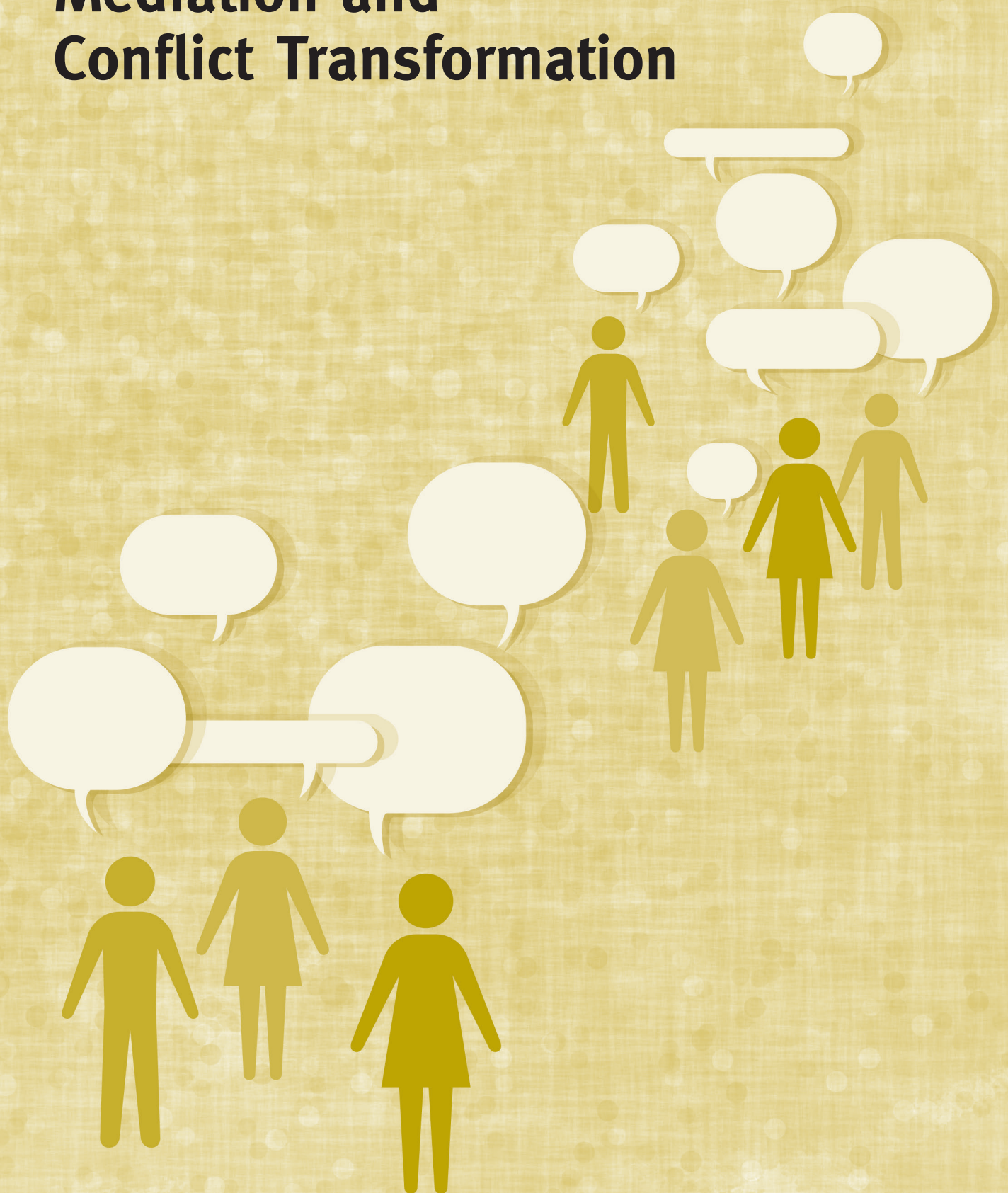


Mediation and Conflict Transformation



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Disclaimer: MSN Discussion Points summarize the authors' reflections on discussions held at network meetings and do not aim to provide a comprehensive or consensus MSN view.

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FOREWORD

By Vasu Gounden
Founder and Executive Director, ACCORD

In April 2014 South Africa celebrated 20 years of democratic governance, capped by the successful conduct of its fifth general elections. These accomplishments cannot be understated, especially in light of the violence that fissured the entire country over the previous decades. Since the late former President Nelson Mandela's inauguration in May 1994, South Africa has witnessed massive transformations in the country's social, political, and economic sectors. The multi-party negotiations and managed transition that took place between 1990–1994 were essential both in ending the violence between the country's diverse communities and political stakeholders and in the laying of the legal foundations to spur the widespread transformation of South African society. These transformations, which include the enshrinement of a rights-based and equality-driven constitution, large-scale reduction in poverty and improved social development across all sectors of society, emerged from the agreements reached within the long negotiation process for a political settlement.

The South African transition exemplifies how mediation efforts are not limited only to securing peace between conflicting parties, but can also help to catalyze broader social and economic transformations. The following publication on Mediation and Conflict Transformation is the fifth Discussion Points edition of the Mediation Support Network (MSN). This edition aims to examine and advance the relationship between mediation efforts and broader conflict transformation processes. By unpacking these dynamics, the Discussion Points highlight how certain mediation considerations such as issue prioritization, inclusivity, stakeholder dynamics, leadership and ownership, are important in securing an immediate negotiated agreement as well as in shaping longer-term societal considerations. This publication is based on literature on mediation and conflict transformation and draws on the experience of MSN members. Its arguments are illustrated with insights from the South African experience and other case studies from the African continent.

As we move further into the 21st century, the entire world will be forced to confront increasingly complex and dangerous conflicts. The convergence of dynamic social forces, the rapid integration of global economies, the unprecedented worldwide demographic and technological shifts, and the emergence of volatile and cross-border security threats are rapidly changing how people and societies engage with one another. Crucially, these conditions can also amplify and exacerbate the underlying structural inequalities that are at the heart of violent conflicts. If our efforts to mediate conflicts focus only on securing short-term peace, we will witness continued relapses into violence and instability that present dangerous consequences for us all. In my personal mediation experiences, from taxi wars in South Africa to the multi-party negotiations for the Democratic Republic of the Congo, I have witnessed the importance of putting conflict transformation principles at the heart of mediation processes.

Together, we must redouble our efforts to ensure that mediation efforts start to pave the way towards sustainable and holistic societal transformations. Although these transformations cannot occur overnight, we have seen that conflict transformation is possible! We hope that this edition of MSN Discussion Points provides important and valuable support to all those involved in mediation around the world who wish to see a more peaceful and prosperous planet.

1. EXECUTIVE SUMMARY

Efforts to end intra-state conflicts that have an exclusive focus on short-term resolution carry the risk of a return to violence in the long term. As a result, the notion has developed that conflicts not only need to be resolved, but also transformed, both in terms of changing the relationship between the parties and more broadly in society. This includes addressing the structural causes that originally led to the conflict. What role can mediation play in such transformation processes?

This edition of the MSN Discussion Points assesses this question on the basis of insights from the South African experience and inspired by discussions at the 9th MSN meeting in Durban, South Africa. It argues that while mediation is an important tool for addressing conflicts in the short term, it also has important contributions to make to long-term conflict transformation, since the overall goal of the two approaches of mediation and conflict transformation is the same, namely to build lasting peace. At the same time, the conceptual differences between the two concepts with regard to the means, the timeframe, the parties and the third party actors involved should be kept in mind so that the expectations addressed at mediation processes are not conflated. This is particularly important when it comes to questions of prioritization, inclusivity, linkages between the international, regional, national and local level and leadership. These Discussion Points assess these aspects in an attempt to shed light on what can legitimately be expected from mediation in terms of its contribution to conflict transformation.

2. INTRODUCTION

From 26 to 28 March 2014 the Mediation Support Network (MSN) met in Durban, South Africa, under the auspices of the African Centre for the Constructive Resolution of Disputes (ACCORD). At this meeting, the network sought to clarify how mediation efforts can contribute to conflict transformation in order to support sustainable and constructive peace. This edition of the MSN Discussion Points is inspired by discussions held throughout the meeting. It does not provide a comprehensive or consensus view of MSN members, but rather the authors' reflections on the discussion. The edition aims to provide reflections for mediators and mediation support actors, who may struggle to find a balance between ending violent conflicts and fulfilling long-term agendas for sustainable peace. It may also provide insights for conflict transformation actors in terms of what and how mediation can contribute to conflict transformation.

Since the end of the Cold War, the nature of many conflicts has shifted from inter- to intrastate wars. This has also changed the way in which communities are affected by violent conflict. Lederach locates the difference

between intra- and interstate warfare in the "immediacy of the experience". Armed conflicts now reach the doorstep of the civilian population, as they witness and experience killings, rapes and abductions.¹ Many scholars have shown that in a context of localized violence, conflict lines penetrate the whole society, thereby blurring the distinction between combatants and civilians with the consequence that "the enemy is not halfway around the globe; the enemy lives only a village away, or in some instances next door".²

Based on this changed nature of warfare, recent debates in practice and research point to the need not only to strive for an agreement to end violence between military and political actors, but also to address the root causes of conflicts, including economic and social disparities. Such an effort needs to include the whole society. These views underline the need to strengthen and interlink efforts towards conflict prevention, peacemaking, reconciliation, post-conflict reconstruction and development. The underlying notion is that conflicts not only need to be resolved, but also transformed.³

Conflict transformation can be defined as the process of changing the relationship between parties and in the wider society, as well as addressing the structural causes that led to the conflict in the first place.⁴ It aims at ensuring sustainable peace through the improvement of the social, economic, security and political structures⁵. The aim is positive peace, a situation that goes beyond the absence of violence and is characterized by the "presence of social justice through equal opportunity, a fair distribution of power and resources, equal protection and impartial enforcement of law".⁶ In sum, conflict transformation aims to build "just, sustainable societies that resolve differences non-violently".⁷

1 Lederach, John Paul (2006), *Building peace: sustainable reconciliation in divided societies*. 7th print. ed. Washington (D.C.): United States Institute of Peace Press.

2 Ibid. See also Galtung, Johan (1969), "Violence, Peace, and Peace Research." *Journal of Peace Research* Vol. 6 (3): pp.167–191; Kaldor, Mary (2006), *New and old wars: organized violence in a global era*. Oxford: Polity Press; Kalyvas, Stathis N. (2001), "'New' and 'Old' Civil Wars: A Valid Distinction?" *World Politics* Vol. 54 (1), pp.99–118; Lake, David, and David Rothchild (1996), *The International Spread of Ethnic Conflict: Fear, Diffusion, and Escalation*. Princeton: Princeton University Press; Mack, Andrew (2002), "Civil War: Academic Research and the Policy Community." *Journal of Peace Research* Vol. 39 (5): pp.515–525; Wallensteen, Peter, and Karin Axell (1993), "Armed Conflict at the End of the Cold War, 1989–1992." *Journal of Peace Research* Vol. 30 (3), pp.331–346.

3 Burgess, Heidi and Guy Burgess (2010), *Conducting Track II Peace Making*. USIP; Botes, Johannes (2003), Theory and Practice of Peace and Conflict Studies. *International Journal of Peace Studies* Vol. 8, No. 2, pp.1–27; Lederach, John Paul. "Conflict Transformation." Beyond Intractability. Guy Burgess and Heidi Burgess (eds.). Conflict Information Consortium, University of Colorado, Boulder. Posted: October 2003. www.beyondintractability.org/essay/transformation.

4 Lederach, John Paul (2003).

5 "The AU 2013 Golden Jubilee Retreat. 50 Years of Peace-making in Africa: A Critical Retrospective of OAU/AU Peace-making," Draft Concept Note, www.peaceau.org/uploads/pow-draft-concept-note-oct-11-1-english.pdf, Oct 2013.

6 Galtung, J. (1985), "Twenty-five Years of Peace Research: Ten Challenges and Some Responses." *Journal of Peace Research* Vol. 22, No. 2, pp.141–158.

7 Frazer, Owen and Lakhdar Ghattas (2013), "Conflict Transformation in Practice", Cordoba Now Forum, p.7.

If conflict transformation is to become an imperative, how can mediation contribute to it? Should mediation mainly strive to stop ongoing violence and hence focus on establishing a short-term negative peace which provides space for conflict transformation at a later stage? Or should it aim to nurture a positive peace and focus on societal transformation? Some authors and practitioners argue that mediation should contribute to longer-term conflict transformation. Others have voiced concerns about overloading a mediation process with different long-term agendas, thereby risking that ongoing violence will not be halted as efficiently as possible.

This edition of MSN Discussion Points is based on the affirmation that, although conceptually different, mediation and conflict transformation are closely interlinked. The first part provides definitional clarity by outlining some key differences between the two concepts, since they seem to be becoming increasingly blurred. In the second part, it assesses how mediation may contribute to longer-term conflict transformation. It thus gives insights on the balance that mediation has to strike between the pressing need to stop the violence and the longer-term requirement to build sustainable peace through the transformation of relationships and structures.

Since the MSN Meeting took place in South Africa, most of the examples draw on the experience gained in this context. Even though the South African case was *primarily* a negotiated, rather than mediated, process⁸, the lessons outlined below are still pertinent, since the core task of mediation is to assist negotiators. Moreover, as the South African negotiation process happened more than two decades ago, the impact on longer-term conflict transformation (or lack of it) may be assessed. This case thus provides timely insights for mediators on how to contribute to long-term conflict transformation.

3. MEDIATION AND CONFLICT TRANSFORMATION

Mediation and conflict transformation share the overall goal of building lasting peace. However, they differ when it comes to the means employed, the timeframe, the parties and the third parties involved, as illustrated in the table below.

OVERALL OBJECTIVE: BUILDING LONG-TERM PEACE

	Mediation	Conflict Transformation
Means	Assisted negotiations	Transforming relationships and structures
Timeframe	Short-term	Long-term
Parties	Decision-making conflict parties	Society at large
Third parties	Mediators and mediation support actors	Mediators, peacebuilders, development workers, etc.

As far as the means are concerned, mediation uses assisted negotiations as a way of helping parties to come to an agreement that ends the violence and addresses the root causes of the conflict.⁹ This might lead to a transformation of relationships and structures in the long term, but agreements may also come about without a fundamental transformation of relationships, for purely pragmatic reasons. Conflict transformation sees the transforming of relationships between the conflict parties, but also relationships and structures of society at large, as the most effective means of bringing peace.¹⁰ As such, a change in the “underlying conditions that have led, and may lead again, to violence” is considered to be the most important means of bringing about lasting peace.¹¹ This may come about through different mechanisms that go beyond the mediation process (e.g. confidence-building measures, development and peacebuilding programs, economic empowerment, constitutional reform, justice and reconciliation processes, accountability for violent crimes).¹²

With regard to the timeframe, it is very hard to generalize, not least because it is often unclear when a mediation process starts and when it stops. Peace negotiations may last for several months or years until an agreement is signed. In most cases, the transformation of relationships and structures goes beyond the signing of the agreement and therefore happens within a longer timeframe, sometimes lasting for decades.¹³ Conflict transformation is thus a long-term endeavor – because it takes time to change relationships, because it is aimed at society at large and because it may involve transformation on many different levels (actor, issue, structural transformation).¹⁴

⁸ However, on the eve of the first democratic elections, mediation played an essential role: initially the Inkatha Freedom Party (IFP) had refused to participate in the elections. It was mediation that brought IFP into the elections – which was crucial given the volatile political context.

⁹ Moore, Christopher (2003), *The Mediation Process: Practical Strategies for Resolving Conflict*, Hoboken: Jossey-Bass; Fisher, Roger and William Ury (1983), *Getting to Yes: Negotiating Agreement Without Giving In*, New York: Penguin Books.

¹⁰ See Frazer, Owen and Lakhdar Ghetas (2013), p. 9; Lederach, Jean-Paul (1995), *Preparing for Peace: Conflict Transformation Across Cultures*. New York: Syracuse University Press, p. 18.

¹¹ Austin, Beatrix and Hans-Joachim Giessmann, et. Al. (2012), “Berghof Glossary on Conflict Transformation: 20 Notions for Theory and Practice,” Berlin: Berghof Foundation Operations GmbH, p. 22.

¹² See Frazer, Owen and Lakhdar Ghetas (2013), pp. 19–21.

¹³ See for instance Pinfaro, Marco (2012), *Peace Negotiations and Time: Deadline Diplomacy in Territorial Disputes*, New York: Routledge Studies in Peace and Conflict Resolution.

¹⁴ Botes, Johannes (2003), “Conflict Transformation: A Debate Over Semantics or a Crucial Shift in the Theory and Practice of Peace and Conflict Studies.” *International Journal of Peace Studies* Vol. 8, No. 2, p. 8; Lederach, Jean-Paul (1995), p. 18; Austin, Beatrix and Hans-Joachim Giessmann, et. Al. (2012), p. 23.

Regarding the parties, mediation requires, at least during the first stage, political and military actors who have the power to decide the end of violence. This does not mean that a mediation process cannot include other actors at various stages, but it does mean that a mediation process usually involves *at least* the decision-makers. Conflict transformation, in turn, involves a wide variety of actors since it aims to transform relationships between parties and in society. Lederach, for instance, argues for the building of a “peace constituency” that includes not only the top leadership, but also national leaders (professionals and intellectuals) and local leaders in grassroots organizations and local peace commissions.¹⁵

Lastly, with regard to the third parties involved, a mediation process involves the mediator, mediation team and mediation support actors. Conflict transformation requires a wider range of different actors since it “cannot be planned and implemented by one actor alone – it takes many different contributions”.¹⁶ Transforming relationships and structures also requires a broader spectrum of development and peacebuilding actors who remain in place after the peace negotiations have ended and a peace agreement has been signed.¹⁷

These differences should not be read as an indicator that mediation and conflict transformation are separate processes. Rather, mediation processes feed into conflict transformation, which is a broader process. This means that mediation processes should be designed to create fertile ground for conflict transformation.¹⁸ These linkages between the two processes are particularly important for a mediator to consider when it comes to questions of prioritization, inclusivity, linkages between the international, regional, national and local level and leadership.

A. PRIORITIZATION

A mediator might be faced with a situation that requires a delicate balance between moving the mediation process forward, so as to quickly find an agreement, and slowing it down, so as to address the underlying issues of a conflict. Striking this balance involves making decisions on how to prioritize and sequence different issues. One of the hard balances to find is that of what issues can be agreed on in the framework of the mediation process and in the peace agreement, and which issues have to be dealt with afterwards. Often an issue may be anchored in the peace agreement (e.g. truth and reconciliation commissions), but will only be implemented later. Another determining factor here is

the democratic framework of the country: if there are functioning democratic mechanisms in place, there are greater limits to what can be decided in the peace agreement without popular approval.

Prioritization has to take place on a case by case basis. However, in light of the above-mentioned differences between mediation and conflict transformation, the idea is that at the very minimum, mediators should ensure that the short-term nature of their work does not impede longer-term change processes. Ideally, they should analyze which issues need to be addressed at a later stage and ask parties to develop mechanisms or institutions to deal with those challenges in the future.¹⁹ Usually, violence can be stopped more rapidly than transformative change can come about. Different issues may thus be addressed as the level of stability increases. Mediation thereby prepares the ground for longer-term conflict transformation.

The sequencing of justice issues in South Africa, in particular the granting of amnesty for past crimes, provides an example of how this may be done in practice. The issue of justice was only formalized at the very end of the negotiation process.²⁰ Parties agreed to provide for an amnesty but, at the insistence of civil society, placed conditions on the granting of such amnesties and called for reconciliation as a basis for well-being and peace. In line with the agreement, the Government of National Unity enacted legislation that paved the way for the creation of a Truth and Reconciliation Commission (TRC) in 1995. The TRC granted amnesty to perpetrators who confessed their crimes and were able to demonstrate that their actions had been politically motivated and proportional.²¹

For socio-political questions, prioritization is equally key. In South Africa, the constitution that was negotiated in the peace process fundamentally changed the way the state and society were organized and provided a multitude of safeguards. However, the long-term outcome of a peace process is determined by the legitimacy and durability of the constitution, the capacity of state institutions, and the dynamics of ongoing and natural political contest and political leadership.²² Here, mediation can sow the seeds for good governance and peaceful resolution of socio-political conflicts, but there is a continued need for dialogue and other measures even after the mediation process has ended. In South Africa, opportunities to continue this dialogue were

15 Lederach, John Paul (1995), *Preparing for Peace*. New York: Syracuse University Press, p. 211.

16 Austin, Beatrix, Hans-Joachim Giessmann, et. Al. (2012), p. 27.

17 Austin, Beatrix, Hans-Joachim Giessmann, et. Al. (2012), p. 23–24.

18 Conflict transformation does not necessarily require a mediation process. Depending on the context, other approaches may be better suited to set the scene for the long-term transformation of relationships and addressing the underlying structural causes of the conflict.

19 See UN Guidance for Effective Mediation, Annex to the Report of the Secretary-General on Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution (A/66/811, June 25, 2012). www.peacemaker.un.org/resources/mediation-guidance.

20 Maharaj, Mac (2008), “The ANC and South Africa’s Negotiated Transition to Democracy and Peace,” *Berghof Transitions* Series No. 25, Berlin: Berghof Foundation.

21 Brankovic, Jasmina (2013), “Accountability and National Reconciliation in South Africa,” Centre for the Study of Violence and Reconciliation.

22 Odendaal, Andries (2014), “Ending apartheid through self-mediation”; Bentley, Kristina, and Laurie Nathan, Richard Calland (2013), *Falls the shadow. Between the promise and the reality of the South African Constitution*. Cape Town: UCT Press.

limited and class oppression continues to trouble the new socio-political order. While the Interim Constitution set in motion the process of sustainably transforming relationships, the opportunity to set a framework for a broader and longer-term dialogue process was not truly seized.

A third example related to prioritization is the challenge of economic inequality. Here again, it needs to be asked which issues can and should be addressed at the negotiation table, and which issues require longer-term transformation. In South Africa, the market was opened after 1994 to all South Africans to engage in entrepreneurship. Policies of affirmative action, black economic empowerment and cadre deployment led to the phenomenal growth of a rich black elite and a fast-growing middle class. However, the reality of post-Apartheid was that not all groups had the requisite skills and capital to be entrepreneurs. The result was that as the South African economy rapidly expanded, it widened the opportunities for the Apartheid-era empowered minority even more. This has served to cultivate the sentiment that in spite of the end of Apartheid, the majority of South Africans remain economically disempowered, contrary to the letter and spirit of the Freedom Charter.²³ Furthermore, the economic policies of the past 20 years have also contributed to the simmering anger of the 40 percent who remain impoverished.²⁴ The negotiation or mediation process itself cannot address these challenges, which concern broader societal transformations. However, it can lay the foundations for longer-term multi-stakeholder dialogues on these issues so that they go further in enhancing conflict transformation.

Mediators cannot be experts on all the aspects related to justice, good governance or economic inequality. However, they should know enough about the way in which these topics need to be handled in a process. They should be aware of what issues will come up with regard to these different topics and carefully structure the process according to the specific context they are working in.

B. INCLUSIVITY

Not only diverse issues, but also diverse actors need to be included in peace processes. Here, it is relevant to bear in mind the above-mentioned difference between the parties involved in a mediation and in a conflict transformation process. While mediation has traditionally – although not exclusively – focused more on the conflict parties, longer-term conflict transformation is aimed at the whole society. Recent debates about inclusivity in mediation processes underline the crucial im-

portance of including larger segments of society if mediation is to lay the ground for conflict transformation.²⁵ Such an inclusive process provides an opportunity for a wide range of actors to participate, which legitimizes the process and anchors the peace agreement in the broader society. Moreover, it also allows for a variety of perspectives to be included which might otherwise have been left out, thus producing a more sustainable agreement.

Inclusion in mediation processes may take many different forms, depending on the specific context.²⁶ It does not always come in its full version of having a process which is fully representative of the whole society. However, even if inclusion is limited, mediators should ensure that other processes or longer-term transformation can complement the more narrow participation in a mediation process. National Dialogues may, for instance, act as a tool to provide for a more inclusive process that brings in the different perspectives present in society.

Various other dialogue initiatives, which involve some mediation techniques but are not actually a mediation process, can be used to expand the issues and actors involved in more formal processes. Box 1 illustrates this with a case study of a dialogue platform in Plateau, Nigeria. A key challenge with such dialogue processes is to keep them linked to the state level, or any formal negotiation process.

When thinking about inclusion, it should be acknowledged that the categories of different stakeholders might not correspond to the empirical reality and that the different segments of actors may be highly heterogeneous. The South African case underlines this. The African National Congress (ANC) and the Inkatha Freedom Party (IFP), for instance, had some fundamental differences on how they perceived a post-Apartheid dispensation. It would have been easy to assume, on the basis of their common struggles against Apartheid, that they were somewhat homogeneous in their interests, but this was not the case. The heterogeneity was also apparent within the white minority. They saw serious divisions within the right-wing group²⁷ and many also supported the anti-Apartheid struggle. It is therefore important for a mediator to conduct a thorough analysis of the actors prior to and during a negotiation process. This is useful in order to reveal the diverse interests of the actors, and can guide the mediator in shaping the mediation process so as to include a majority of perspectives.

²³ For more on economic inequalities in South Africa, see for instance Gibson, N. (2001), "Ideology, Political Education and South Africa's Transition from Apartheid," in: Ndegwa, S.N. (ed), *A Decade of Democracy in Africa*. Leiden: Koninklijke Brill NV, pp.65–86.

²⁴ See Alexander, Peter (2010), "Rebellion of the poor: South Africa's service delivery protests – a preliminary analysis", *Review of African Political Economy* 123, pp.25–40.

²⁵ Wennmann, Achim and Alexander Ramsbotham (eds.), (2014), "Legitimacy and peace processes: from coercion to consent," *Accord* Issue 25.

²⁶ Paffenholz, Thania (2014), "Broadening participation in peace processes: Dilemmas & options for mediators," *Mediation Practice Series*. Centre for Humanitarian Dialogue.

²⁷ See for example Heribert, Adam and Kogila Moodley (1993), *The Opening of the Apartheid Mind: Options for the New South Africa*. University of California Press.

Box 1: LESSONS LEARNED FROM DIALOGUE PROCESSES IN PLATEAU STATE, NIGERIA

Chukwuemeka B. Eze and Mfrekeobong Ukpah, West Africa Network for Peacebuilding (WANEP)

Once a peaceful and tranquil tourist destination, Jos, the capital of Plateau State in North Central Nigeria, has been engulfed in a sectarian conflict since the 1990s. Following the re-emergence of the conflict in January 2010, over 3,000 people have died (a majority being women and children), properties valued at millions of USD have been destroyed, and significant number of the population displaced amid secret killings, attacks and counter attacks. The cause of the conflict is contentious. There have been multiple local and national interventions, but their stopgap nature and the haphazard, uncoordinated approaches which have often been insensitive to the cultural nuances of the parties have to some extent exacerbated rather than de-escalated the situation.

Against this backdrop, WANEP, in collaboration with the Institute of Peace and Conflict Research (IPCR), convened a two-day stakeholder consultative meeting in February 2011, to identify issues and then collaboratively design workable intervention strategies. Parties agreed to establish a dialogue process with WANEP and IPCR in the role of facilitators, and set criteria for participation in the process. Following this preparation, a series of two-day dialogue meetings took place in 2011 and 2012, including a special session for women that allowed for their involvement despite cultural sensitivities, and a separate meeting for state legislators to review the laws and policies of the state.

Through these dialogue meetings, separate mechanisms were set up to deal with a number of longer-term issues. An Inter-Community Peace Committee representing the various communities in Jos was formed to follow up on recommendations and action points that came out of the dialogue process, and a Women's Inter-Religious Committee was established to ensure that women were given space for continued engagement.

Designing the process together with key actors in the conflict was critical in terms of ensuring ownership, addressing issues of perception and gaining the commitment of the parties to the process. Particular attention was paid to building and transforming relationships: for example, the seating arrangement stimulated individual reasoning and reflection rather than promoting group dynamics. The closed-door process (no media) ensured that people spoke freely and confidently, without the need to constantly cater to their constituencies at home. A reflexive process guided by respect for each participant deepened the opportunity for further appreciation and understanding of the perspective of each group by the other, and participants demonstrated commitment to the process by continuing dialogue amongst themselves. In terms of addressing the root causes of the conflict, parties shared their views and proposed their own roles in addressing specific issues during breakout sessions. This contributed to more awareness within communities of existing capacities to contribute to constructive change.

A number of challenges remain. Despite the engagement of the state agency IPCR and participation of the state government, there was insufficient commitment and support from the federal and state government and from the legislature, demonstrated by the failure to implement some of the recommendations that came out of the process. This has mainly to do with a lack of political will, and to a lesser extent with a lack of capacity and inadequate resources for implementation. A key challenge is the changing nature of the conflict, in particular a new trend which sees aggressors attacking from outside town and then retreating to rural communities. However, while the conflict in Jos continues, there is at least a platform which allows actors within Jos to discuss and to some extent manage the contentious issues and ensure that the situation between communities living in Jos does not escalate.

Inclusion is also important since the transformation of relationships between the parties involves a fundamental change in people's perspectives and socialization. Thus eventually a peace process needs to involve broader segments of society. In South Africa during Apartheid, different groups and classes of South Africans were socialized on the basis of a narrative that was meant to confer feelings of superiority and inferiority. This socialization continues to present a serious transformative challenge in the post-Apartheid era, given that people's mindsets are still in the process of changing. Thus, while mediation tends to focus on changing institutions and structures – and this is vital – the longer-term change of hearts, minds and attitudes will need tools and approaches beyond mediation (e.g. joint schooling efforts, different urban planning, cultural activities, media work). A mediator should be aware of the broader perceptions within society, and either address them in the mediation process itself to the extent possible, or lay the groundwork for them to be addressed in the longer term.

C. LINKAGES BETWEEN LOCAL, NATIONAL, REGIONAL AND INTERNATIONAL DYNAMICS

As mentioned above, mediation has traditionally focused mainly on political and military elites, although recently the importance of including a broader variety of actors and processes at other levels has been increasingly underlined. This is based on the acknowledgement that regional or national peace processes often fail to trickle down to the local level.²⁸ At the same time, local conflicts quickly become nationalized and even internationalized as the result of geopolitical dynamics. Ignorance of local dynamics is thus likely to strangle the peace process. Cases in point are the conflicts in the Great Lakes Region, the epicenters of which have shifted over time between the Democratic Republic of Congo (DRC), Rwanda, Burundi, and the Central African Republic, with catastrophic ripple effects felt in

²⁸ See Odendaal, Andries (2013), *A Crucial Link: Local Peace Committees and National Peacebuilding*. United States Institute of Peace Press.

the entire region. A transformative process requires co-ordinated, coherent, effective and sustainable interventions on different levels.

Mediators can contribute to this by including various perspectives as described above, but also by lobbying for specific post-agreement mechanisms that ensure the continuity of peacebuilding programs and processes at various levels once a peace agreement has been signed. Here, the above-mentioned point, namely that conflict transformation involves many different actors, becomes important. These actors jointly work to transform society through mechanisms that seek to bring about sustainable peace.

However, such mechanisms are heavily dependent on donor policies. Donors and peacebuilding practitioners often seek quick impacts and visible outputs based on an orientation towards results that demands short-term reporting on the expenditure of donor funds. Process-oriented interventions seeking longer-term conflict transformation at the local level often do not deliver such immediate and visible outputs, and are hence less likely to attract resources from donors. A transformative process requires longevity and also relatively substantial resources that enable peace practitioners to work closely with the parties and their constituents towards transforming the conflict. Therefore, local resources have to be tapped into for such longer-term processes and mediators should set the scene for such linkages between the different levels to be ensured once an agreement has been signed. This means that the mediation process should be coordinated with initiatives on other levels and the mediator should reach out to actors who are engaged in broader peacebuilding activities.

D. LEADERSHIP AND GOOD GOVERNANCE

Because it mainly focuses on conflict parties, mediation often involves some form of power-sharing. While the idea may be to share or rotate power and thereby over time pave the way for a democratic process, such divisions of power bear the risk of freezing existing hierarchies, rather than transforming them. This can have important implications for longer-term conflict transformation as it may inhibit fundamental change in leadership structures. For instance, after the 1999 Lomé Agreement wartime RUF leader, Foday Sankoh, became the Head of the Commission for the Management of Strategic Resources.²⁹ This process is an example of a mediation in which people and posts were traded to stop the violence in the short term.

While it is important to avoid the entrenchment of existing hierarchies and power divisions, there might be legitimate concerns from the side of the parties

with regard to their future status in society. In South Africa, there were some actors who had benefited from the Apartheid system and who harbored anxiety over what their fate would be if Apartheid was dismantled and majority rule became a reality. They therefore felt that negotiations would not be in their best interest and that they could only lose. It was important to make negotiations attractive to this group by including certain guarantees for them in a post-Apartheid environment. Such guarantees included mechanisms that ensured that the minority would also have their say through proportional representation. A mediator should be aware of concerns that may reduce the willingness of parties to engage in negotiations. The mediator can help the parties develop mechanisms for guarantees or invite experts to share experiences from other cases.

For transformation to take place, political leaders need to take ownership of the process. The negotiation process in South Africa was characterized by high levels of ownership, in particular by the ANC and the National Party (NP). Both parties agreed that an international mediator was not needed, and were determined to move the process along on their own.³⁰ This determination was aided by a five-year period of confidence-building between the parties.³¹ The parties then made sure that the lessons were fed back to their constituencies. This shows that ownership is crucial for longer-term conflict transformation. A mediator can strategically foster this ownership in supporting parties to take the lead in decision-making.

What also makes ownership possible is if parties see that a negotiated outcome and a longer-term transformation process are in their own interest. In other words, parties need to become aware of the convergence of their interests. A mediator should be in a position to seize opportunities to lead the negotiating parties towards convergence. During the political transition in South Africa, the main convergence centred on the understanding that a human rights regime would best safeguard the interests of all groups. When the NP understood that their security needs would be best met by a strong Bill of Rights and a Constitutional Court, they found sufficient common ground, because a human rights regime similarly addressed the main concerns of the ANC of dignity and inclusion. A mediator, by asking the right questions and enabling parties to become aware of their interests and where they overlap, can facilitate this convergence.

²⁹ See Implementation Status of the Lomé Peace Agreement, Topic: Natural Resource Usage, Peace Accords Matrix, https://peaceaccords.nd.edu/matrix/status/15/natural_resource_usage.

³⁰ Even though on the eve of the 1994 elections it became inevitable for international mediators to be invited to broker agreements on issues that made the IFP announce its boycott of the elections.

³¹ Odendaal, Andries (2013), "The usefulness of national mediation in intra-state conflict in Africa." *Mediation Arguments* 3, Centre for Mediation in Africa.

4. CONCLUDING REMARKS

In conclusion, mediation can substantially contribute to conflict transformation. A mediation process is usually preceded and followed by a wider and longer-term peace process – spanning a variety of activities and initiatives at the international, regional, national and local level with the objective of building lasting peace. Finding an agreement that will stop the violence and address the root causes of the conflict is the main immediate goal of a mediation process. At the same time, social change after the peace agreement is signed is also needed in order to bring about a form of positive peace which is sustainable. Therefore, mediators, but also other actors, such as donors, observers, policy-makers and researchers should be conscious of how mediation can contribute to conflict transformation, while at the same time acknowledging the limitations of mediation and the role that other processes can play in bringing about longer-term conflict transformation. In this sense, while mediation cannot address all issues at all levels, nor involve all actors or bring about all the changes needed, it can contribute to conflict transformation by preparing the ground for a longer-term transformation of relationships and structural issues.

MEDIATION SUPPORT NETWORK

PROFILE

The Mediation Support Network (MSN) is a small, global network of primarily non-governmental organizations that support mediation in peace negotiations.

MISSION

The mission of the MSN is to promote and improve mediation practice, processes, and standards to address political tensions and armed conflict.

Furthermore, the MSN connects different mediation support units and organizations with the intention of

- promoting exchange on planned and ongoing activities to enable synergies and cumulative impact;
- providing opportunities for collaboration, initiating, and encouraging joint activities;
- sharing analysis of trends and ways to address emerging challenges in the field of peace mediation.

ACTIVITIES

The MSN meets once or twice a year in different locations. The organization of the meetings rotates, with each meeting hosted by a network partner. Each meeting has a primary topical focus that is jointly decided by all network members.

MSN MEMBERS IN 2014

- African Centre for the Constructive Resolution of Disputes (ACCORD) www.accord.org.za
- Berghof Foundation www.berghof-foundation.org
- Carter Center, Conflict Resolution Program www.cartercenter.org
- Center for Peace Mediation (CPM) www.peacemediation.de
- Centre for Peace and Conflict Studies (CPCS) www.centrepeaceconflictstudies.org
- Centre for Mediation in Africa, University of Pretoria (CMA) www.centreformediation.up.ac.za
- Conciliation Resources (CR) www.c-r.org
- Crisis Management Initiative (CMI) www.cmi.fi

- Folke Bernadotte Academy (FBA) www.folkebernadotteacademy.se
- Foundation for Tolerance International (FTI) www.fti.org.kg
- Centre for Humanitarian Dialogue (HDC) www.hdcentre.org
- Initiative on Quiet Diplomacy (IQD) www.iqdiplomacy.org
- Mediation Support Project (MSP), swisspeace and Center for Security Studies (CSS) ETH Zurich www.swisspeace.ch & www.css.ethz.ch
- Nairobi Peace Initiative (NPI) www.npi-africa.org
- Servicios Y Asesoría Para La Paz (SERAPAZ) www.serapaz.org.mx
- Southeast Asian Conflict Studies Network (SEACSN) www.seacsn.usm.my
- UN Mediation Support Unit (PMD/MSU) www.peacemaker.un.org/mediation-support
- US Institute of Peace (USIP) www.usip.org
- West Africa Network for Peacebuilding (WANEP) www.wanep.org

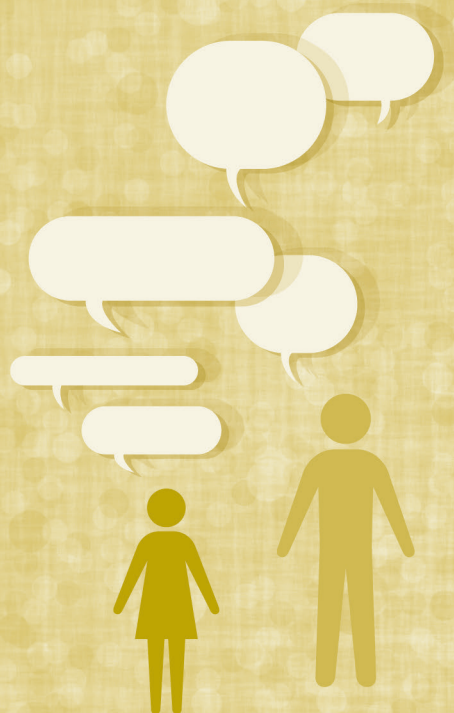
PREVIOUS MSN DISCUSSION POINTS:

MSN Discussion Points no. 4 | Mind the Gap: How Mediation Support Can Better Respond to the Needs of Local Societies, 2013

MSN Discussion Points no. 3 | Regional Intergovernmental Organizations in Mediation Efforts: Lessons from West Africa, 2013

MSN Discussion Points no. 2 | Translating Mediation Guidance into Practice: Commentary on the UN Guidance for Effective Mediation by the Mediation Support Network, 2013

MSN Discussion Points no. 1 | Supporting Peace Processes: Improving Collaboration Between Humanitarian, Development, Security and Mediation Actors, 2011



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