

**STOPPING INTERNAL WAR:
THEORETICAL FRAMEWORKS FOR MULTIPARTY NEGOTIATIONS**

Negotiated Settlement of Civil Wars

The great euphoria that followed the end of the Cold War and the high hopes in the early 1990s for the international community's conflict management capabilities have been cautiously reevaluated as they have proved unable to stop violent conflicts that raged within states during the 1990s and early 2000s. However there *are* cases in which civil wars have been stopped through negotiated settlement and warring groups that have been killing one another have found a way to live side by side and come together to form a common government which works to protect the rights of all. Wars, especially those with ethnic/religious identity divisions within states where the government is in a state of collapse, tend to be intense, protracted and characterized by an unstable power vacuum in which numerous groups vie for control of the government. According to Tonya Langford, "As governmental control disintegrates, allegiance to a state becomes weak and the notion of being a citizen becomes meaningless. As a result, the cohesion between state and society evaporates, leaving people to identify themselves in looser terms of ethnicity or religion."¹ The question that the international community and the belligerent parties must consider, as Fred Ikle points out in his study of internal conflicts, *Every War Must End*, is not whether the violence will ever end, but rather whether it more efficient and effective to end a war by military victory of one group over the others or by

¹ Langford, Tonya. "Things Fall Apart: State Failure and the Politics of Intervention" *International Studies Review*, vol. 1, no. 1. Spring, 1999: 59-79.

negotiation.² In the survey conducted by Roy Licklider, he discovers that for identity wars, negotiated settlements are somewhat less likely to “stick” than military victories, but military victories may be more likely to result in genocide or politicide as the victorious side is more apt to punish its enemies after the war is won. The belief of outsiders and conflict resolution practitioners and academics is that a negotiated settlement is the best way to end civil war because it will (1) result in fewer casualties and (2) will involve some power-sharing innovations and government institutions that will make future violence less likely.³ Barbara Walters reports that between 1940 and 1990, only 20% of civil wars ended in negotiations, however recent evidence presented by a report by Wallensteen and Sollenberg shows that of the 75 of conflicts that have ended by 1998, 21 ended by peace agreements, 24 by victory by one of the sides and 30 had other outcomes such as cease fire agreements. Therefore, despite the obstacles to use negotiated settlement as a tool to end civil war, successful negotiations and implementation is possible.⁴

Obstacles to Negotiating Civil Wars

Serious impediments to entering into and sustaining negotiations includes the deep-rooted mistrust between the players, the actions of the spoilers, the high stakes for belligerent parties to disarm and demobilize when there is no powerful guarantor of the peace during the uncertain implementation phase and the lack of trust in the other sides commitment to uphold power sharing promises agreed to during negotiations. There are

² Ikle, Fred. *Every War Must End*. New York: Columbia University Press, 1991.

³ Licklider, Roy. “The Consequences of Negotiated Settlements in Civil Wars, 1945-1993” *The American Political Science Review*, vol. 89, no. 3. September, 1995: 681-690.

⁴ Sisk, Timothy D. “Peacemaking in Civil Wars: Obstacles, Options, and Opportunities” Joan B Kroc Institute for International Peace Studies, March 2001. Available from <http://www.ciaonet.org>. Accessed on March 16, 2005.

a variety of options related to the negotiation process that can induce parties to overcome the security dilemma and can manage spoilers, such as manipulation of sequencing and timing, coalition creation and at times using coercive diplomacy to induce reluctant parties to settle.⁵ Multiple barriers also confront international mediators, including a lack of detailed information and intelligence about the parties and the conflict making moments of ripeness difficult to identify, international norms of non-interference that prevent entry, a lack of leverage and coordination problems.

Alleviating the Security Dilemma

In civil wars, it has become common that belligerent groups will walk away from negotiations that offer mutually advantageous terms because of the security dilemma and uncertainty that is present in the disarmament and demobilization phase. To end civil wars with settlement, factions must disarm their separate militaries and reestablish a legitimate central government, however, the fear is that once groups have lost their military power and war assets they will no longer be able to protect themselves against attacks by the other, “untrustworthy” groups and in the long run will be unable to enforce the subsequent terms of the peace that were agreed to. Barbara Walters argues that “many civil war negotiations would succeed in ending civil wars and designing peaceful transitions *if* there were some certainty that the participants would be protected during the vulnerable implementation period *and* there was some certainty that these new contracts could be enforced even after the first party was installed in government.” Outside intervention can serve the first purpose by protecting groups as they disarm and

⁵ Sisk, Timothy D. “Peacemaking in Civil Wars: Obstacles, Options, and Opportunities” Joan B Kroc Institute for International Peace Studies, March 2001. Available from <http://www.ciaonet.org>. Accessed on March 16, 2005.

demobilize however they rarely stay long enough to guarantee that political power will be peacefully transferred over time.⁶ The legitimacy, legality and commitment of the international community has been questioned in recent years as the US, UN, regional organizations and other major powers have shown their disinclination and lack of capacity to serve as guarantor of the peace over the long run. The treaties, therefore, must contain some type of political and military assurances and checks and balances that ensure competing groups a share of the power in the new state. Because state failure and identity conflicts are highly complex the solution requires settling the war, building new governing, military and social institutions and revitalizing the economy so that all parties are included and power and opportunity is shared.⁷ Walters adds, “Once groups are reassured that they cannot be exploited by a peace treaty, either in the short or long term, their promises to abide by the terms should gain credibility and their efforts to find peace should be more successful.”⁸

Managing Spoilers

The decision to enter into negotiations instead of continuing to fight is heavily dependent on that party’s perception of the likelihood of meeting their objectives through military means. Therefore, when one party believes that negotiation would be more beneficial in terms of securing objectives than war and considers talks, the other side will most likely believe that military victories will be more beneficial. It is rare in civil wars

⁶ Walter, Barbara F. “Designing Transitions From Violent Civil War” Institute on Global Conflict and Cooperation at University of California, December, 1997. Available from <http://www.ciaonet.org>. Accessed on March 16, 2005.

⁷ Langford, Tonya. “Things Fall Apart: State Failure and the Politics of Intervention” *International Studies Review*, vol. 1, no. 1. Spring, 1999: 59-79.

⁸ Walter, Barbara F. “Designing Transitions From Violent Civil War” Institute on Global Conflict and Cooperation at University of California, December, 1997. Available from <http://www.ciaonet.org>. Accessed on March 16, 2005.

that leaders and factions will see peace as economically or politically beneficial, would consider process options to begin negotiations and would move on them before guarantees from the other parties, and even more so that it will happen for all groups at the same moment in the conflict. John Stedman argues “where international custodians have created and implemented coherent, effective strategies for protecting the peace and managing spoilers, damage has been limited and peace has triumphed.” The strategies that have proven effective in managing spoilers depends on the position of the spoiler (inside or outside of the process), the number of spoilers, the type of spoiler (limited, greedy and total) and the locus of the spoiler problem (leader, followers or both) and includes (1) inducement, or giving the spoiler what it wants; (2) socialization, or changing behavior of the spoiler to adhere to a set of established norms; and (3) coercion, or punishing spoiler behavior or reducing the capacity of the spoiler to destroy the peace process.”⁹

Case Studies

Our study will look at the negotiated settlements that ended the civil wars in Cambodia, Liberia and Afghanistan. We have studied failed states, in which the central government lost the legitimacy and capacity to rule and ethnic strife and violence has broken out as different groups fight to maintain their autonomy from the state or vie over control of the state. The opening of a negotiation process is a bargain in and of itself, and in a multiparty negotiation this process is even more complex as all parties must see the benefits of negotiated settlement at the same time and must credibly commit to the process. The challenges in each of these cases includes seizing the moment of ripeness as

⁹ Stedman, Stephen John. “Negotiation and Mediation in Internal Conflict.” *The International Dimensions of Internal Conflict*. Brown Michael editor. Cambridge, Massachusetts: MIT Press, 1996.

perceived by the numerous parties to the conflict, inducing them to open talks by reducing the level of uncertainty of a negotiated solution and its implementation by securing external commitments from mediators and outside guarantors, creating power-sharing pacts between the belligerent parties and lastly by using varying strategies to manage spoiler groups. A number of other process options can be considered such as holding multiple-track negotiations, securing secret elite pacts followed by participatory bargaining, inducing the cooperation of external actors, creating coalitions, using coercive peacemaking tactics, including and excluding groups and leaders to support moderates and manage spoilers, and maintaining sufficient momentum to manage the timing, the parties and the issues so as to decrease the obstacles to a successful negotiation.¹⁰

¹⁰ Sisk, Timothy D. "Peacemaking in Civil Wars: Obstacles, Options, and Opportunities" Joan B Kroc Institute for International Peace Studies, March 2001. Available from <http://www.ciaonet.org>. Accessed on March 16, 2005.

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