

Comments by Gunnar Sjöstedt (Swedish Institute of International Affairs) on

Martina Klimesova: *Using carrots to bring peace? Negotiations and third party involvement.*

In my view Martina Klimesova has prepared an excellent doctoral thesis linking negotiation theory to the understanding of peace processes looking particularly at the role and significance of economic and other kinds of incentives for the parties involved. One of the high qualities of study is its systematic empirical comparison of three cases of peace talks taking place in Sri Lanka, Indonesia and the Philippines respectively. Another value relates to how creatively the empirical part of the dissertation has been employed within the context of an elaborate theoretical framework linking three areas which have usually been separated in the literature; negotiation theory and knowledge about peace processes and the employment of incentives respectively. An important aspect of the high quality theoretical/empirical investigation is that leads all the way to policy recommendations.

The work is also interesting because it raises questions that need to be further discussed or researched by others than the author of this dissertation.

My comments are organized in two sections. The first is overview of the dissertation. In the second section I address a selection of issues that I find interesting to discuss.

I. OVERVIEW OF THE STUDY

The purpose of the dissertation is: ”- - to provide a better understanding of tools, especially economic and political, employed by third parties in peace negotiation in intrastate armed conflicts have on forming the negotiating strategies of conflicting parties.” (p. 7)

“The main focus is on the employment of non-military incentives, economic political and development inducements, commonly referred to as carrots” (p.7). The thesis “- - answers indirectly the question of the results of third party involvement in the selected negotiation processes are” (p. 8). The author further specifies that “This project will examine how the strategic web comprising of perception of ripeness, internal and external actors, and third party incentives impacts negotiation processes, and in particular the negotiation strategies of the adversaries.” (p.35)

Central research questions are:

What impact does the employment of incentives have on peace negotiation strategies by parties in a negotiation process aimed at terminating internal armed conflicts over self-determination?

When is it helpful to use incentives?

How do incentives provided by external actors have an impact on negotiation asymmetries? (p. 23)

The research situation is described as follows: There is an abundant body of literature “- - on the general effects of incentives and threats in a conflict-charged environment - - “. (p. 9) the literature usually treats peace negotiation and incentive employment in peace processes

separately. (p.9) The author notes correctly that “ - (i)n comparison to studies examining sanctions, and negative incentives¹, literature on positive incentives is scarce”. (p. 18)

The following long quotation from the thesis exhibits the important assessment of the author of what is missing in the current theoretical debate concerning negotiation and incentives?

“Academic attention to scrutinizing effects of incentive employment, together with negotiation and process analysis, in an internal armed conflict setting, is particularly scant. Added to that, there is also only meager debate on how incentives provided by external actors impact the visible asymmetry between adversaries in internal armed conflicts, and in what way it results in a change of strategy on the part of the adversaries. The incentive debate is currently confined to discussing the effects of incentives, most frequently economic incentives, on the conflict and its actors at large, without focusing on their impact on the negotiation processes. Current research either lacks the assumption that there is a difference between how incentives affect negotiations and their general influence on conflicts, or it neglects this issue completely.

In the context of the debate on leverage and conditionality, these two concepts have not yet been properly linked together. As (James) Boyce admits, the practical debate on conditionality has been unpopular and it is mostly focused on how conditionality is effective in the context of a particular conflict setting, and not on how the third party’s leverage and strategies affects the use of conditionality as a tool.

To recap, the existing theoretical debate on timing and ripeness lacks discussion of what the most effective strategy is when the ripe moment occurs and how we can externally enhance ripeness. The existing theories provide a well-balanced answer on how to identify a ripe moment, but they are found wanting when it comes to theorizing the path forward. In this context, the perceptions of local actors should also be included in the debate on negotiation strategies, third party involvement, and ripeness. When analyzing the empirical realities of the studied processes, it is the consent and willingness of local actors to change the conflict status quo that is often most crucial to successful mediation. Existing literature offers this perspective, but in a different context.”

The project is designed as a comparative case study of peace negotiations between a government and insurgent in three geographical contexts; Eelam in Sri Lanka, Aceh in Indonesia and Mindanao in the Philippines.

The author explains that the criteria for case selection corresponds with the circumstances that any third party should take into consideration before it engages itself in a peace negotiation: (1.) Evaluation of parties and stakeholders; (2.) analysis of conflict issues; (3.) underpinning power balance; (4.) timing and turning point; (5.) actual or potential ripeness; (6.) earlier negotiation attempts; (7.) external context. These criteria come from the theoretical discussion at the beginning of the thesis and help to link the theoretical framework to the empirical part of the project.

The three cases are similar in important respects: e.g. participation of a facilitator with limited sources of leverage; a considerable number of third parties; the existence of ripeness (p. 31). In other respects the cases have dissimilar features. For example, in one case the third party third party is a NGO whereas a government performs this role in the two other cases.

¹ What is the difference between sanctions and negative incentives?

The project is designed as a traditional examination of the causal relationships between a set of independent variables and a dependent variable pertaining to the question how third parties may, and cannot, influence a peace negotiation involving a government and insurgents with the help of the provision of incentives.

The *dependent variable* in this project is the outcome of the negotiation process, with external third party involvement aiming at terminating an internal armed conflict based on grievances of self-determination” (p. 27). Three kinds of outcome are singled out: *agreement* (no general definition is offered) (p.28), *abrogation* (at least one of the parties refuses, or does not consider it meaningful, to negotiate) (p.30), and *stalemate* “parties have reached a deadlock but neither abrogate nor opt for all-out war”.) (p.30).

Six *independent variables* are considered in the analysis:

- I. Actors; internal as well as external.
- II. Self-determination grievances.
- III. Balance of forces, internal actors.
- IV. The perception external actors have of ripeness.
- V. The results of previous negotiations.
- VI. The post-9/11 context (p. 32).

Description and analysis are systematically carried out in the context of a conceptual scheme embedded in an elaborate framework of analysis directing the study and assessment of the involvement of third parties in conflict-related negotiation between a government and insurgents in the case countries. The analytical framework highlights negotiation strategies and processes, third party involvement, the impact of incentives on negotiation and its outcome as well as the issue of conditionality with regard to economic aid and other forms of support to negotiating parties.

A framework of analysis has been constructed with great thoroughness on the basis of an extensive, penetrating and insightful overview of relevant theory-oriented literature. Key concepts drawn from the literature like the *best alternative to a negotiated agreement* (BATNA, *hurting stalemate*, *mutually enticing opportunity* or *ripeness* are crucial building stones of this impressive makeup. The analytical framework is an interesting and creative theoretical essay in its own right as it identifies lacunae at the research frontier, particularly regarding what has become a main theme in the dissertation, what the author calls incentives in peace negotiation between a state and armed rebels. The framework a creative and ambitious research approach to bring together two hitherto largely separate fields, firstly, economic issues and peace processes and, secondly, negotiation theory. The author explains that a main task of the analytical framework is “- - to provide a synthesis of existing theoretical knowledge on the impact of external tools, particularly incentives, on negotiation processes in internal armed conflicts. This assessment is mainly focused on inquiring into how negotiators’ behavior can be impacted by external tools and, therefore, what actions the external incentives trigger and when.” (p. 78 - 79).

“Furthermore, an additional aim derived from this theoretical outline is to test and further develop the concept of *mutually enticing opportunity* (p.79).

The theoretical framework is of great value not only because it very instrumental for the research tasks addressed in the dissertation but also because it includes innovative elements.

Methodology and sources

The methodology is clearly explained in the text, proves to be instrumental for the research task and employed and is consistently applied. Due to the author's ambition to support all arguments with theory or empirical observation there is sometimes some repetition in the text because some specific observations are made in the theoretical discussion in the Introduction chapters, in the case studies as well as in the concluding chapters.

The source material is rich and indeed impressive. The theoretical discussion is very comprehensive which is reflected in the long list of reference. More than 100 structured interviews made in several countries have built up a broad and solid pool of first hand information.

Achievement

The dissertation fulfills the objectives stated in the introduction chapters and answers the research question in a very systematic way within the context of the theoretical framework. Some observations and conclusions reach the research frontier for example those contributing to integrate incentives into theory and empirical observations about peace negotiation. The discussion about conditionality and negotiation has a similar value.

II. DISCUSSION POINTS

Some of the key concepts underpinning the analysis of the dissertation invite to further discussion. The topics that included in this section represent a selection of concepts that I have found particularly interesting and important to address: negotiation outcome, negotiation process, performance of third parties, and incentives.

Outcome of a negotiation. A key issue in the dissertation is when, how, and to what agree incentives offered by third parties involved in peace negotiation between a government and insurgents may have a favorable impact on the results of these talks. This problem area highlights various important theoretical questions, for example how third party strategies may have an impact on how the adversaries in a negotiation perform and what they achieve "at the table". However, this crucial query is conditioned by the answer to an even more fundamental question: how exactly should the outcome of a negotiation in a peace process, or any negotiation for that matter, be understood? This understanding is a prerequisite for a well-substantiated position in the scientific debate what factors determine, or at least influence, the outcome of a peace negotiation.

A fundamental question: what explains a negotiated outcome best – structure or strategy? A number of researchers argue that essentially negotiation behavior (e.g. defined as performance of a negotiation strategy) largely reflect more fundamental (structural) phenomena (e.g. power structure, institutional setting, configuration of party interests) and therefore do not have much of an independent effect on outcomes.² Is this evaluation of the relationship between actor strategy and structure relevant outside the issue area to which it pertains (environmental politics/negotiation), for example peace negotiation. This is a discussion that could have been brought up in the dissertation.

² See e.g. Scott Barret. (2003). *Environment and Statecraft: The Strategy of Environmental Treaty-making*. Oxford: Oxford University Press).

Another issue pertaining to *outcomes* is what kinds of things come out of a negotiation process, and when this occurs. A common view is that a successful negotiation produces an agreement between the parties and that this event manifests the termination point of the process. The outcome analysis in the dissertation seems to imply this perspective.

There are, however, other possible outlooks on negotiated outcomes. For example, the cognitivist theory on international regimes argues that learning is an important output of regime building by means of negotiation. According to this view a negotiation may develop a pool of consensual knowledge which may function as platform and facilitator for both current and future negotiation in a particular issue area or institutional setting.³ There are clear signs that the significance of what may be called "knowledge diplomacy" is important and of increasing significance in international negotiations.⁴ (Gunnar Sjöstedt. "Knowledge Diplomacy: The Things We Need to Know to Understand It Better". *Pinpoints*, 33/2009). It is certain that this is also true for peace talks regarding Eelam, Sri Lanka, Aceh, Indonesia or Mindanao, the Philippines. However, this would evidently have been a relevant research issue in the dissertation. For example, "knowledge diplomacy" is interesting to reflect on when the role of Third parties in peace negotiations is assessed.

Except formal agreements and consensual knowledge a negotiation process is also considered to have a capacity to generate norms that may have an informal influence on the parties (Stephen Krasner. (editor). (1983). *Regimes*. Ithaca: Cornell University Press). This impact is typically difficult to detect because it is somewhat diffuse and also for the reason that parties abstain from doing certain things.

Negotiation process

The significance of the above "complex" understanding of negotiation outcome is revealed when it is related to a discussion about the meaning of *negotiation process*. In the thesis this key concept is defined as "- a sequence of information exchanges between adversarial parties, which can be either direct or indirect and which are aimed at enhancing mutual understanding, finding an alternative to the status quo, and building communication links between the two actors" (p. 36).

This perspective on a negotiation process assumes a linear development of exchanges between the two negotiation parties with a clear beginning and end. One complication with this image of a clear-cut bilateral negotiation process is the author's account of a complicated pattern of a multitude of different kinds of Third parties engaged in the negotiation in different ways and to a different degree. The question is whether this situation introduces complexity features of multilateral negotiation which would also bring in new circumstances to consider when party performance and strategies are considered in analysis. Complexity requires skillful management which is highly demanding for individual parties and therefore is likely to increase asymmetry between crucial actors in the process. A question I want to raise is whether the complexity factor could have had an influence in one or more of the cases covered in the project. This possibility is not addressed in the dissertation in theoretical terms although the author acknowledges that the difficulties Third parties have had to coordinate strategy and performance has evidently increased asymmetry between them and therefore impeded agreement.

³ Rothstein, Robert L. "Consensual knowledge and international collaboration: some lessons from the commodity negotiations". *International Organization*. Volume 38: 04

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In a recent book I. William Zartman has recalled the phenomenon of recursive negotiation (William Zartman. (2008). *Negotiation and conflict management: essays on theory and practice*. Location: publisher). Often negotiation on complex issues unfold in formally separate rounds that in reality are linked by extensive forward-looking and backward-looking continuities making it necessary to rather regard them as developments in the same negotiation process. The reason is that although the rounds are formally distinct they are also linked by important continuities. For example, a common phenomenon is that the post-negotiation following one round of talks evolves into the pre-negotiation of as a consecutive round (Angela Churie Kallhauge, & Gunnar Sjöstedt and Elisabeth Corell. (Editors). (2005). *Global Challenges. Furthering the Multilateral Process for Sustainable Development*. London: Greenleaf Publishing). Such continuities may transfer outcome elements such as knowledge and perceptions from the first to the second round.

I think it would be relevant to apply this process conception in the cases addressed in the dissertation, and particularly the negotiation between the government of Indonesia and Gerakan Aceh Merdeka, the Free Aceh Movement. This negotiation can be seen as two partly separate rounds of negotiation each of which had a different facilitator, the Henri Durant Centre for Humanitarian Dialogue and the Crisis Management Initiative respectively. The first round ended in failure while the second stage was successful in the sense that it achieved an agreement. It is interesting to compare the two stages in search for explanations to this discrepancy as the author has done. It would also have interesting to apply the “recursive negotiation perspective” and systematically look for continuities from the first to the second stage of the negotiation that positively (or negatively) had an impact on process and/or outcome.

Third parties in the negotiations

In the analysis the dissertation applies the same roles for third parties that are used for political reasons in the actual negotiations, notably *mediator*, *facilitator* and *donor*. (Actually, one of the interesting contributions of the thesis is to describe the political significance of these roles and how they have influenced the case negotiations.) A problem with the political roles is that the performance of a given third party does not always fit perfectly in one these roles. A formal facilitator may in reality also have tasks that usually are attributed to as mediator. The use of political roles is particularly problematic in assessments of how the performance of a third party in a negotiation changes over time.

A slightly different approach would be to avoid the use of political roles as an analytical tool and instead conceive of third party performance in terms of functions described at a slightly lower level of generalization than the political roles. With this approach the performance of a third party can be described as a particular combination of functions any given point of time. Alteration of performance over time can be described as change of the composition of the “package” of functions. This approach should permit a more nuanced assessment than role analysis.

Perhaps it would have been useful to distinguish between strategy and tactics in the description of how actors performed in the three cases. For example, when the Crisis Management Initiative a priori organized the Aceh negotiation in six sessions, or round, it seemingly undertook a facilitation measure with a strategic purport. In contrast, when a third party provides information at the table in on-going negotiation this is clearly an example of tactical facilitation. An interesting question is what strategic facilitation can do that tactical facilitation cannot.

A third observation on party performance is that there are possibly things that a third party can do in a peace negotiation outside those mentioned by the author. One option is the use of knowledge diplomacy as described above and another is reframing of negotiation problems after the stage of agenda setting where the initial framing of issues takes place. In this connection it can be mentioned that is a little unclear persuasion means in the thesis. Is it a form of coercion? Or is it the kind logical reasoning that can be used in knowledge diplomacy?

Incentives

In the dissertation incentives are defined as “- - material or non-material instruments employed by external third parties during their engagement in internal armed conflicts” (p. 35). I think that this definition is not complete; something should be added about the preferences of the actor to whom the incentives pertain. Another way of specifying the meaning of incentives is to make a distinction between different types with regard to their mechanics for example (i) remunerative incentives that are said to exist where an agent can expect some form of reward in exchange for acting in a particular way; (ii) moral incentives that are said to exist where a particular choice is widely regarded as the right thing to do; (iii) coercive incentives are said to exist where a person can expect that the failure to act in a particular way will result in punishment.

An important proposition made in the dissertation is that verification of the implementation of an agreement can function as an incentive for negotiating parties in current or future talks. In the literature such monitoring has usually only been associated with treaty implementation.

In contrast I am not sure that agree with the author that humanitarian aid is not regarded as an incentive because in an extreme crisis situation it will under all circumstances be provided and is not targeting peace processes. (p.49) However, I think it is possible that *humanitarian aid* may help to facilitate or make peace negotiation possible by improving social/political stability in a conflict-stricken area or country even if the crisis is quite serious.