICB analysis, although it should be recalled that the dependent variable is an aggregation of both great-power states, strong IOs and concerts. Strong mediators are less likely to mediate when the long-term costs of conflict are high. This is evident in the statistically significant coefficients on the capability difference variable. The aggregate count of potential bargaining problems is also statistically significant and positive. Using Model 2 substantively, the probability of mediation by a strong third party increases by 24%, from a baseline of 59%, when TOUGH moves from its minimum to its maximum and the other variables are held at their medians. Mediated conflicts that have more difficult bargaining situations will be more likely to have a

Table 4.5 SHERFACS Mediator Selection

IV	(1:Prob. Strong)	(2:Prob. Strong)	(3:Cent. Prob. Strong)	(4:Prob. Bias)	(5:Prob. Bias)	(6:Cent. Prob. Bias)
<b>Outcome Equation Variables</b>						
Barg. Prob. Count		0.254* (0.133)			0.351* (0.111)	
Phase IV	0.051 (0.267)		-0.041 (0.401)	-0.435* (0.226)		0.189 (0.121)
Phase V	-0.736* (0.349)		-0.800* (0.372)	-0.304 (0.276)		0.042 (0.165)
Fatalities	0.102* (0.054)	0.082* (0.050)	0.083 (0.068)	0.095+ (0.058)	0.005 (0.051)	0.146* (0.028)
Current Costs	0.585* (0.213)	0.738* (0.193)	0.550* (0.314)	0.175 (0.187)	0.295* (0.163)	0.276* (0.128)
Cap. Difference	7.684* (3.626)		8.056* (3.158)	6.986* (2.393)		1.191* (0.686)
Change Cap. Diff.	11.168 (30.023)		10.369 (28.418)	-0.942 (20.719)		
Threat Severity	-0.059 (0.220)	0.015 (0.201)	-0.080 (0.217)	0.311 (0.216)	0.089 (0.211)	0.377* (0.123)
Third-Party Joiners	-0.451+ (0.282)	-0.417* (0.250)	-0.506* (0.291)	0.448* (0.156)	0.530* (0.194)	0.555* (0.117)
Intercept	0.457* (0.255)	0.323 (0.295)	0.828 (1.252)	-1.232* (0.387)	-1.123* (0.223)	-2.656* (0.135)
<b>Selection Equation Variables</b>						
Phase IV			0.637* (0.080)			0.652* (0.079)
Phase V			0.461* (0.149)			0.482* (0.147)
Fatalities			0.131* (0.033)			0.132* (0.031)
Current Costs			0.289* (0.102)			0.278* (0.095)
Cap. Difference			-2.205* (0.698)			-2.048* (0.641)
Change Cap. Diff.			3.434 (6.541)			4.025 (3.105)
Threat Severity			0.360* (0.107)			0.344* (0.107)
Americas			0.590* (0.179)			0.497* (0.198)
Africa			0.532* (0.186)			0.538* (0.170)
Asia			0.020 (0.210)			-0.156 (0.178)
Third-Party Joiners			0.500* (0.115)			0.491* (0.117)
Intercept			-2.043* (0.134)			-2.018* (0.132)
$\rho$			-0.178 (0.619)			1.000 (0.000)
N	187	207	1306	187	207	1306
Pseudo R <sup>2</sup>	0.138	0.098		0.156	0.085	

\* Significant at a 0.05 level in a one-tail test; + significant at a 0.055 level. S.E. in parentheses.

strong mediator. In addition to these two findings that are consistent with the ICB data, the SHERFACS results provide support for the hypothesis that predicts strong mediation to be more likely when there are stronger barriers to information revelation. As evidence for this, the Phase V variable has a negative and statistically significant coefficient.

The current costs and fatalities variables, indicators of the potential for devious objectives, are statistically significant and positive in the models as expected. Fatalities can also indicate a supply-side effect, and, since the direct economic costs to the belligerents are held constant in the models, the fatalities measure suggests that strong third parties have an interest to calm the most bloody conflicts.

Turning to the predictors of biased mediation, Models 4 and 5 display the relevant results using a probit specification. The censored probit specification in Model 6 again did not return a statistically significant correlation between the selection and outcome stages, so it is not necessary when forming inferences. In addition, the magnitude of the  $\rho$  parameter is not very believable, which can often occur because the STATA software does not estimate it directly (Sartori 2003). Sartori notes that when  $\rho$  is estimated at the boundary points of 1 or  $-1$ , its true value can really be anything, especially since the 95% confidence interval returned is between  $-1$  and 1.

In Model 5, the coefficient on the bargaining problems count variable is statistically significant and positive. Using the coefficients for substantive interpretations,

as this variable moves from its minimum to its maximum while all other variables are held at their medians, the probability of biased mediation increases by 39%, which more than doubles the baseline probability of 29%. Model 4 looks at the individual components of bargaining difficulty, and demonstrate that Phase IV has a statistically significant negative relationship with biased mediation, while the capability difference variable has a statistically significant positive effect. Phase V has a negative coefficient but not statistically significant. Notwithstanding, mediation by a biased third party appears to be more likely when there are power imbalances and situations that are not conducive to information availability.

The other expected biased-mediation relationships with regard to devious objectives and supply-side mechanisms are not as strong. The threat severity variable – used as a measure of how much a biased mediator has at stake in a conflict – and the fatalities variable – used as a measure of short-term costs of conflict – are only statistically significant in Model 6. Current costs is only statistically significant and positive in Models 5 and 6. The directions of each of these variables are all consistent with the hypotheses. Taken together, there is limited support for the notion that adversaries with incentives for devious objectives prefer a biased mediator to temporarily secure a cease-fire when the short-term costs of conflict are high. There is also limited evidence suggesting that biased mediators will more strongly push for mediation when the stakes in a conflict rise.

The ordered probit results in Tables 4.6 and 4.7 also confirm many of the

Table 4.6 ICB Ordered Probit Models

IV	(1: NM > GP > OM)	(2: NM > GP > OM)	(3: GP > OM > NM)
Bargaining Problem Count		0.390* (0.078)	
Third Party Benefits Count		-0.298* (0.084)	
Contiguity	-0.260 (0.202)		0.182 (0.196)
Competitive	-0.416* (0.200)		0.156 (0.188)
Cap. Difference	3.601* (1.532)		-2.238 (1.460)
Change Cap. Difference	33.961* (14.191)		-41.574* (13.934)
Exec. Constraints	0.429* (0.169)		-0.233 (0.165)
Exec. Constraints <sup>2</sup>	-0.050* (0.022)		0.029 (0.021)
Previous Mediation	-0.194 (0.174)		0.293* (0.170)
Protracted Conflict	-0.079 (0.179)		0.325* (0.175)
Ethnic Component	-0.285* (0.167)		0.337* (0.166)
Geostrategic Salience	0.103 (0.089)		-0.028 (0.086)
Europe	0.408 (0.291)	0.577* (0.250)	-0.448 (0.288)
Asia	0.351 (0.240)	0.388* (0.207)	-0.444* (0.235)
Africa	0.307 (0.254)	0.257 (0.221)	-0.551* (0.249)
Period	-0.037 (0.075)	-0.142* (0.059)	0.012 (0.074)
Crisis Duration	-0.002* (0.000)	-0.002* (0.000)	0.002* (0.000)
Cut 1	-0.569 (0.443)	-1.254 (0.328)	0.303 (0.437)
Cut 2	-0.027 (0.442)	-0.747 (0.325)	1.083 (0.440)
N	357	432	357
Pseudo R <sup>2</sup>	0.182	0.144	0.162

GP: Great Power; OM: Other Mediators; NM: No Mediation

\* Significant at a 0.05 level in a one-tail test; + significant at a 0.055 level.  
S.E. in parentheses.

Table 4.7 SHERFACS Ordered Probit Models

IV	(1: NM > SM > OM)	(2: NM > SM > OM)	(3: NM > BM > OM)	(4: NM > BM > OM)	(5: SM > OM > NM)	(6: BM > OM > NM)
Barg. Prob. Count		0.341* (0.053)		0.330* (0.052)		
Phase II	-0.355* (0.128)		-0.380* (0.132)		0.325* (0.129)	0.289* (0.124)
Phase III	-0.406* (0.165)		-0.385* (0.171)		0.235 (0.161)	0.232+ (0.143)
Phase IV	-0.889* (0.141)		-0.904* (0.162)		0.759* (0.150)	0.715* (0.129)
Phase V	-0.799* (0.190)		-0.683* (0.179)		0.495* (0.153)	0.556* (0.156)
Phase VI	-0.111 (0.183)		-0.111 (0.187)		0.096 (0.177)	0.094 (0.170)
Fatalities	-0.083* (0.037)	-0.119* (0.028)	-0.079* (0.038)	-0.115* (0.029)	0.115* (0.036)	0.120* (0.034)
Current Costs	-0.160 (0.104)	-0.244* (0.096)	-0.207* (0.116)	-0.299* (0.103)	0.314* (0.120)	0.284* (0.106)
Cap. Diff.	2.338* (0.663)		2.477* (0.700)		-1.881* (0.705)	-1.562* (0.680)
Change Cap. Diff.	-3.184 (6.635)		-3.898 (6.243)		3.687 (6.643)	3.233 (7.081)
Threat Severity	-0.338* (0.108)	-0.399* (0.093)	-0.315* (0.106)	-0.391* (0.097)	0.355* (0.106)	0.376* (0.104)
Americas	-0.610* (0.174)	-0.550* (0.179)	-0.618* (0.198)	-0.555* (0.196)	0.534* (0.170)	0.496* (0.138)
Afirca	-0.573* (0.182)	-0.549* (0.166)	-0.568* (0.191)	-0.522* (0.167)	0.462* (0.179)	0.436* (0.167)
Asia	-0.033 (0.197)	-0.096 (0.170)	0.031 (0.186)	-0.081 (0.175)	0.025 (0.206)	0.089 (0.216)
Third-Party Joiners	-0.430* (0.104)	-0.408* (0.088)	-0.386* (0.133)	-0.355* (0.106)	0.411* (0.136)	0.451* (0.108)
Cut 1	-2.858 (0.207)	-2.314 (0.160)	-2.360 (0.212)	-1.845 (0.130)	2.121 (0.168)	2.154 (0.152)
Cut 2	-2.039 (0.170)	-1.508 (0.107)	-2.001 (0.182)	-1.501 (0.111)	2.354 (0.168)	2.756 (0.151)
N	1306	1446	1306	1446	1306	1306
Pseudo R <sup>2</sup>	0.144	0.128	0.138	0.120	0.138	0.136

SM: Strong Mediator; BM: Biased Mediator; OM: Other Mediators; NM: No Mediation

\* Significant at a 0.05 level in a one-tail test; + significant at a 0.055 level. S.E. in parentheses.

expected relationships. The models here use both the set of mediated cases and the set of non-mediated cases, as the preference for who mediates is placed on continua with the preference for whether to have mediation or not. Models 1 and 2 in the former table and Models 1, 2, 3 and 4 in the latter test the hypotheses that are relevant to the effect of bargaining problems on mediation and mediator selection. The other models are used to test for evidence of devious objectives in mediation demand and all the supply-side mechanisms in which persuasive actors push for mediation when it is in their interest to mediate.

Models 1 and 2 in Table 4.6 confirms that in more difficult overall bargaining situations, as well as when information barriers increase, long-term costs of conflict decrease, and commitment barriers increase, the actors will be more likely to avoid mediation because it is likely to fail. When mediation is chosen, the actors will prefer actors with the most resources to address the problems. The statistically significant coefficients on the bargaining problems count, competitive, capability difference, change in capability difference, and executive constraint (both the linear and squared terms) variables in these two models all lend credence to these conclusions. It should be noted, however, that the large standard errors on the cut points in Model 1 of Table 4.6 may call into question the ordinality of the dependent variable structure, and the results may just be driven by the selection of overall mediation. The cut points in the other models – notably Models 1 and 2 of Table 4.7 – are much more distinct, and the expected relationships continue to



hold. As the number of potential bargaining problems increases, when the conflicts are in Phase IV and V, and as the capability difference increases, no mediation is more likely relative to mediation, and a strong mediator is more likely than some other type. If the ordinality of the dependent variable is appropriate, the results in Models 3 and 4 confirm that in the same situations, no mediation is increasingly preferred to mediation and biased mediators are preferred to neutral ones.

The ordered probit results also shed light on the role of third-party benefits in shaping supply. In Model 3 of Table 4.6, it is evident that protracted conflicts and crises with a previous history of mediation are more likely to have strong-state mediation. Also, strong states are more likely to mediate when there is an ethnic component. In both situations – with a history of failed negotiations and an ethnic element – overall mediation is increasingly likely, and the cut points appear to be distinct. In Model 6 of Table 4.7, threat severity has a statistically significant and positive effect, which suggests that biased third parties are more likely than other mediator types, which are more likely than no mediation, when the issue space is large and much is at stake.

Finally, models 5, and 6 of the same table illustrate that devious objectives may be in play in mediator selection. Both fatalities and current costs have positive and statistically significant coefficients in the models. As the short-term costs of conflict rise, the combatants are more likely to demand some mediation, and even more likely a strong mediator or a biased mediator.

## 4.8 Assessing Supply and Demand in Mediator Selection

### Demand-Side Implications

As a whole, the results support most of the hypotheses. In the most difficult bargaining situations – characterized by high information barriers, low long-term costs of conflict and high commitment barriers – combatants are more likely to turn to third parties that have the most resources to encourage successful resolution. The hypotheses and analyses mainly focused on the selection of great-power states because these are the types of actors with the most resources. With intelligence capabilities and the ability to pressure actors into revealing more information, great-power states are ideally suited to reduce information asymmetries. In addition, the ability to pressure the combatants economically, politically and militarily allows them to raise the opportunity costs of fighting, which contributes to higher long-term costs of conflict and lower commitment barriers. The results confirm that great-power states, or strong mediators in general, are more likely to mediate when solutions to these bargaining problems are in relative strong need.

In situations that are less dire, the combatants appear content to demand a mediator that might be potentially less effective but that is also potentially less threatening to autonomy and flexibility. The resources that make a third party ideal for reducing a bargaining problem might also make them more of a risk for

coercion or constraint on an actor's options. This tradeoff between potential effectiveness and costliness appears to be a strong factor that drives demand for particular types of mediators and explains why the mediators with the most resources are not always preferred as mediators.

There are also some clear factors, based on the same tradeoff, that lead to a preference for biased third parties. Biased mediators may fare better at revealing information through cheap talk, as their signals can be compared to their interests in the situation. This supports the conclusions of Kydd (2003). An impartial mediator that prefers peace will not be believed when it tells an actor to back down, while a biased party who tells its protégé to concede will signal much in that declaration. Biased mediators are also likely to have stronger interests in a conflict than unbiased ones, so they should be more willing to expend resources and use leverage on the protégé. This makes them better able to increase the costs of conflict. Even though the actor that is biased against might feel at a disadvantage from bringing in such a biased mediator that may constrain the possible alternatives in favor of the opponent, actors will often recognize the tradeoff of absolute gains in effectiveness for potential losses in relative gains.<sup>7</sup> In this way, the overall bargaining difficulty, as well as the specific components of phases with less information availability and power imbalances, are associated with an increase in the likelihood of biased mediation.

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<sup>7</sup>Powell (1991) suggests that the strategic environment may determine whether absolute or relative gains dominate, which is a potential avenue for future research on when biased mediators are preferred.

Building on the work in Chapter 3, and also evident in the ordered probit models in this chapter, in the most severe bargaining situations, mediation will not be pursued as a conflict management strategy at all because even the most effective mediators are highly likely to fail, and the costs of these most effective mediators is relatively high. In the situations that show some promise for effective conflict management, the most difficult ones will be mediated by a stronger type of mediator, while the crises that are most amenable to resolution will tend to be mediated by an actor with less resources.

Finally, there is continued evidence that devious mediation objectives play an interesting role in the selection process. Actors that are facing heavy immediate losses may choose to bring in a third party to mediate for the sole purpose of regrouping during the cease-fire that often necessarily accompanies a mediation effort. There is thus evidence of a positive relationship between short-term costs of conflict and the likelihood of a mediator with resources for peacekeeping. The evidence is strong for the preference of a great-power state to mediate when there are high short-term costs of conflict. The presence of these devious objectives corroborates the work by Richmond (1998) and Greig (2001), and should be taken into account when analyzing the question of why some mediation cases fail.

These results support some of the general arguments of Bercovitch & Schneider (2000), who posit that the resources that an actor is able to bring to a conflict are crucial to determining its acceptability as a mediator. An additional level of

clarity is added here, by specifying which actors might best meet separate needs. The observable support for these demand-side relationships also lends credence to the notion that actors attribute varying costs to various mediator types. If there were constant or no costs involved in selecting certain types of mediators, then we should see the most resourceful and committed mediators being chosen in every instance, regardless of need.

### **Supply-Side Implications**

On the supply side, there is also some support for the mechanisms proposed. Great-power states are most forceful in intervening in protracted conflicts. Presumably, when there is a history of failed negotiations, third parties will more strongly desire stability because it has been precarious in the past. The ordered probit models also reveal that strong states might push for more mediation when there has been previous mediation among the adversaries and in ethnic conflicts. It is interesting to note that the non-ordered probit results (in Table 4.4) are not statistically significant for these two variables. These significant relationships in Model 3 of Table 4.6 probably indicate that these two variables make overall mediation much more likely but do not then have much of an effect in leading to specifically great-power mediation. Other models (not shown here) reveal that global governance organizations are more likely to mediate in these situations with previous mediation and an ethnic component, and these results are statistically significant in analogous

straight forward probit models. Taken together, it appears that strong states desire stability in such circumstances but often lobby the UN – through their privileged position on the Security Council – to be the actor that steps forward in mediation. As a result, the overall probability of mediation increases when the stronger states are more interested in stability, but the probability of them mediating may not actually increase by much.

These results bolster the underlying logic that the provision of mediation should be viewed as a public-good provisions problem. There are costs to mediation that the broker must pay. In addition, there is the added layer of incentives to free ride because the costs are paid by the providers and benefits are experienced by all actors in the system. This helps explain why the relationships persist even though it is possible to think of many situations that would not require very costly mediation. In fact, the provision of good offices, which is minimally costly, is included as a type of facilitative mediation in the ICB and SHERFACS data, and the results still hold. If the public goods provision problem did not exist and mediation was not costly, we should not expect the relationships that are found, and everything should be explainable from a demand perspective.

## **Conclusions: Beginning to Understand Mediation Failure**

Using two different data sets, this chapter finds evidence in support of many of the proposed hypotheses. Looking at the specific benefits and costs that different

types of mediators bring to the bargaining environment helps explain the demand for mediators. Approaching the supply of mediation as a collective-good provision problem is also useful to explain mediator selection. The evidence not only supports many of the theoretical claims about how mediation operates, but it also allows us to gain better leverage on why so many mediation cases fail.

It appears that there is a tradeoff between more costly and more effective mediators. The types of mediators that are best suited to resolve strong barriers to successful bargaining are likely to entail the most costs and risks to the combatants. Specifically, great-power states and biased mediators are in greatest demand when there are high amounts of information uncertainty, low long-term costs of conflict and high commitment problems. This tradeoff suggests that the conflicts that are least likely to have mediation success are getting the bulk of the attention from the most effective mediators. Instead of an efficient triage situation, it may be the case that some of the easier cases are not able to have effective mediation simply because less able mediators are involved in those crises. The failure rate of mediation may be what it is – when the deck is stacked in favor of successful mediation because of the selection process – as a direct result of not spending enough effort on many cases that would be locks for success if more effective mediators were involved.

This chapter suggests two additional mechanisms for why many cases of mediation might fail. First, there might not be sufficient supply even when there is demand for a costly, optimal mediator. The combatants may have a preference for

a type of mediator, based on the resources and costs tradeoff. But the mediators that they prefer may not derive sufficient benefit from mediating. If the preferred third parties do not accept a mediation request, then this might be a mismatch that would lead to a greater probability of mediation failure.

Second, combatants may have devious objectives when they choose mediation. Mediation that occurs when at least one of the sides in the dispute has every intention of resuming hostilities once it has gained strength is prone to fail and should not prove surprising when it does fail.

These demand and supply mechanisms of mediator selection are previously unexplored factors related to mediation effectiveness and ineffectiveness. Not only can they shed light directly on expected mediation outcomes, but they need to be taken into account when analyzing any links between who mediates and outcome. If certain types of mediators are chosen in situations that are more or less conducive to successful mediation, analyses of which mediator types are most effective will likely be biased. For example, strong states and biased third parties are more likely to mediate when the bargaining environment is relatively less manageable, and when combatants have incentives for devious objectives. A naïve analysis of whether strong states or biased third parties are effective mediators thus would underestimate their impact if the conditions that affect who mediates are not taken into account. Chapter 6 will use the insight from the selection processes to better assess the actual impact of mediator types.



This chapter has pointed to a number of mechanisms by which mediator selection takes place. These mechanisms have implications on the ultimate outcome of when mediation is effective. Returning to the puzzles taken up in this project, we see that mediation by the best actors can be constrained by their willingness to contribute resources to conflict management and the needs of the involved adversaries. Policy makers wishing to increase mediation efficacy will do well to make optimal mediation provision more attractive to the adversaries and to motivate the most resourceful third parties to participate as a mediator. Also, we should suspect that inference of what causes effectiveness would be biased if we did not take into account the selection processes discovered here. The choice of who mediates hinges on the bargaining difficulties involved and the motivations of the third parties, and these factors are likely to be correlated with the outcome of mediation. With such endogeneity in play, analyses must be careful to avoid bias, as demonstrated in Chapter 6.

Before getting ahead of ourselves, there is likely to be an intermediate step between who mediates and effectiveness, which is the strategies employed. The next chapter will turn to how these mediators that find themselves involved in the crises or conflicts decide which tactics to employ.

## 4.9 Appendix: Censored Probit

Since the decision to mediate is likely made with some expectation of who is mediating, there might be an endogenous relationship between mediation incidence and who mediates. We cannot observe who mediates unless mediation actually occurs, so the resulting sample has been non-randomly selected on the dependent variable. A Heckman-type model, such as a censored probit, is thus necessary to avoid the bias that might be present in a straightforward regression of who mediates on the set of independent variables in the censored sample (Heckman 1979). Van de Ven & Van Praag (1981) have developed a Heckman-type estimator when the dependent variable is dichotomous, as in this project, which is implemented in Stata 8.<sup>8</sup>

To see why a censored probit is needed, let us first begin with the specification of the overall relationship, presented in linear form for simplicity:

$$Y_{1i} = \mathbf{X}_{1i}\beta_1 + U_{1i}, \quad (4.1)$$

where  $i$  represents each crisis or conflict phase,  $Y_{1i}$  is a dichotomous indicator of whether a particular type of actor mediates,  $\mathbf{X}_{1i}$  is the matrix of covariates, and  $U_{1i}$  is the normally distributed error term. The observed sample is only those crises that achieved mediation, and these cases might differ with respect to the outcome variable in unobservable ways from those crises that do not experience mediation.

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<sup>8</sup>Also see Sartori (2003) for a similar estimator that avoids exclusion restriction problems when necessary.

For example, as seen in Chapter 3, the crises that are chosen for mediation tend to be crises that are easier to resolve at the time of mediation, which would favor the choice of less costly mediators that are also likely less effective. In other words, the crises that do not have mediation would be better suited for stronger mediators. So if mediation was random, a higher percentage of the mediated cases should result in mediation by a great power, and the estimated coefficients would likely change by the logic below.

The selection equation is

$$Y_{2i} = \mathbf{X}_{2i}\beta_2 + U_{2i}, \quad (4.2)$$

where mediation occurs if  $Y_{2i} \geq 0$ ,  $\mathbf{X}_{2i}$  contains the known factors that influence mediation incidence such as the levels of uncertainty, costs of conflict and commitment barriers, and  $U_{2i}$  is the error term that is jointly normally distributed with  $U_{1i}$ . Since equation (4.1) is only observable when  $Y_{2i} \geq 0$ , selection bias may result if  $U_{1i}$  and  $U_{2i}$  are correlated. Substantively, this might occur because some of the mediated crises will appear difficult to resolve at the time of mediation. This means that they will have high values of  $U_{2i}$  because they are selected for mediation based on various unobservables in (4.2) related to the ease of mediation. In other words, the cases with low values of  $\mathbf{X}_{2i}\beta_2$  that are selected will tend to have other factors that do not appear in the model that convince the combatants that mediation is worthwhile. These other factors are also likely to influence who mediates, as that decision is also made in part by factors – observable and unobservable – related to

the ease of mediation. If this is the case, then the estimation of (4.1) should be

$$E(Y_{1i}|\mathbf{X}_{1i}, Y_{2i} \geq 0) = \mathbf{X}_{1i}\beta_1 + E(U_{1i}|U_{2i} \geq -\mathbf{X}_{2i}\beta_2). \quad (4.3)$$

Straight forward regression of (4.1) will omit the last term in (4.3) and will consequently be susceptible to omitted variable bias. Heckman-type models correct for this bias by using the following model:

$$E(Y_{1i}) = \mathbf{X}_{1i}\beta_1 + \rho \left[ \frac{\phi(\mathbf{X}_{2i}\beta_2)}{\Phi(\mathbf{X}_{2i}\beta_2)} \right], \quad (4.4)$$

where  $\phi$  is the standard normal density,  $\Phi$  is the cumulative standard normal distribution and that quotient is the inverse Mills ratio that can be estimated from the parameters returned from estimation of (4.2). Note that when  $\rho$ , a parameter to be estimated, is zero, equation (4.4) reduces to (4.1), which will occur when  $U_{1i}$  and  $U_{2i}$  are independent.

# 5

## Affording the Price for Peace: The Choice of Mediation Tactics

### 5.1 Introduction

International mediators have a buffet of tactics to choose from, and their choices will directly affect crisis outcomes. Mediators often need to strike a balance between the costs of certain tactics and the expected effect of those tactics. But variation in how mediators choose their tactics has generally been left unexplained in the extant literature, so we are left with little basis to form expectations of what the balance might look like or what this balance means to how we make inferences about the effect of different styles.

For example, in the first week of the August 1905 negotiations between the Rus-

sians and the Japanese at Portsmouth, New Hampshire, the mediator, Theodore Roosevelt, stayed at his vacation home in Oyster Bay. Only after the Japanese specifically asked him to have a more active role did he propose a compromise and secure French and German diplomatic pressure on the adversaries to settle (Trani 1969, Princen 1992). If active pressure on a compromise solution ended up being an effective mediation tactic, why was Roosevelt reluctant to be more active prior to the Japanese request? One answer, consistent with the framework presented below, is that as a weaker power than the adversaries and with a limited foothold in the region, Roosevelt presumably thought he lacked the leverage to strong arm the actors into an agreement. He also felt that the costs of alienating either the Japanese or the Russians, or both, were too great to try a more aggressive mediation approach without consent (Princen 1992).

This example demonstrates that mediators are often constrained in the tactics they choose, but previous research has not adequately tried to pinpoint the sources of these constraints. These constraints will likely have down-the-road implications when assessing the connection between mediation tactics and outcomes. If the more costly tactics are only implemented by those who can afford them, then any correlation between tactics and outcomes might be more a result of having a willing and able mediator to use the tactics than a result of the tactics themselves. This chapter expands on these themes, by taking a systematic approach to address why mediators sometimes choose tactics that are not ideal for conflict resolution and

what the choice process tells us about the expected relationships between tactics and outcomes.

Previous work on international mediation has frequently considered the relative effectiveness of different mediation tactics. Some of the previous work has speculated about how mediation tactics might vary in effectiveness (see, e.g., Young 1967, Touval & Zartman 1985, Carnevale 1986, Princen 1992, Bercovitch 1996, Bercovitch 1997). Other work is more prescriptive, in advocating which mediation tactics should be implemented at certain moments (see especially Kriesberg 1996, Kriesberg 1991, Susskind & Babbitt 1992, Keashly & Fisher 1996). Both strains of literature make the implicit assumption that if third parties knew which tactics would be more effective, they would implement them and increase the probability of success. Discussing the effectiveness of different tactics is thus a vehicle toward improving the practice of mediation. But the question remains as to how much mediators actually base their choice of tactics on potential effectiveness, or how much they are constrained from doing so.

There are a few comprehensive studies specific to the effectiveness of different mediation tactics. Dixon (1996) looks at the effectiveness of a number of third party techniques, but, aside from separating communication from more involved mediation, does not look at the specific tactics within the mediation category. Beardsley et al. (2006) and Wilkenfeld et al. (2005) do look at how different mediation styles have different effects on various conflict outcomes. But as Beardsley

et al. (2006) mention, future analyses should take into account better the selection processes that determine how mediation is implemented. Previous studies that have focused on the role of mediation tactics, both quantitative and qualitative in method, have not been able to systematically control for the selection of the tactics. In order to effectively account for the selection processes when assessing the efficacy of different mediation styles, we must first have a model of style selection. This is absent in the current literature.

Little attention has been specifically given to how tactics are actually chosen. Bercovitch & Houston (1996) do provide a noteworthy analysis of which factors affect how mediators choose to mediate. While this work is an important first step in better understanding the implementation of tactics, it does not actually assess which specific tactics are chosen in different circumstances. Instead, the authors only show which contextual factors influence “choice” using a cluster analysis without concern for directionality and without presenting a theory of the preference orderings for different mediation tactics. As a result of the general lack of attention to how mediation tactics are chosen, many of the previous studies, of both qualitative and quantitative nature, may not be effectively distinguishing between the direct effects of the mediation tactics and the indirect effect of the factors that cause the mediation tactics to be implemented. In addition, many of the policy prescriptions that come out of the mediation literature are certainly difficult to implement if the relevant actors are constrained to implement the most effective



styles even if they could identify them.

As previewed in Chapter 1, the motivation for this general questions thus comes from two related puzzles, one relevant to the academic literature and one relevant to the policy literature. The first puzzle has to do with how much the selection process affects the observed relationship between tactics and outcome. The choice of tactics is likely to be endogenous to the expected outcomes, which will affect the observed relationship between tactics and outcomes. If the involved actors choose their tactics efficiently – i.e., they choose the most effective tactic for each situation – then the correlation between tactic choice and outcome should be biased toward no relationship. For example, suppose that there are two different mediation tactics designed to resolve two different types of bargaining problems respectively. Also, suppose that each tactic has the same probability of resolving the problem that it is designed for and a much lower probability of resolving the other problem. If the tactics are distributed so that the best cure fits the particular bargaining problem, we should observe the same rate of success for each tactic. But the conclusion would not be correct that choice of tactic does not matter, as the results would be much different if tactics were randomly assigned. Once we understand how the tactics are distributed, it is possible to realize that tactic choice actually does matter in this hypothetical example.

Or, instead of efficient allocation of the tactics, if the involved actors choose a particular tactic in the crises in which conflict resolution is more difficult and

another in the crises that are easier to resolve, then the effectiveness of the latter tactic would be exaggerated. Understanding the choice process of tactic selection would assist scholars in making inferences about the actual role of specific mediation styles.

The second related puzzle has to do with the extent to which mediators actually choose the most effective tactics. From a policy perspective, the goal of conflict resolution will be furthered when the best efforts are put forward for each crisis. Discovering the constraints to an optimal allocation of resources is thus the first step in introducing any practical measures to overcome the constraints. Policy recommendations could then speak to not only which tactics are ideal in particular situations but also to how the international community can encourage their use.

This chapter explores three potential causes of mediation tactic choice. First, the capabilities of the intermediaries will be considered. Although not deterministic, the ability for third parties to bear the costs of certain tactics should strongly influence its choice to implement those tactics. Second, the incentives of the third parties should influence their choice of tactics. Third parties that have the potential to gain benefits from mediating will be more willing to pay the costs of certain tactics to realize those benefits. Finally, the needs of the situation will inform the third parties' choice of strategy. For example, when the combatants do not need material incentives to resolve their bargaining situation, mediators should be less willing to provide them.

## 5.2 Mediation options

Table 5.1 Mediation Styles and Tactics

Style	Tactic
Facilitation	<ul style="list-style-type: none"> <li>Make contact with parties</li> <li>Gain the trust and confidence of the parties</li> <li>Arrange for interactions between the parties</li> <li>Identify underlying issues and interests</li> <li>Clarify the situation</li> <li>Supply missing information</li> <li>Transmit messages between parties</li> <li>Fact-finding</li> <li>Offer positive evaluations</li> <li>Allow the interests of all parties to be discussed</li> </ul>
Formulation	<ul style="list-style-type: none"> <li>Control the pace and formality of the meetings</li> <li>Control the physical environment</li> <li>Ensure the privacy of mediation</li> <li>Highlight common interests</li> <li>Control timing</li> <li>Help devise a framework for an acceptable outcome</li> <li>Help parties save face</li> <li>Keep the process focused on the issues</li> <li>Make substantive suggestions and proposals</li> <li>Suggest concessions parties could make</li> </ul>
Manipulation	<ul style="list-style-type: none"> <li>Keep parties at the table</li> <li>Change parties expectations</li> <li>Take responsibility for concessions</li> <li>Make parties aware of the costs of non-agreement</li> <li>Supply and filter information</li> <li>Help negotiators to undo a commitment</li> <li>Reward concessions made by the parties</li> <li>Press the parties to show flexibility</li> <li>Promise resources</li> <li>Threaten withdrawal of resources</li> <li>Offer to verify compliance with the agreement</li> <li>Add incentives</li> <li>Threaten punishments</li> <li>Threaten to withdraw mediation</li> </ul>

Drawing from Touval & Zartman (1985), Bercovitch (1997) identifies 34 tactics that mediators might use while mediating. These tactics are listed in the right-hand column in Table 5.1. Such a list indicates that mediators have a wide array

of flexibility in choosing how they actually mediate. Unfortunately, the level of specificity in such a list would make it difficult to use causal inference to discover what leads to variation in such a fine-grained nominal variable. Observing whether each tactic occurs would require more precise information about mediation activity than is available, and empirical analysis would require a substantial number of observations to be able to distinguish the tactics from each other.

A higher level of aggregation is thus useful to make analysis of tactic choice tractable. Following Beardsley et al. (2006) and the coding in the ICB data set, which, in turn, follow the typology of Touval & Zartman (1985) and Bercovitch (1997), the analysis here focuses on the choice of three mediation styles. Chapter 1 introduced these styles, but it is worth summarizing here for this chapter. Table 5.1 lists these styles, and the more specific tactics associated with them. The first mediation style, facilitation, is the least intrusive and involves a more passive mediator. It primarily involves bringing the hostile parties together and/or relaying messages back and forth. The term “facilitator” (Burton 1984, Bercovitch 1992, Bercovitch & Houston 1996, Hopmann 1996) is akin to the role of mediator as “communicator” (Touval & Zartman 1985, Bercovitch 1997). It should be noted that some scholars (Dixon 1996, Fisher 1972, Fisher & Keashly 1988, Burton 1969, Kelman 1992) depart from Touval & Zartman (1985) and Bercovitch (1997) and take a more narrow definition of mediation; they consider similar third party activity to be distinct from mediation.

The second mediation style, formulation, is more involved, as the mediator provides substantive input into the negotiations and often makes proposals (Touval & Zartman 1985, Hopmann 1996). It might be conceptually helpful to think of these two mediation styles as different levels of an integration strategy, a term that Kressel (1972) and Carnevale (1986) use. An integration strategy is one that tries to allow the belligerents to identify alternatives that already are present within an overlapping bargaining space. Applied to facilitative and formulative mediators, these types of mediators operate by reducing uncertainty about each actor's capabilities, resolve and intentions, and by offering focal points that should be mutually acceptable to both sides.

Finally, manipulative mediation involves a mediator that is very active. This style of mediation is also sometimes referred to as directive (Kressel 1972, Carnevale & Peggnetter 1985, Bercovitch & Houston 1993, Bercovitch & Houston 1996, Bercovitch & Houston 2000) or power mediation (Keashly & Fisher 1996). These mediators often use what Carnevale (1986) terms pressing and compensation, or, in other terminology, carrots and sticks. The goal of a manipulative style is mainly to change the perceived costs of conflict and/or the benefits of agreement. Manipulation also often involves promises to monitor and enforce any agreements, so as to increase the costs of conflict and the benefits of agreement in the future. A manipulation style thus tries to widen and maintain the acceptable bargaining space by making more outcomes mutually preferable to conflict. As such, manipulation

might be considered a “cost-maximizing” strategy, as noted in Chapter 1.

The primary focus in the analysis here will be on the choice of tactics that contribute the most resources, namely manipulation. The ICB data project in fact defines the manipulative style as having the most substantive involvement. If it is the case that more resources, such as carrots and sticks, or monitoring and enforcement, are generally beneficial to mediation effectiveness and improving the bargaining environment, then it is prudent to understand why some crises may receive a shortage of mediation resources. In addition, tactics with substantive involvement are costly to the mediator, and should have a clear cost and benefit tradeoff. Tactics associated with less substantive involvement, as in facilitation and formulation, should prove relatively costless, and are likely to have a stronger idiosyncratic nature because of the lack of a tangible tradeoff.

So the specific question addressed in this chapter is when mediators choose to implement tactics that require substantive involvement and significant resource devotion. This question is the final step toward explaining why some choices are made that might not lead to the optimal provision of mediation, as weak contribution of mediation resources should be less effective at reducing bargaining problems. This question should also address a final source of endogeneity between mediation implementation and outcome, as we will see if tactics are chosen, in part, based on their predisposition toward favorable outcomes.

### **5.3 The Choice Process**

As in the previous chapters, both supply and demand components are considered in the choices behind mediation implementation. Since the mediator ultimately implements the tactics, the supply side should dominate. As argued in Chapter 2, having a strong supply-side element is a necessary condition for mediation provision with optimal resources. Tactics with more substantive involvement are costly to implement, and mediators will only be willing to implement them when they can derive sufficient benefit. But the demand side should have some influence as well. The mediator will need to consider the interests of the parties involved, lest the mediator fall out of favor with the actors and ceases to be an acceptable party in the bargaining process. The overall logic of tactic selection was presented in Chapter 2, and the supply and demand logic has been developed in the context of overall mediation implementation and mediator choice in Chapters 3 and 4 respectively. As a result, the general expectations can be summarized briefly below.

#### **Supply Side: Capability and Willingness**

Many mediators will be constrained by their capabilities when choosing tactics. A third party can only make threats and promises of material incentives, as well as enforcement and monitoring, if it actually has the ability to do so. As a result, individuals, NGOs and smaller states will simply be unable to use manipulative mediation tactics. The actors with the most resources, especially great-power

states, should be the most able to use manipulative tactics. Compensation, pressing, monitoring and enforcement should all be much more affordable to countries with large economies, militaries and extensive foreign ministries.

**Hypothesis 5.1.** Manipulative mediation is more likely to occur when great-power states mediate.

The mediators face a public-good provision problem in that they are providing the goods of peace and stability that can be consumed by other actors. There are real costs to producing the goods, especially when using the relevant manipulative tactics. Positive material incentives – or compensation – such as giving aid, and negative material incentives – or pressing – such as sanctions, require that the mediator suffer some costs in order for the disputing parties to find greater benefit in negotiated settlements. In addition, post-crisis promises – such as monitoring and enforcing – also require that the mediator pay costs if implemented. While the mediators bear the costs, the benefits of the good are non-rivalrous and non-excludable. The mediators will only provide more units of the good – i.e., devote more resources to mediation – if they get enough selective incentives to do so. So, in order to explain how much a third party is willing to pay for providing mediation, we have to return to the specific benefits that it gets from mediating.

This project has considered three sources of benefits that third parties might receive from mediating. First, mediators can get benefits from attenuating the externalities of a conflict. Conflicts that have a large potential to spill over or



otherwise introduce instabilities into the system are costly to actors outside of the dispute. Mediators in these situations have a larger incentive to resolve the conflict to reduce those disturbances. Second, third parties often have an interest in reducing the humanitarian threats from conflict. Many actors, especially international organizations and individuals, are active in international conflict resolution because they wish to minimize the suffering of civilians. They will be more willing to devote all available resources, and will be more willing to urge other third parties to do the same, when the humanitarian threats are great. Finally, third parties have an interest in strongly affecting the outcome of a conflict when there is much at stake to the third parties. When the actors in dispute are significant players in the system, or when they have a threat of grave damage, third parties with interests in the dispute will perceive the outcome as more important. If the actors are in dispute over a lesser issue in which complete abdication of that issue does not make much of a difference to outside actors, then mediators will be less willing to contribute resources to affect the outcome of that dispute.

**Hypothesis 5.2.** Manipulative mediation is more likely to occur when there is a high threat to instability.

**Hypothesis 5.3.** Manipulative mediation is more likely to occur when there are strong humanitarian concerns.

**Hypothesis 5.4.** Manipulative mediation is more likely to occur when much is at stake.

## **Demand Side: Bargaining Needs**

For similar reasons that the strongest actors were expected to be the most costly in Chapter 4, the tactics that use the most resources will be the tactics that have the highest expected costs to the disputants. Negative material incentives are the greatest threats to autonomy, as they are strong steps in the direction of coercion. Also, positive material incentives given to an opponent will not be pleasing to actors who care about relative gains. In addition, strong substantive actions restrict the options available to the actors and reduce the flexibility available to the disputants. As a result, actors will only want a mediator to use material incentives when there are actual needs to increase the long term costs of conflict, as well as monitor and enforce.

In short, actors will want the medicine to match the ailment. If actors only are struggling with an informational problem, then they will want appropriate tactics to be used to address that need. When they are having commitment problems or low long-term costs of conflict, increases in communication will not mitigate the problems that are holding up resolution. Adversaries will need the carrots and sticks of manipulative mediation when the costs of conflict are too low to give the actors much chance in reaching a negotiated settlement. Specifically, adversaries will want strong tactics that can increase the costs of conflict when there is a power imbalance. Without the strong carrots or sticks, the costs of conflict to the dominant actor will often be small enough to create a high probability of serious

conflict and difficulty in identifying an overlapping bargaining range.

Similarly, the adversaries will need the enforcement and monitoring of manipulation when there are substantial commitment problems. This project has considered two specific circumstances in which there are high commitment barriers. First, rapidly rising actors may find it difficult to credibly commit to not making future demands. Second, when an actors' domestic institutions do not have a clear designation of whether the executive or legislature has authority, it will find it difficult to convince its opponent that any decisions will not be overturned in the future. In both circumstances, mediation can increase the expected costs of renegeing through monitoring and enforcement to more strongly lock in any agreements in the present.

**Hypothesis 5.5.** Manipulative mediation is more likely to occur when there are low long-term costs of conflict.

**Hypothesis 5.6.** Manipulative mediation is more likely to occur when there are high commitment barriers.

## 5.4 Methods

Three model types are useful to test the hypotheses, where the dependent variable is whether manipulative mediation occurred. Again, this is a dichotomous variable, so a simple probit model is appropriate to test the hypotheses. In addition, censored probit and bivariate probit models are used to account for potential bias,

taking into account the previous selection choices of whether to have mediation and who mediates. Ordered probit models are not used here to test for the selection of different mediation styles. The reason is that it is not clear how the costs of the facilitation and formulation strategies are ordered with respect to each other. Both involve the commitment of more intangible resources from the mediator, and it is possible to think of instances in which a purely facilitative strategy is much less costly than a formulative strategy, and vice versa. As a result, each strategy's cost-benefit tradeoff, from the perspective of both the mediators and the adversaries, is likely to not vary systematically with respect to the other.

The relevant set of cases for this dependent variable are those in which mediation occurred. As a result, selection bias may result if we use the censored data without accounting for the selection into mediation. As in Chapter 4, the disturbances – unobservable factors – in the choice of mediation may be correlated with the choice of tactics. This would be especially true if the involved actors make choices on whether to have or to offer mediation based on the expectation of the tactics that will be implemented. As a result, a censored probit is employed, where the selection equation is the choice of mediation and the outcome equation is the choice of mediation tactics.

One of the key variables in the analysis is type of mediator. This variable is likely endogenous, as Chapter 4 posited and indeed discovered that the disputants form their preference orderings for type of mediator based on the expectation

of resources at the third party's disposal. If this is true, then the disturbances in the selection of tactics are likely correlated with the choice of mediator type, providing a source of bias into any straightforward model with mediator type as the independent variable and mediation style as the dependent variable. Since we can directly estimate the choice of mediator type from the models in Chapter 4, then an appropriate model would be a bivariate probit with a recursive component, estimated using maximum likelihood (Greene 2003, 715). This is a simultaneous-equation model in which the first stage of who mediates is estimated, and then the second stage estimates the choice of tactics while taking into account the correlation of the disturbances in the two stages. The chapter appendix gives an overview of this model, which is similar to seemingly unrelated regression with a continuous dependent variable. It would be ideal to use a model that incorporates both a selection and a simultaneous second-stage component. While such a model could be constructed in principle, it would almost certainly be difficult to estimate using the set of data at hand with a relatively limited number of observations.

## **Variables**

To directly test the hypotheses, the dependent variable is a binary variable of whether manipulative mediation occurred. This variable already exists in the ICB data. In the SHERFACS data, this variable was constructed while trying to be as consistent with the ICB criteria as possible. Manipulative mediation occurred

Table 5.2 Summary of Manipulative Mediation in Each Data Set

	ICB	Sherfacs
Number of Observations	436	1446
Count of Mediation Events	131	207
Count of Manipulative Mediation Events	44	72
Percentage of Mediation Cases with Manipulation	34%	35%

if mediators used the following tactics: quarantine, intervention, coercion, observation, military aid, political aid, economic aid, or humanitarian aid. Table 5.2 provides a summary of the ICB and SHERFACS data, with respect to how many cases of mediation experienced a manipulative style. As evident, the percentages match well, with manipulative mediation occurring in just over one-third of the mediation events in both data sets.

The independent variables are the same as many used in the previous two chapters. The Chapter 4 dependent variables of whether a strong-state mediated (ICB data) or strong third party mediated (SHERFACS data) become independent variables in this chapter.

As in the previous chapter, theoretical justification for a large set of control variables is lacking. We do control for the phase type in the SHERFACS data. The phases are not explanatory variables in this set of analyses, since informational issues are not related to the theory and hypotheses proposed. But, phase type is likely to be related to a number of our independent variables – e.g., fatalities – and the choice of tactics in a way that might confound the analyses if not included. A

6-point indicator of the type of phase is included as a control variable.

## 5.5 Results

Table 5.3 gives the results for the three models using the ICB data. Model 1 is an ordinary probit equation using the set of cases with mediation. Model 2 is a bivariate probit also using the mediated cases, where the bottom equation is the selection of a strong-state mediator and the top equation is the selection of manipulation as a tactic. In order to get the estimation to converge, the variables with very small Model 1 Z-scores were dropped. Model 3 is a censored probit, in which the first equation uses the entire set of crises to model the selection of mediation, and the second stage uses the censored data to model the selection of manipulative mediation.

It should be noted that the  $\rho$  coefficients are not statistically significant. This means that there is no evidence of correlation in the disturbances between the selection and outcome equations. So, for Model 2, the factors that contribute to the selection of who mediates are not significantly correlated with the choice of tactic once the observed indicators of who mediates are already accounted for. In other words, there does not seem to be a problem of endogeneity in which the same unobservable factors or motivations cause both the choice of who mediates and how they mediate. The evidence does not suggest that certain mediators are chosen primarily for the expected tactics that they will use. Similarly, the

Table 5.3 ICB Models of Manipulative Mediation

IV	(1:Probit)	(2:Biv. Probit)	(3:Cens. Probit)
		Manipulation eq.	Manipulation eq.
Strong-State Med.	0.826* (0.315)	1.280* (0.644)	0.840* (0.288)
Cap. Difference	2.332 (2.996)	0.508 (2.573)	1.346 (2.779)
Change Cap. Diff.	-35.859 (43.357)		
Exec. Constraints	0.675* (0.324)	0.519 <sup>†</sup> (0.319)	0.699* (0.315)
Exec. Constraints <sup>2</sup>	-0.097* (0.041)	-0.077* (0.041)	-0.099* (0.040)
Previous mediation	-0.110 (0.309)		
Protracted Conflict	0.058 (0.343)		
Geostrategic Salience	-0.154 (0.175)	-0.183 (0.153)	-0.185 (0.167)
Ethnic Component	-0.002 (0.296)		
Intercept	-1.064* (0.507)	-1.046* (0.444)	-1.103* (0.544)
		Strong-State Med. eq.	Mediation eq.
Barg. Prob. Count		0.454 (0.194)	
Contiguity			0.346 (0.233)
competitive			0.456* (0.226)
Cap. Diff.			-2.811* (1.645)
Change Cap. Diff.			-40.830* (15.218)
Exec. Constraints			-0.370* (0.192)
Exec. Constraints <sup>2</sup>			0.043* (0.025)
Previous mediation			0.313 (0.202)
Protracted Conflict		0.900* (0.335)	0.210 (0.202)
Ethnic Component			0.246 (0.193)
Geostrategic Salience			-0.080 (0.096)
Europe			-0.620* (0.328)
Asia			-0.601* (0.269)
Africa			-0.752* (0.293)
Period			0.031 (0.088)
Crisis Duration			0.003* (0.001)
Intercept		-1.242* (0.335)	-0.299 (0.514)
$\rho$		-0.425 (0.473)	-0.010 (0.390)
N	95	113	340
Pseudo R <sup>2</sup>	0.153		

\* Significant at a 0.05 level; <sup>†</sup> significant at a 0.055 level in a one-tail test.  
Standard errors in parentheses.



disturbances in the selection of mediation are not significantly correlated with those in the selection of tactics, as the choice of mediation and the choice of tactics do not have a substantial, unobservable common cause that affects the observed relationships. Censoring the analysis to just the set of mediated cases does not appear to introduce a major source of bias. Because the  $\rho$  coefficients are not statistically significant, we can use Model 1 as an appropriate model of tactic selection.

The results demonstrate a similarity across model specifications. The most important indicator of whether manipulation occurs is whether there is a great-power state mediating. From Model 1, holding all other variables at their medians, the probability of having manipulation employed is 29% higher when there is a strong-state mediator than when there is any other type of third party. From Model 2, the marginal increase in probability of having manipulation is 20% when moving from a situation without a strong-state mediator to one with a strong-state mediator.

The executive constraints variable also has a consistent statistically significant relationship with choice of tactics. We observe the expected curvilinear relationship, as the first term is positive and the squared term is negative. When the constraints score increases from 1 to 3, the probability of manipulation increases by 20%, holding all other variables at their medians. When the constraints score increases from 4 to 7, the probability of manipulation decreases by 33%. Manipu-

lative mediation is much more likely at the middle level of constraints, where there is likely to be the most competition over policy-making authority. None of the other relationships achieved statistical significance in each model.

Table 5.4 provides the results from the models using the SHERFACS data. Again, the models are generally consistent across the different types. The  $\rho$  parameter is statistically significant in Model 3, and the one in Model 2 is approaching statistical significance in a chi-square test with one degree of freedom (p-value  $< 0.135$ ). This means that there is a risk of selection effects when the SHERFACS data are used. The tactic choice process appears related to the mediation and mediator choice processes. Since the direction and significance of the primary explanatory variables are robust across all three models, Model 1, for practical purposes, will primarily be used for calculations of the substantive interpretations. But it should not be lost that future analyses of tactic choice should check for these selection effects.

Once again, who mediates is a good predictor of whether manipulation is used. From Model 1, with all other variables held at their median values, the probability of manipulation increases by 20% when moving from a mediated crisis with a weaker mediator to one with a strong mediator. The marginal effect, calculated from Model 2, suggests that moving to a situation with a strong mediator increases the probability of having manipulation by 36%.

Also on the supply side, threat severity, an indicator of how much is at stake,

Table 5.4 SHERFACS Models of Manipulative Mediation

<b>IV</b>	<b>(1:Probit)</b>	<b>(2:Biv. Probit)</b>	<b>(3:Cen. Probit)</b>
		Manipulation eq.	Manipulation eq.
Strong Mediator	1.639* (0.642)	2.721* (0.411)	1.600* (0.448)
Fatalities	0.060 (0.047)		
Current Costs	0.368 (0.275)		
Cap. Difference	0.831 (2.146)		
Change Cap. Difference	-23.005 (21.369)		
Threat Severity	0.895* (0.255)	0.672* (0.217)	0.726* (0.242)
Phase Type	0.159* (0.072)	0.131* (0.074)	0.113 (0.078)
Intercept	-3.077* (0.651)	-3.338* (0.449)	-1.774* (0.691)
		Strong med. eq.	Mediation eq.
Bargaining Problems Count		0.182 (0.141)	
Phase IV			0.636* (0.130)
Phase V			0.441* (0.181)
Cap. Difference			0.133* (0.042)
Change Cap. Difference			0.303* (0.131)
Fatalities		0.074 (0.088)	-2.125* (0.753)
Current Costs		0.734* (0.286)	2.550 (6.613)
Threat Severity		0.031 (0.250)	0.344* (0.119)
Americas			0.582* (0.144)
Africa			0.464* (0.155)
Asia			0.017 (0.148)
Joiners		-0.252 (0.247)	0.494* (0.114)
Intercept		0.315 (0.310)	-2.040* (0.170)
$\rho$		-0.888 (0.249)	-0.469* (0.172)
N	187	207	1306
Pseudo R <sup>2</sup>	0.216		

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

has a positive and statistically significant effect in all the models. The parameters from Model 1 reveal that conflict phases with a high severity of threat are 32% more likely to experience manipulative mediation than those with little threat severity. Finally, the phase type is significantly related to mediation tactic in Models 1 and 2, even though this was introduced as a control variable. It appears that manipulation is more likely in the phases of conflict that are associated with post-hostilities periods.

## 5.6 Discussion

The results demonstrate that the choice of mediator is a crucial component of the choice of tactic. Third parties with an abundance of resources to implement strong carrots and sticks, as well as monitoring and enforcement, will be most able to provide these costly forms of mediation. In other words, strong third parties such as great-power states will have the greatest *opportunity* to provide the most involved styles of mediation.

This finding confirms that analyses of mediation tactics need to control for who mediates. We see strong evidence that who mediates is causally prior to the choice of tactic, and any bivariate correlation between mediation tactics and outcomes might actually pick up the relationship between who is mediating and outcome. While this is something that can be easily controlled for in quantitative analysis, as was done in a robustness check in Beardsley et al. (2006), this may prove more

difficult in more qualitative analyses. Analysts must be careful when isolating the actual effect of *tactics*, independent of the effect of *mediator*.

The 1982 war in Lebanon illustrates the importance of having a strong actor mediate that can bring substantial resources to bear on a crisis. After the Israeli invasion of Lebanon, both the US and the UN were involved in conflict management attempts. The UN – not at all an inconsequential international actor – was simply unable in this situation to establish much leverage over the crisis behavior. Overall, the UN passed nine UNSC Resolutions during the conflict, with most of them condemning Israel. However, these resolutions were simply not heeded. The US did have an ability to leverage Israel as a mediator, as it was able to deliver strong carrots and sticks, which of course carried considerable costs to the US. The US sent troops to establish stability in Lebanon and also temporarily suspended military aid to Israel. These tactics of negative incentives and peacekeeping allowed the US to secure an early cease-fire, the crisis-ending agreement on 1 September 1982, and a later peace agreement between Lebanon and Israel on 17 May 1983 that ultimately proved unstable. Regardless, this conflict demonstrates that the most powerful actors are often needed to bring the most substantial resources that can affect a belligerent's behavior.

Turning to the *willingness* of providing costly mediation, the results showed no evidence that greater threats to peace and stability have an effect on the choice of tactic. However, manipulative mediation is more likely when there are high stakes

in the conflict – specifically when there is a large issue space. With high stakes, the mediator will be more willing to enter and try to shape the outcome. Third parties that have a lot at stake in a conflict will be more willing to bear the costs of material incentives and post-crisis monitoring. If they fail to influence the outcome in their favor, or at least prevent a very negative outcome – e.g., complete defeat of an ally – that state of affairs will entail costs that are even greater than the costs of mediation.

The 1991 crisis between Serbia, Slovenia and Croatia – the first of the violent crises during the disintegration of Yugoslavia – demonstrates the effect that increasing severity and stakes can have on the willingness for third parties to use costly mediation tactics. In the earlier stages of conflict, low-level mediation efforts by the European Community were successful at securing a 7 July settlement, which effectively ended the crisis for Slovenia. However, the crisis between Serbia and Croatia escalated to full scale war, causing there to be a much higher threat of grave damage, and even a threat to the existence of the newly formed Croatian state. As a result, low-level mediation tactics were replaced by much more costly ones. Both the UN – through resolution 713 – and the EC resolved to place an arms embargo on Serbia, and the EC Council of Ministers eventually instituted trade sanctions, which was followed by US trade sanctions. These costly sticks that accompanied EC- and UN-led peace talks eventually facilitated the process toward agreement, by raising the opportunity costs of continued conflict. These

measures were not used in early stages of the conflict, but rather when the stakes rose considerably higher with the outbreak of full-scale war.

Finally, on the demand side, the only factor related to the bargaining environment that appears to affect choice of tactic is the level of constraints on an executive in the bargaining parties. When it is unclear who has foreign policy decision making authority, mediators may need to promise enforcement in the event that a side that is prone to commitment problems decides to renege on a previous agreement. In other words, when existing domestic institutional constraints are lacking to secure an agreement, external constraints are needed. One of those institutional constraints is pressure from a third-party mediator that has committed to monitor and enforce an agreement.

The war between Ethiopia and Eritrea that began in 1998 exemplifies a conflict in which the disputants lacked strong domestic institutions to be able to make lasting commitments. In 1998, both Ethiopia and Eritrea scored 3 out of 7 on the Polity Executive Constraints variable, meaning that both were somewhere in between a dominant legislature and a dominant executive. Eritrea had a new constitution approved in 1997, but this had yet to be implemented, further showing that the decision-making rules are somewhat ambiguous. Ethiopia also had a recent constitution ratified, and held its first multiparty elections in 1994. By all accounts, Ethiopia still had far to go before achieving the status of a consolidated democracy, which leaves it as an anocracy during the time of its war with Eritrea.

With the lack of strong political institutions in Ehtiopia and Eritrea, it is not surprising that events unfolded as they did. At the onset of the war, it is not even clear which side was the aggressor, and who gave the order on either side to commence hostilities. It should also not be surprising that numerous low-level mediation attempts by Djibouti, the US, the DRC, the OAU and the UN mostly failed at first. An agreement was finally reached on 12 December 2000, after it was first agreed that 4,200 UN peacekeepers would help maintain the peace after the forces withdrew. The provision of enforcement thus seemed to be a crucial component of the mediation efforts that eventually allowed the parties to agree to a settlement when there were weak existing institutional mechanisms to establish a credible commitment.

While the results generally support the proposed framework, a number of the expected relationships did not materialize. Perhaps this is a function of an overly strong assumption that mediation with more resources is best suited to secure peace. Both Werner & Yuen (2005) and Beardsley et al. (2006) find that mediation with more material incentives may actually not fare as well in securing certain outcomes than more consent-based tactics. For example, Beardsley et al. (2006) find that manipulative mediation has a very strong effect on securing a formal agreement, but a much weaker effect on securing peace five years after a crisis. So, while a mediator will want to resort to more heavy handed tactics to shape the outcome in its favor when the stakes are high, mediators might not resort to



such tactics as quickly when the desired outcome is specifically a lasting peace – as almost certainly when there are high casualties, high negative externalities and a history of failed negotiations. Similarly, when actors are facing rapid shifts in capability differences, they may be in more need of a mediator that can help them find an agreement in the center of the overlapping bargaining space than a mediator that artificially expands the bargaining space. In other words, non-manipulative mediation often may be effective at reducing commitment barriers when there are rising actors – by increasing the chance that the overlapping bargaining range will include any agreement indefinitely – without requiring the costs of monitoring and enforcement. Future research might be able to develop a more sophisticated model of the costs and benefits of the different mediation tactics to uncover why more of the variables failed to achieve statistical significance.

Returning to the two puzzles which motivated the general question about how mediators choose tactics, we now have a better idea of what to control for in models of tactic effectiveness and a better understanding of the constraints that surround the choice of tactics. The type of mediator, weak domestic institutions and threat severity are all significant predictors of tactic choice, and reasonable arguments could be made that each also influences the outcomes of mediation. This means that they could be confounding variables when making inferences about the role of tactics on outcomes.

These findings also suggest that mediators do not always choose the most ef-

fective tactics. Third parties with more resources at their disposal are able to use tactics that rely more heavily on carrots and sticks. So, lesser actors may be constrained from implementing a style that involves carrots and sticks even if it would be potentially more effective. In addition, all third parties face motivational constraints in which they may not want to devote substantial resources unless the stakes are high. With these findings in mind, scholars and practitioners should focus not only on prescribing the most effective tactics to situations, but also on finding ways to mitigate the constraints present when actors without leverage mediate in crises where there is not much at stake to the international system.

## 5.7 Appendix: Bivariate Probit

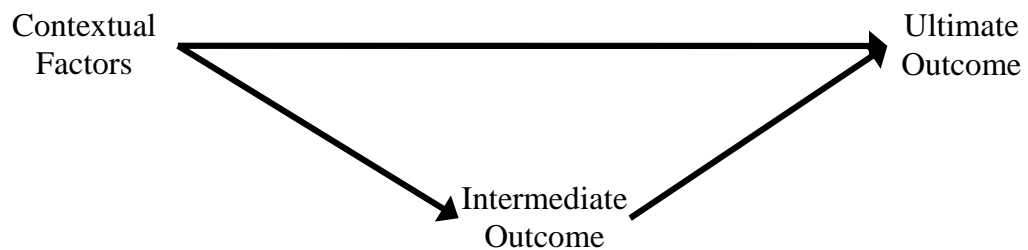


Figure 5.1 Situation that Calls for a Bivariate Probit Model

Bivariate probit, like seemingly unrelated regression, is a useful model when there are two simultaneous processes that likely have correlated disturbances. Figure 5.1 illustrates such a situation that can be applied to this chapter, as well as

some of the relationships in Chapter 6. In the figure, we can see how the same set of contextual factors – supply- or demand-side variables – might be causal in both an intermediate choice process – e.g., mediator type – and the ultimate outcome – e.g., tactic choice or mediation outcome. The intermediate choice process could also cause that ultimate outcome. If the same unobservable factors contribute to both outcomes, then we would say that the disturbances would be correlated and it will be difficult to isolate the independent effects of both the contextual factors and the intermediate outcome on the ultimate outcome.

The two processes that are considered in this application are the selection of who mediates and the selection of mediation tactics. If the disturbances of the two processes are in fact correlated, then this could lead to a potential source of bias, especially since who mediates appears as a right-hand side variable in the choice of mediation tactics. There would be a likely problem for inference created by the correlation between the independent variable (who mediates) and the error term. A bivariate probit model corrects for this potential bias by jointly estimating the two processes while taking into account the correlation in the error terms.

The specification of the model, from Greene (2003, 710) and Maddala (1983, 122), in this chapter involves two processes with dichotomous outcomes, such that

$$y_1^* = \mathbf{x}_1\beta_1 + \gamma y_2 + \varepsilon_1, \quad y_1 = 1 \text{ if } y_1^* > 0, 0 \text{ otherwise,} \quad (5.1)$$

$$y_2^* = \mathbf{x}_2\beta_2 + \varepsilon_2, \quad y_2 = 1 \text{ if } y_2^* > 0, 0 \text{ otherwise,} \quad (5.2)$$

where  $y_1$  is the choice of whether to have manipulative mediation and  $y_2$  is the

choice of whether a strong state mediates. The bivariate probit model thus becomes

$$p(y_1 = 1, y_2 = 1 | \mathbf{x}_1, \mathbf{x}_2) = \Phi_2(\mathbf{x}_1\beta_1 + \gamma y_2, \mathbf{x}_2\beta_2, \rho). \quad (5.3)$$

In the above equation,  $\rho$  is the correlation between  $\varepsilon_1$  and  $\varepsilon_2$ . Also,  $\Phi_2$  is the bivariate normal cumulative distribution function, with density given by

$$\phi_2(x_1, x_2, \rho) = \frac{e^{-(1/2)(x_1^2 + x_2^2 - 2\rho x_1 x_2)/(1-\rho^2)}}{2\pi(1-\rho^2)^{1/2}}. \quad (5.4)$$

The joint probability distribution from 5.3 becomes

$$P_{11} = p(y_1 = 1, y_2 = 1) = \Phi_2(\mathbf{x}_1\beta_1 + \gamma y_2, \mathbf{x}_2\beta_2, \rho)$$

$$P_{10} = p(y_1 = 1, y_2 = 0) = \Phi_2(\mathbf{x}_1\beta_1, -\mathbf{x}_2\beta_2, -\rho)$$

$$P_{01} = p(y_1 = 0, y_2 = 1) = \Phi_2(-(\mathbf{x}_1\beta_1 + \gamma y_2), \mathbf{x}_2\beta_2, -\rho)$$

$$P_{00} = p(y_1 = 0, y_2 = 0) = \Phi_2(-\mathbf{x}_1\beta_1, -\mathbf{x}_2\beta_2, \rho).$$

This joint probability can be estimated using standard maximum likelihood estimation. Greene (2003) reports that no complications will arise due to the simultaneity of having  $y_2$  on the right-hand. The simultaneity can effectively be ignored when using MLE, but not when using OLS.

# 6

## Sophisticated Solutions: Identifying and Reducing the Perils of Naïve Analysis

### 6.1 Putting It All Together

To this point, the research project has developed a framework of mediation implementation that applies to when mediation occurs, who mediates and what tactics mediators employ. The project has posited and tested a number of observable implications to quantify the substantive impact that various factors have on the mediation selection process. The motivation for this project has been, in part, to provide a thorough assessment of mediation selection because existing research

lacks a consistent account – rooted in an understanding of the preferences of all the involved actors – of why mediation takes the forms that it does. However, if we were to stop there, this endeavor would not be much more than an interesting intellectual exercise akin to assembling a jigsaw puzzle.

The point of better understanding mediation is not just to increase knowledge about something previously unexplained. The point is ultimately to improve the prospects of conflict resolution. Forming policy implications of how mediation can be more widely and effectively implemented is an obvious next step, and this task is taken up in Chapter 7. Those policy implications should be based on accurate assessments of how mediation and other contextual characteristics actually contribute to resolution. As this chapter will demonstrate, analyses of conflict and crisis outcomes that do not take into account the mediation selection process can generate misleading conclusions. So, from an academic standpoint, the implications from the previous chapters can help form better empirical models of when mediation contributes to conflict abatement. From a practical standpoint, the implications from the previous chapters can help form more meaningful prescriptions to attenuate violent interstate conflict. The primary goal of this chapter is thus twofold. The first goal is to demonstrate that selection effects are an elusive threat in mediation research. The second goal is to learn through better specified models when and how mediation succeeds in reducing conflict.

This chapter unfolds in two sections. The first considers how studies of the

preconditions for mediation success are specifically susceptible to selection bias. Mediation success is an outcome variable only relevant to the set of mediated cases, and self-selection into mediation with the intention of succeeding will often diminish the observed effect of many demand and supply factors. Special attention is given to the power distribution as a factor that influences both mediation incidence and outcome because its role is often debated in the academic and policy literatures. The results show that naïve models will underestimate the effect of power balance as a contributing factor of mediation success, helping to resolve the debate. The results also demonstrate that crude analyses will tend to miss the effects of changes in the power balance, protracted conflicts, ethnic components, phase type, the aggregate effect of third-party benefits, and the aggregate effect of overall support for mediation. The relationships that emerge in the better specified models are in agreement with the expectations that arise from the presented logic of how demand- and supply-side factors cause both preferences for mediation and expectations of the outcome. Specifically, the findings that protracted and ethnic conflicts are positively related to mediation effectiveness in the selection models may be counter intuitive but fully supportive of the given framework.

The second section focuses on additional sources of inconsistent estimation caused by the endogeneity between mediation implementation and outcomes. Chapters 3, 4 and 5 demonstrated that the form of mediation – i.e., whether mediation occurs, the type of mediator and the style of mediation – in conflicts and crises is

largely determined by the contextual needs and desires. These contextual factors will have their own direct effects on outcome. As a result, underspecified models of outcomes will tend to suffer from omitted variable bias, where the observable and unobservable contextual factors contribute to spurious relationships between mediation variables and outcome variables. In addition to the problem of biased estimates on the mediation variables, it will be difficult to isolate the direct and indirect effects of the contextual factors without explicitly modelling the interplay between context and mediation. The second section uses a progression of model specifications that do just that. The outcome variables considered are whether mediation led to a formal agreement and whether it was effective. The results make evident that naïve models understate a number of relationships, specifically the effects of bargaining problems and short-term costs of conflict on generating formal agreements, and the effect of strong third parties on mediation effectiveness. This last relationship is notable because poorly specified models could miss the connection between the actors with the most resources and mediation effectiveness, which is an important part of the logic presented in this research project.

While this chapter again uses quantitative methods, it should not be lost that the problems of selection bias and omitted variable bias plague both quantitative and qualitative research. Scholars that look at specific mediated cases to draw inferences must be cognizant of the fact that they are only looking at mediated cases that are inherently different than non-mediated cases because of the self



selection of mediation. In particular, we should be wary of conclusions that suggest the mediation lessons from one particular conflict can be applied to another conflict that has not yet experienced mediation. Scholars also must be cognizant of the fact that the environment in which mediation occurs can affect outcomes independent of what mediation is doing. So, if a particular tactic served well in a particular case or cases, the researcher should be careful to make sure that the success was actually a result of the tactic and not the result of the contextual environment that gave rise to the tactic.

## 6.2 Avoiding Selection Bias

The findings from Chapter 3 strongly suggest that the set of mediated cases will not be similar to the set of non-mediated cases in many respects. That is, those crises and conflicts that are mediated should involve low information barriers, high long-term costs of conflict, low commitment barriers and potential benefits to outside actors. A naïve assessment of the set of mediated cases is likely to observe a different relationship between these factors and mediation effectiveness than an assessment involving a sample selected randomly with respect to these key variables.

For example, we can assume that the set of mediated cases intentionally includes a high proportion of cases with few bargaining problems. We can also assume that some of the indicators of bargaining problems are observable to the

analyst, while others are not.<sup>1</sup> So, we should expect that the selected cases with high values on the observable indicators of bargaining problems will tend to have low values on the unobservable variables. The cases with high values on both the observable and unobservable indicators of bargaining problems will be almost universally excluded, as actors will not want to pay the costs of mediation when it is strongly expected that the mediators will fail. If this is the case, then the relationship seen between the observable indicators of bargaining problems and the likelihood of mediation effectiveness will be much less, and potentially in opposite direction, than the relationship that would be found if mediation were assigned randomly. That is, there would be a different relationship if the observable indicators of bargaining problems were not correlated with the unobservable indicators in the analyzed sample. Without a selection effect, we should expect that increases in the observable indicators of bargaining problems would lead to decreases in the likelihood of mediation success. With a selection effect, the corresponding decrease in the unobservable indicators when the observable indicators rise will certainly confound an accurate analysis of the impact of bargaining problems on mediation effectiveness. An analysis of the relationship between power balance and mediation success will demonstrate this effect.

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<sup>1</sup>These indicators should be observable to the crisis actors, and may include more idiosyncratic characteristics that only the negotiators themselves are attuned to.

## Gauging the Relationship between Power Balance and Mediation Effectiveness

Many scholars have focused on power parity between combatants as an important predictor of mediation success<sup>2</sup>. The focus on power distribution as an important dynamic in mediation success likely stems, in part, from the focus on power distribution in the prevalent realist tradition of international politics. Scholars have likely also been drawn to power distribution in studies of mediation because of the considerable debate that surrounds it. Some see power parity as ideal for mediation success (Meyer 1960, Young 1967, Ott 1972, Zartman 2000, Touval & Zartman 1985, Bercovitch, Anagnoson & Wille 1991, Bercovitch 1996, Bercovitch & Houston 1996, Kriesberg 1996). Others dispute these claims and propose that mediators may encounter heightened competition when there is relative power parity. These critics argue that mediators are most useful when there is power disparity and a greater chance that one side will recognize its weak position and concede accordingly (Organski 1960, Wright 1965, Deutsch 1973).

Empirically, while Jacob Bercovitch and his coauthors (Bercovitch, Anagnoson & Wille 1991, Bercovitch 1996, Bercovitch & Houston 1996) find some evidence that mediation is more effective when the distribution of power is close to parity, Miall (1992) and Greig (2001) find that it has no effect. Each of these studies potentially selects on the dependent variable, by only looking at a set of mediated

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<sup>2</sup>See Wilkenfeld et al. (2005) for an extensive overview.

cases, and thus is susceptible to selection bias. Empirical analyses in this chapter will demonstrate how the presence of selection bias might explain the non-findings.

This chapter will favor the power parity camp because it is more consistent – though not perfectly so – with the bargaining framework presented in Chapter 2. The concept of a mutually hurting stalemate (Touval & Zartman 1985, Zartman 2000), a foundation of the ripeness literature, contends that combatants will find a negotiated agreement increasingly attractive as the costs of being in conflict rise. Those costs will be high when neither side believes it can defeat its opponent easily and is willing to compromise instead of unilaterally impose an agreement (Pruitt & Carnevale 1993, Bercovitch & Houston 1996, Modelski 1964). In a general sense, this is an application of realist power politics that sees negotiation as a viable alternative to coercion only when coercion is too costly. Meyer (1960, 165) writes, “When . . . bargaining power is equal . . . when each side knows that the other side can and, under certain provocations, will fight . . . the area of negotiation is broader and the usefulness of the mediator is correspondingly increased.”

Using the language in Chapter 2, power parity is the point in which the bargaining range is maximized. The previous literature considered above has generally reached this assertion by assuming that the costs that matter in conflict are the expected costs of unilaterally bringing an opponent into complete submission without attempting to bargain. Since total wars are rare and it is not clear that governments often seek conquest, this assumption might be misleading; instead, the costs

of conflict might best be thought of as the costs imposed by an opponent when bargaining completely breaks down and war occurs (Wagner 2000). If the costs of conflict can be considered as a function of the opponent's capabilities, then the same general conclusion is reached, where the mutual costs of conflict are relatively high when there is power parity. With power disparity, one side will have low costs of conflict while the other will not. The point is that the mutually hurting stalemate concept can be more clearly stated in terms of how states care about the costs of bargaining failure, and does not require a more restrictive assumption that states only care about how easy it would be to unilaterally impose an agreement on a conquered foe. Similarly, Wagner (1993) argues that the uncertainty that matters in causing conflict is not the uncertainty about who would "win" in a conflict, but rather the uncertainty about what the terms will actually be after a conflict terminates.

From the logic of a rational bargaining model, the bargaining space is widest when the long-term costs of conflict are high. Chapter 2 proposed, consistent with the ripeness literature, that the ability for actors to reach a settlement will be greater when there are more potential alternatives that are mutually preferable to conflict. However, Wilkenfeld et al. (2005) challenge this logic. In an experimental setting, they find that as the Zone of Agreement increases, the ability for participants to reach more beneficial outcomes in a mediated environment decreases. This suggests that the increase in options may only confuse the actors, encour-

age them to fight for the best of the acceptable outcomes, and inefficiently delay settlement. This is an interesting finding, and it is worth exploring if it can be applied to interstate relations where the potential outcomes are infinite, the utility points are less clear and the costs of conflict are real. It is also worth exploring if the ability to reach a more beneficial outcome follows the same logic as general mediation effectiveness in contributing to crisis abatement considered here. The insight from Wilkenfeld et al. (2005) notwithstanding, it is expected that as the distribution of power moves closer to parity, the probability of mediation success increases.

**Hypothesis 6.1.** An increase in the power balance will increase the probability of successful mediation.

Data from the International Crisis Behavior (ICB) and SHERFACS data sets are again useful to test this hypothesis. The independent and control variables are the same as many of the same used in earlier chapters. The dependent variable for this hypothesis is a dichotomous indicator of whether mediation is effective or not. For the ICB data, this variable was extracted from an existing variable, such that mediation is considered effective if it was the most important factor in resolving tensions in the crisis. In other words, effective mediation has an indelible impact on conflict resolution such that the crisis is expected to have terminated differently without mediation. The SHERFACS data do not have an equivalent variable, so success is defined less along the lines of perception of the mediator's

effect and more along the lines of what was or was not achieved in each conflict phase. As a result, the analyses here define mediation success in the SHERFACS data as occurring if the phase had mediation and did not end in either escalation or collapse of one of the sides – minimal goals of mediation.

To see how conclusions might be different between models that take into account the selection effects and those that do not, two model specifications with mediation effectiveness as the dependent variable are compared. The first model is a simple probit model with power disparity as the key independent variable and standard control variables. The second model is a censored probit model that simultaneously models the effects that the same variables have on the selection of mediation and mediation effectiveness. Since the same variables are used in both equations of the model, identification problems would occur unless at least one of the variables in the outcome equation were assumed absent. Instead of making such an assumption without theoretical justification, the analyses make use of an alternative estimator developed by Sartori (2003). This estimator assumes that the error terms in the two equations are positively and perfectly correlated. Sartori (2003, 112) suggests that this assumption is reasonable when “(1) selection and the subsequent outcome of interest involve similar decisions or goals; (2) the decisions have the same causes; and (3) the decisions occur within a short time frame.” The factors that lead to both the choice of mediation and mediation effectiveness should reasonably meet these three criteria.

Model 1 in Table 6.1 displays the probit results for the ICB data, and Model 1 in Table 6.3 displays the SHERFACS probit results. Correspondingly, Model 1 in Table 6.2 and Model 2 in Table 6.3 show the censored probit results. The differences in the estimates for the power disparity indicators are stark. In the probit models, the estimates are not close to statistical significance, while they are strongly significant in each censored probit model.

The results confirm the suspicions about selection bias while also confirming Hypothesis 6.1. A naïve model would lead to a misleading conclusion that power parity has no effect on the prospects of mediation success. Since the self-selection process entails that mediated cases with low power parity are likely to have high

Table 6.1 ICB Probit Models of Mediation Effectiveness

IV	(1)	(2)	(3)	(4)	(5)	(6)
Cap. Difference	-1.720 (2.207)					
Change Cap. Difference		-23.413 (31.487)				
Protracted Conflict			0.118 (0.264)			
Ethnic Component				0.159 (0.252)		
Barg. Problems Count					0.263* (0.147)	
Third Party Ben. Count					0.082 (0.158)	
Support Count						-0.101 (0.101)
Europe	0.336 (0.447)	0.242 (0.463)	0.223 (0.442)	0.206 (0.440)	0.132 (0.446)	0.316 (0.426)
Asia	0.027 (0.356)	-0.049 (0.361)	-0.122 (0.358)	-0.082 (0.336)	-0.159 (0.343)	-0.078 (0.336)
Africa	-0.280 (0.386)	-0.228 (0.389)	-0.226 (0.365)	-0.239 (0.365)	-0.249 (0.369)	-0.191 (0.364)
Crisis Duration	-0.000 (0.000)	-0.001 (0.001)	-0.000 (0.000)	-0.000 (0.000)	-0.000 (0.000)	-0.000 (0.000)
Intercept	-0.270 (0.307)	-0.204 (0.309)	-0.247 (0.314)	-0.223 (0.296)	-0.659 (0.446)	0.145 (0.453)
N	113	108	126	126	126	126

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.



Table 6.2 ICB Selection Models of Mediation Effectiveness

IV	(1)	(2)	(3)	(4)	(5)	(6)
<b>Outcome Eqn. Variables</b>						
Cap. Difference	-4.156*					
	(1.430)					
Change Cap. Difference		-47.065*				
		(18.652)				
Protracted Conflict			0.308*			
			(0.186)			
Ethnic Component				0.384*		
				(0.179)		
Bargaining Problems Count					-0.111	
					(0.097)	
Third Party Benefits Count					0.299*	
					(0.110)	
Support Count						0.199*
						(0.041)
Europe	-0.217	-0.098	-0.483	-0.804*	-0.381	-0.561*
	(0.316)	(0.335)	(0.246)	(0.245)	(0.309)	(0.295)
Asia	-0.129	-0.311	-0.464*	-0.375*	-0.297	-0.235
	(0.274)	(0.276)	(0.261)	(0.209)	(0.255)	(0.249)
Africa	-0.380	-0.309	-0.260	-0.367	-0.363	-0.318
	(0.303)	(0.246)	(0.271)	(0.228)	(0.278)	(0.248)
Crisis Duration	0.001*	0.000	0.001*	0.001	0.001	0.001*
	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)
Intercept	-0.971*	-0.975*	-1.256*	-0.566*	-1.371*	-1.700*
	(0.244)	(0.241)	(0.230)	(0.188)	(0.324)	(0.248)
<b>Mediation Eqn. Variables</b>						
Cap. Difference	-5.516*					
	(1.128)					
Change Cap. Difference		-62.238*				
		(12.967)				
Protracted Conflict			0.373*			
			(0.145)			
Ethnic Component				0.411*		
				(0.144)		
Bargaining Problems Count					-0.369*	
					(0.080)	
Third Party Benefits Count					0.391*	
					(0.090)	
Support Count						0.379*
						(0.033)
Europe	-0.607*	-0.362	-0.829*	-0.492*	-0.553*	-0.255
	(0.268)	(0.280)	(0.298)	(0.295)	(0.258)	(0.255)
Asia	-0.294	-0.203	-0.366	-0.294	-0.268	-0.275
	(0.231)	(0.232)	(0.215)	(0.249)	(0.218)	(0.215)
Africa	-0.366	-0.281	-0.296	-0.358	-0.375	-0.380*
	(0.247)	(0.301)	(0.222)	(0.274)	(0.234)	(0.211)
Crisis Duration	0.002*	0.002*	0.002*	0.002*	0.002*	0.002*
	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)
Intercept	-0.203	-0.331	-0.680*	-1.164*	-0.552*	-1.651*
	(0.212)	(0.207)	(0.195)	(0.221)	(0.273)	(0.212)
Assumed $\rho$	1	1	1	1	1	1
N	378	366	436	436	436	436

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

Table 6.3 SHERFACS Models of Mediation Effectiveness

IV	(1:Probit)	(2:Cens. Probit)	(3:Probit)	(4:Cens. Probit)
		Outcome eq.		Outcome eq.
Cap. Difference	1.308 (1.542)	-1.764* (0.606)		
Phase IV			0.345 (0.233)	0.673* (0.129)
Phase V			-0.001 (0.378)	0.446* (0.185)
Phase Type	0.251* (0.085)	0.104* (0.023)		
Americas	0.007 (0.303)	0.460* (0.146)	0.125 (0.293)	0.502* (0.151)
Africa	1.083* (0.401)	0.694* (0.167)	0.795* (0.340)	0.450* (0.144)
Asia	-0.008 (0.353)	-0.046 (0.144)	0.015 (0.298)	0.031 (0.144)
Joiners	-0.473* (0.216)	0.601* (0.103)	-0.434* (0.203)	0.556* (0.104)
Intercept	-0.068 (0.310)	-1.765* (0.141)	0.606* (0.187)	-1.642* (0.082)
		Mediation eq.		Mediation eq.
Cap. Difference		-1.686* (0.578)		
Phase IV				0.671* (0.124)
Phase V				0.463* (0.176)
Phase Type		0.078* (0.020)		
Americas		0.530* (0.138)		0.433* (0.143)
Africa		0.395* (0.140)		0.494* (0.141)
Asia		-0.030 (0.137)		-0.040 (0.132)
Joiners		0.882* (0.091)		0.800* (0.097)
Intercept		-1.609* (0.123)		-1.565* (0.076)
Assumed $\rho$		1		1
N	196	1266	196	1266

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

values on unobservable variables related to an amenable bargaining environment, power parity may appear to have much less of an effect than if mediation was distributed randomly. The correlation between the unobservable and observable variables in the selected sample mutes the effect of the observable power disparity variable. A selection equation that simultaneously models the selection and outcome equations, minimizing the selection bias and approximating a random assignment of mediation, is able to better estimate the true effect of power disparity. The better specified model confirms that actors facing power parity will have a mutual perception of high long-term costs of conflict and a greater willingness to work with a mediator to reach more attainable settlements. Selection bias would completely hide this important relationship, which helps explain why Miall (1992) and Greig (2001) – two studies that only look at the set of mediated cases without accounting for the selection dynamics – fail to find a relationship between power balance and mediation success.

## **Gauging the Impact of Demand and Supply on Mediation Effectiveness**

The previous section reassessed the oft-debated relationship between power balance and mediation effectiveness, using better models that take into account the selection dynamics. It is worth studying if other measures of mediation demand or supply will run into similar selection bias in simple analyses of mediation effec-

tiveness. Using analogous methods as before, it is shown that selection bias can also mute other demand and supply relationships. For brevity, only the variables where selection bias had a discernable effect are used.

Just as an analysis that did not take into account the selection of mediation underestimated the effect of the distribution of power, a similar analysis is also likely to miss the true effects of both changes in capability difference and phase type as contributors to mediation effectiveness. Rapid shifts in capability difference indicate the potential for a severe commitment problem, and the cases that result in mediation with such rapid shifts should have other unobservable factors that would actually reduce the commitment barriers. Otherwise, the adversaries in conflict would be hesitant to accept costly mediation that is destined to fail. Similarly, mediated conflicts during phase types that are less conducive to information should have other unobservable factors that indicate a reasonable ability for information exchange. These unobservable factors will have the tendency to reduce the observed effects of the key variables.

The observed effect of overall bargaining barriers should face a similar bias. Mediators, with their limited capabilities, will find it difficult to substantially improve information availability, increase the long-term costs of conflict and decrease the commitment problems. In a sample that contains only mediated cases, unobservable factors that are related to the difficulty of bargaining situations are likely to be low when similar observable variables are high. As a result, the relationship

between overall bargaining problems and mediation success is likely to become much more positive when selection bias is mitigated.

**Hypothesis 6.2.** An increase in the change in power distribution will decrease the probability of successful mediation.

**Hypothesis 6.3.** Post-hostilities phases will have a higher probability of successful mediation.

**Hypothesis 6.4.** An increase in the overall bargaining problems will decrease the probability of successful mediation.

Turning to the supply side, the relationship between supply factors and mediation effectiveness should be positive. As evident in previous chapters, mediators with more resources – who are able to use stronger tactics – are more likely to be present when they get benefits from mediating. In addition, Chapter 5 found some evidence that the mediators are more likely to use the strongest tactics when they are able to receive benefits from mediating. More broadly, when mediators have strong incentives to resolve a conflict, they will better focus their efforts on the task at hand. When the mediators lack incentives to succeed, they should perform worse.

Mediated cases with low values on the observable variables related to third-party benefits should have high values on similar unobservable variables. As a result of the competing influences of the observed and unobserved variables, analyses of effectiveness that are censored to the set of mediated cases will underestimate

the effect of the observed supply variables. This chapter will demonstrate this bias using the specific variables related to protracted conflict and ethnic dimensions. Both are indicators of the potential negative externalities of a given crisis and the need for third parties to contribute to a lasting peace. Note that the expectation is for both variables to be positively related to mediation success, which may seem counter intuitive to those that might think that protracted and ethnic elements mean that the situations are too complicated for successful mediation. From the framework in this research project, both factors should increase the quality of mediation and thus its potential effectiveness. This chapter will also use an aggregate indicator of mediator benefits to demonstrate the susceptibility for selection bias.

**Hypothesis 6.5.** Crises that are part of a protracted conflict will have a higher probability of successful mediation.

**Hypothesis 6.6.** Crises that have an ethnic component will have a higher probability of successful mediation.

**Hypothesis 6.7.** An increase in the overall mediator benefits will increase the probability of successful mediation.

Combining the supply and demand factors of mediation, mediators will be much more likely to succeed when the bargaining problems are more manageable and the mediators have incentives to provide the necessary resources. As incentives to succeed increase and the barriers to success decrease, mediation effectiveness

becomes much more likely. If selection bias is present, it is likely to mute the observed effect that an increase in supply and demand has on mediation effectiveness because mediation is more likely to occur in crises with fewer bargaining problems and high incentives for the mediators.

**Hypothesis 6.8.** An increase in the overall support for mediation from both demand and supply factors will increase the probability of successful mediation.

Censored probit models can again be used to test these hypotheses, and a comparison to standard probit models can demonstrate the potential risks of not accounting for the selection processes at work. Models 3 through 6 from Table 6.1, along with Model 3 from Table 6.3 present the standard probit models to test the hypotheses. The corresponding censored probit models are in Models 3 through 6 in Table 6.2 and Model 4 in Table 6.3. The difference between the probit and censored probit models is again stark. In each of the probit models, the key explanatory variables are not statistically significant. The lone exception is the bargaining problems count variable, which has the opposite sign of what was expected. In the censored probit models, almost all the key variables are statistically significant and in the hypothesized directions. An analysis that did not take into account the mediation selection process would thus drastically underestimate the effects of the change in power balance, the presence of a protracted conflict, having an ethnic component, the phase type, the total number of potential third-party benefits and the total potential number of combined supply- and

demand-side support factors. The censored probit models, which simultaneously model the mediation selection process and outcome, present support for most of the hypotheses that emerge from the broader framework.

Again, the bargaining problems count variable was the exception in not being statistically significant in the censored probit model. Without accounting for selection, bargaining difficulty is positive and significant, directly counter to Hypothesis 6.4. With the censored probit specification, the coefficient on the bargaining problems variable is negative but not statistically significant. Nevertheless, it is substantial that the estimated effect changes by that much. The selection effect biases naïve analyses toward a positive relationship between bargaining problems and mediation effectiveness.

All else equal, we should have observed a negative relationship between overall bargaining problems and mediation success. One caveat that is likely at work here is that it may be difficult to conduct an analysis where all else is really held constant. As we saw in Chapters 4 and 5, mediators are more likely to be stronger third parties who are more likely to use more resource-intensive tactics when the bargaining problems increase. While these are observable characteristics of mediation that can be taken into account, as will be done below, there are likely additional unobservable factors that will affect how mediators implement mediation in tough circumstances. The overall quality of effort, aside from a general classification of style, should vary with the bargaining difficulty as well,



which is likely muting any negative direct relationship between the number of potential bargaining problems and mediation success.

Many of the hypothesized relationships are hidden in the respective standard probit models. Since the mediated cases are not randomly assigned, we need to make inferences about the causes of mediation success with utmost caution. Selection models are able to clarify that many expected relationships exist and would be evident if mediators chose their cases randomly, independent of expectations about the likely outcome.

### **6.3 Isolating Determinants of Crisis Outcomes**

From previous chapters, we have seen that the contextual environment – in terms of the bargaining problems and the potential mediator benefits – is important in shaping whether mediation occurs, who mediates and how mediation is implemented. To isolate the effects of mediation, different mediators and different tactics on how crises end, analyses need to take into account the selection processes behind the implementation of mediation. Similarly, to isolate the direct effects of contextual factors on crisis outcome from the effects of mediation and its implementation, analyses need to take into account the intermediate steps that are only indirectly related to the contextual characteristics. This section demonstrates the necessity of getting the statistical models right in assessing the covariates of formal

agreements and mediation effectiveness.<sup>3</sup>

## Formal Agreement

Achieving a formal agreement is one potential crisis and conflict outcome. A formal agreement indicates some stability of crisis termination because it requires resources to implement and form, and often includes punishment provisions. As a result, when compared to other ways in which crises can end – complete collapse of an adversary, unilateral termination or fading away – formal agreement is a benchmark for success in conflict resolution. Similarly, Beardsley et al. (2006), Wilkenfeld et al. (2003) and Wilkenfeld et al. (2005) use it as an outcome in empirical analyses of mediation effectiveness.<sup>4</sup>

Since a formal agreement implies that the combatants have reached a bargained settlement, mediation should increase the chances that the actors reach a formal agreement. By reducing private information about and expanding the actors' reser-

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<sup>3</sup>Tension reduction, which is also used as an outcome measure in Beardsley et al. (2006) and Wilkenfeld et al. (2005) is not included here for two reasons. First, the SHERFACS data do not contain information on any similar outcomes. Second, contextual variables such as bargaining problems are likely to have a different relationship with tension reduction. Whether or not tensions are reduced in the future is probably as much of a function of opportunity to be in future disputes as willingness to be in disputes. Bargaining problems is a concept that certainly applies to willingness, but also might have some counter effects on opportunity. For example, contiguous dyads and democratic dyads will have more opportunities for future disputes, but presumably less willingness. Fleshing out those distinctions is beyond the scope of this project.

<sup>4</sup>Although not included in this chapter for space considerations, analyses of the relationships between mediation styles and formal agreements that account for selection effects confirm the findings of Beardsley et al. (2006).

vation points, as well as promising monitoring and enforcement, mediators can help overcome the bargaining problems hindering a negotiated agreement. While mediation certainly has its limits, which is why actors tend not to pursue mediation in the dire crises, mediation should positively contribute to a formal agreement when implemented.

Turning to the contextual environment, actors will be more likely to push for a negotiated settlement when the bargaining environment is more difficult. This may appear counter intuitive, but it does have some support in the previous literature. For example, Fortna (2004) demonstrates that stronger settlements are more likely to occur in the more difficult conflicts – specifically when there is power imbalance and when there is a history of violence among the adversaries. One explanation is that the most difficult crises and conflicts will need a stronger form of resolution in order for the actors to abandon the coercive bargaining. Crises and conflicts will generally persist until some form of bargained outcome is achieved. By clarifying exactly what the settlement is, and in many cases including an enforcement provision, formal agreements are often needed as the final step to reaching a bargained outcome by reducing informational and commitment problems. When severe bargaining barriers abound, crises simply will not end until a formal settlement is reached. This leads to the expectation that adversaries need formal agreements more when resolution is difficult even if the agreements are more difficult to achieve.

From a different point of view, actors in conflicts and crises with weaker bar-

gaining problems should have less of a need for a strong negotiated settlement. They might be more inclined to terminate a crisis without a firm settlement, as there is less fear of immediate breakdown or future challenges. In other words, the crises and conflicts with fewer impediments to successful bargaining often will not need a costly formal agreement to implement peace. Unilateral withdrawals and crisis fading should be more prevalent when the actors can more easily reach a consensus on what the post-conflict distribution of benefits looks like.

Finally, conflict phases involving actors with incentives for devious objectives should be less likely to result in a formal agreement. When actors face high short-term costs, their motivations will often focus on the management of those costs and not the overall resolution of conflict. The losing actors especially may be resistant to an agreement in the midst of heavy fighting if they think they can be stronger in the future and get more favorable terms then.

**Hypothesis 6.9.** Crises with mediation will be more likely to result in a formal agreement.

**Hypothesis 6.10.** Crises with stronger bargaining problems will be more likely to result in a formal agreement.

**Hypothesis 6.11.** Crises with incentives for devious objectives will be less likely to result in a formal agreement.

Tables 6.4 and 6.5 present a series of models that attempt to take into account the selection effects which may confound a naïve assessment of what increases

Table 6.4 ICB Models of Formal Agreement

IV	(1:Probit)	(2:Probit)	(3:Probit)	(4:Biv. Probit)
				Outcome eq.
Mediation	1.037* (0.159)		1.113* (0.186)	1.569* (0.607)
Bargaining Problems Count		0.058 (0.103)	0.208* (0.114)	0.237* (0.128)
Previous Mediation		-0.172 (0.180)	-0.320* (0.191)	-0.422* (0.178)
Protracted Conflict		0.164 (0.174)	0.063 (0.182)	
Ethnic Component		0.383* (0.165)	0.244 (0.176)	
Geostrategic Salience		-0.116 (0.078)	-0.069 (0.082)	
Grave Threat	-0.158 (0.184)	-0.140 (0.195)	-0.143 (0.205)	
Europe	-0.051 (0.280)	-0.274 (0.286)	-0.102 (0.310)	
Asia	-0.023 (0.244)	-0.200 (0.247)	-0.040 (0.269)	
Africa	-0.158 (0.262)	-0.434 <sup>+</sup> (0.269)	-0.254 (0.290)	
Period	-0.095 (0.065)	0.014 (0.069)	-0.029 (0.072)	
Crisis Duration	0.001* (0.000)	0.001* (0.000)	0.001* (0.000)	0.001 (0.001)
Intercept	-0.948* (0.299)	-0.811* (0.357)	-1.330* (0.387)	-1.672* (0.303)
				Mediation eq.
Bargaining Problems Count				-0.354* (0.106)
Previous Mediation				0.464* (0.165)
Ethnic Component				0.513* (0.168)
Geostrategic Salience				-0.170* (0.083)
Europe				-0.566* (0.290)
Asia				-0.451* (0.238)
Africa				-0.553* (0.260)
Period				0.113 <sup>+</sup> (0.071)
Crisis Duration				0.002* (0.000)
Intercept				-0.293 (0.356)
$\rho$				-0.259 (0.401)
N	432	384	381	381
Pseudo R <sup>2</sup>	0.149	0.083	0.175	

\* Significant at a 0.05 level in a one-tail test; <sup>+</sup> significant at a 0.055 level.

Standard errors in parentheses.

Table 6.5 SHERFACS Models of Formal Agreement

<b>IV</b>	<b>(1:Probit)</b>	<b>(2:Probit)</b>	<b>(3:Probit)</b>	<b>(4:Biv. Probit)</b>
				Outcome eq.
Mediation	0.287* (0.078)		0.353* (0.083)	1.164* (0.354)
Bargaining Problems Count		0.064 (0.053)	0.085 (0.054)	0.122* (0.063)
Fatalities		-0.015 (0.055)	-0.029 (0.053)	
Current Costs		-0.175 (0.146)	-0.214 (0.141)	-0.366* (0.097)
Threat Severity		0.386* (0.116)	0.363* (0.114)	0.284* (0.096)
Joiners	-0.588* (0.072)	-0.453* (0.071)	-0.490* (0.073)	-0.579* (0.084)
Intercept	-0.200* (0.097)	-0.278 (0.325)	-0.293 (0.318)	-0.486* (0.188)
				Selection eq.
Bargaining Problems Count				-0.316* (0.058)
Fatalities				0.133* (0.038)
Current Costs				0.403* (0.105)
Threat Severity				0.439* (0.104)
Americas				0.553* (0.187)
Africa				0.598* (0.166)
Asia				0.214 (0.185)
Joiners				0.414* (0.102)
Intercept				-1.655* (0.132)
$\rho$				-0.479* (0.200)
N	1338	1338	1338	1338
Pseudo R <sup>2</sup>	0.027	0.038	0.044	

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

the prospects of formal agreements. For the ICB analyses, an observation has a formal agreement if a crisis ended with a treaty, armistice or cease-fire.<sup>5</sup> With the SHERFACS data, a phase is considered to have a formal agreement if there is a principled or partial settlement. Model 1 in both tables includes mediation as an independent variable but does not control for the observable factors related to its selection. Model 2 includes the selection variables but does not include mediation. Model 3 combines the two models for a probit model that takes into account the mediation selection process in an assessment of the covariates of formal agreement.

Model 4 presents a bivariate probit model, which simultaneously models the mediation selection process and whether or not a formal agreement is achieved. The Chapter 5 appendix has a more complete description of this type of model. The independent variables included in the outcome equation are the key explanatory variables that demonstrated statistical significance in Model 3. In addition, crisis duration serves as a control variable in the ICB analyses because it is an important potential confounding variable that is likely associated with both mediation selection and how crises are terminated.<sup>6</sup> The independent variables included in the mediation selection equation are the key explanatory variables significantly

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<sup>5</sup>Crises with cease-fires that did not terminate the crisis are not considered to have a formal agreement realized.

<sup>6</sup>Region and period are not included in the outcome equation because of a lack of a clear link between how crises terminate and space or time elements. They were included in Models 1-3 because of their inclusion in previous models of mediation, to see if there was any effect on the mediation parameter when its significant predictors are held constant.

related to mediation choice, as seen in Chapter 3, plus the control variables.<sup>7</sup>

The model has a recursive component, such that mediation is a dependent variable in the first equation but an independent variable in the second equation. This is ideal to model how the same processes lead to different outcomes that have correlated disturbances. In this way, the impact on both mediation and crisis outcomes by such variables as overall bargaining difficulty can be accurately estimated. A bivariate probit model with a recursive component can also mitigate potential endogeneity between, in this case, mediation and crisis outcomes. Since mediation is more likely to occur when attractive outcomes are more likely, then simultaneously modelling its selection and its potential effects is ideal in the event that the endogenous processes are mainly unobservable and thus not reduced by simply including control variables.

The results in Tables 6.4 and 6.5 demonstrate the presence of selection effects. While the estimated effect of mediation does not change much – the models confirm Hypothesis 6.9 as mediation is statistically significant and positively related to the likelihood of achieving formal agreements – the effect of the number of bargaining problems does change depending on the specification. The number of bargaining problems appears to have no effect on the prospects of a formal agreement in each Model 2, but it becomes statistically significant and positive in the ICB analysis when mediation is included, seen in Model 3. Model 4 in both tables

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<sup>7</sup>The included variables are limited in the bivariate probit model to assist estimation convergence with a relatively small number of observations.



demonstrates that this relationship emerges in a bivariate probit specification as well. The  $\rho$  coefficient is statistically significant in the SHERFACS analysis but not in the ICB analysis. So, for the ICB data, this means that the single-equation Model 3 should suffice in drawing inferences about the correlates of achieving a formal agreement. When using the SHERFACS data, Model 4 best accounts for the selection dynamics, as the disturbances of the mediation selection process and the occurrence of a formal agreement are significantly correlated. The results, in conjunction with the findings in Chapter 3, reveal that overall bargaining difficulty has the dual effect of decreasing mediation and increasing the likelihood of a formal agreement. This explains why Model 2 in both tables finds no discernable effect. Mediation itself is positively related to achieving a formal agreement, so when the number of bargaining problems increases, the corresponding decrease in the likelihood of mediation will have an indirect negative effect on the prospects of a formal agreement. This indirect effect hides the positive direct effect that the number of bargaining problems has on achieving a formal agreement. The direct effect is only apparent when mediation is controlled for, which ultimately confirms Hypothesis 6.10.

There is also evidence of a selection effect involving the mutual costs variable. When mediation is not included in the model, as in Model 2, mutual economic costs have no significant effect on whether a formal agreement is achieved. With the inclusion of mediation, as in models 3 and 4, the mutual economic costs become

statistically significant and in the expected direction of Hypothesis 6.11. Since incentives for devious objectives have a direct positive relationship with mediation, and mediation has a direct positive relationship with achieving a formal agreement, the incentives for devious objectives have an indirect positive effect on achieving a formal agreement. This will mute the direct negative effect that the incentives for devious objectives have on achieving a formal agreement. Only when mediation is controlled does this direct effect manifest itself. One note of caution is that the fatalities variable, also an indicator of incentives for devious objectives, is not statistically significant in the models.

It is worthwhile to see how the substantive effects change depending on the model specification. With the ICB data in Table 6.4, the marginal effect of mediation is 0.32 in Model 1, when the conditions for mediation selection are not held constant. In Model 3, the marginal effect increases to 0.36, more than 10% more than in Model 1. With regards to the variable that counts the number of bargaining problems, the marginal effect – the change in the probability of a formal agreement when moving from two bargaining problems to three with all other variables held at their medians – is 0.02 in Model 2 and 0.06 in Model 3, about three times the original effect. For the SHERFACS analyses in Table 6.5, the marginal effect of mediation is 0.11 in Model 1 and 0.43 in Model 4, almost a four-fold increase. The marginal effect of the number of bargaining problems is 0.02 in Model 2 and 0.05 in Model 4. Without accounting for the selection of mediation, empirical findings

will tend to understate the effect of the bargaining environment on the ability to reach a formal agreement. Similarly, these substantive interpretations suggest that less specified models will understate mediation effectiveness, since mediation is less likely when there are more bargaining problems, and formal agreements are more likely as bargaining problems increase.

### **Mediation Effectiveness Revisited**

The first set of analyses in this chapter discovered some selection effects in regards to what causes successful mediation. There may be some additional problems with conventional analyses of mediation effectiveness that do not take into account the mediation selection process. In other words, both selection bias and omitted variable bias are likely to be at work. This section attempts to rein in the latter while discovering the major covariates of mediation success.

Who the third parties are and how they implement mediation should play a natural role in mediation effectiveness. As discussed in Chapters 4 and 5, mediation attempts with more resources should be more effective than mediation on the cheap. Great-power states, and to a lesser extent global governance organizations, will have better access to resources that could be used as carrots or sticks to leverage the long-term costs of conflict, as well as peacekeeping resources. When these resources are used, as in a manipulation style, the potential for the mediator to influence the outcome of a crisis improves. In short, mediation with strong

states using strong tactics should be relatively likely to succeed.

Devious objectives should also strongly affect the prospects of mediation effectiveness. Mediators of crises where at least one of the actors is merely trying to temporarily keep the immediate costs low will find it difficult to get both sides to make significant progress toward resolution. So, mediation in conflict phases with high immediate costs to the adversaries should be handicapped against mediators making much progress.

**Hypothesis 6.12.** Crises with strong-state mediation will be more likely to experience successful mediation.

**Hypothesis 6.13.** Crises with manipulative mediation will be more likely to experience successful mediation.

**Hypothesis 6.14.** Conflict phases with incentives for devious objectives will be less likely to experience successful mediation.

Finally, with regard to the contextual environment, Hypotheses 6.4 and 6.7 are again tested. Mediation should be more effective in contributing to conflict resolution when the bargaining problems are less difficult and when the mediators are eager to affect the outcome of the crisis. Even though formal agreements are suspected to be more prevalent when the bargaining problems are tough, mediation should be less likely to succeed in contributing to those ends when it is relatively powerless against the worst bargaining environments. In other words, there is a difference between how the contextual environment affects the overall outcome of

a crisis and how it affects mediation's contribution. More bargaining problems should make it more difficult to reach a negotiated settlement, but make the need for such a settlement at the end of a crises higher as well. As a result, we should see more crises end with a formal agreement when there are more bargaining problems because that might be the only way that the combatants will allow a crisis to end, even if it is more difficult to get there. By raising the bar on what mediation has to do to actually make a difference, more bargaining problems are likely to render mediation less effective.

These hypotheses are tested again using a combination of probit and bivariate probit specifications. Tables 6.6 and 6.7 present the results. As in Tables 6.1, 6.2 and 6.3, the dependent variable is a dichotomous indicator of whether mediation had a strong impact on crisis abatement (ICB), or succeeded in preventing escalation or complete defeat (SHERFACS). Because the data are censored to the set of mediation cases, an ideal model would simultaneously estimate a series of equations including the selection of mediation, the selection of who mediates and the selection of tactics. Unfortunately, multivariate (more than two equations) probit estimation that incorporates censoring has yet to be developed. Even with just the mediation cases, multivariate probit models that simultaneously estimate equations of mediator selection, tactic selection and mediation effectiveness failed to converge given the relatively small number of observations, numerous variables and complexity of the estimation. As a result, this analysis uses bivariate probit

Table 6.6 ICB Models of Mediation Effectiveness

<b>IV</b>	<b>(1:Probit)</b>	<b>(2:Bivariate Probit)</b>	<b>(3:Bivariate Probit)</b>
		Effectiveness eq.	Effectiveness eq.
Strong-State Mediator	-0.009 (0.273)	1.529* (0.166)	1.466* (0.172)
Manipulation			0.781* (0.227)
Formulation			0.545* (0.202)
Bargaining Problems Count	0.347* (0.208)	-0.038 (0.162)	-0.087 (0.170)
Crisis Duration	-0.000 (0.001)	-0.000 (0.000)	-0.000 (0.000)
Previous Mediation	-0.535* (0.277)	-0.299* (0.169)	-0.348* (0.170)
Protracted Conflict	0.611* (0.305)	0.004 (0.241)	-0.146 (0.257)
Ethnic Component	0.093 (0.269)	0.089 (0.174)	0.238 (0.164)
Geostrategic Salience	-0.449* (0.197)	-0.231* (0.117)	-0.197* (0.057)
Grave Threat	0.108 (0.364)		
Intercept	-0.353 (0.390)	-0.381 (0.308)	-0.907* (0.308)
		Strong-State Med. eq.	Strong-State Med. eq.
Bargaining Problems Count		0.416* (0.164)	0.303* (0.177)
Protracted Conflict		0.678* (0.254)	0.895* (0.254)
Intercept		-1.248* (0.298)	-1.141* (0.305)
$\rho$		-1.000* (0.000)	-1.000* (0.000)
N	117	117	104

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

Table 6.7 SHERFACS Models of Mediation Effectiveness

IV	(1:Probit)	(2:Bivariate Probit)	(3:Bivariate Probit)
			Effectiveness eq.
Strong Mediator	0.188 (0.340)	1.219* (0.722)	1.146* (0.647)
Manipulation			0.099 (0.265)
Bargaining Problems Count	-0.008 (0.096)	-0.056 (0.094)	-0.048 (0.103)
Fatalities	-0.128* (0.040)	-0.135* (0.042)	-0.137* (0.042)
Current Costs	0.182 (0.161)	0.003 (0.194)	0.002 (0.195)
Threat Severity	-0.069 (0.159)	-0.064 (0.144)	-0.092 (0.115)
Joiners	-0.340* (0.150)	-0.231 (0.191)	-0.240 (0.175)
Intercept	1.094* (0.396)	0.294 (0.703)	0.340 (0.637)
			Strongmed eq.
Bargaining Problems Count		0.252* (0.138)	0.253* (0.137)
Fatalities		0.119* (0.067)	0.118* (0.065)
Current Costs		0.668* (0.236)	0.673* (0.228)
Joiners		-0.419 (0.270)	-0.418 (0.269)
Intercept		0.210 (0.298)	0.214 (0.301)
$\rho$		-0.577 (0.306)	-0.555 (0.287)
N	207	207	207

\* Significant at a 0.05 level in a one-tail test. Standard errors in parentheses.

models that only take into account the selection of a strong-state mediator. We should cautiously interpret the results, understanding that selection effects from the mediation implementation and tactic selection processes might still be present.

The results show support for Hypotheses 6.12, 6.13 and 6.14, but there is no support for Hypothesis 6.7 and again not much support for Hypothesis 6.4. In addition, the models reveal that there are selection effects in play that would plague a naïve analysis of mediation effectiveness. In Model 1 of both tables, a standard probit regression, the presence of a strong-state mediator is shown as statistically insignificant. Moreover, in the ICB model, the number of bargaining problems is positive and statistically significant, contrary to the hypothesized relationship. A standard probit model would thus cast serious doubt on two of the hypotheses. With the bivariate probit model, which adjusts for the interdependencies between the choice of who mediates and the expected mediation outcomes, the results paint a different picture. In Models 2 and 3 of both tables, strong mediators have a statistically significant and positive effect on mediation effectiveness, while the number of bargaining problems is consistently and negatively related but insignificant. The  $\rho$  coefficients are statistically significant in the ICB models, but the estimated values of -1.000 are not believable – this can often occur because of boundary constraints and the fact that STATA does not estimate  $\rho$  directly (Sartori 2003). Nevertheless, the estimated value of this parameter is stable across many different model specifications. The  $\rho$  coefficients in the SHERFACS analysis



are approaching statistical significance, and the estimated values are much more feasible.

The bivariate probit model specification that better takes into account the selection processes thus demonstrates that strong mediators do have the ability to improve the prospects of mediation success. Since strong mediators are more likely in the mediated crises with the worst bargaining problems, as seen in Chapter 4 and in the lower equations in Models 2 and 3, their effectiveness will be hidden unless the selection process is taken into account. Substantively, the marginal effect of a strong-state mediator is negligible in Model 1, but 0.55 in Model 2. If a strong-state mediator can increase the probability of mediation success by 55%, this is something that analyses should not miss. Similarly, with the SHERFACS data, the marginal effect of a strong mediator jumps from 0.07 in Model 1 to 0.46 in Model 2.

In addition, the bivariate probit models help avoid misleading inference regarding the bargaining problems. As in Chapter 4, belligerents will prefer stronger forms of mediation in the less manageable situations, which means that we should see more effort devoted to those cases with the most difficult situations. From Model 1 in Table 6.6, this dynamic appears to create the perception that the more difficult crises are actually more conducive to success, when the chosen amount of mediated effort is not adequately controlled in the model. The bivariate probit specification is able to control for how unobservable variables related to “effort”

factors are active in both the selection of who mediates and mediation effectiveness. In the better specified model, the positive effect disappears.

The relationship between strong mediators and effectiveness persists even after the mediation styles are controlled for, as seen in Model 3 of both tables. In the model using the ICB data, strong-state mediators, the manipulative style and the formulative style are positively and significantly related to mediation success, as expected. In addition, the estimated coefficient on manipulation is much larger than that on formulation. Strong states are apparently able to devote the most resources to mediation efforts, and the most intrusive tactics also positively affect the ability for mediation to shape the bargaining environment, regardless of who mediates. Model 3 with the SHERFACS data also reports a positive and statistically significant relationship between the presence of a strong mediator and mediation effectiveness. However, the presence of manipulative mediation fails to have a statistically significant impact, although the direction is positive. With a different unit of analysis and different operational definitions of mediation, manipulation and mediation effectiveness, it is not surprising that the models with the SHERFACS data are not completely in line with those using the ICB data. In sum, the results strongly support Hypothesis 6.12 and provide reasonable support for Hypothesis 6.13.

The remaining hypothesis that is supported is that regarding devious objectives. Fatalities has a negative and statistically significant relationship with me-

diation success. This supports Hypothesis 6.14. A reverse causal relationship between mediation success and fatalities is not feasible in this situation because the fatalities variable is an indicator of the events during a crisis and the mediation success variable is an indicator of how each phase ended, so the two variables are not simultaneous indicators of conflict behavior. The measure of mutual economic costs is not statistically significant. More precise measures of incentives would be needed to flesh out exactly why the relationships might be different.

The only surprising finding in these models is that none of the supply factors had a positive and statistically significant effect on mediation success. Moreover, the coefficients on the previous mediation and geostrategic salience variables are consistently negative and statistically significant. This is in contrast to the findings in Table 6.2 above, where the aggregate supply indicator became positive and statistically significant in the censored probit model that took into account the mediation selection process. Two points can help explain this discrepancy. First, this could simply be an artifact of being unable to readily estimate three simultaneous equations, where the first and second equations together would look like a censored probit and the second and third equations would look like a bivariate probit. In other words, the findings could be a result of selection bias, with only mediated cases in the analyses. Second, it may be the case that the positive relationship between supply factors and mediation effectiveness only operates indirectly through the choice of mediator and the choice of tactics. Once we control for mediator and

style, the supply factors do not otherwise increase the effort of the mediator and predict success.

## 6.4 Conclusion

The causes and effects of mediation interweave in often complex ways, and this chapter has attempted to parse out some of the most salient relationships. Earlier chapters have explored the determinants of whether and how mediation occurs. Since these factors will also help shape the outcomes of mediation, any assessment of outcomes needs to carefully consider the dynamic interplay between the contextual environment and mediation form.

Naïve analysis of just the mediation factors or just the contextual environment will be underspecified, as the direct effects of mediation can belie the indirect effects of the environment. Even conventional analysis that includes both the mediation factors and the contextual factors can lead to misleading conclusions, as models of mediation selection and models of outcome will often be interdependent in unobservable ways.

Two types of bivariate probit models, which are able to simultaneously model the mediation selection and outcome processes, can help mitigate bias from various selection effects. First, censored probit models can be used when the dependent variable – in this case, mediation effectiveness – is only relevant to a sub-sample that is non-randomly chosen, such as the set of all mediated cases. These mod-

els demonstrate that standard probit models will tend to underestimate the effect of many of the factors which also lead to mediation selection. When the relationships are assessed while taking into account the selection dynamics, they lend additional support to the overall demand and supply frameworks. Mediation is more likely to occur and be effective when there are few bargaining problems and strong third-party benefits from mediating. Two specifically notable relationships are the positive ones between protracted conflicts and mediation success, and between ethnic conflicts and mediation success. These relationships make sense using the supply-side framework, in which the third-parties will be more motivated to provide mediation resources when there is more to gain from bringing about stability. The relationship might not make sense using only conventional wisdom (see, for example, Bercovitch, Anagnoson & Wille 1991) that would predict mediation failure in more intense and complicated crises.

Most notably, capability difference is found to only have an effect when properly modelled with a censored probit specification using both the ICB and SHERFACS data. This is an important finding because of the considerable debate about the role of power balance in mediation outcomes and conflict processes. The results support the camp that claims mediation is more likely to succeed when there is relative power parity, and it does so using this project's framework. They also demonstrates that previous empirical analyses that have not found a statistically significant relationship between power balance and mediation efficacy are likely

biased toward no relationship and should show a positive relationship if better modelled.

Second, non-censored bivariate probit models are also useful to reduce misleading selection effects. Such models can isolate the effect of mediation characteristics independent of the factors that led to the selection of those characteristics. As evident throughout this research project, mediation is an endogenous variable that both determines outcomes and is influenced by expected outcomes. A bivariate probit with a recursive component can control for the endogenous effects, to hone in on the specific effects of the mediation characteristics. The models demonstrate that strong mediators do indeed increase the chance of mediation success through the resources they are able to commit to the effort. Standard probit models underestimate this relationship in both the ICB and SHERFACS models and often fail to suggest any meaningful relationship at all. By simultaneously estimating the mediation selection process and a relevant outcome, the direct and indirect effects of the exogenous contextual environment can also be distinguished, which is especially important if the effects are competing. For example, barriers to settlement will tend to have an indirect negative effect on achieving a formal agreement, as mediation is more likely when there are fewer bargaining problems and formal agreements are more likely when mediation occurs. But barriers to settlement will also tend to have a direct positive effect on these outcomes, by creating a need for stronger agreements and deterrence against future outbreaks. These effects are

competing and are separated in a model that incorporates both paths.

It is not surprising that assessments which fail to take into account the full implications of the mediation selection process will mis-estimate the effects of both the mediation and the contextual variables. It should not be lost that many of the hypotheses, which have more straight forward implications to the understanding of mediation, are confirmed as well. Mediation is a strong predictor of the achievement of a formal agreement. In addition, stronger mediators and more intrusive mediation tactics are more likely to contribute to mediation effectiveness, confirming that the amount of resources devoted to mediation often shapes the outcome of mediation. Even with all the selection processes, and the fact that mediation is an endogenous variable, mediation in its various forms has an indelible impact on conflict and crisis outcomes. Research on conflict resolution that ignores the relevance of mediation is thus likely missing a key component. The results here suggest that mediation serves well as a right-hand side variable in models of conflict termination.

With the knowledge gained of how mediation is selected, the impacts of mediation are more accurately estimated in both quantitative and qualitative studies. This chapter has squarely addressed one of the principal goals of this research endeavor, which is to demonstrate that scholars should take into account the selection process in their studies of third-party conflict management. Chapter 7 builds on these findings and focuses on the practical elements of improving conflict

resolution. It suggests applications to understanding historical cases and policy implications.



# 7

## Mediation Selection in Theory and Practice

### 7.1 Recap

This research project has explored the choices of overall mediation implementation, who mediates, and which tactics to implement. The last chapter used insight from analyses of these questions to explore the implications to studies of mediation effectiveness. Empirical tests confirmed many of the hypotheses and thus the overall theoretical foundations of the project. This has served the two primary ends of the research endeavor. First, the project has uncovered how mediation resource allocation works at a microfoundational level, in terms of serving the interests of those involved and altering the conflict processes. This has formed the basis for

the conclusion that mediation is not efficiently or optimally allocated because of demand- and supply-side factors. Adversaries and third parties have strategic interests that will often trump any regard for optimal conflict resolution. Second, the project has discovered how previous assessments of mediation's impact are prone to serious design flaws that call for methodological solutions. The mediation selection process is endogenous to outcomes, which can seriously bias both quantitative and qualitative analyses that are not carefully implemented.

The project has advanced two intersecting theoretical frameworks, one for mediation demand and one for supply. With regard to the preferences of the disputing parties – the demand side – the framework began with the premise that states will seek mediation primarily to increase their net benefits from coercive bargaining. This means that costly mediation is more likely when the actors face fewer bargaining barriers and mediation actually has a chance to resolve the dispute short of (additional) inefficient fighting. When the actors choose mediation, they are willing to accept more costly mediation when the added benefits of the mediators with more resources are needed to overcome the bargaining problems. As a result, we observe that mediation is more likely to occur when there are low information barriers, high long-term costs of conflict and low commitment barriers. Within the set of mediated cases, we observe mediation by the strongest third parties – defined in terms of the resources available to reduce each of the potential bargaining problems – when there are higher informational barriers, lower long-term costs of

conflict and higher commitment barriers.

The demand-side premise that states use mediation to maximize their bargaining outcomes also means that an adversary will seek mediation when it can gain from freezing the bargaining process – in essence delaying both immediate concessions and conflict – through a temporary cease-fire while mediation occurs. During mediation, these actors with incentives for devious objectives hope to regroup and resume the coercive bargaining from a position of greater strength. The findings confirm that when the immediate costs of conflict are high, mediation is more likely, and states that have the ability to implement a cease-fire are more likely to serve as mediators.

On the supply side, the framework began with another simple premise – that third parties actively contribute resources to mediation commensurate to the opportunity and willingness to do so. While opportunity is fixed according to the type of third party, willingness is a function of the contextual environment. Third parties should seek to devote more resources to conflict resolution when there are strong benefits from providing that service. Otherwise, third parties will be reluctant to spend resources on a cause with little benefit. The results confirm that mediation is more likely in conflicts and crises that are most destabilizing to the international community, with severe humanitarian threats, and with higher stakes. Returning to the importance of opportunity, costly tactics are much more likely when stronger actors mediate.

Taken together, these two frameworks demonstrate not only that mediation is not selected randomly, but also that mediation is not selected randomly with respect to various outcome measures. Chapter 6 demonstrated that simple models of mediation that do not adequately take into account the selection components will tend to underestimate the effects that various demand- and supply-side variables have on crisis and conflict outcomes. Moreover, naïve models might miss the effect that mediator type can have on mediation effectiveness. Using simultaneous estimation and implementing appropriate control variables can help avoid these potential estimation problems caused by the same variables – unobservable and observable – influencing both the cause and effect of mediation resource allocation.

The previous chapters have developed the arguments using logic from a simplified strategic environment and have tested the observable implications on aggregate data sets. While there have been numerous applications to real-world examples in the process, it is worthwhile to explore a few illustrative cases in greater depth. It is also worthwhile to consider a number of implications that extend beyond historical cases, to policy implications for present and future crises and conflicts.

## **7.2 Illustrative Cases**

This section presents two examples of mediation that illustrate many of the concepts in the supply and demand theoretical frameworks. These examples are worth considering not only because they affirm the earlier analyses, but also because they

reveal additional facets of mediation not previously considered in this project. While these cases provide insight into the relevant mediation dynamics, future research would benefit from a more scientific qualitative assessment. A more thorough comparative analysis that carefully chooses the cases according to their similarities and differences would prove useful to find relationships that cannot be captured by data-dependent quantitative analyses.

The two cases of Theodore Roosevelt's 1905 mediation in the Russo-Japanese war and Jimmy Carter's 1993 mediation between the DPRK and the US corroborate many of the empirical findings. Roosevelt's efforts demonstrate that mediation is both more likely to occur and more likely to succeed when the bargaining problems become more manageable and when the third party can reap substantial benefits from influencing the outcome. It also demonstrates that mediation is more likely to succeed when the intermediary is a major power with access to various sources of leverage. At the same time, this example demonstrates an important nuance that the previous empirical analyses could not capture. It demonstrates how a third party can have many resources at its disposal but still be relatively constrained from using manipulative tactics. In the early Twentieth Century, the US was an emerging major power, but not as strong as Japan or Russia, especially in the Asian theater. So, this example demonstrates both the benefits of strong-state mediators and the limitations of weaker third parties. The quantitative analyses only model the effect of being a great power but fail to capture

the *relative* power between the mediator and the adversaries. In addition to this new insight, the Roosevelt mediation is an interesting case because it is one of the few cases of mediation between two major powers. Frazier (2006) notes that having the protagonists not be great powers is a necessary condition for mediation. This case demonstrates that Frazier – who fails to take into account the fact that great powers have rarely been in direct conflict with each other since WWII – overstates his case. Nonetheless, there are few examples of mediation in great-power dyads, and this case demonstrates that great-power conflicts fit the same theoretical frameworks as the rest.

Carter's mediation also demonstrates some of the key points in this project. Most notably, it reveals how actors will often pursue mediation purely as a stalling tactic when they can gain bargaining advantages from delaying both settlement and conflict. It also exhibits that individual actors are substantially constrained in the tactics they can employ as a mediator. This example advances a few more issues not addressed in the quantitative models. First, it demonstrates that actors can have other incentives for devious objectives besides just short-term costs of conflict. The immediate risk of major hostilities can be enough to lead an actor with devious objectives to call for mediation. Second, it explores the role that “saving face” can serve in the conflict bargaining process. This is a concept that is frequently mentioned in the mediation literature but poorly defined. Third, Carter at least minimally succeeded as an intermediary despite being an individual

without tangible resources and dealing with a combatant with devious mediation objectives. The ex ante expectation would have been for complete mediation failure in this case. Yet Carter gained leverage over the actors and helped improve the prospects for peace. How he did this suggests how many mediators can overcome the resource constraints considered in this research project.

### **Mediating with Confidence and Eagerness to Succeed: Roosevelt at Portsmouth**

Theodore Roosevelt's 1905 mediation between Russia and Japan at Portsmouth, New Hampshire stands out as potentially counter to a more conventional view of mediation, while supporting the tenets of this project, for at least two reasons. First, those that take a "mutually hurting stalemate" to mean the mutual inability of the parties to vanquish an opponent on the battlefield might find it difficult to explain why Japan was so willing to participate in mediation after a successful offensive campaign in late 1904 and early 1905. It appears that Japan had the military potential to further defeat the Russians in battle and impose very favorable terms. Second, the effective use of less-intrusive tactics during an intense conflict might surprise those who contend that violence impedes successful mediation. A close inspection of the Treaty of Portsmouth reveals how the framework in this research project improves our understanding of the causes and effects of mediation.

Before discussing how the Treaty specifically fits within the relevant framework,

it is prudent to establish the historical basis. The conflict between Russia and Japan that eventually led to the outbreak of war in 1905 was set in motion in 1895, after Japan defeated China in the Sino-Japanese War (Randall 1985, Auslin 2005, Oye 2005). The Treaty of Shimonoseki, signed on 17 April 1895, terminated the war between Japan and China. In an earlier agreement between Japan and China, Japan was to receive the Liaotung peninsula and Port Arthur, important acquisitions to Japan's interest in establishing a powerful presence on the Asian mainland (Randall 1985, Auslin 2005). However, this threatened the interest of the European powers who also had interests in increasing influence in Asia. As a result, Russia, Germany and France pressured Japan to give up its claims to the Liaotung peninsula in exchange for more of an indemnity from China. This brought China closer to Europe, and helped bring about the lease of Port Arthur to the Russians in 1897 (Oye 2005).

The Japanese perception of Russia as a threat continued in the coming years, as Russia began to solidify its position in Manchuria after the Boxer Rebellion in 1900 (Oye 2005, Randall 1985). Japan began establishing itself as the dominant power in Korea, which brought the Japanese and Russian interests in East Asia in close competition. Japan wanted to be recognized as the dominant power in Korea, while limiting the Russian presence in Manchuria (Oye 2005). After a series of negotiation failures, Japan launched a surprise attack on Port Arthur on 8 February 1904, beginning the Russo-Japanese War.



With most of its military forces based in Europe, Russia experienced early difficulties in the conflict. Japan defeated the Russians at the battle at the Yalu River, and then crossed the Yalu to defeat the Russians again at Liao-Yang in late August 1904, in the largest battle prior to WWI (Randall 1985). After months of struggle, Japan captured Port Arthur on 1 January 1905 and then defeated the Russians again at Mukden in March. This set the stage for the Russian defeat at the Battle of Tsushima Straits on 27-28 May 1905. Russia had sent its Baltic fleet around the world to cut Japan off from its land forces. Caught single-file in the Tsushima strait, Russia lost sixteen warships in the battle, virtually annihilating the entire fleet (Randall 1985). This capped a series of confrontations where Japan was able to defeat the Russians, but at high loss of casualties and without completely devastating the Russian forces (Steinberg 2005).

Realizing that pursuing the war was taking a huge financial toll, Japan asked Theodore Roosevelt to mediate on 1 June 1905, which was formally accepted by Japanese leadership on 10 June, and Russia accepted on 12 June. It is worth noting that Roosevelt made gestures to mediate even before the war began, in January 1904, and Japan began testing the waters of mediation in March 1905, after Mukden (Trani 1969, Princen 1992). The formal negotiations began on 9 August at the Portsmouth Naval Yard in Rhode Island. Jutarō Komura, Japan's Foreign Minister, served as the chief negotiator for Japan; Sergius Witte, President of the Council of Ministers, served as Russia's first plenipotentiary.

Japan began the negotiations with a list of demands. The most contentious were the demands for indemnity and rights to Sakhalin Island. The negotiations stalled after a week primarily over these two issues (Trani 1969, Princen 1992, Saul 2005). Up to this point, the discussions had been very much bilateral, with Roosevelt not participating in the deliberation. In the days approaching the conference, the American president had counselled both sides to reduce their demands – he lobbied Russia to not try to prolong the war because of its poor military position, and he advocated that Japan not press for indemnity, foreseeing that this would be a stumbling block toward peace (Princen 1992). But during the negotiations, Roosevelt remained at a distance, primarily at his summer residence in Oyster Bay, New York, intending to only intervene as a last resort. The Japanese delegation eventually reached a point when it felt a last resort was needed, and asked Roosevelt to act on 18 August. Roosevelt immediately entreated Tokyo and St. Petersburg to comprise. He also secured the endorsements of France and Germany for a compromise plan, which added some extra incentive for the sides to accept the deal (Princen 1992).

After a few near-collapses of negotiations, both sides finally agreed to divide control of Sakhalin in half, and for Japan to give up its indemnity demand. Kamura actually had instructions from Tokyo to concede all of Sakhalin if needed, but Kamura, a hard liner that was loath to concede too much, held out for half of the island (Princen 1992, Randall 1985). The Treaty of Portsmouth was signed on 5

September 1905. While it was agreed, the publics of both Russia and Japan were outraged at the poor terms – Russia for giving up territory for which there was no precedent, and Japan for giving up the indemnity demands. The outrage was most present in Japan, as the public had not expected Japan to get such modest terms when it clearly had the military advantage. There were riots in Tokyo for three days after announcement of the agreement, and the delegates were snuck into the country to avoid mob reprisal (Princen 1992).

### **Congruence with the Framework**

The Roosevelt mediation nicely captures a few of the principal concepts and findings in this project. First, mediation is more likely to occur when the bargaining problems are reduced. The familiarity on the battlefield reduced much of the uncertainty about the true distribution of power, and the high costs of conflict for both sides allowed a substantial amount of leeway to find a mutually acceptable distribution of benefits. By the time Japan accepted Roosevelt's mediation in June 1905, each side had a good idea that an agreement was possible. Roosevelt did not have to resort to what little strong-arm tactics he had to get the sides to agree to a settlement. The possibility of continued conflict was pressure enough. In fact, Roosevelt distanced himself from the negotiations, and it was the threat of ongoing conflict that motivated the Japanese delegation to request more of an active mediation role to prevent ending the negotiations without an agreement. In other words, Roosevelt did not have to encourage the sides to

stay at the bargaining table; the adversaries demonstrated significant resolve to prolong the negotiations in the midst of impending failure. Witte and Kamura pushed back the end date of the conference multiple times to avoid leaving empty handed (Trani 1969, Princen 1992). In line with the presented framework, mediation occurred when the bargaining situation was manageable enough for a mutually preferable settlement to become relatively likely but difficult enough that the parties needed some extra help to reach such a settlement.

Second, the supply-side expectation that a third party is more likely to mediate when it can attain substantial benefits is also supported by the Roosevelt mediation. The Russo-Japanese War had high geostrategic salience, as it involved two great powers fighting for dominance in a part of the world where many other great powers were interested in securing trading and territorial rights. As Trani (1969, 7) writes, “China’s defeat by the Japanese in 1895 announced the new era in which China turned into a scene of wild scrambling for spheres of interest.” The terms of settlement of this conflict would not only affect the state of affairs in East Asia, but it would also lead to a change in the power held by both Japan and Russia. After the Spanish-American War, Roosevelt’s concern for American power status heightened, and he particularly focused on the struggle for power in East Asia (Trani 1969). He understood what was at stake and had a clear preference for a certain outcome. Princen (1992, 109) quotes a conversation with a French ambassador in which Roosevelt stated, “From my point of view, the best [outcome]

would be that the Russians and Japanese should remain face to face balancing each other, both weakened.” In addition, the enormous amount of casualties in the Russo-Japanese War increased the humanitarian incentives for intervention and raised the stakes. Finally, personal prestige may have been an important factor in pushing for mediation. Ex post, we know that Roosevelt received the 1906 Nobel Peace Prize for his efforts, and such recognition may have been something he sought ex ante.

With these incentives to shape the outcome and implement peace, Roosevelt pushed to serve as a mediator very early in and throughout the conflict – especially as the humanitarian concerns, stakes and prestige incentives accumulated as the casualties mounted. While he was only successful in becoming the mediator after the demand-side perspectives changed after Tsushima, his efforts almost certainly affected the outcome of any mediation decision. The Japanese moved first in requesting mediation, and they wanted someone that could bring the Russians to the table. France, Germany and Britain all might have been suitable mediators, but Roosevelt had already demonstrated his interest in mediating and had actively cultivated a good rapport with the Japanese (Princen 1992, Trani 1969). As a result, Roosevelt’s eagerness to mediate awarded him the opportunity to do so, even if he did not drastically affect when mediation actually occurred in this conflict. He helped shape the choice of who mediated.

Third, Roosevelt’s status itself was able to make a difference independent of

the tactics used. The findings in Chapter 6 demonstrate that strong mediators have a positive relationship with mediation success, independent of the styles employed.<sup>1</sup> So, strong mediators are not only effective because they can afford to use stronger carrots and sticks in a manipulation strategy, but also because of other factors. Roosevelt might have actually been constrained from using the most intrusive tactics because the US was not quite as strong as the adversaries, but he still used his status advantageously. These other factors include the ability to confer legitimacy and the ability to arrange for other actors in the system to apply positive pressure. Princen (1992) and Trani (1969) note that Japan had a strong desire to be recognized as a great power, as it felt shut out of the race among the European powers to secure interests in China. Having the leader of another emerging power broker negotiations where Japan and Russia were on equal diplomatic footing helped achieve the respect that Japan sought. In addition to issues of legitimacy and status, which are often intangible factors, Roosevelt's status as the leader of a strong state helped secure additional tangible sources of pressure. Late in the negotiations, Roosevelt lobbied for Germany, France and Britain to endorse his proposed compromise, and received it from the former two. This increased the incentives for both Japan and Russia to accept the agreement, as their domestic supporters and international allies might have been more willing to accept a compromise when other powers found it prudent. In addition, Germany and France

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<sup>1</sup>It is useful to consider the US at this time as a great power, but not as much of a great power as many of the European states and Japan.

applied diplomatic pressure to both sides to accept the deal. In short, Roosevelt did not resort to significant carrots or sticks at all as a mediator, but his status as the leader of an emerging power still helped anyway.

Fourth, a biased intermediary can prove effective in reducing the reservation points of the negotiating parties. While the US was technically neutral during the negotiations – indeed, Roosevelt desired a balance of power to remain in East Asia – it was much more of an ally of Japan than Russia in 1905, as evident in the fact that American financiers payed much of Japan’s war costs (Princen 1992, Randall 1985). While the lack of complete impartiality meant that Roosevelt had to tread lightly so as to keep mediation attractive to the Russians, it ultimately helped the Russians avoid having concede as much as they might have in other circumstances. Roosevelt simply did not have much leverage over Russia, but it did have some leverage over Japan *because* of the closer relationship between US and Japan. When it came down to the final days of the conference, Roosevelt was able to help bring down Japan’s demands through both economic and political pressure. Princen (1992, 124) writes, “the United States could trade upon Japan’s need for legitimacy and financing (whether for the war or for reconstruction) to squeeze concessions from the Japanese.” Without the relatively close relationship, Roosevelt would not have been afforded even this small amount of leverage, so bias toward Japan actually worked in favor of reaching an agreement without Russia conceding much.

## Implications

In addition to demonstrating some key components of this framework, the termination of the Russo-Japanese War reveals that previous understandings of mediation might not have been able to well-explain this conflict. For example, a frequent interpretation of mutually hurting stalemate logic is that states will only negotiate and be amenable to mediation when neither side has the ability to decisively defeat the other in battle (Zartman 2000, Touval & Zartman 1985). Modelski (1964, 149) writes, “It goes against the grain of human nature to seek a negotiated solution when one can be imposed by demanding it.” So, the assumption is that a state’s first choice is to always unilaterally impose a settlement unless it is physically unable to because of its opponent’s strength. If this were the case, then we should have not expected Japan to cooperate with the mediation initiatives – much less explore the possibility of mediation as early as March 1905 – and ultimately agree to settle on an outcome much less favorable than what it could probably have achieved through unilateral imposition. Instead of relying on an overly restrictive assumption that states only care about conquest, the framework in this project uses a bargaining perspective to introduce the importance of the costs of continuing conflict, similar to previous arguments by Mitchell (1995) and others. While some conclusions may be the same in this project’s framework and Modelski’s, such as the expectation that mediation occurrence and efficacy are more likely when there is power parity, others may differ. In this case, the framework



that focuses more on the costs of conflict as the basis for any mutually hurting stalemates could better explain this instance where Japan had a clear path toward complete victory but opted to take the less costly negotiated settlement that was above its reservation point. Simply, a mutually hurting stalemate existed even though Japan had the upper hand militarily. The point is not that the mutually hurting stalemate concept needs to be abandoned, just more clearly specified in a bargaining framework.

In addition, some scholars have argued that conflict intensity and violence are preconditions for mediation failure because they harden the positions taken by each side (Modelski 1964, Burton 1969, Bercovitch, Anagnoson & Wille 1991). This conventional wisdom that sees the implementation of violence as a barrier to mediation effectiveness might also have trouble explaining the Treaty of Portsmouth. The demand-side framework in this project would suggest that violent conflict is only a symptom of the underlying bargaining problems. States fight when they cannot reach an agreement and they do not when they can. So violent activity is more of an effect rather than a cause of ineffective negotiation. Such a framework would have no problem explaining why it is possible for mediation by an actor with limited leverage over the adversaries to succeed in a bloody war. This is consistent with the notion that states learn while they fight, so a war can help reduce the information barriers and make it more likely for both mediation and its success to occur.<sup>2</sup> Specific to the Russo-Japanese War, both sides were able to gauge the

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<sup>2</sup>It should be noted that it is still expected that the immediate presence of

other's capability and resolve on the battlefield and make it more likely for a mutually agreeable settlement to result from Roosevelt's mediation efforts. The cause of the reduced violence in the middle of 1905 is the same cause for the successful mediation: fewer bargaining problems. Other views that treat violence as a cause of hardened positions and negotiation failure would probably get it wrong when predicting the outcome of the Russo-Japanese War.

Finally, other modes of analysis that do not consider the selection process would be prone to overstate the significance of the mediation success. From the demand side, mediation occurred when the bargaining problems were manageable, especially since the costs of conflict to both sides were so great. From the supply side, the mediator had much to gain from successfully affecting the outcome and had some of the resources of a great-power state to back it up. The factors that led to mediation incidence, when taken together, should have led to a decent expectation that mediation would succeed in this conflict. Although it was not "easy," success should have come as little surprise given the conditions in which it occurred. An understanding of why mediation occurs when it does presents a clearer basis on which we can form our expectations of success. In other words, the Portsmouth Herald's declaration on 29 August 1905 of "Peace! That is the word which has electrified Portsmouth and sent a thrill throughout the world" and 

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violence should be positively correlated with mediation failure, as in Bercovitch, Anagnoson & Wille (1991). But the correlation here is not causation because both violence and mediation failure are symptoms of the underlying bargaining problems. It is thus important that the Portsmouth negotiations occurred after a slight lull in the violence, indicating a more amenable bargaining situation.

mention of how “The great problem was solved” appears to be more dramatic than realistically due.

### **Devious Objectives: North Korea**

While a crucial component of mediation is involvement of a third party to help in crisis abatement and conflict resolution, the framework presented in this research project has not assumed that all the involved actors are sincerely seeking resolution when they demand or accept mediation. Sometimes mediation can be used deviously to improve an adversaries bargaining position. The 1993-1994 crisis between North Korea and the US represents one such crisis where devious objectives likely were in play.

The DPRK signed the Non-Proliferation Treaty (NPT) in December 1985 but delayed signing the mandatory International Atomic Energy Association (IAEA) safeguards for six years. Only after the US removed its nuclear forces from the Korean peninsula in 1991 did North Korea finally agree to safeguards of seven declared sites in January 1992 (Cronin 1994). Also, in December 1991, the DPRK and ROK formed a “Joint Declaration on the Denuclearization of the Korean Peninsula,” in which the sides promised not to pursue nuclear weapons and to allow mutual inspections. Between May and January 1993, the IAEA conducted six ad hoc inspections of the declared sites. The inspectors found discrepancies between the declared inventory and the observed levels, creating the suspicion that

the DPRK had diverted fissile material prior to inspections. However, the IAEA inspectors were denied the necessary access to verify the accuracy of this claim (Cronin 1994). In addition, after a tip from US intelligence, the IAEA requested special inspection of two suspected nuclear waste storage facilities that were not included in the list of declared sites (Mack 1994, Cronin 1994). The DPRK refused to allow the special inspections and declared its intent to withdraw from the NPT on 12 March 1993. On 1 April, the IAEA Board of Governors reported the DPRK's noncompliance to the UN Security Council, which passed Resolution 825 on 11 May – calling for North Korea to comply to its safeguards agreement.

After urging from China, the Clinton Administration agreed to participate in high-level talks with the DPRK; the first round took place on 2-11 June in New York (Cronin 1994). North Korea agreed to delay its withdrawal from the NPT and agreed to the principle of the IAEA safeguards. In return, the US gave assurances against the threat of force and a promise to not interfere with DPRK internal affairs. The two sides met again in Geneva on 14-19 July. In addition to reaffirming the previous assurances, the two sides agreed that the replacement of North Korea's graphite reactors with light water ones, which are more proliferation resistant, was mutually desirable. North Korea also promised to resume consultations with the IAEA regarding safeguards.

Even though the US and North Korea reached a tentative agreement to only allow one-time IAEA inspections of its seven declared sites in exchange for the

suspension of the US annual joint “Team Spirit” military exercises with South Korea, the North hesitated in reaching an agreement with the IAEA (Cronin 1994). When an agreement was finally reached, the DPRK denied the inspectors access to key sites covered by the agreement. In response, on 16 March the US cancelled the high level talks to be held the following week. The situation escalated severely in mid-May, after North Korea began extracting the 8000 spent fuel rods in the Yongbyong 5MW reactor (Cronin 1994, Wit, Poneman & Galucci 2004). On 13 June, North Korea officially withdrew from the NPT, and on 15 June, the US began consultations with other Security Council members, Japan and South Korea about a two-phase sanctions plan. Previously, the North had threatened that sanctions would be an actor of war (Cronin 1994, Wit, Poneman & Galucci 2004). The US had also begun mobilizing its forces to the region and strongly considered a tactical strike on the Yongbyong complex, as it feared that the North might launch a preemptive strike in response to the sanctions threat and in advance of full US deployment (Wit, Poneman & Galucci 2004).

Amidst this growing crisis that threatened to spiral out of control, Jimmy Carter mediated from 15-18 June. Kim Il Sung had lasting respect for the former president and confirmed a standing invitation for Carter to mediate on 6 June. The Clinton Administration debated whether to allow Carter to go, as he had a more lenient stance on whether the DPRK should be allowed to reprocess – it was permitted under the NPT but prohibited by the North-South Joint Declaration

– and was much more dovish on sanctions (Wit, Poneman & Galucci 2004). Ultimately, Clinton allowed Carter to go, as his status as a former president might afford Kim the opportunity to back down from its nuclear program without losing face at home (Wit, Poneman & Galucci 2004).

Carter met Kim Il Sung on 16 June in Pyongyang. The Great Leader agreed to allow the IAEA inspectors to remain in place in return for a US pledge to provide light water reactors to replace the extant graphite ones and to not launch a nuclear strike against the DPRK. Carter, mediating as a private citizen, knew that he did not have the authority to formalize any agreements, so he used the international media to his advantage. Without approval from the Clinton Administration, Carter went on CNN and declared that tensions had been significantly reduced as a result of Kim's pledge. Carter also called on the US to back away from pursuing sanctions. The Clinton Administration was frustrated that this might pin them into a position that did not get them much new (Wit, Poneman & Galucci 2004). As a result, the Administration issued a statement that promised to seek a new round of talks if the DPRK not only allowed for the inspectors to remain in place and pursued the replacement of its graphite reactors with light water ones, but also if it completely froze its nuclear program. This raised the bar on what had been agreed between Carter and Kim, and Carter had to smooth things over on 17 June. Kim reaffirmed the previous pledge and also agreed to a meeting with South Korean President Kim Young Sam, indicating a momentous change in relations

between those two countries (Wit, Poneman & Galucci 2004). Carter returned to an elated South Korean President in Seoul and then to a generally frustrated Clinton Administration in Washington who felt that Carter's preemptive deal, in addition to his open criticism of the sanctions, weakened their bargaining position (Wit, Poneman & Galucci 2004).

Fortunately, and unexpectedly, for all involved, the North Koreans accepted the conditions for a third round of high level talks – including a complete freeze of its nuclear program – without objections on 22 June. The third round of talks began on 8 July in Geneva and continued in multiple sessions until the US and DPRK signed the Agreed Framework on 21 October. Under the framework, North Korea pledged to freeze its nuclear program, remain as an NPT state, and implement the safeguard agreement. In exchange, the US, through the newly established Korean Energy Development Organization (KEDO), pledged to provide two light water reactors and sufficient heavy fuel oil to cover the North's energy concerns (Cronin 1994). This effectively terminated the 1994 crisis, and began an eight-year period of relative peace.

### **Congruence**

This case demonstrates how states may find mediation as an attractive option to delay both settlement and fighting when there is a strategic incentive to do so. In June of 1994, the Clinton Administration was in the final stages of both seeking sanctions from the UN Security Council and mobilizing forces in the region. If

the crisis continued in the course it was taking, the risk of full-scale war would have increased substantially. The costs of such a war would be enormous. Thus, while the direct immediate costs of conflict were not high in June of 1994 – violent hostilities had not yet erupted – the expected immediate costs of continuing in crisis – the probability of war multiplied by the costs of war – were high. So, an analogous logic of that presented in Chapter 2 can apply where the DPRK had an incentive to request mediation, and thus more negotiations, for devious objectives when the immediate expected costs and risks of remaining in crisis were high.

Kim Il Sung had additional incentives to delay settlement. The longer he could avoid the new full safeguards, the more he could move on with other aspects of the nuclear program and have even more bargaining leverage in the future. Continuing negotiations through mediation, and ultimately the nuclear freeze, served the purpose of keeping the risk of war low, while allowing North Korea to secure its program and pursue an alternative path toward nuclear weapons. Although the plutonium path remained temporarily closed with IAEA safeguards in place at Yongbyon, the absence of full safeguards over undeclared sites allowed North Korea to pursue the uranium path, which was eventually discovered in 2002. Also, delaying major retreats from its nuclear program allowed for circumstances to change such that war became less likely when the weapons program resumed at full pace. The freeze allowed North Korea to store the 8000 extracted fuel rods, which were quickly reprocessed in 2002 after the KEDO protocol failure. By the time 2002



came around, the risk of war over its nuclear program was diminished because US troops were mobilizing for the Iraq war and relations had thawed with the South. In essence, the mediation, the resulting additional round of talks and ultimately the Agreed Framework bought North Korea time away from the threat of war, during which it could pursue another route of its nuclear weapons program, and after which it could easily resume its previous path with much less cost for doing so.

Without documented evidence that Kim Il Sung's government never intended to compromise on changing the course of its nuclear program and only wanted to buy time, we will never know for certain if devious objectives were in play. Given the behavior after 1994, this conclusion appears reasonable. In 2002, the US found evidence that the DPRK had begun a covert uranium enrichment program. When pushed on this program, the DPRK removed the safe guards at Yongbyon and reprocessed the plutonium from the 8000 fuel rods that it had extracted in May of 1994. Without any safeguards in place to inhibit progress on both its plutonium and uranium programs, North Korea has continually bought time behind the series of six-party (DPRK, ROK, China, Russia, Japan and the US) talks. From 2002 until 2005, there were five rounds of talks, none of which made much progress in leading to a settlement of the issue. The approach of returning to negotiations when the international pressure increases, all the while moving forward with its weapons program, appears to be a consistent strategy for both the earlier and later

crises.

The case also demonstrates why mediation can occur when one side has devious objectives but the other side has an incentive to prevent those devious objectives from being realized. If it is true that North Korea accepted mediation to merely delay the negotiation process, then the US would have had little incentive to go along with mediation unless it too had devious objectives or it did not fully know the sincerity of Kim Il Sung's motives. The anecdotal evidence suggests that the US had mainly sincere objectives but simply could not gauge the DPRK's intentions. In support of both points, Wit, Poneman & Galucci (2004, xvi) write, "The United States entered into negotiations on the theory that Pyongyang might be 'talked down' from its defiant nuclear posture." Clinton's initial objectives for allowing Carter to proceed as a mediator was to increase the incentives for North Korea to return to compliance.

To the United States, further delays only moved North Korea closer to re-processing the plutonium from its 5MW reactor. The US really gained little from delaying the path toward UN sanctions against the DPRK, as its bargaining position would weaken once North Korea had actually reprocessed the plutonium. It is thus reasonable to assume that the US wanted to avoid delays and had sincere motives in pursuing mediation as a conflict resolution mechanism.

If the US had predominantly sincere objectives, then it must have been the case that it did not fully know North Korea's objectives. This seems to be very plausible.

North Korea is a closed nation, and there were no formal relations between the US and DPRK to facilitate the exchange of information. That there was uncertainty over North Korean motives is reflected in the debates within the administration and policy communities. Wit, Poneman & Galucci (2004) describe how the Clinton Administration split between those who thought the Carter initiative would be helpful and those who did not. Those in favor of Carter's visit, especially Vice President Gore and US ambassador James Laney, won out in the end, but there were certainly misgivings about whether Kim Il Sung could be trusted to negotiate with Carter in good faith. The debate echoed in parts of the policy community. For example, writers in the policy community such as Mack (1994) and Gilinski (1997) strongly doubted whether the DPRK would reverse its nuclear weapons program advances, while Wendt (1994) argued that the right policy combination could bring North Korea to full compliance. The uncertainty over the objectives can be summed up in Gallucci's response in a press conference to a question about whether the North Koreans were trying to merely buy time through the mediation process. Cited by Wit, Poneman & Galucci (2004, 230), he responded, "I'm well past myself trying to interpret the motivations of North Korea." As a closed country, North Korean intentions are very difficult to read, which makes it not surprising that its incentives for devious objectives would not be fully evident to the Clinton Administration in 1994.

## Implications

Despite the devious objectives, the mediation contributed to crisis abatement. How Carter was able to do so is worth assessing. The mediation was effective at reducing tensions in a crisis that threatened to spiral to violence. While the Carter mission did not produce any formal agreement or resolution, it did smooth the path toward achieving the Agreed Framework. The Agreed Framework may have played into the hands of Kim's devious objectives, but much less so than the alternative of having continued talks without a nuclear freeze. The freeze effectively denied the DPRK the ability to make progress on its plutonium program until the Framework collapsed in 2002. So, while the Agreed Framework did not prevent the DPRK from buying time, it did prevent it from using that time to make considerable progress on its weapons program. In this way, Carter helped bring about a peaceful compromise, even if it was not an ideal outcome.

As a private individual, Carter had no real leverage in the negotiations. His role was primarily to reduce some of the information barriers by coordinating on a possible temporary solution, serving as a second opinion to help Kim Il Sung confirm the seriousness of the US demands, and providing a witness to the DPRK statements. This last function may be the most important, as the DPRK was suspected – if not known for certain – of having had devious objectives, had a history of sending mixed messages of its intents and is such a closed regime. This explains why Carter so quickly appeared on camera to announce the progress: he

feared that the North Korean regime would change its mind or later deny any promises (Wit, Poneman & Galucci 2004).

By appearing on CNN, Carter tried to place the negotiations on the record to avoid manipulation in the future when there could be strategic advantage from doing so. The presence of an international audience made it difficult for North Korea to continue to stall settlement without actually giving up something. Had Kim Il Sung backed out of his public promises to Carter, sanctions should have been much easier to pass in the Security Council and get the reluctant Chinese on board.<sup>3</sup> Appearing on CNN also placed pressure on the US – fearful, if not certain, of North Korea’s devious objectives – to moderate its demands, lest it be perceived as the intransigent party at the crucial point when it needed international support to proceed with sanctions. The US thus asked for a nuclear freeze as a step above what Carter had asked for, but a step below its previous demands for full safeguards and disclosure of the previous discrepancies. By hamstringing North Korea’s ability to fully proceed with its nuclear program during stalled negotiations and indirectly pressuring the Clinton Administration to moderate its demands, Carter’s efforts helped bring about the nuclear freeze and the end of the crisis in 1994. Although the nuclear freeze was far short of abdication, it prevented North Korea from making significant progress in its nuclear weapons program for

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<sup>3</sup>North Korea faced fewer costs from renegeing in 2002 than in 1994 because the US was occupied elsewhere in the world, and it had an arguable claim that the previous agreement was null because the KEDO light water reactors failed to materialize.

eight years, during which its stockpile could have increased substantially. It was unable to prevent the DPRK from pursuing a uranium program, but that is more of a failure of not making progress on full safeguards instead of a problem of the freeze itself.

Turning to a facet of this mediation effort that might fall outside of the presented framework, Carter also enabled the DPRK to change its course of action while saving face at home. Clinton admitted that this was the major benefit of allowing the Carter mediation to proceed (Wit, Poneman & Galucci 2004). While saving face has not been well-addressed in this research project, it is something that future research might better consider. One could roll the face-saving mechanism into an informational story in which a leader's audiences need to understand the situation in order to accept any concessions made during negotiations, and the mediator helps those audiences better understand that the decisions made were prudent. But this logic could definitely use some clearer conceptualization in terms of how mediation can alter the strategic dynamic between the negotiators and their audiences. This has yet to be fleshed out in the literature using a systematic and deductive logic of political accountability.

It is interesting to note that this case reflects well the logic in the framework – that states will seek mediation when delaying both fighting and settlement serves as a net benefit – but it is a case that would not be captured by the empirical models. The empirical models test one observable implication from a devious objectives

logic having to do with the incentives to delay fighting when the immediate costs of conflict are high. Cases like North Korea with incentives for devious objectives prior to the onset of hostilities would be left unexplained. While this is not a fatal weakness of the ability for the models to test the theoretical framework at hand – statistical models almost always leave much to be explained in the error term – it is an issue that may be worth addressing in future research. Collecting systematic data on motivations is exceedingly difficult if not impossible – which is why only the hypothesis about the high immediate costs of conflict is tested – so more rigorous case study analysis is likely to be fruitful in testing additional hypotheses related to devious objectives. The shortcomings of the quantitative analysis notwithstanding, the North Korean case confirms the logic that states will sometimes benefit from mediation in ways separate from conflict resolution goals. This is important to consider before assessing the effects of mediation initiatives.

### **7.3 Policy Implications**

The research project so far has focused on implications to the scholarship of mediation. We have seen how the developed frameworks of the mediation selection process can improve the accuracy of our assessments of mediation contributions. But what does this mean beyond the scholar, to the mediation practitioners? There are five key points that mediators can draw from to improve their ability to lobby for peace.

## Inducing Demand

The findings in Chapter 6 demonstrate that mediation is generally a productive conflict-resolution mechanism in that it has a positive effect on being able to achieve a formal agreement, holding constant the conditions that lead to its occurrence. As a result, generally speaking, more mediation in conflicts should be good news for peace. Since mediation only occurs in 30% of crises, in some sense it is underprovided in 70% of crises.<sup>4</sup> Discovering ways to increase the prevalence of mediation, and productive mediation even more so, is important to policy makers interested in securing peaceful relationships.

The Chapter 6 results also suggest that mediation is more likely to succeed when there is greater demand. Coupled with the observation that demand-side factors are associated with mediation incidence, work should definitely be done on the demand-side to help optimize conflict resolution. Improving the demand-side benefits from mediating will make mediation both more likely and more effective.

A third party's efforts do not begin with mediation onset. Future mediators often take the initiative to shape the relevant environment prior to engaging the actors. Carter lobbied Sadat and Begin to find a peaceful solution prior to the Camp David meeting, Roosevelt encouraged Japan and Russia to negotiate prior to Portsmouth, and the US actually waged an air campaign prior to Dayton. In each case, the eventual mediator gave the adversaries incentives to come to the bar-

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<sup>4</sup>This is of course an exaggeration if taken literally, since mediation can in some cases only complicate matters that are best left to bilateral negotiations.



gaining table with the mediator presiding over the negotiations. These incentives were politically and economically oriented in the cases of Roosevelt and Carter, and security oriented in the case of the Holbrooke mediation at Dayton. That third parties can raise the opportunity costs of failing to negotiate an agreement in these ways is an important implication of the framework. The higher opportunity costs should both increase the likelihood of mediation and increase the likelihood of mediation success.

Borrowing from the almost clichéd concept of ripeness in the conflict resolution literature, it might be said that third parties can help ripen conflicts even before mediation occurs. Kleiboer (1994) and others have noted that scholars which stress the importance of ripeness have often failed to specify whether third parties can actually contribute to ripeness or if ripeness is simply a necessary condition for mediation success. The implications from this project's framework suggest the former. Avoiding ambiguous terminology, one tangible way that third parties can actually contribute to a conflict's predisposition toward success is through increasing the costs of conflict. They might offer security guarantees, for example, by threatening to defend either side if the other attacks. In effect, this can change the distribution of power toward parity. They might also promise political or economic benefits for settlement. Such tactics require costs to be paid by the third party, but they may be worth paying as a path toward increasing the prospects of mediation success.

## Providing More of the Public Good

If mediation is under-provided, then work can also be done to increase the incentives for third parties to devote their resources to mediation efforts. In less salient cases that are more self-contained, in which third parties do not get strong direct benefits from mediating and creating stability, there is less of a chance that an actor would be willing to encourage mediation. The process of inducing demand requires even more of a willingness for actors to provide a good in which the benefits are not consumed by the provider. So, if mediation is to become much more prevalent, the international community would do well to decrease the public-good provision problem.

International institutions are primarily responsible for providing public goods when individual actors are loath to pay the costs themselves (Keohane & Martin 1995). The individual cost-benefit incentives trump the collective costs and benefits. As a result, strengthening the ability for secretariats – in both the UN and regional governance organizations – to push for mediation with more financial backing, greater visibility, and stronger mandates should help decrease the public-goods hurdle involved in mediation. Also if more direction and power were bestowed upon secretariats, there should be less under-provision of mediation because mediation duties would be placed in the hands of entities with a primary purpose of mediating. Empowering the secretariats to immediately push for mediation, backed by threats and promises of action from the governing bodies, when

any international crisis breaks out – not just the salient ones – should increase the prevalence of mediation.

In this vein, Skjelsbaek & Fermann (1996) find that there is much more potential that can be realized if the UN Secretary General is more strongly empowered. They note that the Secretary General is granted the ability to place any international security matter on the provisional agenda of the Security Council, under Article 99 of the UN Charter. If the Secretariat and the Security Council cooperate more, than this function could be better exploited, where the Secretary General would be able to pursue mediation efforts with the confidence that the Security Council would fully back the mediation efforts and seriously consider the Secretariat's recommendations for future courses of action. Unfortunately, sound cooperation between the two organs has only recently begun to materialize, and the Secretary General is constrained by overstretched resources (Skjelsbaek & Fermann 1996). This has limited the Secretary General's involvement considerably in the past, as it might only push to be a mediator in the more salient crises and those that have a better potential of backing from the Security Council. With greater cooperation and resources in the hands of the Secretary General, the number of mediation cases should increase in quantity and quality.

## **Delicate Balance: More Mediation but Not too Eager**

While more mediation in international conflicts may generally be a good thing, it is important that third parties not insist on mediation when doing so is likely detrimental to the conflict resolution process. Kriesberg (1991) has noted that mediation efforts at the wrong moments can decrease the prospects for success in the future as the parties harden their positions or find potential compromises “tainted” because of previous failures. In Chapter 6, some of the variables related to the benefits third parties would receive from mediating – previous mediation occurrence and geostrategic salience – had a strong negative relationship with mediation effectiveness. This suggests that mediators might be less effective if they come on too strong. Third parties should definitely tread the fine line between inducing the actors’s preference for mediation and coming on too strong during the wrong times.

From the perspective of the bargaining framework in this project, untimely mediation can interrupt the learning process during the exchange of threats and even use of force. Such learning might be a more powerful means of information exchange than anything that a distant third party can provide. In addition, mediation might artificially create an environment of high costs that is not nearly as durable as if the actors could resolve the dispute on their own, based on the cost structures that will persist even after the mediator is gone (Beardsley et al. 2006, Werner & Yuen 2005). So, third parties should be cognizant of the situations in which the

actors are likely to reach an agreement alone and not intervene just for mediation's sake.

With regard to another aspect of the bargaining framework, third parties that indicate they have high preferences for how the conflict ends become additional bargainers in the negotiations, or strong principal mediators according to Princen (1992). An adversary now not only has to consider the potential concessions that it can get from its opponent who has an incentive to bluff; it also has to consider the potential concessions that it can get from the third party who also has an incentive to bluff. In this way, the entrance of a third party that is eager to affect the outcome could complicate rather than simplify the bargaining process.

### **Beware of Deviousness**

The findings that support a logic of devious objectives, also exemplified in the North Korean cases, point to an obvious policy implication. Actors that request mediation might not actually want lasting peace. Instead, they may want to buy time and improve their bargaining position by rearming, hardening targets, or waiting until their opponent loses relative bargaining strength over time. Third party actors, as well as adversaries, should be on the look out for the incentives for devious objectives, lest they facilitate the realization of the objectives and the likely failure to reach a durable resolution.

When devious objectives are suspected to be in play, third parties and oppo-

nents should decrease the ability for the suspected actors to gain strength through the mediation process. Actors will certainly not want to expend resources on mediation efforts that in the end decrease their relative bargaining situation. Implementing extensive oversight and safeguards during the negotiations, keeping the negotiation periods to brief, predefined periods of time, and establishing penalties for any breaches in a cease-fire should prove effective in minimizing the risks of counter-productive mediation.

Mediation should be avoided when there is no question that devious objectives are a principal motivation behind the request for mediation. The only safeguard that would guarantee one side does not use a lull in hostilities for bargaining advantage is to not allow for a lull in hostilities. This is not to say that mediation should be avoided when devious objectives are only suspected, which will be much more common than knowing for certain. Actors will have to weigh the probability and costs of a side intentionally subverting the resolution process against the probability and benefits of both sides using the mediation to move toward sincere resolution. With better safeguards against devious behavior, the probability of the former should decrease and mediation will be a safer option.

Returning to the North Korean case, this demonstrates the expediency of the Clinton Administration's demand that talks would only continue if the DPRK agreed to a verifiable nuclear freeze. The evidence suggests that even though North Korea might have had devious objectives for mediation and additional talks

in 1994, they were unable to make significant progress on their plutonium program while the freeze was in place. The Clinton Administration failed to secure even stronger measures, such as full IAEA safeguards, to prevent the DPRK from pursuing the uranium path years later. When it became clear that no progress had been made on reaching a more lasting settlement, talks should have been abandoned for more direct pressure because the North Koreans eventually found away to realize their devious objectives.

### **Maximizing Leverage**

Finally, the results and case studies demonstrate the importance of leverage in mediation effectiveness. Roosevelt only became effective when he took an active role in the Portsmouth negotiations and sought the backing of other great powers such as France and Germany. Carter generated international and domestic audience costs that momentarily kept both sides from escalating the crisis by appearing on CNN and declaring that significant progress had been made. In Chapter 6, the empirical findings demonstrate that stronger mediators, especially great-power states, are more effective. Powerful actors have a more complete tool set to leverage the combatants toward peace, and the tools – whether they are economic, military or political inducements – are bigger. This suggests that the quality of mediation will generally improve if stronger actors become the mediators of choice in the international system. It is not clear how much progress can be made on the de-

mand side in this regard, as the costs and risks to the combatants of bringing in a stronger mediator will likely remain. On the supply side, international organizations, including both the UN and regional governance organizations might take a more proactive role in encouraging great powers to contribute to the mediation efforts. If greater involvement of the UN Secretariat in providing the public good of mediation, as outlined above, can improve the quantity of mediation, then its ability to work in conjunction with great powers should improve the quality of mediation as well. The most effective mediators fail to push for mediation in some cases because of the costs involved, but they may be more willing if the Secretary General requests their involvement and is able to split some of the costs.

The Chapter 6 results also demonstrate that the more substantively intrusive manipulative mediation style tends to be more effective at bringing about a formal agreement and successful mediation than lower levels of involvement. When strong carrots and sticks, as well as promises of post-crisis monitoring and enforcement, are involved, the mediators are able to better influence the direction of the outcome. Simply, a mediator's ability to gain access to and reveal private information about the combatants is much more limited than a mediator's ability to shape the present and future costs of conflict.

Note that this does not contradict Beardsley et al. (2006), who recommend a combination of mediation tactics be used because agreements tend to be more durable when less intrusive tactics are actually used. Taken together, mediators



should not completely rely on more strong-arm tactics to facilitate lasting peace. These tactics may be more effective at bring the actors to an initial agreement. But such an agreement is more likely to fall apart if it is solely a product of artificial manipulation without a strong component of information revelation and coordination on an outcome well within the overlapping bargaining space. Strong carrots and sticks appear very important to get the actors on the path to peace, even if they often cannot alone secure peace.

## 7.4 Looking Forward

These policy implications offer solutions to the principal finding that mediation resources are not allocated optimally because of the dynamic interests of actors in dispute and surrounding third parties. More broadly, simply identifying which conflict resolution tactics are needed in a dispute may not solve the problem if the motivations to implement those tactics are absent. Policy makers and mediation practitioners can thus use the framework in this project to not only accurately prescribe the right solution to a particular problem but also to ensure that their solutions are realized.

Some solutions to the other primary conclusion in this research project were addressed in Chapter 6. Scholars are prone to get it wrong when making inferences about the contributing factors of mediation success if they ignore the selection processes at work. While most of the solutions were geared toward appropriate

model specification in quantitative research, qualitative scholars need to be cognizant of the selection processes as well. Specifically, assessing the motivations of the practitioners and chief negotiators in interviews would help establish a basis for inference when comparing cases. Moreover, such interviews would greatly contribute to this research agenda and further our understanding of why mediation is implemented as it is.

To explain the mediation selection process, this project developed and tested demand- and supply-side frameworks. Thinking about mediation in terms of supply and demand is more than a useful heuristic device. As seen here, it can be used to inform appropriate model specifications in empirical research. It can also be useful in developing more elegant theoretical models. While a complete game theoretic treatment of the concepts in this project was beyond its scope, future scholars might add to our understanding by using formal models to see how the interests of the mediators and combatants interact in a strategic setting.

As scholars and practitioners alike think through the strategic processes inherent in mediation, more will be discovered about how mediation can be even better used to facilitate peaceful resolution of conflicts. Mediation is often a substitute for the bargaining process of violent conflict, and the more mediation is able to succeed, the more peace has a chance. Mediation is too limited to be a panacea for global warfare, and conflict situations will occasionally end up in bargaining failure as long as states have the incentive to maximize their own welfare,

have uncertainty about the abilities and intentions of their competitors, and lack the coordination mechanisms to form self-enforcing institutions. Yet a richer understanding of mediation can only improve the ability for this conflict resolution mechanism to function as a vehicle for peace.

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