

■ *Research Paper*

Mediation in Conflict Systems

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The article begins with a brief discussion of issues relating to the concepts of conflict and of system. The possible contributions of mediation to the transformation of destructive large-scale conflict systems are analyzed. Then, the various mediator services that can help transform destructive large-scale conflicts are analyzed. Subsequently, the variety of mediator roles is examined, as they function internally or externally in conflict systems. Finally, illustrative mediation cases are examined, considering unsuccessful mediation efforts. In conclusion, the implications of the analysis for system theory and for conflict analysis and resolution are noted. Copyright © 2012 John Wiley & Sons, Ltd.

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INTRODUCTION

Knowledge of the many ways conflict mediation occurs can help solve some of the contemporary issues in system theory and practice. This bridging will be facilitated by keeping in mind that social conflicts are themselves a kind of social system and are embedded in larger social systems. As will be discussed in this article, conflict mediation relates to reducing system disequilibrium and to restoring and sustaining equilibrium. It relates to the fostering of fair and just social systems, to the permeability of system boundaries and to the engagement of system members at all major levels.

Conflicts have always been part of human social life, and their settlement has often entailed mediating activities. In the early periods of human history and in many traditional societies, mediation was

usually carried out by persons with some authority over the disputants. Mediation generally took the form of listening to the disputants and then handing down a binding decision; the ‘mediator’ was actually doing arbitration rather than mediation.

In recent decades, mediation has become increasingly practiced in a facilitative manner wherein the disputants largely create their own solution to their dispute. In various styles and structures, mediation is practiced in more and more domains. It has also become the subject of considerable research and theorizing. In this article, I examine mediation in the context of the broad contemporary field of conflict resolution, discussing the great variety of mediation services and the diversity of kinds of mediators (Kriesberg and Dayton 2012). The focus here is on the ways mediation can contribute to transforming a highly contentious relationship into a more collaborative one. Particular attention is given to mediation efforts in the constructive transformation of intense struggles between large-scale opponents.

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CONCEPTUAL ISSUES

At the outset, the usage of the words 'conflict' and 'system' in this article should be explicated. Each is considered in turn.

Conflict

The word conflict has a confusing range of meanings. It sometimes is used to refer to war or other violent social relationships; but sometimes, it refers to a difference in interests between parties that is unrecognized by them. I use the word here to refer to a social relationship in which two or more persons or groups manifest the belief that they have incompatible objectives. That definition indicates that a conflict may be waged in a variety of ways, varying in coerciveness and many other dimensions.

Of special interest here is the variation in the institutionalization of conflict regulation. That is, conflicts may be waged in highly institutionalized ways, with limited coerciveness, or they may be conducted violently and with few constraints. The discussion focuses on one way to help transform a relatively destructively waged conflict to one that is conducted more constructively.

System

A system is usually defined as a complex whole whose functioning depends upon the interactions of its constituent parts (Jackson 2003). A social system is a somewhat bounded set of persons or groups whose existence as an ongoing collectivity depends upon the interaction among them (Boulding 1956; Rosenhead 2009). This often seems to presume that the interactions serve to sustain the system as a whole, which is thought to be good. That is, in a social system, the interacting persons share some goals and wish to perpetuate the whole (Parsons 1951). However, in reality, this is never entirely the case.

Many social systems are highly acrimonious, with constituent groups contending with each other. Members of the various interdependent parts of all large social systems generally have

somewhat different goals and seek some improvement relative to other parts. Therefore, their interactions have a varying degree of contentiousness. Social systems tend to incorporate many conflicts, and each conflict has self-sustaining qualities so that it may be viewed as constituting a social system. A social conflict system is usually an open social system, which lies within larger social systems as well as encompassing other smaller social systems within it.

Consider a relationship between groups that regard themselves to be in a conflict with each other: their interactions sustain the conflict as they each threaten or injure the other. Each group's leaders may claim they are acting defensively and simply retaliating against the other. However, many people within each antagonistic side usually do not want to sustain the contentiousness of the system. Some members on each side may prefer different changes in the relationship and want to be part of a different kind of social system, and yet they share some dissatisfaction with the status quo. Furthermore, at the same time, members of antagonistic sides in a conflict are likely to share numerous values and particular interests and have various interdependent needs.

The institutionalized regulation of social conflicts may be viewed as a dispute resolution system. A dispute resolution system may be coterminous with a particular social conflict system, as when workers and managers within a corporation are guided in their contentions by a collective bargaining agreement. The dispute resolution system may also be viewed as a larger, national system within which many corporations operate. As analysts or as acting members of any social system, people may conceptualize which system is of primary interest. Alternative choices may be made over time, as seems most pertinent.

In thinking of a conflict as a system, it is useful to recognize that no party fully determines the course of that conflict. Each party has some effect on its course, even when there is high asymmetry in the capacities of the opposing sides (Mitchell 1995; Kriesberg 2009). An implication of this reality is that each party can reasonably and usefully consider how it can affect the conflict rather than attribute all responsibility to the other side and accepting a victim's role.

Social systems are not closed. Outside agents greatly impact many social systems. Indeed, it is useful to recognize that social systems are interconnected with each other in many ways. Some are nested in each other, as are cities, states and countries; some cross-cut each other as do countries and international corporations; and some are linked historically as they become transformed over time. Such interconnections have been examined significantly in reference to social conflicts, helping to account for escalation and de-escalation of particular conflicts (Ross 1920; Kriesberg 1980; Bar-Siman-Tov 2006).

In large-scale conflicts, each organized party in the conflict is, to some degree, a social system itself. There are differentiated functional groups within each and different levels of authority. Leaders must be concerned about their followers and constituents and about possible rivals as well as possible external antagonists. Conflicts are transformed as the salience of different social systems shift.

Some members of such sub-systems may be part of a single much larger system, like a society; they also may have other interactions and systemic relations with similar persons in still other large systems. Consequently, they may directly or indirectly influence the larger system that encompasses them. As discussed later, this has important implications for the collaborative transformation of severe social conflicts.

MEDIATION SERVICES AND THE TRANSFORMATION OF SOCIAL CONFLICTS

A great variety of mediation services may be applied to help transform a destructive conflict system, reducing its destructive qualities. The diverse kinds of mediators providing such services are discussed in the following section.

The tasks of transforming a harshly contested social conflict to one that is treated by its antagonists as a problem that can be collaboratively managed falls largely upon the parties directly engaged in the conflict. It is they who generate and sustain a constructively managed conflict, possibly establishing a more just equilibrium. Nevertheless, mediators and other kinds of interveners, varyingly

affect such transformations—either positively or negatively. At particular junctures in the trajectory of a conflict, mediation can be critical for achieving a constructive transformation of a destructive conflict.

Interveners vary in the degree to which they try and are able to impose a process or an outcome upon the adversaries in a conflict. They also vary in the degree to which they are intended to serve the interveners' own interests or the interests of one or another adversary or the interests of a larger system within which the conflict is embedded. An example of the last variation would be the police and court intervention in a violent family fight. In large-scale conflicts, these characteristics are likely to be mixed and ambiguous. Different elements of the interveners' efforts vary in their ability to impose various aspects of the adversaries' conflict. Furthermore, intentions are often difficult to discern and vary among the diverse members of each intervening party.

The primary defining quality of mediation is that the adversaries in a conflict elect to invite or allow interveners to help them to settle their conflict (Moore 2003). Mediation is generally contrasted to arbitration, in which the adversaries agree to abide by a settlement to their conflict that the arbitrator determines. Mediation, then, is non-binding, but it varies greatly in terms of the degree to which mediators try to influence and shape the process and the outcome. I briefly identify many of the possible mediation services that can contribute to resolving conflicts. They are discussed in increasing degree of intrusiveness.

Assist Communication

Mediators can help adversaries communicate with each other in many ways. They may simply provide a discrete place for adversaries or their representatives to meet confidentially. This was done by the Norwegian Foreign Ministry for the 1993 meetings between the Palestine Liberation Organization (PLO) and Israeli non-governmental academics and then government officials. Sometimes each adversary prefers not to meet in the other's space, fearing that it would appear to be

the supplicant. Getting together in a neutral location avoids that symbolic loss of face.

Even members of the adversary sides, at a non-official level, may explore possible options to settle or transform their conflict. Meeting informally, off the record, can enable members of opposing sides to listen and hear each other in ways that are more difficult in public settings.

Transmit Information

Antagonists are increasingly likely to misunderstand each other as a conflict intensifies. It is difficult to penetrate barriers of suspicion and hostility; therefore, a mediator can help by transmitting information from one side to another skillfully so that it will be fairly understood. Also, an intermediary may present facts or rules that can be used to help settle disputes (Laue 1973). For example, independently presented information about prevailing social norms is more likely to be accepted than if one side presents the information.

Informal meetings across adversarial lines can help provide transformational information. Learning of the differences among members of the opposing side is often enlightening, instead of viewing the other side as homogenous and antagonistic. Such contacts can reduce the demonization of the enemy that is the hallmark of destructive conflicts.

Help Adversaries Initiate Negotiations

Various mediating activities can help adversaries undertake peacemaking negotiations by making success seem more likely and by reducing the costs of negotiation failure. Mediators can explore what negotiating partners, agenda and context would make negotiation seem plausible. For example, an intermediary may suggest that one side make a unilateral conciliatory gesture or symbolic gift that would be difficult for the other side to misinterpret. Gestures as simple as acknowledging the bravery of persons in the adversary camp or recognizing their sacrifices may be moving and effective in prompting more conflict de-escalation.

Some external mediators have the authority to simply convene a meeting of the adversaries or invite themselves to transmit information from one side to the other. Thus, the president of the USA or the secretary general of the United Nations can interject themselves into a conflict even when one or more sides would prefer no such intervention.

Ease the Negotiating Process

Mediators may set rules and suggest techniques that enable disputants to discuss differences and yet minimize adversarial argument. These actions may include ensuring time constraints on speaking, sequencing of speakers and encouraging disputants to ask questions of each other to learn the other side's underlying interests and concerns. Another less formal technique is to work together on collective tasks, such as preparing a meal or arranging an excursion. Such engagements may facilitate mutual explorations of possible new options.

Negotiators sometimes become frozen in unproductive practices, and mediators can suggest new procedures to revive negotiations. For example, adding a facilitator, in addition to a chair, can change the style of discussion (Doyle and Straus 1976). Another possibility is to bring high-ranking representatives of the opposing sides, who have the authority to take new positions, into the negotiations. Alternatively, difficult issues may be delegated to specialists on the contentious issues who will discuss options in small working groups. Finally, establishing small negotiation groups to work on a subset of issues can fractionate a conflict, settling pieces of the overall conflict one at a time.

Help Invent New Options

Once a conflict appears intractable, the adversaries tend to become frozen into the positions they have previously announced. Each side sees the other's positions as unacceptable and thus believes escalating the struggle is better than accepting the adversary's terms. Mediators often can help

reframe the struggle and suggest new settlement options for consideration. They also can be more inventive than the opposing sides because they more readily recognize the underlying interests that the negotiators for each side are trying to advance.

Mediation often helps opposing negotiators discover new options themselves. This may result from bringing together a few members of the different sides to informally discuss their relationship and identify plausible steps to settle their conflict, as may occur in problem-solving workshops (Kelman 1992). It also may be fostered by brainstorming, during which members of the negotiating sides suggest possible solutions, putting aside difficulties in implementing them. Only after many options have been proposed is the necessary critical discussion begun.

Finally, mediators may help opposing negotiators fashion an unacceptable proposal into a mutually acceptable agreement (Forester 1994; Fisher *et al.*, 1994). Thus, when representatives from one side reject a proposal from another party, the mediator may ask, "What if the other side said such and such, would that be better?" Then, if the response is, "That's better, but it's not enough," the mediator may ask, "What would you add to improve it?" The idea is to demonstrate to participants how they can get beyond rejecting a proposal and rather think how to make it acceptable.

Represent Persons Absent from the Negotiations

Conflicts usually affect many more groups than those represented in any set of negotiations, and those unrepresented parties have a stake in the outcome. The failure to take the concerns of certain of those absent groups into account may undermine any agreement reached. Mediators may represent the interests of absent others, for example, the general public, consumers, taxpayers or future generations. Mediators may be able to draw attention to the more diffuse interests of others by upholding general norms of fairness or of human rights (Babbitt and Lutz 2009).

Drawing attention to the interests, values and concerns of parties not formally represented by

the negotiating teams is likely to enhance the justice of any settlement reached. It will also tend to make the resulting agreement more sustainable.

Actively Construct Deals

Mediation sometimes entails shuttling between opposing sides, learning what each side wants, what each will give up and what each will not abandon. On that basis, a mediator may develop a possible settlement and present it to the opposing sides. This may become the basis for further negotiations as the mediator modifies the proposed plan, taking into account the criticisms of each side. The mediator repeatedly modifies the plan and presents all negotiating parties this single negotiating text, which each side is asked to accept as a whole (Fisher 1981; Fisher *et al.*, 1994). The mediator may be more or less active in formulating the proposals, varying from combining elements of the positions of both sides to creatively constructing a deal that he or she tries to sell.

Contribute Relevant Resources

Some mediators themselves contribute resources that sweeten a settlement deal, resources that none of the adversaries would credibly contribute to the settlement. Mediators also may help the adversaries find additional resources that they can use to fulfill their needs. To illustrate, an official of a national government or from the UN, in mediating an international conflict or a civil war can help mobilize assistance from many countries to advance and sustain peace agreements. They may provide the resources needed to implement peace building operations during the transition to a new relationship.

The promise of assistance by external organizations, such as the USA, the United Nations (UN) or the Organization for Security and Peace in Europe (OSCE), to recover from the devastation of internal strife can encourage adversaries to end their fight and reap benefits for doing so. Benefits may be targeted to gain the acquiescence of particular persons and groups who might be

threatened by the conflict's outcome. Thus, external actors may promise them safety, and even funds they previously hid in other countries, as part of the agreement to end a civil conflict. They may also facilitate establishing power-sharing agreements to further incentivize peacemaking. Each of the above is referred to in the literature as 'commitment enhancing provisions' and are often found to make a difference in the durability of peace agreements. Nevertheless, these possibilities are often untried or only partially implemented.

Finally, in domestic conflicts about environmental matters such as building a waste incinerator, locating a wind farm or drilling for oil, reaching an agreement may require outside assistance to reimburse persons who would have to move their homes. Sometimes, in these cases, funds may be set aside to protect citizens in the event of a future environmental claim. In other cases, resources are added by having developers pay additional taxes to support public works, schools or community projects to 'off-set' potential future environmental damages.

Exert Pressures for an Agreement

Mediators sometimes pressure one or more of the adversaries to reach an agreement. One mild source of pressure is the obligation adversaries feel toward the mediators they regard as friendly. Aware of the investment of time and the risk taken by the mediator by trying to help bring about a settlement, the adversaries frequently hesitate to abandon the negotiations, as this may seem disrespectful of the mediator's efforts. The mediation pressure may be applied to one side more than another, perhaps threatening public accusations that the failure to reach agreement is caused by the intransigence of one party. In addition, a powerful mediator may more or less directly threaten to impose negative sanctions on the recalcitrant party (Carter 1982; Babbitt 1994).

Help Rally Support for an Agreement

Mediation often provides support for an agreement, which helps legitimate it to the negotiators'

constituencies. A mediator may even testify how well the negotiators for each side strove to protect the interests of their respective constituencies.

Mediators, insofar as they represent a broader community, frequently are seen as validating the fairness of the agreement. Furthermore, the negotiating sides are likely to regard the mediator's engagement in the negotiations as helping to guarantee that the agreement reached will be respected because the mediator has an interest in ensuring that its efforts appear successful.

In summary, many mediating services can enhance the de-escalating process. These activities may speed initiating and concluding settlements and may contribute to the fairness of a resulting agreement and help ensure its implementation. However, it should be recognized that it is difficult, if not impossible, for the same person or group to perform certain functions simultaneously. Of course, mediating efforts often are ineffective and sometimes counterproductive, an issue I consider later.

INTERNAL AND EXTERNAL MEDIATOR ROLES

Diverse mediator roles are now discussed. In the following section, a few cases of mediation-assisted transformation efforts will be critically examined to assess the effectiveness of mediation work.

Mediators may function as an integral part of a conflict system or they may be based outside that system. Internally, members at different levels of the adversary entities may engage in exploratory conversations, regular dialogue meetings, workshops, as well as official negotiations. External mediation entails an expansion of a social system that is constituted primarily by the adversaries in a conflict. In other words, some conflict systems incorporate a mediation provider or they are part of larger social systems that have the capabilities and authority to mediate or otherwise intervene to affect the course of a conflict.

Either internal or external, mediators may be actors in highly institutionalized conflict management systems. Mediation may also occur in a less institutionalized manner, for example, by an

external intervention or undertaken by an ad hoc mediator. Mediation services may also be performed informally by some members of the opposing sides, without formal recognition as mediators. Such work may be undertaken through forms of track-two, non-official, diplomacy (Montville 1991; Kelman 1992). Finally, mediation services also may be provided by or for members of one side in the conflict. Each of these kinds of mediation providers are discussed next,

Institutionalized Mediator

Many large-scale social conflict systems function within the context of an encompassing legal system. For example, in many countries, institutionalized mediation is highly developed in the realm of collective bargaining, in negotiations between labor unions and corporate managers. Thus, in the USA, there are federal and state agencies that provide many mediation services at various conflict stages.

In recent decades, alternative dispute resolution (ADR) has greatly expanded in many conflict arenas and in many countries. In the USA, ADR is conducted in neighborhood conflict-resolution centers. In some judicial districts, mediation is mandated as part of the judicial process, as in child custody disputes between divorcing parents.

In the context of a highly institutionalized conflict setting, the failure to reach a negotiated agreement is often followed by conflict-settlement procedures that are under little control of the disputing parties. Judicial proceedings or imposed settlements are likely to follow. On the other hand, where a dispute resolution system is not well developed, the conflict may dramatically escalate, and the adversaries resort to coercion attempting to unilaterally impose its desired outcome.

At the level of international affairs, institutionalized mediation is relatively weak, but it is operative to a significant degree. There is a growing set of international understandings, norms and laws and international governmental organizations with varying degrees of capacity to assert them. Within Europe, the OSCE has significant capacities to manage conflicting interests and concerns. At

the global level, the United Nations Secretary General can and does dispatch mediators to conduct quiet diplomacy, which may be to avert conflict escalation, to end terrible violence, and help settle specific issues (Sutherland and Sutherland, 1996). Of course, these capacities are often not implemented or only undertaken late and inadequately.

Ad Hoc Mediator

In relatively non-institutionalized conflicts, which are highly destructive, a well-regarded person or organization may intervene, at the request of the adversaries or of a governmental body, to serve as a mediator. The nature of the social role of these mediators and the services they provide are quite variable because there is little preexisting consensus about the mediator role the designated person should play.

Ad hoc mediators are drawn from many settings, including non-governmental conflict resolution organizations. Some members of religious organizations provide informal, facilitative mediation, as have members of the Society of Friends in several conflicts around the world (Yarrow 1978). Former US president, Jimmy Carter established the Carter Center, in partnership with Emory University. Carter and staff members act to prevent and resolve conflicts, to protect human rights, to enhance freedom and democracy and to improve health.

In many societal settings, an influential personage is called on to help settle a dispute, with authority to act assertively. The intermediary may have the authority to serve as an arbitrator but more often behave as deal making mediator. The deal maker may have resources with which to offer benefits or threaten losses but often relies largely on persuasion and manipulation (Carnevale 2002). That is evident in international relations. For example, President Carter was such a mediator at the 1978 Camp David negotiations between the Israeli and Egyptian governments, which resulted in the peace treaty between Israel and Egypt. The president could provide political cover for the concessions that each side would otherwise fear to make, could provide Israel with

alternative sources of oil and military security if needed, and could provide Egypt with the prospects of badly needed economic assistance. Richard Holbrooke at meetings in Dayton, Ohio, in 1995, provides an extreme example of mediator as deal maker (Cohen 1995; Holbrooke 1998; Gibbs 2009). As US assistant secretary of state for Europe, Holbrooke practically imposed a settlement for Bosnia–Herzegovina, which resulted in dividing it into Serbian and Muslim–Croatian territories.

Insider Quasi Mediator

Within a conflict system, at times, some members of the opposing sides themselves perform mediating services. For example, they may carry out go-between activities. They usually are not recognized as mediators but may be referred to as quasi mediators or insider-partial mediators (Wehr and Lederach 1991; Kriesberg 1995). Nevertheless, they frequently convey information from the adversary back to their own side. Thus, in international relations, ambassadors are expected to inform their home government about the thinking of the government to which they are assigned. In the light of their insights, they may suggest new options to their home governments.

During negotiations, one or more members of the negotiating team may explore the possibility of the other side accepting a particular option and then seek their own side's acceptance of the idea. For example, in the first years of Ronald Reagan's presidency, negotiations between the United States and the Soviet Union regarding missiles based in Europe made little progress. Paul Nitze and Yuli Kvitsinsky, respectively chief US and Soviet negotiators, during walks in the woods in Geneva, developed a possible agreement that they thought would serve their respective country's interests. However, the proposal was rejected by both governments (Talbot 1984).

Quasi mediators can help overcome mistrust within their own side by conveying their belief in the sincerity and trustworthiness of the opposing side. For example, during the 1978 Camp David negotiations between the Israeli and Egyptian governments, some members of the Israeli delegation, such as Israeli defense minister Ezer Weizman,

helped to convince Prime Minister Begin of President Sadat's sincerity (Carter 1982; Quandt 1986).

Insiders may also perform indirect and preparatory mediation services. As members of think tanks, universities, or mass media organizations they may provide information about the adversaries' thinking and concerns and they may provide ideas about new options for waging and resolving a conflict.

Interveners Working with One Side

Increasingly, persons and organizations provide training and consultation services in conflict resolution methods. They are based in academic, governmental, business, religious and philanthropic settings. Training includes developing skills in negotiation, active listening, mediation, strategic planning, nonviolent action and other aspects of conducting a constructive struggle. Consultation often includes such training and also helps in developing conflict-management systems, including democratic organizational and societal systems. Such activities are often carried out with one of the sides engaged in a struggle but, sometimes, are provided to all sides. The training and consultation may foster mediation and other ways to manage conflicts among the groups constituting one side in a larger conflict.

Such intermediary efforts are often undertaken before intense struggles erupt, but they may be introduced even when a struggle has become protracted, and increasingly are used and promoted to help transform adversarial relations. For example, the Federal Mediation and Conciliation Service (FMCS), an independent agency of the US government, was established in 1947 to mediate domestic labor management disputes. In the 1990s, it expanded its conflict resolution services and now provides training, facilitation and consultation relating to a wide range of community and societal conflicts, as well as to labor management disputes in the USA and other countries (Strimling 2002).

Training in conflict resolution and alternatives to violence are increasingly offered in schools at all levels, in prisons, in governmental and business

organizations, and in churches and other voluntary associations. The training may be part of managing adaptations to changes in the composition of the membership, for example, as women and minorities become more significant participants in the organizations.

ILLUSTRATIVE MEDIATION CASES

Thus far, I have mapped out how various kinds of mediation by diverse actors can occur within and between conflict systems. However, we must also consider when and how mediation undertakings actually contribute to the constructive transformation of large-scale conflicts. Assessing such possible consequences of mediation efforts in specific cases is extremely difficult, for several reasons (Diehl and Druckman 2010). Conflict transformations occur as a result of the convergence of many factors so that isolating the effects of a particular intervention is highly problematic. Conflict transformations generally occur over a considerable period, and a mediation effort may have various indirect and delayed effects, which are often obscure. The people making assessments have numerous reasons for stressing or denying the positive effects of any particular external mediation attempts.

Despite these difficulties, I will cautiously note various mediation undertakings in particular conflicts and make some inferences of their impacts on the course of the conflicts. I will note how those inferences may vary depending upon the conflict system that is salient in the analysis and in the eyes of different partisans. I give particular attention to frequently unsuccessful mediations in the Israeli–Palestinian conflict.

Reframing System Context

The Israeli–Palestinian conflict system has been a varyingly prominent and autonomous system functioning within the context of many larger social systems. In many ways, at the time of the establishment of the state of Israel in 1948, the conflict was manifested as a subsystem within the context of the Arab–Israeli conflict. Israel's

existence was militarily challenged by neighboring Arab countries, which would not officially recognize it. Changes in many Arab states and the extension of the Cold War between the Soviet bloc and the Western powers soon overlay the Arab–Israeli conflict. Several other overlays and cross-cutting systems also contributed to the ever-shifting intractable Israeli–Palestinian conflict. They included the Jewish–Muslim conflict system and the advanced Western relationship with the developing Middle Eastern countries.

Mediation efforts at times contributed to the shifts in the prominence of different conflict systems. Following the 1973 war launched by Egypt and Syria against Israel, US Secretary of State Henry Kissinger skillfully helped lessen the significance of the Cold War context for the Israeli–Palestinian/Arab conflict system. While officially recognizing Soviet as well as U.S. responsibilities in ending the war, Kissinger himself engaged in mediating cease fires between Israel and Egypt and Israel and Syria. Of course, the central role played by the USA in arranging the cease fires was enabled by the prior decision made by Anwar al-Sadat to abandon reliance on the Soviet Union, which had been the policy of his successor Abdel Nasser. Sadat saw that to retrieve the Sinai and gain leverage against Israel, Washington rather than Moscow was the better option. The Israeli–Egyptian agreements, which entailed partial withdrawals by the Israeli military forces from part of the Sinai, were steps toward the Egyptian–Israeli peace treaty and the dissolution of the Arab Israeli conflict, with subsequent primacy of the Palestinian–Israel conflict system.

The Good Friday agreement of 10 April 1998 was a major development in transforming the intractable Northern Ireland conflict, marked with violence. It provided for a shift from a peace process within the UK, which was not succeeding, to a process that included the Republic of Ireland. The agreement consisted of two inter-related documents: one document set out the parameters for normal relations among most of the political parties in Northern Ireland and the other was between the United Kingdom and the Republic of Ireland. George J. Mitchell, a retired, US Senator, mediated the 700 days of negotiations resulting in this new agreement as the basis for the peaceful

transformation of the conflict (Holland 1999; Mitchell 2000).

Central America was plagued by several inter-related, bloody civil wars for decades. They were finally transformed and ended after a comprehensive framework for peace in all the countries torn by civil wars was constructed (Hopmann 1988). Signed in 1987, it is known as the Esquipulos II Agreement and was significantly mediated by Oscar Arias, president of Costa Rica.

Contributing Assets to Negotiations

Mediation can contribute to ending a violent conflict by providing services and resources to the adversaries as they attempt to end violent hostilities. This may not entail an enduring shift in the structure of the conflict and the ongoing engagement of the mediating party in the relationship between the adversaries. For example, it may take the form of facilitating the leaders of a defeated party escaping to a safe haven in some other country. This happened in the course of the 1994 efforts to restore Bertrand Aristide to the presidency of Haiti. Following a period of UN-imposed sanctions and failed negotiations, a US invasion force was sent to force the Haitian military rulers to transfer power to Aristide and leave Haiti. Former President Carter, Senator Sam Nunn, and former Chairman of the joint Chiefs of Staff Colin Powell went to Haiti and arranged a nonviolent transfer of power. The Haitian military leadership, General Raoul Cedras, General Philippe Biamby, and Chief of Police Lieutenant Colonel Michel Francois went into exile.

Mediators can add resources to ensure success of an agreement or minimize the dangers of an agreement failing. US mediation in the Israeli-Arab conflicts has often entailed such contributions. For example, for the agreements between Egypt and Israel regarding Israel's step-by-step withdrawal from the Sinai, the USA provided monitors overseeing the provisions of the agreement and financial assistance to implement them. This entails a very limited overlap of the conflict system with elements of an external system.

The external mediators' failure to monitor and secure the implementation of peacemaking agreements has often contributed to the failure of the agreement. This has been the case in the US mediation efforts in the Israeli-Palestinian peace negotiations during the Oslo peace process. The partial agreements that were reached were not implemented in a timely manner and not fully. The leaders and their constituents on each side ceased to believe that the other side would deliver what was promised (Kurtzer and Lasensky, 2008).

A major resource is the discovery or creation of new ideas about conflict solutions and ways to achieve them. These may be created and offered from within and from the outside of a conflict system. They may be generated in think tanks, academic institutions, non-governmental advocacy groups and non-governmental conflict resolution organizations.

To illustrate, the idea of developing non-offensive defense strategies contributed to the ending of the Cold War in the 1980s (Dragsdahl 1989; Evangelista 1999). Peace and conflict research centers in West Germany, Denmark, England and elsewhere in Western Europe recognized that the military strategies of NATO and of the Warsaw Pact countries anticipated rapid forward advances so that if war erupted, it would not be fought on their territory but fought on the enemy's territory. Each side, looking at the structure of the other side's military capacities and deployment would reasonably believe they faced the threat of a military attack.

Analysts at these centers examined how security could be more assured by adopting military defense strategies that were not offensive rather than ones that were likely to be perceived as threatening. The non-offensive defense (NOD) approach went beyond agreeing upon confidence-building measures, providing procedures for mutual monitoring of adherence to past agreements and of actions that might be misconstrued to be threatening. It included restructuring military forces so that they clearly were for defensive purposes. The analysts not only published their work but also traveled to Moscow and elsewhere to explain their findings and proposals. Such thinking had been conveyed to Soviet leaders since the 1970s, and when Mikhail Gorbachev and his

associates led Russia, there were familiar with the ideas about non-offensive defense ideas. They adopted some of the language and undertook some of the suggested restructuring. The changes were noted in Washington and elsewhere and smoothed the path to the end of the Cold War.

The NOD ideas have evolved and peace and security analysts in universities, think tanks, and government agencies have examined possible non-provocative defense strategies (NPD) (Wiseman 2002). This approach is more general than the NOD focus on military force levels and posture, military doctrine and military capability. NPD draws from the interest in the idea of common security, that in a nuclearized world, security must be mutual. Particular applications of these ideas are being discussed in many regions of the world.

Enabling and Supporting Initiating Peacemaking

Mediation can bring together representatives of opposing sides for exploratory talks. This may include non-governmental representatives from one or more sides. This was most notable in the Oslo peace process between high-ranking PLO officials and initially two Israeli academics. Their secret meeting was facilitated by the Norwegian foreign ministry. In this case, the mediation blended quasi mediators within the conflict system with external mediators who conducted a minimal facilitating kind of mediation.

In the struggle against apartheid in South Africa, early steps in moving towards a transformation of the relationship between whites and blacks largely occurred within the conflict system. These steps often relied on quasi mediators, whereby a few members of each South African camp met outside South Africa because the African National Congress (ANC) was outlawed in South Africa. For example, an Afrikaner sociologist, Hendrick W. van der Merwe, had established a center on intergroup relations based at the University of Capetown in 1968. He organized and facilitated the first semi-official meeting of (ANC) officials and leading Afrikaners. This meeting was held in Lusaka, Zambia, in December

1984, between ANC officials and Afrikaner newspaper editors. Then, in 1985 and 1986, 'more than two dozen delegations of white and black South African businessmen, academics, church leaders and others met with the ANC leaders in Lusaka (van der Merwe 1989)."

Both ANC and Afrikaner leaders were adverse to using external mediators, believing they would pursue their own agendas. ANC officials desired direct negotiations with the highest South African government officials to resolve their conflict. As a step toward those negotiations, a series of meetings were held in England between 1987 and 1990 (Lieberfeld 2005). Leading Afrikaner figures with good connections to the Afrikaner National Party, which controlled the government, and who would be willing to meet ANC officials were sought and found. An external non-governmental intermediary was critical in arranging and then chairing the recurrent meetings, with the two sides determining the agenda. This initiative was sponsored by Consolidated Goldfields (Consgold), an English-owned mining corporation operating in South Africa. Michael Young, who chaired the meetings, was Consgold's public relations director and strategic advisor. The meetings proved to be an important channel contributing significantly to the official direct negotiations that peacefully ended apartheid in South Africa.

Preparing One or More Side for De-escalation and Peace Building

Much can and should be done in preparation for effective mediation. To maximize beneficial mediation, relevant skills and norms need to be acquired and confidence in them widely supported within each opposing side. Such preparations may be seen as preliminary to mediation or even as a part of the mediation process itself.

Such preparatory work may be done by internal as well as by external mediators, conflict resolution organizations, and academic educational and training programs. Such capacity-building organizations are increasingly active in countries around the world. The growing practice of mediation within schools, government agencies, and business corporations certainly enhance

familiarity with mediation. This is often seen, however, as relevant within a school, a church, a business, an agency or other entities where common identities and interests are strong. Thus, senior US military officers are generally familiar with basic conflict resolution ideas about negotiation and mediation. They recognize that their advancement depends upon good working relations with members of other US government agencies for which such conflict resolution skills can be useful. The relevance of such ideas in dealing with 'bad guys' however, is not likely to be so apparent to them.

The failure of the Oslo peace process in resolving the Israeli–Palestinian conflict, despite considerable mediating efforts by the US government officials and by numerous non-governmental organizations, demonstrates the limits of mediation efforts in many circumstances. However, it also demonstrates that those efforts may themselves be untimely, inadequate, inappropriate, of otherwise not performed well (Abbas 1995; Kriesberg 2001; Kriesberg 2002; Kurtzer and Lasensky, 2008)

To maximize the potential benefits of mediation in mitigating destructive conflicts, mediation should be understood and conducted in accord with the contemporary conflict resolution approach. However, in actuality, heads of countries and major institutions who may be acting as mediators in large-scale, major conflicts are not likely to have had any formal exposure to the ideas and practices of mediation in the context of the conflict resolution approach. Nevertheless, their associates and staff increasingly have experience and some exposure to the conflict resolution approach. The understandings of the public at large are also important. Insofar as the public is familiar with and supportive of the conflict resolution ideas and practice, its members will support their leaders acting in accord with them.

In some conflict systems, preparatory work is done with only one of the adversarial groups. External consultants may help negotiators on one side think about the information they need to have and the likely costs and benefits of the options they have and might propose. They may work with grass-roots groups to face the likely consequences of various outcomes

of negotiations and how they may implement likely agreements that are reached.

CONCLUSIONS

The analysis of mediation in this article should illuminate how it can help mitigate the destructive consequences of conflicts and sometimes contribute to enhancing the benefits of conflicts and the results they produce. A wide array of functions is served by mediation at different stages of conflicts. They are performed by a diverse set of persons and groups because no single mediator is able to provide all of them simultaneously.

This analysis also makes clear that mediation, as it is actually practiced, is often ineffective and sometimes counterproductive. This may be the case at times because the method chosen and its implementation are misguided. More fundamentally, the way a conflict is conducted and its outcome are largely shaped by the direct partisans in the conflict. Mediation can be helpful and even crucial at particular junctures, when an appropriate form of mediation is employed.

Finally, this analysis should indicate that thinking about systems and conflicts jointly enhances the study of both social systems and of social conflicts. For the study of social systems, it draws attention to the varying levels and kinds of conflicts within and among various social systems. It also indicates the many ways that the mediation process can help restore and sustain system disequilibrium. Furthermore, it points to ways in which conflicts and their transformation can enhance the justice of social relations within a given system.

For the study of social conflicts, it draws attention to the interdependencies of contending parties and to the existence of system boundaries that are varyingly permeable. It also suggests that attention to system theory and research can broaden the range of ideas and practices that can ameliorate the destructiveness of conflicts and their constructive transformation.

This analysis leaves many questions unanswered. I hope it will stimulate additional research and reflection on the intersection of social systems and social conflict studies and

of the role of mediation in enhancing the way conflicts are waged and resolved.

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