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Translating Scholarship into Policy

Scott Sigmund Gartner

School of International Affairs & Dickinson School of Law, Pennsylvania State University

Amy C. Gaudion

School of International Affairs & Dickinson School of Law, Pennsylvania State University

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TRANSLATING SCHOLARSHIP INTO POLICY

*Scott Sigmund Gartner & Amy C. Gaudion**

INTRODUCTION

In 2011, there were thirty-seven ongoing intrastate and interstate armed conflicts that together resulted in thousands of civil and military deaths. During that same year, only one peace agreement was signed.¹ Clearly there is tremendous room for improvement in peacemaking. Mediation represents one of the most commonly used mechanisms for preventing and resolving violent, international conflict. In mediation, disputants more or less willingly work with a third party to reach a mutually acceptable agreement. Mediation is voluntary and contractual, as compared to arbitration which is binding and judgmental. Mediation involves: two (or more) disputants, one (or more) mediators, and one (or more) disputes. Mediators can structure the disputants' discussion (called *Communications Facilitation*), resolution process (called a *Procedural Mediation Strategy*), or agreement (called a *Directive Mediation Strategy*).

* [Scott Sigmund Gartner](#), Professor of International Affairs, School of International Affairs and Dickinson School of Law, Pennsylvania State University, and [Amy C. Gaudion](#), Associate Director of the School of International Affairs and Assistant Dean for Academic Affairs of the Dickinson School of Law, Pennsylvania State University.

¹ *Uppsala Conflict Data Program*, DEPARTMENT OF PEACE AND CONFLICT RESEARCH, UPPSALA UNIVERSITET, <http://www.pcr.uu.se/research/ucdp/>.

Most disputes require multiple management efforts and most mediated disputes eventually end peacefully.²

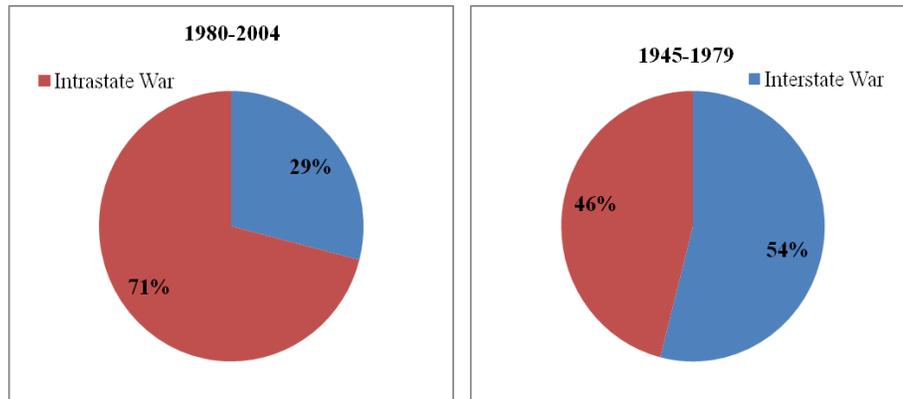
Since the end of the Cold War, the incidence of international dispute peacemaking—especially third-party mediation of civil wars—has skyrocketed. Figure 1 shows the dramatic shift from interstate to intrastate (civil) war mediation.³ At the same time, there has been a surge in the study of international dispute mediation. Not only has the quantity of research on international dispute mediation increased, but the research has become increasingly rigorous and scientific. Scholars now regularly employ large data sets, state-of-the-art statistical methods, and sophisticated math modeling techniques to examine questions such as: who mediates, which strategies are most likely to lead to peace, and why do some agreements last longer than others? These recent, innovative approaches have led to a massive increase in scholars' understanding of both interstate and civil war peacemaking.

Filled with jargon and containing steep learning curves, however, these new approaches have also significantly impeded the ability of practitioners to draw lessons from current research. The result is an ever widening gap between conflict resolution policymakers and scholars—a tragedy given practitioners' dire need for new ideas to help resolve deadly conflicts and the growing knowledge researchers have to share.

² For an introduction to international dispute mediation, see J. MICHAEL GREIG & PAUL F. DIEHL, *INTERNATIONAL MEDIATION* (2012). For an introduction to recent research on international dispute mediation, see JACOB BERCOVITCH & SCOTT SIGMUND GARTNER, *INTERNATIONAL CONFLICT MEDIATION: NEW APPROACHES AND FINDINGS* (2009).

³ Scott Sigmund Garter, *Civil War Peacemaking*, in J. JOSEPH HEWITT, JONATHAN WILKENFELD & TED ROBERT GURR, *PEACE AND CONFLICT* 2012, 71, 73 (2012).

Figure 1. Conflict Management Frequency by Dispute Type, Before and After 1980



This lament is not new but scholars and policymakers have recently become more vocal in noting the disconnect between analysis and policy: “policy making and academic research should be in constant, productive conversation, and scholars and researchers should be an invaluable resource for policy makers, but they are not.”⁴ Indeed, just this year, the [United Nations Department of Political Affairs](#) established the Academic Advisory Council on Mediation initiative—an entity charged with making research findings known and accessible to practitioners.⁵

The goal of this issue of the [Penn State Journal of Law & International Affairs](#) is to narrow the gap between peacemaking scholars and practitioners. We have worked together to bridge these communities to create a broad, informed and useful understanding of

⁴ Robert L. Gallucci, *How Scholars Can Improve International Relations*, CHRONICLE OF HIGHER EDUC., Nov. 26, 2012, <http://chronicle.com/article/How-Scholars-Can-Improve/135898/>.

⁵ U.N. Secretary-General, *Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution: Rep. of the Secretary-General*, U.N. Doc. A/66/811 (June 25, 2012), <http://reliefweb.int/sites/reliefweb.int/files/resources/N1234641.pdf>.

dispute resolution. In the nine essays that follow, scholars translate their analytical research into clear policy implications. The result is an accessible and comprehensive source of lessons learned from current peacemaking research. The essays are fully cited, so that readers may continue learning about a research topic. In the conclusion, Dr. Dennis Jett, a former Ambassador to Mozambique and Peru and a current professor at Penn State's School of International Affairs, provides a framework for how to assess the applicability of policy implications and highlights a number of the essays' most critical peacemaking recommendations.

We have undertaken extensive efforts to make these essays relevant to the policy and legal communities, and also grounded in current peacemaking scholarship. The research was presented at numerous workshops held by the [Folke Bernadotte Academy](#), all of which included ambassadors and other peacemaking practitioners in addition to well-known peacemaking scholars. The essays were anonymously reviewed by a distinguished mediation scholar, well known to both the academic and policy peacemaking communities. In addition, the essays were vetted by School of International Affairs legal and international affairs scholars. Finally, the essays went through the [Penn State Journal of Law & International Affairs](#) editorial process. The result of this rigorous review is a unique and innovative series of articles that are both analytical and practical; compact essays that quickly and accessibly summarize a complex and extensive body of research and identify its most salient peacemaking policy implications.

PEACEMAKING TRANSLATIONS

The essays in this issue address critical aspects of international conflict resolution and are framed to initiate a conversation with the policymakers tasked with resolving the complex real world problems arising out of these conflicts.

In the opening essay,⁶ Birger Heldt, of Sweden's Folke Bernadotte Academy, examines the impact that coordination has on peacemaking efforts. He offers recommendations on how to utilize regional organizations, a pre-determined division of labor, and longer-term peacemaking strategy to achieve more sustainable peace, and concludes that closer attention to coordination issues may have the synergistic—and positive—effect of building a culture of prevention and peacemaking.

The essay by Isak Svensson,⁷ of the Department of Peace and Conflict Research at Uppsala University, also challenges conventional practices in peacemaking. He contests the proposition that neutral or unbiased mediators are the most effective. Recognizing the complexities inherent in the process, he proposes that mediator bias be viewed as an open explanatory empirical factor rather than a barrier to conflict management. He identifies instances and circumstances when biased mediators actually may outperform their neutral counterparts—and thus, should be the preferred mediator type. Similarly, the essay by Scott Sigmund Gartner,⁸ of Penn State's School of International Affairs, challenges the common view that mediation is the least effective form of dispute resolution. He shows that a process known as “selection effects” distorts the inferences we draw from observations of peacemaking, leading us to infer erroneously that mediation is ineffective when in reality it is actually highly effective in facilitating peaceful outcomes. David E. Cunningham,⁹ of the University of Maryland, continues this thread by upending the view that “veto players” —those groups or entities that have the ability to block settlement and prolong a conflict—should be excluded from settlement talks. Rather, he offers policymakers a prescription for including such players in the settlement process to achieve a more lasting peace. In addition, Cunningham argues that

⁶ Birger Heldt, [The Lack of Coordination in Diplomatic Peacemaking](#), 2 PENN. ST. J.L. & INT'L AFF. 9 (2013).

⁷ Isak Svensson, [Research on Bias in Mediation: Policy Implications](#), 2 PENN. ST. J.L. & INT'L AFF. 17 (2013).

⁸ Scott Sigmund Gartner, [Deceptive Results: Why Mediation Appears to Fail but Actually Succeeds](#), 2 PENN. ST. J.L. & INT'L AFF. 27 (2013).

⁹ David E. Cunningham, [Who Should Be at the Table?: Veto Players and Peace Processes in Civil War](#), 2 PENN. ST. J.L. & INT'L AFF. 38 (2013).

settlement talks are most likely to succeed if they exclude other, non-veto players, from negotiations aimed at ending the war.

Each essay offers substantive guidance to peacemakers in the field; several, however are noteworthy in their ability to specifically address ongoing disputes. One of the most daunting and seemingly intractable situations confronting policymakers today is the conflict in Syria. In a provocative essay, J. Michael Greig¹⁰ of the University of North Texas, explains why mediation efforts have failed there, and offers an unconventional prescription for addressing future conflicts with similar characteristics. The disheartening lack of progress observed in Syria can also be seen in the ongoing conflicts in the Democratic Republic of Congo (DRC) and Mali, which remain in a static yet deadly limbo. The essay by Kyle Beardsley¹¹ of Emory University, offers timely and valuable insights to the policymakers tasked with resolving these conflicts. He explores the importance of allowing third-party mediators the flexibility to select mediation tools and styles suitable to the character and context of the conflict. He offers recommendations on how much leverage is needed to stop ongoing brutal violence in the short term and the effectiveness of “lighter tactics” in helping disputants overcome the final barriers to settlement—observations that may be of particular relevance to policymakers on the ground in Syria, Mali and the DRC.

Similarly, two other essays offer insights on the form and process for achieving successful mediation results. Stephen Gent,¹² of the University of North Carolina, explores why states are reluctant to use legal mechanisms, most notably arbitration and adjudication, to resolve disputes despite the fact that these mechanism have proven to be highly effective. He examines political and other dynamics that create such hesitancy, and then offers guidance to policymakers on helping states overcome their aversion to legal dispute forums. The

¹⁰ J. Michael Greig, *Intractable Syria? Insights from the Scholarly Literature on the Failure of Mediation*, 2 PENN. ST. J.L.& INT’L AFF. 48 (2013).

¹¹ Kyle Beardsley, *Using the Right Tool for the Job: Mediator Leverage and Conflict Resolution*, 2 PENN. ST. J.L.& INT’L AFF. 57 (2013).

¹² Stephen E. Gent, *The Politics of International Arbitration and Adjudication*, 2 PENN. ST. J.L.& INT’L AFF. 66 (2013).

essay by Molly Melin,¹³ of Loyola University of Chicago, explores the unique role that state mediators can play and the distinct benefits offered by state-led mediation. Her essay highlights factors policymakers should consider when assessing whether to use state-led mediation. Drawing on existing research, she identifies the conflict characteristics and other circumstances under which state-led mediation efforts will be the most effective and sustainable.

Finally, an essay by Victor Asal of the University of Albany and Jonathan Wilkenfeld¹⁴ of the University of Maryland aims its criticism at scholars and policymakers alike for failing to recognize the tremendous harm caused by generalizing ethnic behavior—i.e., attributing negative characteristics (for example violence or terrorism tactics) to an entire ethnic group when the characteristics are more appropriately attributed to a smaller political entity within that ethnic group and maybe even lack accuracy when describing that smaller entity. Their analysis and conclusions will have particular relevance as states seek to define the threat posed by today’s ethno-political groups, most notably Hamas and Al Qaeda—two groups that seem to be moving away from violence as a defining characteristic and toward more political and social outreach identities.

A PEACEMAKING TOOL KIT

These essays identify an extensive number of critical policy implications and in some cases, concrete recommendations—creating, in essence, a peacemaking tool kit. How does one evaluate them all? Where should one start? In his concluding essay, Ambassador Jett puts forward guidelines for evaluating policy implications like those presented. He argues that “mediators are often crucial to reaching a peaceful resolution to a conflict” but that mediation is not a “silver bullet.”¹⁵ For mediation to be successful,

¹³ Molly M. Melin, *When States Mediate*, 2 PENN. ST. J.L.& INT’L AFF. 78 (2013).

¹⁴ Victor Asal & Jonathan Wilkenfeld, *Ethnic Conflict: An Organizational Perspective*, 2 PENN. ST. J.L.& INT’L AFF. 91 (2013).

¹⁵ Dennis C. Jett, *Mediation—Its Potential and Its Limits: Developing an Effective Discourse on the Research and Practice of Peacemaking*, 2 PENN. ST. J.L. & INT’L AFF. 103 (2013).

policymakers need to be as informed as possible on what works when. Using this approach, Jett highlights the policy implications especially relevant to peacemakers: (1) mediator bias tends to lead to different outcomes; (2) mediators get the toughest cases and the most intractable disputes; (3) more may not be better when it comes to dispute resolution; (4) assumptions about the nature of ethnic conflict can result in bad peacemaking choices; and (5) in some types of disputes, arbitration might be more effective than mediation (and vice versa). Because these conclusions are drawn from studies of the patterns of past peacemaking events (or incidents) and are informed by an understanding of conflict management dynamics and history, their applicability to the dispute scenarios facing today's conflict managers (or policymakers) is compelling.

CONCLUSION

Research tends to swing like a pendulum between analytic and rigorous methods and accessible and relevant approaches. We reject this tradeoff. We believe that research can be simultaneously rigorous and relevant, and analytic and accessible. Given the devastating loss of life associated with armed conflict, the need for translating research results into policy prescriptions is especially strong in peacemaking. This issue has tackled the translation of nine critical research agendas on dispute resolution into a series of policy recommendations that peacemakers can employ. As William Zartman ambitiously writes in his foreword to this issue: “[t]he ball now is in the practitioners’ court, to use and test the transmitted knowledge, provide the world with better results from mediation, and provide the analysts with new data to turn into knowledge.”¹⁶

¹⁶ I. William Zartman, [Foreword](#), 2 PENN. ST. J.L. & INT’L AFF. i (2013).