

CHAPTER 5

DIAGNOSING THE SITUATION

Parties to violent conflicts do not usually seek out mediation, facilitation or any form of problem-solving process. The reasons are easily understood by reference to the theory of conflict dynamics, which employs concepts like polarization, misperception, entrapment and escalation to suggest that, once a conflict is vigorously under way, it has a propensity to carry on and to escalate still further as adversaries try to 'win'.

1. Appropriate Conditions; Timing a Problem Solving Initiative.

For the same reasons, traditional diplomacy has for many centuries identified the critical importance of 'timing' in its mediation efforts. One common interpretation of 'timing' is that the parties will be ready to talk when, and only when, they have fought themselves to exhaustion or stalemate, or both (see Zartman, 1989 or Kriesberg & Thorson, 1991). The disadvantage of any approach based upon such a 'timing' perspective is that, when the parties see themselves as ready to talk, the costs of the conflict will already have been borne. Thus the parties will often wish to fight on to 'victory', both to recover the costs already endured and to 'make the adversary pay' - for past coercion, misdeeds or damage inflicted. It is also likely that leaders will have become entrapped by past statements, which commit them unequivocally to the continued prosecution of the conflict until success is achieved.

However, it remains the case that potential third parties (and the adversaries themselves) have to make informed judgements about whether the time is 'ripe' for some peacemaking initiative to be launched with any hope of success. This requires an assessment of the circumstances in which parties might be willing to send out peace feelers or to consider seriously those made by the enemy.

What - apart from mutual exhaustion - might be the signs that the time is, indeed, 'ripe' for a major peacemaking effort? What circumstances or signs might a potential intermediary seek to encourage it in a belief that the parties are likely to entertain the possibility of talk, as opposed to continued coercion? Are there any 'objective' indicators that commonly show that parties in conflict would be ready for serious discussion about a solution or, 'at least, willing to 'talk about talks'?

SEE EXERCISE 5.1

An alternative (and probably more useful) interpretation of the nature of 'the ripe moment' is one that depends less upon assessments of 'objective' conditions or of some 'balance of advantage' in the ongoing struggle, and more on whether the parties themselves seem clearly to have concluded that some negotiated or mediated settlement might (just) be preferable to carrying on the conflict at the present level of costs and with an increasingly remote prospect of a cheap victory. Indications that parties may be open to some mediatory or problem-solving initiative often take the form of their making genuine but unsuccessful conciliatory gestures (usually unilaterally) to one another. For example, prisoners may have been released 'as an act of humanity', public rhetoric softened, or unilateral truces briefly declared and [maybe] observed.

Unfortunately, such gestures may have been masked by continued use of coercion and violence, ignored as mere public relations exercises by their target, not acknowledged by their target because of constituency pressure, and thus abandoned in disappointment because of the lack of any clear and positive traction.

Another preliminary task for a third party is, therefore, to examine closely the parties' (recent) past behaviour for any signs of such conciliatory gestures, peace feelers or 'trial balloons'. Such signals (whether they take the form of deeds, or words or even a complete lack of action or response) can indicate to an alert third party that a 'window of opportunity' for a mediating or problem-solving initiative does exist - or, alternatively, that there seems to be no break in the adversaries' mutual determination to carry on and win, so that the proposed exercise may need to be postponed until more promising conditions and attitudes exist.

In principle, the ideal time to intervene would be at the earliest stage, before the conflict has become damaging. If the 'natural' cycle of coercion and reactive counter-coercion is to be broken, problem-solving initiatives must be attempted at an appropriate time before the initial escalation has peaked. But it is much easier to gain leaders' attention when conditions are such as to turn their minds towards alternative strategies for gaining their ends.

SEE EXERCISE 5.2

Whenever a conflict is at an appropriate stage, therefore, the parties will have to be approached and persuaded to meet. The question is: How?

Analytically, this process consists of three stages. First, the parties have to be identified, which is a more subtle task than might at first seem. Second, they have to be attracted to the problem-solving meeting. Third, when the parties' representatives (the participants) are invited, they must be satisfied that the arrangements for the meeting suggest some possibility of a productive outcome. Arranging all this takes both time and effort. Consultants and their actual facilitators are likely to be faced with resistance and forced to make choices about the invitations and about arrangements in general. Flexibility and a willingness to learn and to adjust quickly are necessary.

2. Selecting the Parties

Selecting the parties is a crucially important process. It must begin with the recognition that what everyday language designates single 'conflict' is usually an enormously complex, multi-level structure. It has overlapping parties and cross-cutting issues. In a model of that structure, particular disputes may be *analytically* distinct. In practice, they are likely to be intertwined and interdependent (see Kriesberg, 1980).

It follows that an initial task for third parties, whether using traditional mediation techniques or a problem-solving approach, is to carry out a thorough preliminary analysis of the conflict they about to approach in all its key aspects.

This raises two problems. The first is how consultants can know what aspects of the conflict are 'key', so that they can ask relevant questions that help them to understand, even in a tentative manner, the nature of the complex situation they are about to enter. This is a chicken-and-egg situation. How can one know enough about a conflict in order to ask relevant questions, when the only way of gaining such knowledge is to know what questions are likely to be relevant?

However, there are guidelines available from other disputes that can help in the construction of a useful checklist of preliminary enquiries (see, for example, Burton, 1987).

SEE EXERCISE 5.3

The second problem concerns the sources of answers to such questions. Potential third parties always need to be cautious about their initial analysis of a conflict and to treat it as nothing more than an amendable and provisional 'sketch' of the situation. Media analyses of any complex conflict are likely to be misleading and tainted by the organizing frameworks used by external reporters seeking "a story". Outside experts need to be treated with caution; academics, business people, journalists and diplomats all acquire their own vested interests in whatever interpretations they have developed. Press officers and official spokesmen obviously have a constructed view of a conflict that they wish others to accept unquestioningly. Diasporas (even official representatives in other countries) are likely to have different (and sometimes out of date) views of the conflict, compared to those directly and actively engaged in the struggle on the spot. All these, and others, can help to answer a preliminary set of questions about the chosen conflict but all need to be treated with some caution, no matter how complex and distant that conflict. The analysis first built up must be regarded with great caution, must be highly tentative and must not be the cause of a later rejection of more directly gain information that does not appear to 'fit'.

3. Principles of Selection

Conflict theory stipulates that issues create parties, and that parties adopt issues. In practice, though, there will probably be too many of both for such an aphorism to be of much practical help. Issues can split the relevant population into *categories*, such as classes; *collectivities*, such as an ethnically identifiable, self-aware people community or nation; and into *parties* of an openly political kind such as organizations or institutions. (This is, of course, only of many ways to classify the groupings formed by various cleavages.) Media reports are likely to refer to an array 'factions', 'caucuses', 'elements', 'armies', 'fronts' and 'tendencies' that may, or may not, appear to relate to some clear structure of the conflict. In all this, *who represents whom* is not at all obvious. The approach must start by acknowledging that *only those directly involved can really know what the conflict is 'about'*.

Faced with these problems, four principles are available to guide any problem-solving approach:

First, it is *practical* to begin with what is visible. The initial approach should be made to organizations or groups that are politically active. This suggests a rather narrow view of a complicated conflict situation, because it treats parties as *behaviour units* only, entities which are capable of acting, rather than of being or becoming, or sharing goals, formulating objectives, or possessing beliefs and images. Moreover, there exists a risk that significant parties which *do* have an interest in the outcome of the conflict - important 'stakeholders' - are initially left out. Nevertheless, it is a beginning.

Second, it is *essential* that problem-solving exercises should incorporate the grass-roots: the people whose interests, relationships and interactions are most severely damaged by the conflict. Here, the problem-solving approach contrasts sharply with traditional mediation, which is restricted, and necessarily so, by the rules of recognition and protocol, to dealing only with accredited authorities. Grass-roots populations often lack formal organizations and formal hierarchies. But the principle is there to guide problem solvers; *start at the bottom social level and move upwards*. Behind this recommendation is the theoretical proposition that legitimacy is the key to conflict resolution; no settlement can work unless it is acceptable to those affected by it and it can only become acceptable if they feel they are participating. Thus, the Turkish Cypriot community and their leaders were - and remain - essential participants in any efforts to resolve the conflict over Cyprus. The peoples of Ngorno Karabagh are key players in any efforts to resolve the conflict between Azerbaijan and Armenia over that region.

Third, problem solvers must try to eliminate completely the effects of their own previous assumptions and values. They may come to a conflict situation with firm views, perhaps based upon strong theoretical, ideological or personal foundations. These views will colour their perceptions about the conflict's structure, about the major parties, about the issues and about the probable shape of any feasible resolution. Being themselves human, they may also make moral judgements about groups that have engage in actions during the course of the conflict, which seem to range from the noble to the appalling. Both the theories and the values have to be put - as far as possible - into "cold storage" while

the initial appraisal and preliminary contacts are being made. The principle must be that the *conflict situation defines its own parties and issues*.

Because of this, in the past it has been found appropriate to focus the choice of consultants and facilitators for the workshop panel on *social* scientists who specialize in theory, and to exclude experts on the region or country in which the conflict occurs, although local scholars can play a useful advisory or 'checking' role at later stages in a problem-solving exercise. The perceptions of area studies experts can be coloured by their pre-suppositions based upon their intimate knowledge of the area. Moreover, they may identify too strongly with particular parties.

Fourth, the approach should not omit any group that might be able to damage or undermine the outcome. The question has to be asked: 'Who can prevent or undermine a resolution of this conflict?' Practicality then dictates that such groups need to be included, just as a sense of justice requires that all affected stakeholders should have a voice in any agreed solution.

In practice, this means that approaches have to be made both to 'extremists' and to those with a vested interest in the status quo, usually - but not always - represented by 'the authorities'. There are many settlement attempts in recent history which show the futility of any mediation that confines itself to building only on the 'reasonable middle ground' within a much wider spectrum of party attitudes and objectives.

Furthermore, it should always be open to question as to whether 'extremists' will always turn out, on investigation, to be more intransigent or 'unreasonable' than will 'moderates'. It is usually assumed that they will be, perhaps because extremists are 'extreme' in their methods, and it is generally believed that choice of methods - frequently violent - automatically correlates with intransigence, and often with irrationality and instability. (There is also the existence of the principle, frequently invoked in protracted conflicts, that one cannot negotiate with 'men of violence' - at least, not until they have wholly and 'permanently' abandoned the violence.)

In reality, none of this may be the case. It should not be forgotten that organizations and individuals can become 'locked in' to a pattern of 'extremist' behaviour, even when change is desired. Hence, removal of the impediments to changing that pattern of behaviour may be a first priority, rather than a refusal to engage extremists in dialogue. Then again, it is usually the case that the 'extremists' are the ones bearing the costs of continuing the conflict, directly and painfully. Thirdly, it is frequently the case that 'extremists' know clearly what they want and what their goals and values are, even if they fail to see any range of alternative methods for achieving these. (Moderates often tend to know what they do not want.) Finally, it is often the case that 'moderates' develop a stake in some status quo from which they have come to derive advantages denied to the 'extremists'. If a conflict takes place over issues of change, then moderates may, by becoming the beneficiaries of *limited* change, wish to perpetuate a new status quo and work against further change, which would mean that they might lose the rewards or roles they currently enjoy. Hence 'moderates' can become conservatives, defending a solution that serves their factional ends. Paradoxically, 'extremists' can, on occasions, turn out to be more flexible in many respects than 'moderates'. Their presence, at all events, can be essential and they should not be excluded.

4. The Question of 'Representatives'

Taking all four of the above criteria together, it is clear that a problem-solving approach can only succeed if it eventually manages to bring together in one room 'representatives' of the most important parties to a conflict.

There is some debate among problem solvers about the characteristics to be sought in the actual person who is to be invited to 'represent' a party's aspirations, interests, goals and positions. Should he or she be the top leader in person, turning the workshop into a summit? Should he be an 'outsider', an influential person who can speak more freely and act more flexibly? Or a person with an in-between role, powerful enough to matter, but low enough to carry the blame for any failure? There is no definitive answer to these questions as yet and, in any case, it is for the parties to decide who to nominate for a workshop, not the consultants or sponsors - although the sponsors need to make clear what kind of participant they seek and that it is they that, the last resort, make the selection and issue the invitations. However, we have operated with the help of some rough-and-ready guidelines in the past, and would suggest firstly that it is important that participants should be able to represent *to the workshop* their party's range of feelings, perceptions and aspirations about the issues in conflict, as well as being knowledgeable about underlying interests and values, about likely reactions to alternative future scenarios and options for solutions, and about significant obstacles to achieving any progress towards some acceptable resolution.

Given that it is desirable for the range of views within a party to be represented in any problem-solving exercise, it follows that a party's 'hawks' as well as 'doves' should be welcome members of a workshop. Frequently, there is a tendency on the part of third parties organizing discussions about peaceful solutions to want to exclude 'hardliners', on the grounds that they will be disruptive and unreasonable and that - at least in the initial stages of an exercise - one should start with 'moderates' or 'people who can at least talk to one another'. I would argue that this is a fundamental error, for reasons touched upon above. So-called 'hawks' are part of the spectrum of views within a party in conflict. They cannot be ignored or bypassed. They can prevent a solution. Hence, they have to be included and, I would argue, it is better to try to include them early than at a later stage of any discussions, by which time their previous exclusion will have increased their suspicion and mistrust of the whole process. 'Representatives' to a problem-solving exercise should, if at all possible, truly represent all strands of opinion within the adversaries.

Lastly, on this issue of representatives, there is the question of how 'official' workshop participants should be. Much experience suggests that, while there are advantages to having formal representatives join the problem-solving process at some stage and even to take it over so that it becomes a formal 'Track One' process, it is best to start the

process with influential private citizens, opinion leaders or even decision-makers who are (perhaps temporarily) out of office. Our rule of thumb is always to start a problem-solving exercise with participants whose distance from official positions enables them to think creatively, to speculate, and to engage in 'What if ...' exchanges, rather than needing to defend entrenched positions, or to participate simply in order to score points off the adversary. Flexibility is a key quality, and official representatives are not always able to demonstrate such a quality, even in the informal atmosphere of an academic workshop. Officials and leaders can be incorporated later in the process.

Whoever actually comes in person to the workshop, however, is somewhat less central than making sure that the important parties are represented there, and 'importance' is to be measured not by any external or theoretical judgement, but by the assessment of those directly affected. At each stage of the initial exploration, it likely that more and more parties will have to be considered. There is a cascade of possibilities. Very quickly, the consultants are likely to realize that a single problem-solving workshop can neither include all the parties nor deal with all the issues, and thus a series may prove necessary. But what such a workshop can do immediately, is to create communication between the two or more groups of antagonists closest to the core of the problem. It can be a lever that probes into the centre of a political log-jam.

5. The Dilemma of Divided Parties

Practical issues of 'selecting the parties' to be approached with invitations to participate in a problem-solving exercise are usually complicated by the likelihood that:

- (a) More than two clearly identifiable parties are involved in the conflict being analysed; indeed, several conflicts may be closely interlocked, so that it is more accurate to talk about 'conflict system' than a conflict; and
- (b) Even if there clearly seem to be only two parties, one or both of these might well be divided into rival factions or sub-parties, each claiming the right to speak for, and represent whole.

How to proceed in such situations is never clear, and there seem to be no absolutely correct answers to the question of which parties, groups or factions to involve in the first stages of problem-solving exercise. The rule of going for *the parties most directly affected by the conflict* cannot answer the question: Which conflict? Sometimes it is possible to identify and deal separately with loosely interconnected conflicts. But what is the answer in cases where adversaries are themselves divided into competing - and sometimes violently conflicting - factions? One answer that has been suggested is that of 'logical sequence', whereby a third party role could involve dealing:

Firstly with intra-party conflicts, so that the party so assisted (if the assistance is successful, which can be a large 'if') is then in better condition to work out a settlement with its adversary; and only

Secondly with the *inter-party conflict* involving the internal divided adversaries.

However, it seems questionable whether a third party that itself helped to unite one of the adversaries in a protracted, deep-rooted conflict (a unity that may enable that party to coerce its adversary more effectively) will then be able to continue its third-party role between the basic adversaries. Moreover, there appears to be no empirical evidence about the use of such a complicated exercise.

At present, the usual tactic for potential intermediaries seems to be to treat the issue of divided adversaries as part of the whole *timing* dilemma. Interveners have to wait to act until the parties *have* sufficient internal unity to be able to agree on goals and means put together an agreed negotiating position, identify their representatives, and make any agreement that might be concluded 'successfully stick'. In waiting for such minimally ideal conditions, however, third parties may find themselves waiting a very long time! They may wish to move before such conditions develop of their own accord, in the 'natural course' of a conflict.

SEE EXERCISE 5.4

6. The Dilemma of 'Power Imbalance'

Another problem confronting third-party consultants planning a problem-solving exercise with parties involved in a protracted conflict is what to do about a major 'power imbalance' between *those* adversaries.

This is a general problem that confronts anyone working practically in the field of conflict analysis and resolution, and there has been a great deal of discussion about both the morality and the effectiveness of using a range of non-directive, third party processes in situations where the two sides are wildly unequal in status, resources, information and influence - governments and minority groups, husbands and wives, organizations and individuals rich and poor. The debate about 'asymmetric conflict' started early in the development of the field, and continues to this day (see Mitchell, 1993 and 2000 for one approach to the nature of 'asymmetry').

Most of the debate has been inconclusive, partly because of the ambiguity of the concepts of 'power' and hence of 'power imbalance', although it has performed a useful service in undermining the often unstated assumption that third-party analysis and initiatives can safely be based upon the assumption that consultants and other intermediaries always deal with 'conflict between equals'.

There is no intention of minimizing the problem of imbalances between parties involved in problem-solving exercises of the types described in this Handbook. Differences between governments and insurgents, between rich and poor or militarily strong and weak countries, and between majority and minority communities obviously create

profound differences in the range of options perceived as realistic by adversaries. There are two reasons for thinking that such imbalances are less of a problem in the type of protracted conflicts discussed in this work than in certain others, where arguments for *equalization*, *empowerment* or *leveling the playing field* appear more urgent:

(1) The process itself, by altering participants' and parties' views of the situation from a struggle to be won to a problem to be jointly solved, and from a win-lose situation to one in which mutual gains, without corresponding losses, may be achieved, *can* make issues of power imbalance irrelevant, and switch the focus of the process from bargaining power to creativity and inventiveness.

(2) The degree of imbalance in the type of conflict being tackled by a problem-solving exercise may be minimal, or, at least, a minor factor in achieving a solution. This is not to say that imbalances do not exist, or that the parties do not have major advantages that they can exploit in coercing or threatening one another. However, the fact that the conflict is deep-rooted and has, been protracted suggests that the contest is not wholly one-sided, and that no stark imbalance exists between the adversaries., 'Power' is a multi-faceted concept (some would argue that it has so many meanings that the term itself, if unqualified, is meaningless) and in protracted conflicts it seems not unlikely that one party' advantage in one arena (military hardware, for example) is offset by the other's advantage in another (knowledge of terrain); or that superiority in one sense (diplomatic recognition) is balanced by inferiority in another (commitment to goals). Thus, consultants certainly never deal with 'equals', in any absolute sense (these probably do not exist), but usually with parties that are *equal enough* to be able to minimize, even if they can never ignore, issues of significant imbalance. The consultants can, therefore, proceed - cautiously - on the basis of an 'equal parties' model.

However, consultants certainly do need to consider issues of imbalance in at least three areas. The first - though frequently least important - concerns the extent to which any comparison between the parties shows a similar pattern of imbalance on many key dimensions, so that one party is clearly superior *in most respects*. For example, even though it could be argued that the main parties to the dispute over the Falklands/Malvinas Islands are the islanders themselves and the Government of Argentina, no sensible consultant, surely, would advocate a problem-solving exercise that started, at least initially, only with representatives of those two parties being present. On the other hand, an exercise involving only representatives of the Greek Cypriot community (80 per cent of the population of Cyprus) and the Turkish Cypriot community (under 20 per cent) might well be the best way to begin seeking a solution to the protracted conflict on the island.

A second aspect of imbalance that must concern consultants preparing for a problem-solving exercise is an imbalance between the participants actually present at workshops. A rough parity should be sought, even if it cannot be achieved to everyone's satisfaction. Parity includes approximately similar levels of skill, experience, knowledge and the ability to represent the views and positions of one's own side, for it is important that both sets of participants display roughly equivalent intellectual and analytical capacities if the exercise is to be a success.

It is also important, thirdly, that an ideal workshop, or series of workshops, should balance the intra-party influence of the two sets of participants, at least in their ability to communicate any findings from the workshop back to top decision-makers within their own party. An imbalanced workshop, in the sense that one set of participants has easy access to top decision-making circles 'back home' while the other is remote from its own decision- and peripheralized in intra-party politics, is a recipe for frustration, misunderstanding and the probable early breakdown of the entire exercise.

In the real world, none of these initial dilemmas is easily resolved and, frequently, consultants have to embark on a problem-solving exercise doing 'as best they can'. Once decisions have been taken to try to get a particular range of parties involved in an exercise - or, at least, in the first workshop of a proposed series - and to seek a particular set of representative participants, the next task is to approach those parties directly and to persuade key leaders to approve participation in the exercise. This next process is not without its problems.

EXERCISE 5.1: Interpreting the Auguries; Signs for Potential Intermediaries.

Background Discussion

In conflicts that are complex, protracted and deep rooted, it is usually the case that determining an appropriate moment to initiate a move towards de-escalation, or signal a willingness to talk, or to undertake some third-party initiative, is a very difficult process.

From the viewpoint of the involved parties, the problem is to decide what circumstances, events, signs, indicators or symbols show that the adversary is likely to entertain seriously the possibility of de-escalation (with its possible abandonment of advantage - or anticipated success -in the dispute) and the prospect of a negotiated settlement (with its implication of compromise and abandoning important goals).

From a third-party perspective, it is an equally uncertain matter of evaluating whether current circumstances make it likely that the adversaries will respond at all positively to a suggestion of a mediation initiative or a problem-solving exercise.

Such initial problems are particularly acute in international or major trans- or intranational disputes because:

- (1) Parties to such conflicts communicate from a variety of sources, towards different audiences and with different voices.
- (2) Often there are many parties (and factions of parties) involved in such complex conflicts.
- (3) Leaders often make statements or undertake actions (e.g. float 'trial balloons' about a settlement), which are mainly aimed at their followers in general - or, at least, the dove-ish elements among their followers.
- (4) Many civil and transnational conflicts are defined and genuinely perceived by the parties involved as being zero sum and hence non-negotiable. (It is frequently argued that an incumbent government can hardly negotiate its own demise with an insurgent movement seeking to replace it.)

Hence, the very first, major problem for initiating any deescalation, or a pre-negotiation phase of a conflict termination involves making a preliminary judgement about whether it is even worth considering, if you are a party to the conflict, the possibility of a peace feeler or a statement indicating a 'willingness to talk'; or, if you are a potential intermediary, some preliminary enquiry about the relevance of beginning a third-party peacemaking process.

Note that, at this very early stage, what is being sought involves some key structural changes in the conflict, or within the parties themselves, that might make the situation more conducive to commencing (cautiously) some peace process or, at least, might make the parties more likely to be willing to talk as an alternative to continuing the fight. Such considerations come before actions or statements constituting peace feelers from either side. That comes later.

Hence, the problem seen from the viewpoint of one of the antagonists involves asking such questions as:

- (1) How do we determine to our own satisfaction that there is any point in signalling a willingness to negotiate (or, at least, to de-escalate) to the other side?
- (2) What criteria can we use to evaluate whether the other side might be ready for a change of policy, or be in a 'more reasonable' state of mind?
- (3) How can we make a preliminary evaluation of whether the other side might respond positively to our peace feeler - or not.

Seen from the outside and from the viewpoint of a third- mediator or consultant, similar questions arise:

- (1) How can we evaluate the probability of our offer of a third party initiative being positively viewed and accepted by the parties in conflict?
- (2) What are the circumstances (what indicators should we look for) that will tell us that this is an appropriate moment to suggest some form of third-party involvement?
- (3) What might need to change in the present circumstances before we can be reasonably sure that the key parties are ready to respond positively to our approach?
- (4) Is this conflict anywhere near being 'ripe for resolution'? In purely theoretical terms, the questions revolve around the issue of whether it is possible to identify what sets of circumstances make parties engaged in deep-rooted and protracted conflict more (or less) ready to seek alternative means of achieving goals or alternative solutions for their conflict? When do parties in conflict seek alternatives, and what are the changes in the conflict that begin a process of leaders changing their minds about their best course of action?

It is important for third parties to realize that both they and the parties in conflict do hold theories about what brings about change and what constitutes a 'ripe moment' and that these theories - whether right or wrong - do help to determine whether any kind of peace process will even get through its initial stages.

Exercise Scenario I

YOU are members of the Political Planning and Advisory Committee of the Azanian Liberation Front (ALF). For over seven years, the ALF has been engaged in an armed struggle to liberate the Azanian region of the Republic of Zandia from the capricious and increasingly brutal administration of the Government of Zandia. 'Self-determination for Azanians' continues to be the main aim of the ALF, although some of its more extreme members have called for secession and union with neighbouring (and ethnically similar) Samaale, which has been of great assistance in the struggle, providing 'safe areas', resources, etc. for what has, unfortunately, proved to be an increasingly costly guerrilla campaign (see the "Area Handbook" Map in the final Appendix).

Until now, save for abortive talks at the beginning of the struggle, there have been no substantive negotiations about the issues in conflict with the Zandian Government. The ALF has concentrated upon organizing both the military campaign and - where possible - a social and political infrastructure in the areas not under the control of the Zandian Government.

Exercise Task I

Now, the sudden death in action of two of the founding leaders of the ALF has brought a new leadership to power, and the Secretary-General has asked your Committee to provide some useful guidelines for a decision about whether it might be worthwhile sending out a peace feeler, via another government, to the Zandians. There are those who have been arguing that, by now, the Zandians will be ready to consider a negotiated settlement. Others have argued that Zandian intransigence remains and there has been no change in Zandian objectives or intentions.

The Secretary-General requires some suggestions about what indications there might be, one way or the other. 'What do we look for,' she has said, 'that will show whether the Zandians might be ready to respond positively? What might be positive indicators and what negative? Are the key indicators structural or behavioural; economic or psychological; real or symbolic; political or military?'

Your Committee chairman has been instructed to supply a list of no more than 10 types of indication that might give a clue as to whether the Zandians would be willing to consider an alternative to the present situation of continual guerrilla attacks and counter-insurgency campaigning.

You have also been requested to comment on the likely reliability of the various indications you suggest.

Exercise Scenario 2

YOU are members of the Zandian President's Advisory Liaison Committee, some coming from the Zandian Department of Home Affairs and others from the Ministry of Internal Security.

For over seven years the northern region of the country, populated mainly by people of the Azanian ethnic group, has been wracked by a guerrilla war begun by members of the secessionist Azanian Liberation Front, an organization apparently led by a wholly intransigent group of fanatics, and covertly supported by powerful political elements in the neighbouring Democratic Republic of Samaale.

The ALF's depredations have now spread to neighbouring provinces in spite of the best efforts of police General Service Units (GSU) and the Zandian Army. At no time have the rebels seemed willing to consider rational discussion of, or talks about, their Secessionist goals, so that the Government's reactions have necessarily concentrated upon maintaining law and order in the affected regions. The cost of this in lives and resources has been mounting over the last three years.

Exercise Task 2

It now appears, however, that there has been a change in the leadership of the ALF, caused - according to police intelligence sources - by the recent deaths (in a GSU ambush, according to rumours) of two of the old guard ALF leadership. The President feels that there might be a possibility of sending out a peace feeler at some stage in the near future, when an 'opportune' moment presents itself, but he has no wish to do so if such an initiative has absolutely no chance of eliciting some positive reaction from the ALF leadership. The question is, when might such an opportune moment occur and what would be the best indications that it has, indeed, arisen?

The President has asked the Committee for some guidance about what signs or circumstances might be sought as indicators that the ALF leadership might be preparing at least to consider 'cutting its losses' and abandoning its intransigent policies. 'What are common indications?' he has asked. 'What sorts of guides to what the other side might be thinking can we get from others' experience? How will I know when best to move, if I want to move?'

The Chairman of the Committee has promised to come up with a short list of suggestions (10- 12) regarding this problem. The President has asked for immediate action, and expects a draft memorandum tomorrow afternoon.

EXERCISE 5.2: Extending an Olive Branch.

Background Discussion

Once it has been decided by a set of leaders of a party in conflict that the time is, indeed, appropriate for an initiative intended to move towards a negotiated settlement, the next problem becomes how to initiate a de-escalation process and get 'talks about talks' moving.

What form should a cautious yet credible conciliatory gesture take? It has to be kept in mind that the objective must be to signal a willingness to talk (but NOT to surrender) and that the signal must convey a reasonable willingness to compromise but not give the adversary an impression of weakness - of over-willingness or over-eagerness to move towards a ceasefire and a negotiated solution.

Again, there is the problem of how to signal clearly to an adversary so that the move will stand out from all the other (essentially negative) signals that have been (and are probably still being) directed towards them by the Initiator's decision-makers, spokesmen and coercive agents. Should the gesture be an unprecedented move (a 'single, dramatic gesture' like Anwar al Sadat's trip to Jerusalem in 1977) or a series of somewhat minor moves that cumulatively have an effect? Is the best strategy something along the line of Charles Osgood's Graduated and Reciprocal Initiatives in Tension-Reduction (GRIT) proposal, or an 'I will if you will' offer, or a unilateral, irrevocable concession that might send the wrong signal?

Furthermore, what plans should be made in anticipation of a positive response from the Target? (i.e. what should the second step be?) Alternatively, what should the Initiator's reaction be if the Target reacts negatively to the gesture or, maybe even worse, simply ignores it? And what will be taken as an unambiguous sign that the adversary has, indeed, responded positively rather than negatively? How can one side plan to keep the momentum of a deescalatory process going and what should be the ultimate aim of starting such a process; a lessening of tension through confidence-building measures (CBMs); a bilateral truce or a ceasefire; an agreement to meet to discuss negotiations; an agreement about an acceptable intermediary or a forum for talks? Should there even be an agreed objective at the start of a de-escalation process or is simply starting the process, remaining flexible and seeing what develops a good enough goal?

How does one party offer the other an effective 'Olive Branch'?

Exercise Scenario 1: The Irish War

It is 30 May 1921, five years after the unsuccessful Easter Rising against British rule in Ireland by a small band of nationalists led by Patrick Pearse and the Sinn Fein movement, and two and a half years since the post-war 'khaki' elections throughout Britain returned to power in London a parliament consisting, in one observer's words, of 'hard faced who looked as though they had done well out of the war' resulted in a somewhat unstable coalition government of Liberals and Conservatives, led by Liberal Prime Minister, David Lloyd George.

The same 1918 elections returned Sinn Fein candidates in every constituency in Ireland, with the exception of Ulster, where the Ulster Unionist majority held together, and the constituency for Dublin University. In January 1919 the Sinn Fein MPs, led by Eamon de Valera, refused to attend the British Parliament in Westminster and, instead, set up their own national assembly, Dail Eireann, in Dublin, where they proceeded to declare themselves independent and to draw up a new, republican Constitution for Ireland. A delegation was sent to the Peace Conference then meeting in Versailles, but this had no success in getting Ireland's aspirations or separate existence recognized by any of the delegates there, even by President Woodrow Wilson of the USA.

Also in January 1919 the first attacks on police and military units by the Irish Republican Army (IRA), under the command of the shadowy figure of Michael Collins, were carried out and two policemen were killed. These incidents began a steadily escalating guerrilla war between the IRA and the British security forces, who were supplemented from 1920 onwards by the notorious 'Black and Tans', specially recruited as a counter-force by the British Government. The violence spread throughout the country, affecting the main towns and remote countryside with assassinations and attacks followed by reprisals and ambushes. In the north east, unionists took part in campaigns of terror against nationalists living in Belfast and Londonderry and Sinn Fein announced a boycott of goods from that part of the country as the nationalist/unionist divide deepened.

In September 1919 the Dail was formally banned by the British Government and many of its members arrested (including Arthur Griffith, acting as President of the Irish Republic, in the absence of de Valera in the USA). In August 1920, the British Government passed the Government of Ireland Act, which established two regional parliaments in Ireland, one for the north east (Ulster) and one for the rest of the country in Dublin. This was denounced by Sinn Fein leaders as quite insufficient to meet their aspirations but Sinn Fein participated in the 14 May elections, being returned unopposed in all but one southern Irish constituency. A Unionist majority was returned for the northern Ireland parliament, due to open formally on 7 June.

The situation now appears to have reached a stalemate, in spite of Lloyd George's claim in January 1921 to 'have murder by the throat'. Attacks and reprisals continue. Most of Sinn Fein's political leaders are in jail. Sinn Fein has announced its intention of boycotting the regional parliament in Dublin. Public opinion in Britain is turning against the war and Liberal members of Parliament, particularly, are becoming uneasy about a policy that requires 80,000 troops in Ireland and the expenditure of vast sums of money merely to keep in check 'a handful of bandits and malcontents'. Both sides appear to be trapped in a slowly escalating circle of violence and counter-violence, with no way out.

Exercise Task 1A

YOU are advisers to Eamon de Valera, President of the Irish Republic, who continues to remain at large in Dublin, although the British Government issued a warrant for his (and your) arrest many months ago.

In spite of the recent Sinn Fein successes in the May elections and the convening of the second Dail Eireann from the MPs elected, the campaign for Irish independence is not achieving the headway that had been anticipated 18 months ago. No other

government has recognized your government. Mr de Valera's campaign for funds and support in the USA has produced some funds but little useful support, especially within US Government circles. On the military front, matters seem to have reached a stalemate and arms supplies remain problematical. The seizure and burning of the Dublin post office was a major publicity coup for the Republic, but resulted in the almost complete destruction of the IRA's Dublin Brigade. Commandant Tom Barry and his Cork Brigade continue to harass the security forces successfully but other areas are under martial law and many people in both town and country are suffering considerable hardship from reprisals. Moreover, the Minister of Defence, Cathal Brugha, and the Minister of Finance, Michael Collins, are deeply divided about the utility of carrying on the armed struggle. The situation of the nationalist community in the north is appalling.

On the other hand, there are signs that the British Government - or some of its members - might be willing to consider some form of negotiated settlement. Recent informal contacts from London, through such prominent English Catholics as Lord Derby or through the Australian Archbishop of Perth, have indicated that London's position of complete intransigence might be changing. The question is how to begin to move towards talks, especially given the commitment of many Sinn Fein hardliners to continued military action until "complete victory".

The President has asked you to present him with two alternative means of clearly signaling a willingness to talk - but NOT a willingness to give up and surrender - to London. He has asked you to suggest concrete things the Irish Government might do and/or say that would begin a process of 'talks about talks' with the British ("... We must go very carefully," he has warned you). He wants you to evaluate the pros and cons, the advantages and drawbacks of the two alternative courses of action you suggest and present him with a short memorandum summarizing your ideas and recommending one of the options.

'...Remember, nothing too drastic,' he has said, 'We don't want to send the wrong signals to the Brits and, just as important, I can't afford to ignore people like Cathal and his supporters who want to try to beat the British to their knees...'

Exercise Task I B

YOU are members of the Planning Staff of the Cabinet Secretariat in No. 10 Downing Street, with direct responsibility and access to the Prime Minister. Latest information, both political and military, on the uprising in Ireland indicates that things are not going well. Although the Government is deriving some comfort from the recent success of unionist candidates in the elections for an Ulster Parliament, the complete victory of Sinn Fein candidates in the south - although probably attributable to the IRA's policy of intimidation that prevented any other candidates from standing for most seats - has meant that there is little chance of setting up a regional administration in Dublin as the Cabinet had hoped.

Rebel attacks on military and civilian targets in the south of Ireland remain a constant reminder that the Prime Minister's claim to be winning the guerrilla war against the IRA was premature. Matters seem to be at a stalemate, with security forces only being able to keep the violence to a 'reasonable' level but not to destroy the IRA in any final sense. There is a growing realization that most people in southern Ireland now support Sinn Fein's aims and regard the IRA favourably. Moreover, there are signs that informed public opinion in Britain is growing weary of, and embarrassed by, a continuing war that was originally portrayed simply as a rebellion by a small minority of fanatics and romantics. The Liberal Party is particularly worried and there are signs that some of its leading members no longer support a military 'solution' to the Irish problem.

The Prime Minister has requested you to suggest two alternative ways in which he (or some other person or institution) might be able to send a clear signal to the Sinn Fein leaders in Ireland that the British Government might be willing to consider a negotiated solution. He is reluctant to do this - his two previous attempts secretly to 'sound out' the republican leaders about the possibilities of a negotiated political arrangement were rebuffed by Sinn Fein - and he has ordered that this task should be undertaken in the strictest secrecy. He wishes to be presented with a brief memorandum containing two options for the Government, plus some discussion of the relative pros and cons of each move or course of action, and a recommendation as to which he should undertake.

'... I cannot afford, politically, to be seen to be giving in to the pressure of gunmen,' he has remarked. 'Those lunatics on the Tory right wing would bring down the Government if anything other than military triumph were to be contemplated publicly. Not a word of this must leak out yet - and we should NOT indicate to de Valera that we are willing to give everything up - anyway, I'm not - just that we might be willing to talk. Have the memo on my desk by Friday morning.'

Exercise Scenario 2: Towards Negotiations in the Second Sudanese Civil War.

It is December 1989, and the fighting in the second Sudanese Civil War continues in the south of the country, hampering relief efforts and bringing further destruction and starvation to an already exhausted and devastated region, while imposing on the Government in Khartoum further large costs in terms of resources and lives (See Map 2 below.)

Since the brief flurry of activity following the military coup of 30 June 1989, there has been no further mention of peace talks or negotiations from either the military government of Brigadier Omar al-Bashir or from the Sudan People's Liberation Army (SPLA), led by Colonel John Garang. There is considerable disappointment in some political circles in Khartoum that the accord signed in December 1988 by the SPLA and the Democratic Unionist Party leaders, and the adoption of a peace policy by the overthrown Prime Minister al Mahdi in March 1989 have not been vigorously pursued by the military regime. (There are persistent - if unconfirmed - rumours in Khartoum that the coup was intended to prevent any agreement with the southern movements that made concessions about *sharia*)

Some commentators have argued that Brigadier al-Bashir's regime has been too preoccupied with consolidating its hold on power in the capital and the north to launch any major new peacemaking initiative aimed at ending Sudan's second civil war, which broke out in the early 1980s, partly as a result of the efforts of the then Sudanese President, Gafaar al-Nimiri, to

restructure the south's regional autonomy and to introduce Islamic law (*sharia*) into the southern region. Certainly, the regime has concentrated its efforts on controlling Sudanese trade unions, banning political parties and putting on a series of show trials of leaders from the previous regimes, while pursuing the war in the south at a lower level of violence than its predecessor.

However, it is also the case that the Sudan People's Liberation Movement (SPLM) has made no statements that modify its far-reaching demands put forward on 16 August last. Its leader, Colonel Garang, has occupied much of the intervening period in a series of international visits to 'explain the purposes of the Sudanese people's revolution' but also (undoubtedly) to garner support for the SPLM's cause. The situation appears currently to be at a complete and tragic impasse.

Exercise Task 2A

YOU are a member of the Sudanese Military Government's Coordinating Committee on the Southern Problem, which advises President Omar Hassan Ahmed al-Bashir on the conduct of the struggle with the southern rebels, led by Colonel John Garang.

Brigadier al-Bashir has decided to make one final effort to end the struggle in the south through a negotiated settlement and is seeking to re-activate the stalled peace process by initiating some cautious set of conciliatory gestures towards the SPLM, without making any significant moves away from the Government's public bargaining position. He has asked for advice from your Committee on what might be offered to the SPLM and by what means.

Specifically, your Committee Chairman has been asked for a short (two sides at most) Memorandum outlining a series of actions or statements designed to reduce tension, to begin building (at least) a minimum level of mutual trust and to de-escalate a difficult *impasse* between the Government and the SPLM.

You know that Brigadier al-Bashir has recently been reading about the problems of de-escalation and pre-negotiations, (particularly the work of Charles Osgood on GRIT and Amitai Etzioni on 'gradualism') and is wondering whether it might be possible to use some such approach to de-escalate the present situation. He wants recommendations about concrete steps that might have a positive impact on the leaders of the SPLM.

At the same time, he has impressed upon the Chairman that whatever statements or actions you suggest cannot be so fundamental that they will weaken either a future negotiating position or present security and the stability of the Government. Moreover, suggestions cannot be allowed to compromise his own position internally by making him vulnerable to criticism or attacks by 'hawks' and other critics within his own Government. His present position is reasonably secure, but it can be undermined by a mistake.

'You have a very fine line to tread!' he has said.

For one possible answer to this problem see "Alternative Solutions" in the Appendices.

Exercise Task 2B

YOU are a member of the staff of the Political Bureau of the Sudanese Peoples Liberation Movement, which advises Colonel John Garang on the conduct of the struggle with the illegal military Government in Khartoum, currently led by Brigadier al-Bashir.

Colonel Garang has decided to make one final effort to end the struggle for Sudan through a negotiated settlement and is seeking to re-activate the stalled peace process by initiating some cautious set of conciliatory gestures towards the regime in Khartoum, but without making any significant moves away from the SPLM's public bargaining position. He has asked for advice from the staff on what might be offered to the military government, and by what means.

Specifically, your Bureau Chairman has been asked for a short, (two sides at most) Memorandum outlining a series of actions or statements designed to reduce tension, to begin building (at least) a minimum level of mutual trust and to de- a difficult impasse between the SPLM and the government.

You know that Colonel Garang has recently been reading about the problems of de-escalation and pre-negotiations, particularly the work of Charles Osgood on GRIT and Amatai Etzioni on 'gradualism') and is wondering whether it might be possible to use some such approach to de-escalate the present situation. He wants recommendations about concrete steps that might have a positive impact on the leaders in the north.

At the same time, he has impressed upon the Chairman that whatever statements or actions you suggest cannot be so fundamental that they will weaken either a future negotiating position or present security and the stability of the SPLM leadership. Moreover, suggestions cannot be allowed to compromise his own position internally by making him vulnerable to criticism or attacks by 'hawks' and other factional critics within his own leadership. His present position is reasonably secure, but it can be undermined by a mistake. 'You have a very fine line to tread!' he has said.

EXERCISE 5.3: Listing Key Questions about the Conflict.

Background Discussion

When preparing for mediation or any analytical problem-solving exercise, consultants and facilitators should attempt to find out an *adequate* amount of key background material on the conflict, while bearing in mind that any answers they find to initial questions should be treated as tentative until that information can be confirmed during actual contact with those directly involved in the conflict - particularly during the workshop itself.

To carry out this task requires that the consultants themselves have some prior theory about the key questions to be asked about any conflict, or - at least - some idea about the questions it has been helpful to ask, in a preliminary way, in other cases of conflict that they have experienced.

Exercise Task

(1) Construct a list of key questions about the conflict that you need to ask when considering the launching of any mediation or an analytical problem-solving initiative and thus facing the need to inform yourself about the dimensions of the problem you and your group of intermediaries or face.

What do you need to know about the conflict before moving out of the purely diagnostic stage?

(2) Suggest a list of possible sources of information regarding each of these key questions, and indicate the extent to which you think it would be realistic to expect to answer each in the preliminary, diagnostic stages of the exercise.

Where might this preliminary information be available?

(3) Draft a useful 'Summary Data Form' for use in systematically outlining key data and in comparing one conflict with another or highlighting major changes in a protracted conflict as it alters over time.

How can this information be presented in a compact, comparative and useful form?

EXERCISE 5.4: Selecting the Parties

Background Discussion

One of the most crucial, preliminary decisions about any mediation, conciliation or problem-solving initiative concerns which parties to approach with an invitation to participate in the process. This initial selection can influence the whole course of the initiative, for good or ill.

On the one hand, this can be viewed as a 'level of analysis decision', involving choice about at what level in a complex conflict system the initial efforts to achieve a solution should be aimed. On the other, it can be regarded as a choice between accepting existing judgements (often merely based on degrees of organization or legitimacy) about what are, ostensibly, the 'obvious' parties to a conflict; or ignoring the obvious and taking into account, for example, the interests of those who might not yet have achieved a level of coherent organization, status or recognition that would clearly make them players, or even 'stakeholders', in the game.

The choice is seldom an easy one, even in 'straightforward' conflicts apparently involving states and national governments. For example, are the Falkland Islanders 'a party' to the Anglo- dispute over the Falklands/Malvinas, and what are the practical and political implications for a positive - or a negative - answer to that question? In more complex situations involving multi-party conflicts or deeply divided parties, the problem is even trickier. Thus, third parties, whether mediators, conciliators or facilitators, face frequent dilemmas when confronting the apparently simple, initial question; Who are the parties to this conflict?

However, an informed choice must be made, the grounds for making it understood and the future implications at least considered. A carefully thought-out approach then has to be made to those parties.

Exercise Scenario

The First Sudanese Civil War.

It is late summer 1971 and YOU are members of a special Advisory Committee set up in Geneva by the World Council of Churches (WCC), which is considering a mission to Sudan to make contact with the new military Government of General Nimiery in Khartoum and other 'key parties' in the Sudanese civil war, which has been raging in the south and west of that country since the early 1960s. This WCC mission will explore the possibility of mediating through a peace conference to end the war, and needs a clear picture of who ought to be involved in such a conference in order to begin the task of sounding out the views of key leaders regarding their attendance at the proposed conference.

The WCC has been encouraged partly by the fact that General Nimiery has privately made clear his desire for a negotiated settlement. Moreover, this desire seems to have increased since the failed coup against him, led by members of the influential Sudanese Communist Party, the leadership of which has since been decimated in army reprisals. The General now seems more secure - at least in the north of the country as he has also dealt very firmly with the powerful Islamic sects in the north and their political parties, which are now banned.

The problem for the WCC at the moment is to decide which of the opposition 'parties' should be approached with a view to participation in any future talks. The fighting in Darfur Province in the west of the country seems to be escalating and it is felt that efforts should be made to include this problem in any peace conference. However, the main effort is likely to be directed towards the war in the south.

Even here, however, there are major ambiguities. Many southerners, particularly among the western educated elite, have continued to work with the Government in Khartoum and, indeed, the late Secretary-General of the Sudan Communist Party, who led the coup against General Nimiery, was himself a southerner. Southerners hold government posts in the Khartoum administration and claim to represent a fruitful means of influencing Khartoum policy. Members of the Sudan African National Union (SANU) and of the old Southern Front (SF) have been criticized for their policy of working with and in Khartoum, for participating in northern political activity and, increasingly, for 'selling out'.

The situation actually in the south of the country is even more confusing, as political rivalries, often leading to the setting up of new organizations and the splitting of old ones, arise from the existence of the many different ethnic and tribal groupings in the region (see Maps 3 and 4 below). According to the latest information available to the WCC (information has been sparse since all Christian missionaries were ejected from the region), these intra-southern divisions remain strong and based upon personal, as well as ethnic, rivalries with a major concern being the dominance of Dinka political leaders in many political organizations.

It is rumoured that it was this fear of Dinka dominance that led to the break up of the Nile Provisional Government (NPG), which was formed in March 1969 and which had its headquarters in Zaire. Initial divisions in this organization appeared early on, ostensibly over the NPG's lack of action in support of the armed struggle against the Khartoum Government, and over its inability to control effectively the main guerrilla organization, the *Anya Nya*. Two small breakaway groups formed themselves as rivals to the NPG, calling themselves the Sudan Azania Organization (SAO) and the Sue River Republic Organization (SRRO).

A more important division appeared late in 1969, when Major General Taffeng, declaring his '... dissatisfaction with Dinka domination of NPG and its so-called President, Gordon Mortat-Mayan' established the Anyidi State Government (ASG), which was based upon the border region with Uganda and which carried out extensive guerrilla operations in the south west of the region. Most recently, new information has been received about the formation of yet another 'umbrella' organization for the southern forces fighting against Khartoum, although whether this has been established as a rival to, or replacement for the ASG is difficult to ascertain. The Southern Sudanese Liberation Movement (SSLM) is apparently headed by a Colonel Joseph Lagu, who was originally a Minister in the ASG as well as being its military commander in the eastern regions near the Ethiopian border. Colonel Lagu has apparently managed to gain control of the main southern guerrilla force fighting in the region, the *Anyi Nya*, and it is rumoured that this is partly because of his control of weapons and other military equipment supplied by the Israeli Government. The SSLM is obviously an important new element in the constellation of southern parties claiming to represent the aspirations of the southern peoples.

Exercise Task

Write a short position paper for an imminent WCC meeting containing your recommendations on whether it should undertake the mission at the present time and, if so, which parties, and leaders, a WCC mission to Sudan should attempt to contact. Select the 'parties' to the conflict to be approached with a view to their inclusion in a future initiative that seeks a solution to the conflict in Sudan. Which, if any, parties should be excluded, for what reasons and with what likely consequences.

Elucidate the reasons for making the selection and for rejecting alternative possibilities. Set out the likely consequences of your choice and make contingency plans for including - or excluding - other (key?) parties at later stages of the WCC peacemaking initiatives.

For a number of possible answers to this problem see the section on "Alternative Solutions" in the Appendices.