



SELINUS UNIVERSITY
OF SCIENCES AND LITERATURE

**LEADERSHIP IN MEDIATION PROCESSES IN
CONFLICT SCENARIOS:
THE AFRICAN CONTEXT**

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ABSTRACT

The study purposes to assess the impact of leadership in mediation processes in conflict scenarios in Africa. It determines the relevance and impact of leadership on mediation process vis-a-vis disputes and outcomes. The thesis is anchored on the hypothesis that leadership quality is key bedrock of the mediation process. The role of leadership is conspicuously absent in the literature addressing mediation particularly in international mediation. Thus, the study sought to contribute towards efforts to bridge the existing gap. Critical contribution of the study to mediation literature emanates from the specific focus on leadership in mediation processes, specifically its impactful role in relation to factors pertaining to the aspects of influence (strategies, actors, leverage, resources, mediator traits and characteristics) unique contextual issues (social mechanisms, historical dynamics, social and cultural relational underpinnings) goal attainment, possible outcomes (de-escalatory aspects, resolution, settlement). The study applied a thorough analysis of leadership modalities, Instrumental and Coercive, undertaken by multiple actors such as states, organisations, institutions and individuals. Further, it explored diverse scenarios relating to complex contemporary intrastate conflicts in Africa, in various countries, triggered by different conflict drivers. . In-depth analysis was on two main case studies namely Darfur (Sudan) conflict 2003/8 and the Kenya Post-election conflict 2007/8. Results of the two conflict scenarios equally emphasise that pertinent to leadership roles in African peace-making efforts are the personal characteristics of the chief mediators, multi-layered with African efforts to coordinate external strategic participation and contribution. In addition, results of case studies revealed that key contributory factors to issues of failures, successes and relevance, impact and challenges relate to factors of the history, nature and causes of the conflict; demographic, cultural and socio-economic conditions; needs and

interests of the disputant parties; the role of external actors; coordination and cooperation mechanisms and the style and methods of the mediator.

Keywords

Instrumental leadership, Coercive leadership, Negotiations, Mediation, Intrastate, Lead mediator.

DECLARATION

I declare that “*Leadership in Mediation Processes in Conflict Scenarios: The African Context*” is my personal work and has no prior submission for examination for any degree at any University. All sources used or quoted are duly acknowledged as references.

Mary Doreen Phiri

Signed

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DEDICATION

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ACRONYMS

ANC	African National Congress
AU	African Union
CPA	Comprehensive Peace Agreement
DPA	Darfur Peace Agreement
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EU	European Union
GoS	Government of Sudan
GoU	Government of Unity
IDPs	Internally Displaced Persons
IFP	Inkatha Freedom Party
IL	Instrumental Leadership
JEM	Justice and Equality Movement
KNDR	Kenya National Dialogue and Reconciliation
MDC	Movement for Democratic Change
MoU	Memorandum of Understanding
NCP	National Congress Party
ODM	Orange Democratic Movement
PNU	Party of National Union

SADC	Southern African Development Community
SLA/AW	Sudan Liberation Army /Abdul Waheed
SLM/A	Sudan Liberation Movement/Army
UCDP	Uppsala Conflict Data Program
UK	United Kingdom
UN	United Nations
US	United States of America
ZANU-PF	Zimbabwe African National Union – Patriotic Front

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Chapter 1: INTRODUCTION

1.1 Background

Mediation, as a practice is associated with the constructive transformation of one in every four conflicts. A comparative study of 434 international crises, with occurrence between 1918 and 2001, showed five times greater probability of formal agreement when a crisis is mediated (48.35 percent) than when it is not (9.97 percent) (Beardsley et al., 2006). United Nations (UN) statistics showed that only 25 percent of all mediation efforts were successful from 1989 until 2002 (High level Panel, 2004).

Mediation is evident in all aspects of fundamental human activity, protruding across diverse spectrum of social processes. The past two decades has witnessed the increased practice of formal aspects of mediation within different dimensions of society and all areas of social conflict, in processes relating to divorce, education systems via peer mediation, community level interactions, victim/offender, disputes relating to public resources, judicial processes, across organisational disputes and with prominent appearance in international conflicts, be it at intrastate or interstate levels (Kressel, 2006).

Moore (1993) states that multiple typologies of conflicts exist, conflicts of relations, conflicts of data, conflicts of interest, and conflicts of structures or values. Characterisation of conflicts helps the mediators to undertake the appropriate actions and techniques to seek to resolve a dispute (Martynoga & Sielenzak, 2018). “Since conflict differs from one situation to another, evolves over time and is driven by social actors, a mechanical or formulaic approach to peace making is bound to fail,” (Nathan, 1999, p2).

Mediation scope and practice transcends across time and faculties, having existed for several centuries as a process of third party assisted bargaining, performed as assemblies,

presbyteries, blood feuds reconciliation commissions and social courts (Dyrmishi, 2014). Constructive transformations of conflicts have timelessly been conducted within diverse leadership and disciplinary auspices. Such methods of dispute resolution were commonly practiced as a side-activity by judges, mayors, or yet other functionaries, using their intuition, experience of life, or mere authority (Ibid). Traces of mediation in legislation are also found in the medieval and early modern times (Adrian, 2014; Nylund, 2017; Sunde, 2014). Nordic countries have a long history of diverse forms of mediations (Adrian, 2014; Ervasti, 2014; Nylund, 2014; Vindeløv, 2012). In 1795, the Danish King instituted national conciliation boards in Denmark and, two years later, in rural Norway by royal resolution (Adrian, 2014). In the preamble of the resolution, the King highlights the purpose of the resolution as to prevent unnecessary and costly litigation between subjects (Adrian, 2014; Nylund, 2017; Sunde, 2014).

Traditional institutions, such as the *Dare* in Zimbabwe, Abunzi and the Gacaca courts of Rwanda, Barza intercommunautaire in DRC and the *Bashingantahe* in Burundi, continue to play tremendous roles in conflict resolution (Mutisi, 2011). Cases of land disputes, civil disputes and, in some instances, criminal cases are presided over by these (Ibid). Traditional institutions of dispute resolution are fully recognised under the law in Rwanda, while in other countries such methods exist extra-judicially (Mutisi, 2011).

Mediation of contemporary conflict is an activity that typically compared to that of involved throwing well intentioned individuals into a lion's den of conflicting interests, beliefs and forces (Trachte-Huber, 2004). The mediator is usually asked to do no less than persuade the lions to lie down with one another (Ibid). Bush and Folger (1994) have distinguished between mediation that solves problems, where the goal is satisfaction and settlement, and that which transforms people and relationships. The latter seeks empowerment as the goal,

and recognition by the parties for one another (Perloff, 2010). Presiding over conflict situations, and to render assistance towards resolution of disputes not only requires status, authority, experience or hierarchical disposition, but also skills and expertise techniques. Assumptions of mediation being mystical, limited to common sense, equivalent to diplomacy that is power-based are cautioned against. It is encouraged that aspects of acquiring greater proficiency by learning the art and science mediation are pivotal, as strategic and tactical mishaps are likely to occur, even as the mediator embarks in good faith (Nathan, 2007).

Given the frequency with which high-level peace-making is undertaken in Africa, there is surprisingly little discussion in official circles about the science and art of mediation (Nathan, 2007). Stark comparison protrudes in relation to the serious and sustained discussion that takes place around the strategy, methods and structures of military peace operations (Ibid). Criticality of training lies with that reality that since mediation takes place in context of civil war, thus the stakes and risks are high. Strategic figures entrusted to undertake key roles of mediation need to embed leadership attributes and skills to ably generate the transformation of conflict dynamics into reconstructed and stable contexts.

It is against this background of structurally weak aligned, limited recognition and coordinated application particularly in international mediation process, failure or limited investment in securing relevant techniques, skills and knowledge of the process among positioned mediators in form of leaders, specifically within the African context, that renders the need for a systematic and institutionalised approach to be explored and effected in relation to mediation processes. Leaders help societies to make a course correction when they have veered onto a destructive path,” (Munroe, 2014 p 13).

1.2 Research problem

There is continuous global recognition of the pervasiveness and costly nature of conflict of all social processes, with a systematic and organised adoption of force and violence (Gartner, 2014). The cost of conflict remains systematic, exhibiting similar patterns over time and decades, greatly impacting human life, socio-economic and political systems, among others (Mueller, 1973; Gartner and Segura, 1998, 2000; Gartner et al., 2004). Numerous studies show that human casualties and material damage, produced in such conflicts, are generally regarded as the most salient type of political costs a society can incur (Ibid). Conflicts are dynamic and differ from case to case, whether interstate, intrastate as depicted in Table 1 below, thus mediation cannot be administered in a formulaic fashion.

Table 1: Community of Yuendumu – Indigenous Aboriginals, Australia

In 2010, the community of Yuendumu was a turbulent place. The death of a community member, in September 2010, led to riots and violent confrontations between community members. There were significant levels of unrest, violence and feuding within the community. Over 100 people fled Yuendumu due to concerns about their personal safety. There was extensive damage and destruction of personal and community property and numerous services and programmes were put on hold or abandoned. From 2008 to 2011 the total population shift was a loss of 65 people. However, the most significant change in population in that time period was seen in males and females aged 0 to 29 with a total loss of 134 people. Around one hundred young people, particularly females, have left the Yuendumu district over the period 2009 to 2011 and had not returned by 2012.

(Source: Daly & Barret, 2014 p6)

Across time, Africans have experienced throes of war, with a painful strike and cost on human life, with millions imbibing the casualties from combat, with enormous war induced starvation (Amoo, 1992). The waste in human life would boggle the mind if particular casualties from the 1960s and 1970s of the Congo crisis, the Nigerian civil war, and Amin's butchery in Uganda, the Ogaden war between Somalia and Ethiopia were added (Amoo, 1992).

Scholarly research made attempts at focusing on intrastate or civil disputes mediation, on cases such as the Democratic Republic of Congo, however, 40 % of conflict mitigation works are rather on interstate disputes, as the conflict between India and Pakistan over Kashmir (Gartner, 2014). Empirical analysis of international crises since World War I consistently affirm that potential domestic audience costs for seeking peace and the propensity for concessions positively affect the probability of mediation (Melin, 2013). In tandem with previous studies, conflict costs increase mediation incidence, with findings also indicating that at high costs of conflict, states appear in less need of political cover for making concessions (Melin, 2013). Although previous studies create causal effect of cost of conflict to mediation incidence, however such analysis still requires extensive empirical evidence for validation. As illustrated in Table 2 below, costs, among them high degree of fatalities justifies the mediation rationale, nor the success rate of mediation.

Table 2: Conflicts Disputes and Outcomes, Interstate and Intrastate

<i>Disputes</i>
<p>➤ <i>Interstate disputes cover a range of topics: territory (27.5%), ideology (5.8%), security (32.5%), colonial (7.9%), resources (5.5%) and ethnicity (20.8%);</i></p>

- *States tend to mediate other states; interstate dispute mediators are: individuals (2.3%), regional organizations (19.5%), international organizations (28.4%) and other states (49.8%);*
- *Over 47% of the interstate disputes mediated are in the highest category of fatalities (10,000 dead or more;*
- *There is a preventative theme though, as 28.8% of the mediated disputes are in the lowest level of fatalities (0-500), with the remainder in between; and*
- *Interstate mediation occurs throughout the world; regional frequencies are: Central and South America (11.2%), Africa (16.8%), South West Asia (9.1%), East Asia and the Pacific (15.1%), the Middle East (33.6%) and Europe (14.9%).*

Outcomes

- *Conflict resolution efforts lead to some type of an agreement in 45.5% of interstate and an almost identical 44.3% of intrastate disputes;*
- *The nature and durability of these agreements, however, vary considerably;*
- *The conflict management of interstate disputes results in more than twice as many ceasefires (9.9%) as intrastate disputes (4.8%), and slightly more full settlements and fewer partial agreements;*
- *Interstate disputes agreements, however, are more robust; and*
- *Almost twice as many intrastate as interstate agreements fail immediately (5.9%) compared to (3.2%). Critically, while 25.6% of interstate disputes last eight weeks, only 17.2% of intrastate disputes last that long.*

(Source: Gartner, 2014 p 276)

Admittedly there is no lack of debate in the field of mediation, and topics that tend to attract the most attention and vigorous discussion include mediator qualification and process outcome (Noll, 2001). The debates in the mediation field have centred on which process is better, who is qualified to be a mediator, and on outcome measurement (Ibid). In varying instances international mediators are successful because of their interpersonal skills, the attractiveness of the 'carrots' they offer the parties and the 'ripeness' of the conflict for resolution (Nathan, 1999). "Success rate might be higher if they were proficient in mediation techniques, albeit it is not possible to adduce hard evidence in support of this proposition since failed peace making ventures cannot be replayed with a different mediator or style of mediation," (Nathan, 1999 p 16).

Despite diplomats seemingly grasping rudiments of mediation, however most are least skilled in the art or science of mediation (Nathan, 2007). The lack of confidence and expertise when engaged in complex mediation has been an area of concern and discomfort for African diplomats, with a number of ambassadors and foreign affairs officials having called for comprehensive training in mediation and related skills (Nathan, 2007):

"Ambassador Ami Mpungwe, the accomplished Tanzanian diplomat who facilitated the abortive Arusha peace talks for Rwanda in 1993-4, has said that throughout the process he was painfully aware that he and his colleagues lacked knowledge and experience as mediators. He did not know whether there was anything they could have done differently to avert the genocide but he was convinced they would have benefited greatly from training in mediation. A decade later, the need for mediation training remain unmet" p 13.

Leaders' interests may also be selfish and context-dependent, among such the need for recognition or stalling (Maundi et al., 2006; Beardsley, 2011). Fuelling such needs may be feelings of distrust or reflect risk aversion behaviours (Kelman, 2005; Ben-Artzi et al., 2015)

as cited in (Beckerman, 2022). Such acts can be seen with the mediator bias within Algerian mediation of the American hostage crisis in Iran (Vokovic, 2016). The case highlights that “real bias” can play an important role in mediation when the bias adds to the mediator’s capacity and desire to influence (Vokovic, 2016). Aspects of leaders’ interests of being selfish and context-dependent are associated with the case of American’s willingness to mediate the Israeli/Palestine conflict, both during the leadership of Presidents Clinton and Obama. Initial efforts under Clinton collapsed prematurely, according to Gartner (2014), the negotiations, which lasted two weeks, did not produce a substantive outcome and were deemed a failure, with long-term, negative consequences for the region that were “momentous.” Towards the end of Obama’s first term in office, there were suggestions that he had lost the support of both the Israelis and Palestinians in the peace process because of his failure to fulfil promises made to either side (Ibid). Both Obama and Clinton chose the dispute sighting the prestige that would result from bringing peace to this long-running and globally salient dispute – factors that flow directly from the dispute’s intrinsic intractability (Gartner, 2014). Positioned as leader of the most powerful country in the world, US presidents cannot offer to mediate every dispute and likely anticipate that only success in the hardest to resolve disputes will augment their prestige (Ibid). Reasons for selection of this dispute for mediation and the reasons for their failure are related (Gartner, 2014). The highlighted situations and challenges create the rationale for the questions articulated below.

1.3 Research questions

1. What are some of the key cases (failures and success) of the mediation practices in Africa?
2. What has been the relevance of mediation in selected conflict scenarios in Africa?
3. What impact has selected leadership styles on mediation of conflict disputes and outcomes? Leadership contextualised either in the form of organisations, states, individuals

4. Challenges and opportunities of certain leadership styles on mediation?

1.4 Objectives of the Study

The study broadly seeks to determine the impact of leadership in mediation within selected conflicts scenarios in Africa.

Specific objectives are;

1. Explore some cases of the mediation practices in Africa, including failures and success.
2. Determine the relevance of mediation in selected conflict scenarios in Africa
3. Explore impact of selected leadership styles on mediation of disputes and outcome processes, i.e. organisations, states, individuals
4. Explore challenges and opportunities of certain leadership styles on mediation

1.5 Relevance of the Study

The role of leadership is conspicuously absent in the literature addressing mediation particularly in international mediation. Vast and existing literature on mediation leadership is fixated mainly within the scope of labour market negotiations, school conflicts, community disputes and legal disputes. In these dynamics, mediators tend to have defined norms, cultures, skills and relevant knowledge and techniques to guide the process of dispute resolution and secure organisationally aligned outcomes in most cases. Albeit, this seems not be the case for International conflict mediation scenarios, inclusive of interstate and intrastate. Experience has shown that the choice of assigning (or assuming) the leadership role appears to be quite contextual and ad hoc in nature. Kriesberg (1996 p 348) points out

“that the choice of the person or organisations which take on the leadership or the coordinating role may be made by the adversaries themselves, by the intermediaries, based on assessing who would have the interest and resources, or through a power struggle.”

Selection of a lead mediator is not a rational process, but a consideration of numerous factors such as timing, parties' positions, skills and abilities and resources of interested mediators to sustain that role and their credibility vis-à-vis external actors of the international community (Whitefield, 2010). Oftentimes UN secretaries-general major policy statements on peace and conflict, accord thorough viewpoints on early warning, military deployment and similar subjects, with minimal focus on mediation aside from recognition of its significance (see, for example, Boutros-Ghali, 1992; Boutros-Ghali, 1995; Report of the UN Secretary-General 1998). Similarity lies with peace operations, sanctions and humanitarian aid, which are the subject of discussion among politicians, academics and activists, but debates on mediation are largely confined to scholars and domestic practitioners (Nathan, 1999).

Leadership quality has been identified to be among the important determinants of success by scholars working to develop general theories of international cooperation. Lindberg and Scheingold (1970, p. 128) argue that "leadership is the very essence of a capacity for collective action." (O.R Young 1991, p. 302; compare Young, 1989, p. 23) accord cognisance to the significance of leadership is a necessary however not a sufficient prerequisite for securing an agreement (Underdal, 1994). Despite these limitations, the Guidance for Effective Mediation by the UN notes that the decision regarding leadership should be adopted via consultation between the relevant entities, in consideration of the conflict context and based on comparative advantage (A/66/811 2012, pt. 47); (Vokovic, 2016). Years leading to 2015 have witnessed a triple effect of the occurrence of civil wars.

In this context, mediation is widely recognised as a critical tool for promoting the peaceful settlement of disputes, and for conflict prevention and resolution. Progressive strides within the UN, especially the notable focus of the current UN Secretary General, António Guterres, embodies a keen focus on mediation, emphasising the need for innovative thinking that embraces mediation as an imperative strategy and necessary approach (Turner & Heyworth, 2019).

1.6 Organisation of the Thesis

Organisation of the thesis is as follows; Chapter 1 is the introduction, representing the background, problem statement, objectives and relevance; Chapter 2 is specific to the literature review; while methodology, findings and analysis are Chapters 3 and 4 respectively; Chapter 5 encapsulates summary, recommendations and conclusion.

Subsequent Chapter, Literature review, will refer to selected negotiation and leadership theories such as game theory. Leadership theories and styles such as leadership by means of coercion, and instrumental leadership will be applied. Distinction of these leadership modalities lies in the mechanism (s) of application and the kind of capabilities involved.

Chapter 2: LITERATURE REVIEW

2. Introduction

Mediation processes entails a political array, with disputing parties embracing the possibility of integrating an actor or third actors not privy to the conflict, but enjoys the trust of the conflicting parties, and is seen as containing the potential interest and support to devise mechanisms in end the deadlock driven by a stalemate in the conflict (McCartney, 2006). Distinction lies between official mediation processes and unofficial mediation processes, with the former based on a mediation prescribed mandates, formal concerted agendas, rules of engagement, and unofficial mediation processes including track two activities such as dialogue facilitation and problem-solving, as well as local mediation by insider mediators (Giessmann & Wils, 2009). Despite the complementarity in principle of official and unofficial mediation processes, reality shows that the lines between them are often blurred (Ibid).

Although conflict is regarded as being one of the most pervasive and costliest of social processes, albeit oftentimes it is not necessarily perceived as bad, out of the norm, dysfunctional, but as being a reality of life that prevails in majority of societies and processes of social life (Bercovitch & Gartner 2008: Moore, 1996). Conflicts occurrences are not always doomed to negative and violent trajectories Moore (1996), and conflict experiences often emerge as an outcome of competitiveness between parties to attain certain goals, at times perceived as irreconcilable, divergent goals that resultantly degenerate into conflict behaviours (Bercovitch et. al, 2009). Cooperative problem solving mechanisms are known to be constructive methodologies for conflict resolution for parties willing to isolate distrust and animosity tendencies, and secure outcomes incorporative of parties' inclusive interests (Moore, 1996).

Negotiation refers to a process in which the parties seek a relation with competing actors, earmarked at the achievement of a goal not easily obtainable by alternative means (Hopmann, 1996). Each disputing party offers a distinct solution to a shared issue, hence there is always a mix of shared and competing interests (Hopmann, 1996). Two fundamental ideas are tabled by the game-theoretic framework for negotiations (Hopmann, 1996). First, until they reach the Pareto frontier, each party continues to bargain and subsequently enhances their joint payoffs. Second, parties will haggle over which point on the Pareto frontier they will agree upon because it is impossible for one party to strengthen its position at the Pareto frontier without the other losing (ibid). In all spheres of life and politics, direct discussions may come to a standstill or, even worse, fail to begin at all (Hopmann, 1996). Sometimes a disagreement might get so heated that it's hard to find a resolution (Hopmann, 1996). In the recent past, the emergence of negotiation and mediation are finally being acknowledged as the most appropriate pathways to conflict in the complex and ongoing effort of fostering international peace (Bercovitch, 2009).

In modern times, mediation has emerged as one of the most often applied techniques for dispute resolution in international politics (Jackson, 2005). Concurrently, scholarly analysis into the theory and practice of mediation has covered significant strides in an effort to better grasp the procedure and, in particular, to identify ways to increase its success (Jackson, 2005). The argument is then made that many of those problems merit reformulation and re-examination in light of the considerable changes in conflict in the world, with an emphasis on the particular characteristics of civil conflict (ibid). Failures of international mediation are mostly attributable to the continued use of a mediation paradigm that is inappropriate for the conflicts it is being used to resolve, namely internal conflicts or new war (Jackson, 2005). Models of mediation that focus on "balancing" interests, such as the power-based approach, are better suited to relatively straightforward international diplomatic disputes.

Albeit advocated is a different approach to international mediation that is focused on the special difficulties of domestic conflict resolution and is derived from the practical experience of mediators (Jackson, 2005).

This Chapter articulates a review of theoretical underpinnings that relate to mediation and leadership. Different case study findings are discussed in relation to theoretical concepts, with the initial analysis mainly addressing review of mediation (contextualised within negotiation theory) and a subsequent analysis of leadership theories.

2.1 Negotiation theories

2.1.1 Game theory

Game theoretic reasoning widely pervades economic theory and is used widely in other social and behavioural sciences (Agarwal, 2009). Extensive analysis on negotiation theory area examines negotiation from three divergent angles: applying game theory (from an economic perspective), psychology (from a cognitive, social or behavioural psychology perspective) and negotiation analysis (from a game theoretic and decision analysis focus) (Agarwal, 2009). According to Agarwal (2009), negotiations are characterised as a series of reciprocal concessions between the parties with an outcome of a settlement that will be acceptable to the majority of those involved. Since most negotiations are open to the outside world, extraneous influences may have a minor or major influence on the negotiated outcomes (Ibid).

Contemporary game theory exists in three modalities, Zero-sum game theory (Von Neumann and Morgenstern 1944), co-operative game theory (Shapley 1953; Shapley 1977; Shapley and Shubik 1954; Luce and Raiffa 1957; Aumann and Drèze 1974; Myerson 1977) and non-cooperative game theory (Nash 1951), providing the initial grounds for

examination in the field of game theoretic negotiation theory. Non-co-operative game theory dominates the zero-sum theory (as it is a system dynamic form of the latter) (Agarwal, 2009). Oftentimes game theory applies two n-person situations, one of which culminates in an agreement and the other does not (Underdal, 1994). Cooperative game theory upholds the assumption that all parties may be guaranteed of some value by a legally binding agreement (Ibid). Concern is expressed on the modality of the distribution of such a value among the parties, however, not whether it would be in the parties' best interests to uphold the agreement aside the imposition parameters (Underdal, 1994). The aspect of a binding agreement imposed on parties, with possible implications of non-adherence by parties' correlates with the conflict scenario of Darfur, Sudan, specific to the conflict resolution mediation process of the Abuja talks. The Darfur Peace Agreement (DPA) was in serious danger of failing when Jan Pronk, the UN Secretary-General's Special Representative in Sudan, issued a warning at the end of June 2006 (Pronk, 2006). Pronk stated the DPA was a good document, seemingly an honest compromise between the extreme interests made by the parties in Abuja, but it did not resonate with the people of Darfur and thus encountered significant opposition, particularly from internally displaced persons (IDPs) (Ibid). They believed that the Agreement "has been forced upon them and, rather than meeting the interests of all parties somewhere halfway, only strengthens the position of the government and Minawi's minority tribe, the Zaghawa" (Pronk, 2006 p 2). In the second case, the non-cooperative game theory is applied, with the assumption that a binding agreement cannot be imposed if it is not in the players' interests to adhere to it. Non-cooperative aspect can be reflected within the DPA process, in which some factions positioned resistance against imposition of a non-consultative and locally owned agreement. Abuelbasha (2006) reports that, Abdel Wahid's faction, on the other hand, was able to insist that "the legitimate question is on what basis the Movement have to sign an agreement,

which it did not participate in its discussion?” (Eltom, 2006 p 15). “According to a Justice and Equality Movement (JEM) official, we have rejected the proposed peace accord because we do not think that the document is a product of a negotiated settlement. In fact, we think that this document is a product of intimidation, bullying and diplomatic terrorism,” (Eltom, 2006 p 15). Cooperative game theory poses the question of the distribution of value, and the non-cooperative game theory queries approaches selected by rational players during conflict times (Ibid). On his part, Nathan (2006), states that a peace agreement has to be owned by the disputant parties, for a combination of political, psychological and pragmatic reasons. Parties that disagree must not only convince their supporters to support the deal, but to also accept compromises of the deal, put it into practice and uphold its provisions over time (Ibid). Abuja experience denotes that there is no benefit to be gained from pressurising the parties to sign an accord defunct of their commitment; the process of used to prepare and finalise the agreement equally affects its legitimacy and acceptability and is as important as the contents of the agreement. However, if players ascertain the rationality of making that agreement, it will inevitably be self-enforcing thus defeating imposition efforts (ibid).

Game-theoretic modelling relates to some aspect of the interaction of decision-makers (Osborne, 2004). A decision-maker opts for the optimal course of action from the array of options accessible to him or her in accordance with his or her preferences (ibid). Numerous normative and descriptive theories on mediation have focused on the diverse parties to a conflict, on how they ought to behave, how they should behave as rational actors, and how the effect of their action on the outcome of the mediation process (Bercovitch & Gartner, 2008). Game theory posits that each player in a game gives consideration of likely actions of the other player during formulation of individual best course of action (Underdal, 1994). According to Underdal (1994), negotiations may result in the resolution of a conflict dependent on the rational acts of all parties. People engage in battle for a variety of reasons,

all of which, in the protagonists' opinions, are valid and rational. Handel (1978) argues that, at global level of analysis, a dominance of rational choice models exists in an attempt for researchers to analyse belligerents' interactions and such models are underpinned by the assumptions that the actors make individual rational decisions. Moreover, Raiffa, Richardson and Metcalfe (2002) state that game theory provides normative solutions related to interactive decision making that fail short of adequate accuracy due to constraints. The constraint lies with players being completely rational, as in reality, totally rational negotiators (players) do not exist and some negotiators will probably make illogical decisions not explained by game theory, thus Bazerman and Chugh (2004) define this problem as bounded awareness and bounded rationality of negotiators in a game (negotiation).

Game theory hypothesises a three-person game between parties on basis of parties' interests and platforms, (Underdal, 1994). Parties commence by exclusively supporting their most desired platforms, occasionally giving their support to lower-ranked platforms if there is no consensus, until they would prefer impasse to additional compromise (Ibid) Such theoretical analysis could be transposed to the case of the Ugandan government and Lord's Resistance Army (LRA) conflict resolution process, whereby Kony's refusal to sign the peace agreement ended the process. The case study reflects bottlenecks of a resolution process by which personal incentives cannot be offered. Agreement proposal offered Ugandan criminal justice processes instead of the International Criminal Court (ICC). However, with Kony's rejection of the deal and renewed military activity by the LRA, regional and international actors increasingly saw the LRA not as a legitimate political force, but as an armed band led by war criminals (African Union, 2013).

Game theory has been predominantly, but not solely, employed in modelling negotiations to analyse two-person strategic scenarios. (Brams, 1990; Raiffa, 1982). Luce and Raiffa (1957) have also raised concerns of the boundaries of analysing actual interactive conflict situations with game theory, as decisions cannot incorporate infinite interrelationships between a player's (negotiator's) own actions and those of their opponents, thus some finite bounds need to be set for analysing such games.

2.2 Leadership theories

Leadership theory is quite diverse but unified and framed by underlying tripod ontology of leader, follower and shared goals (Stogdill, 1974; Bass, 1990; Gardner, 1990; Sorenson et al., 2004, Bennis, 2007; Drath et al., 2008; Northouse, 2014, 2015). It has been conceptualised as a process that entails actor(s) intentional influence to guide a structure and facilitate activities and relationships in a group of actors or organisation (Northouse, 1997; Yukl, et al., 2002; Yukl, 1989, 1999; 2002; Vera and Crossan, 2004; Iwowo, 2015). Leadership involves aspects of (a) influencing individuals to contribute to group goals and (b) coordinating the pursuit of those goals (Herzik and Brown, 1991; Hollander, 1992a; Hogan et al., 1994; Yukl, and Becker, 2006). Leadership provides a framework of focus and direction for a diverse group of individuals or states with different cultural orientation towards a particular approach in addressing common problems. Northouse (1997, p 16) in his contribution indicates that “(a) leadership is a process (b) leadership involves influence (c) leadership occurs within a group context, and (d) leadership involves goal attainment.”

2.2.1 Coercive Leadership

Coercive leadership adopts a “sticks – and – carrots” trajectory to impact other people's motivations to accept one's own conditions or to at least make a compromise (Underdal, 1994). As pertains cooperative problem solving, positive incentives are frequently applied

than negative ones. Coercive modes of leadership purposefully utilise such control to increase their bargaining power (Zartman, 1994). Strategic moves as above are cardinal in the context of leadership being the central coordinate of influence, albeit, if leadership is to be seen as a guiding force, then parties are to be an integral part of any effort deployed during the entire process. Coercive leadership style further depicts hegemonic influence over certain key factors such military, economic, that are applied as enablers to effect anticipated reaction or actions from other actors.

Abstract model identifies the key characteristics of coercive diplomacy, including the foundational 'logic' of its presumed efficacy (George, 1980). Such logic postulates that success will be attained when on an adversary are buffeted with a threat of punishment for noncompliance, with adequate credibility to secure compliance (George, 1980). Abstract model hinges on the assumption that the opponent is a "rational" one, and the adversary will be receptive and thoroughly analyse information that is critical to the question of the costs and risks of noncompliance, weighed against the possibility of pursuing individual action (Ibid). Alexander & William (1994, p1) states that "the allure of compelling another government to back down through the threat rather than use of force can be a siren's song". A case in point of coercive diplomacy is associated with the "de-roguing" of the leader of Libya. "Libya and Muammar Qaddafi, a charter rogue state and the American leader Ronald Reagan called "the madman of the Middle East" discontinued support for terrorism including settling the 1988 Pan Am 103-Lockerbie case (in which 259 people, including 189 Americans, were killed) and did a non-proliferation "full Monty," abandoning its nuclear and other weapons of mass destruction (WMD) programmes" (ibid). Aspects of "attractiveness" and "beguiling" are mirrored in the theory of Coercive leadership, which on one hand can attain reasonable objectives during times of crisis at less cost, and minimal bloodshed (if at all any), reduced political and psychological costs, and oftentimes less risk

of unwanted projected escalation than is true with traditional military strategy (Alexander & William, 1994). In contrast, coercive diplomacy frequently seems simpler as a generalisation than as a specific instance, with only a 32% success rate on the topic in the 2003 US Institute of Peace research (Jentleson, 2006).

Coercive leadership applies tactical techniques that entail a double edged sword of communication of threats on one end, in case of failure to comply, and the other end comprising achievement of a promise, in times of success. Such strategic approaches are geared towards the result of influencing the conduct of other actors/parties. The Abstract theory embodies the model of two variables and their existing relationship, namely the leverage the coercing power upholds over the opposing party, and the strength of inclination of the opposing party as relates to the leverage (George, 1980). The interrelationship portrays that interdependency of the two, as the strength of inclination towards compliance or non-compliance lies with the degree of leverage by the power that is making the demands. In this context, motivation refers to each side's perception of what is at stake in the conflict, the significance each side accords to the interests involved in the crisis, and the extent to which each is willing to bear costs and risks in support of these interests (George, 1980). “The disarmament of Libya thus was less about a rogue leader’s sudden change of heart than about the combination of external coercive pressures and internal transmission belts bringing Qaddafi to a point where his hold on power was better served by global engagement than global radicalism,” (Jentleson, 2006 p6). Rebuilding efforts during World War II, economic alliances, extension of grants and establishing memberships within entities such as the European Economic Cooperation were witnessed between the U.S government and Western Europe which were conditioned upon the fulfilment of specific provisions (Underdal 1994, p187). “In addition, in their efforts to work out a peace settlement between Israel and its Arab neighbours, the Nixon and the Carter administrations to some extent

relied on arm-twisting as well as "bribery," promising economic assistance as a reward for cooperation and also hinting to Israeli leaders that future economic and military assistance might be jeopardised by further recalcitrance," (Zartman 1994, p187).

Countless experiences of failed mediation efforts in Africa have been witnessed that erroneously sought a quick resolution, heavily relied on strong-arm tactics, which underestimated the complexity of the conflict, and ignored the psycho-political dynamics of war, thus neglected the political imperative of ownership (Nathan, 2007). In the case of Kissinger, upon his arrival in Southern Africa in 1976, Kissinger was confident that his diplomatic prowess and the coercive strength of the US would secure a negotiated agreement for Rhodesia within a short stipulated period of time (Stedman, 1991). Kissinger was assertive he would circumvent efforts to be prescriptive, insistent his approach relied on the sole basis of being only an interlocutor, acting in the capacity of a mediator. Kissinger was resolved to sell his proposal using threats and promises after coming up with a formula for majority rule (ibid). To the contrary, his suggestions empowered the minority regime, encountered rejection by the liberation cohorts and Frontline States, and culminated in what British diplomats termed as a muddle, rendering the mission ineffective (Stedman, 1991). Major Pierre Buyoya and the largely Tutsi army overthrew the elected Hutu government of Burundi in a coup in 1996 (Nathan, 2005). Subsequently, the nation came under sanctions from its neighbours, with former Tanzanian President Nyerere serving as the official mediator for Burundi (ibid). While opposing the external peace process facilitated by Nyerere and made frequent calls for his resignation due to his anti-Tutsi position, the Buyoya administration pursued negotiations and forged partnerships with some of its internal adversaries (International Crisis Group, 1998). Prior to the lifting of sanctions in 1999, the Burundian war had the potential to be overshadowed by the embargo debate and tension between Buyoya and Nyerere (International Crisis Group, 1998).

In the age of intricate interconnectedness, almost all states can impose some form of pressure on another state or states (Underdal 1994). Coercive leadership contains as its bedrock the dominance of a certain coercing power over events cardinal to others, and the ideal candidate for such leadership has to maintain the privilege of commanding a position of predominance over a curtail of activities of interest to others, in addition to a position of upholding a high degree or score of overall power index (Underdal 1994). Despite aspects of predominance, Touval (1994) maintains that the UN's lack of leverage contributes to its ineffectiveness as a mediator; with promises and threats that have little credibility due to the institution's lack of military and economic resources of its own. Sam Amoo (1993) bemoans the fact that the Organisation of African Union (OAU) is "endowed with very modest authority for conflict management; it has no coercive powers whatsoever" (Amoo, 1993 p 243). In some instances, strategic lead mediators happen to be presidents with scarce enthusiasm for democracy (Nathan, 2017). For example, President Compaoré of Burkina Faso, President Gaddafi of Libya, President Sassou-Nguesso of the Republic of the Congo and President Tandja of Niger, have been lead mediators, all attained power by means of a coup (Nathan, 2017).

Key contradiction of coercive diplomacy is the possibility of the coercing power coupling positive and negative inducements, with the former projecting threats of punishment for noncompliance, while the latter rewards to induce compliance from the adversary (George, 1993). The niche with both approaches lies with the focus on credibility (ibid). Deployment of both strategies secures that possible assimilation of the opposing party to apply the gainful utility of the demand George (1993). It is further known that what the threatened stick cannot achieve by itself, unless it is formidable, can possibly be actualised by the combination of a carrot (George, 1980). As above examples indicate, exercising coercive leadership will often entail some risk of incurring costs (Zartman, 1994). It is imperative

that a leader provides prospective partners sufficient incentives to secure cooperation with the leader's terms or provide disincentives to refuse to go along, in the hindsight, the more coercion that goes into forging acceptance of a certain solution, the more coercion is likely to be required to secure its implementation and maintenance (Zartman, 1994).

2.2.2 Instrumental Leadership

Instrumental leadership (IL) is a concept that centralises as its core focus means of identifying avenues towards the attainment of common outcomes (Underdal, 1994). It is a leadership style by which an interlocutor assists disputing parties to identify mutually agreeable solutions (United Nations, 2012, Bercovitch, 2009, Fisher, 2001). The applied pathway is purposively undertaken in order to mediate a resolution that is supported by all parties, without affording comparative advantage to one party. To this end, the lead mediator endeavours to focus on the cooperative problem solving mechanism (Zartman & Touval, 2007). The case of IL model is reflected in Philippines mediation process, under the leadership of Malaysia, with support of external actors.

“In order to break the deadlock in the Bangsamoro Peace Process, Southern Philippines, the chairperson of the government of the Philippines (GPH) peace panel requested that Japan host high-level talks between top leaders, President Aquino and Chairman Murad of the Moro Islamic Liberation Front (MILF), which resulted in great success in confidence and trust-building between the leadership groups,” (Lam, 2008 p125).

It was a flagship, historical occurrence and a pivotal turning point in the Bangsamoro peace making process. As a result, Tengku, the subsequent facilitator that served from 2011 to 2016, emphasised components of trust and confidence-building, that helped secure that aspect of trust from both parties (Tengku, 2017). Actual roles that the facilitator played during the negotiation were: “(1) presiding over the talks as a referee in case of

misunderstanding; (2) helping bridge differences by shuttling between the parties; and (3) administering the discussion,” (Leslie, 2013 p126). Malaysia's role in the peace making process has grown stronger over time, with the nation gradually gaining the trust of both parties. In addition, the facilitator now embraces the roles of both mediator and negotiator, roles which frequently interchange (Leslie, 2013).

When an actor demonstrates instrumental leadership, others follow their lead either because they are persuaded of the (substantive) value of the particular diagnosis or treatment that the actor suggests, or because they have a generalised faith in the actor's capacity to "find the way." (Underdal, 1994). Mediators seemingly succeed due to their credibility and authority, epitomised by moral stature rather than formal power, these include the World Council of Churches and All African Council of Churches in Sudan in 1971-1972 (Assefa, 1987); Sant' Egidio in Mozambique (Hume, 1994); selected UN envoys (Gordenker & Rivlin, 1993). A comparable analysis applies to Washington Okumu and the Consultative Business Movement's role in mediating resolutions between the Inkatha Freedom Party (IFP) and the African National Congress (ANC) in 1994 (Coleman, 1994). The Iranian hostage crisis was resolved by Algeria in 1980–1981 as a result of its deft diplomacy, equally as a result of the perceived reality that "the power of a small state as a mediator usually resides in its position of balanced and equitable regard of all parties' positions." (Slim, 1992, p 299).

Instrumental Leadership, as a construct considers prerequisite behaviours pertinent to actualise a goal. IL takes into account the social context and interpersonal dynamics that influence followers' perceptions of leaders (Mannheim et al., 1967; Mulki et al., 2008). Zartman (1994) acknowledges that IL permeates every iota of daily life. When someone follows a doctor's advice to undergo a particular treatment, it's not because they hope to be rewarded (by receiving a significant bill discount, for example), or out of fear of punishment

if they don't, but rather because they have faith in the doctor's skill and moral character. In a similar vein, student-teachers' relations often hinge upon the confidence and trust that the teacher's counsel is well merited or, in cases when such merits are elusive, only to the extent that students have faith in the ability and honesty of the teacher. The discourse of instrumental mediation is captured in Count Folke Bernadotte's account, the 1948 special envoy of UN Secretary-General to Palestine: During the truce negotiations, both sides expressed their expectations from me, being relevant guidance regarding the foundation of a potential settlement. I chose to provide guidance through availing tentative pointers to the two parties despite the complete disparity in their objectives and the limited time I had left, with the main goal of seeing if we could identify a point of agreement at this point where further discussion and mediation could take place (Puchala, 1993).

Although Instrumental leadership has only been investigated in individual studies thus far, Antonakis and House (2014) argue from a methodological perspective that, disregard of IL as a pertinent leadership behaviour has the likelihood of resulting into an omitted variable bias, with the overestimation of impacts of individual leadership conduct (Antonakis et al., 2014a). IL, as a task-focused leadership model (Greene & Schriesheim, 1980), radiates narrowed pathways and strong influence on work environment and followers' conduct (Mulki et al., 2008). IL leaders constantly adjust strategies, actions, and conduct to realise projected goals. De Coning et. al, (2022, p102) identifies that the effective style of mediation was focused on three main pillars in the case of the Mozambique conflict resolution process: “(1) self-organisation and national ownership, which put the leaders of both parties and many Mozambicans from both sides at the centre of the architecture of negotiations, to work together during the peace process; (2) an understanding of mediation as a synonym of process facilitation, with a small mediation team of four members working discretely and unassumingly amid challenging conditions; (3) an adaptive and pragmatic approach that

enabled the mediators to deal more effectively with complexity and uncertainty during the negotiations, for example the sudden death of RENAMO's leader,". "An adaptive mediation structure, style, and methods allowed first for a permanent ceasefire in 2017, which led to the signature of the 2018 MoU on military affairs and, finally, the Maputo Accord for Peace and Reconciliation in 2019," (ibid).

Sandholtz and Zysman (1989) specify attributes of goal oriented focus and leadership, social relations dynamics that respond to assigned tasks, and the competence to assemble different groups with the interest to construct the projected future. In a nutshell, IL prioritises three core capabilities, namely, skill, energy, and status (Snidal, 1990). Skill is effective on basis of its relevance to the problem at hand. The Darfur mediation procedure demonstrated a lack of experience. There were visible variations in competence between the African Union (AU) team members and the resource persons. Ambassador Sam Ibok, the head of the team, acknowledged this handicap, but he was unable to identify mediators endowed with the necessary experience to join the process quickly and for an extended amount of time. One way that this issue manifests itself on a continental scale is the failure to recognise mediation as a specialised activity and to avail appropriate training to mediators (Nathan, 2006). The more significant the amount of human energy committed to tackling a particular problem, the higher the likelihood of success. Indeed, research suggests the foundational role that effort plays as a leadership base in the face of the lack of certain level of abilities (Sorrentino & Boutillier, 1975). "An actor's level of engagement with a problem can be understood as a function of their relative interest in the issue at hand, their available capacity, and their subjective political competence," (Cox & Jacobson, 1973 p 393 - 396).

Nevertheless, the positivistic, leader-centered viewpoint that views leadership as a static notion is criticised. (e.g., Barker, 2001). Few studies have been conducted in the area of

leadership in international institution building, despite the fact that it is still an important topic in any situation of international collective action (Sjostedt, 1999; Tallberg, 2006; Dent, 2010; Kyeong-Hee, 2012, p. 15–16; Underdal, 1994; Kyeong-Hee, 2012). It is crucial to look beyond conventional international relations theory in order to firmly establish critical understanding of how leadership functions in negotiations (Underdal, 1994).

2.3 Conclusion

This chapter focused on review of literature on mediation and leadership in relation to conflict. The chapter addressed the concepts of negotiation, mediation and leadership within the context of dispute settlement/resolution. Further, a review of negotiation and leadership theories were done. The chapter applied a review of numerous case studies that correlate with theories on negotiation, mediation and leadership, also highlighting successes and failures of outcomes.

In general, literature does not focus much on mediation and role of leadership in conflict, in comparison to the focus and commitments given to military related interventions specific to peacekeeping components. Although there has been some emerging research on mediation, albeit limited analysis has been conducted primarily within the auspices of the post-cold era nuanced conflict dynamics beyond interstate scope, which also captures alternative models of mediation incorporating leadership styles in the unique conflict resolution challenges posed by internal or intrastate conflicts. There is growing demand for in-depth research and analysis on mediation and leadership in internal conflicts, particularly to elaborate their relevance in the emerging contemporary internal conflicts or new wars. This study explores selected cases of mediation practices in Africa, including aspects of failures and successes. It also examines the relevance of mediation in the selected cases and the impact of specific leadership modalities employed during mediation of conflict disputes and outcome of the

process, challenges and opportunities created by certain applied styles. Post-cold war era conflict demands sound theoretical development, as regards mediation leadership styles oriented towards the unique political and psychological attributes posed by internal conflicts, which further embraces the practical experience of mediators, leadership roles that influences the dispute resolution process outcomes.

Chapter 3: METHODOLOGY

3. Introduction

The research will take a qualitative inquiry. Qualitative methods are ways of discovering what people know and feel by observing, interviewing, and analysing documents. Gammelgaard (2017) states that qualitative research refers to the examination of notions and their definition and interpretations in specified contexts of enquiry.

Yin (2003a) acknowledges that the case study method allows investigators to retain the holistic and meaningful characteristics of real-life events. There is a particular demand for case studies that stems from the need to understand complex social phenomena (Kohlbacher, 2006). Yin (1994) highlights that, the focus on theory rather than populations, is the basis of generalisation of results from case studies, from either single or multiple designs.

According to Pedrosa et al. (2012), case-based research should be evaluated on the entire research process, which must be transparent to the audience first and foremost, but also on results (validity and reliability). Gammelgaard (2017) recognises that researchers affirm that case-based research should be anchored upon three main requirements, namely transferability, truth value, and traceability. Ketokivi and Choi (2014) and Yin (2013) highlight that transferability has to do with the general theoretical objective and interest of the study and that the study's outcome can be analytically generalised. Second, information regarding coding techniques, comparisons, iteration, and refutation is used to establish truth values. Finally, transparency regarding the research process, and occasionally even the data base, data collection standards, informant selection, and the number of informants used in the case study are all aspects of traceability (Gammelgaard, 2017). Since new insights are frequently obtained through qualitative methods like interviews, reliability in the original

sense of the term is not achievable in qualitative case studies (Kvale, 1983) Credibility is the standard for assessing the internal validity or truth value of qualitative research. When results from a qualitative study are identifiable to persons who have experienced the same thing as well as those who provide care or treatment, and when the context is well described, the study is considered trustworthy. (Hammarberg et al., 2016).

Over-reliance on a single case applied by the case study method is often the foci of its criticism, thus making it a challenge to draw conclusions that may be applied to other cases (Tellis, 1997). Yin (1993) referred the case approach as being 'microscopic' as a result of the minimal number of sample cases. According to Hamel et al. (1993) and Yin (1994), a large sample size is not nearly as crucial in the case study approach as the definition of the research's parameters and objectives (Zainal, 2007).

The research will use sources of data that are secondary sources. Data sources will mainly be books, journals, periodicals, academic literatures, articles, opinion writings, media publications, official documents, with internet materials conscientiously examined and subjected to a critical and well-informed analysis. Application of multiple case explorations will be done, as two case studies namely, Darfur mediation and Kenya post - election mediation processes will be used. Using multiple sources of evidence, as a strategy for doing research, the case study involves an empirical investigation of a particular contemporary phenomenon within its real-life context (Robson, 1993).

Chapter 4: FINDINGS AND ANALYSIS

4. Introduction

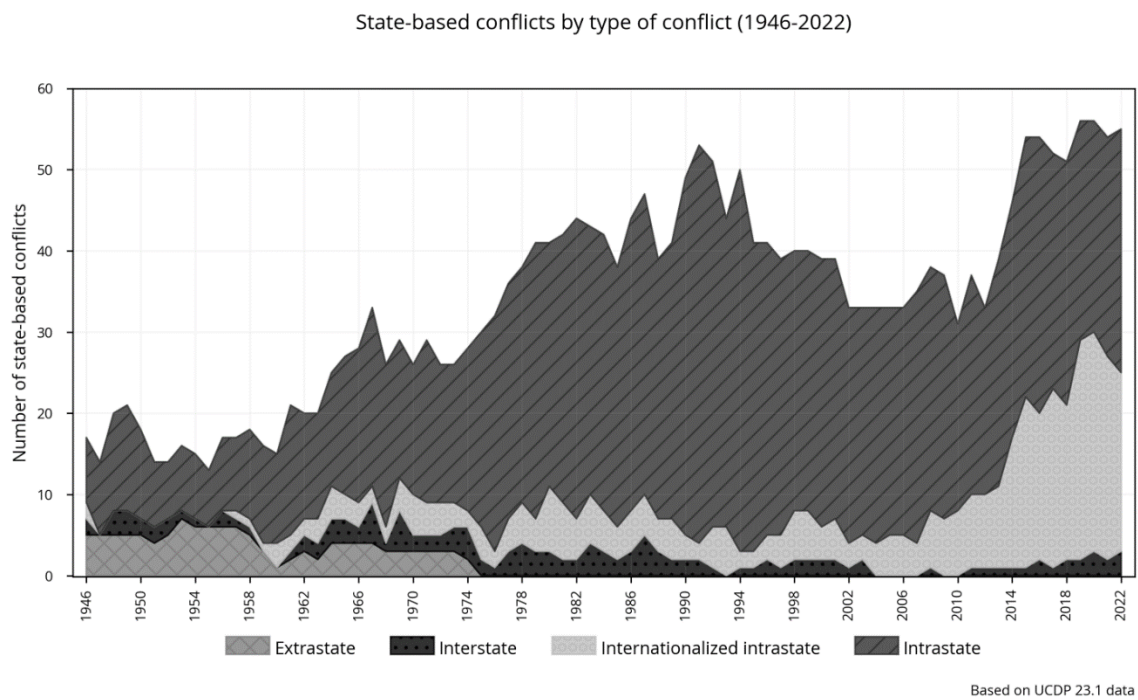
The previous chapter discussed the methodology to be utilised in the study. The application of the methodology will be expanded upon within this chapter, in relation to the research questions and objectives namely, mediation practices in Africa – failures and success, relevance of mediation in selected scenarios in Africa, impact of leadership styles on mediation of conflict disputes and outcomes, and challenges and opportunities of certain leadership styles on mediation. Analysis of the findings will be integrated within the same chapter.

The two main case studies of analysis will be the Darfur Crisis during the 2003 – 2008 periods, with focus solely on the Abuja mediation process and the Kenya post-election crisis spanning the period 2007/8. In addition, diverse case studies will be projected across the entire analysis.

4.1 Conflict

In the study by Harbom and Wallensteen (2005), they observed that "internal" or "intrastate" wars, being armed confrontations involving opposing social groupings or armed factions, which occasionally receive direct or indirect support from a third state, are on the increase in comparison to interstate battles. The figure below shows state-based conflicts by type around World during the period 1946 – 2022, reflecting increased intensity in intrastate conflicts over the years.

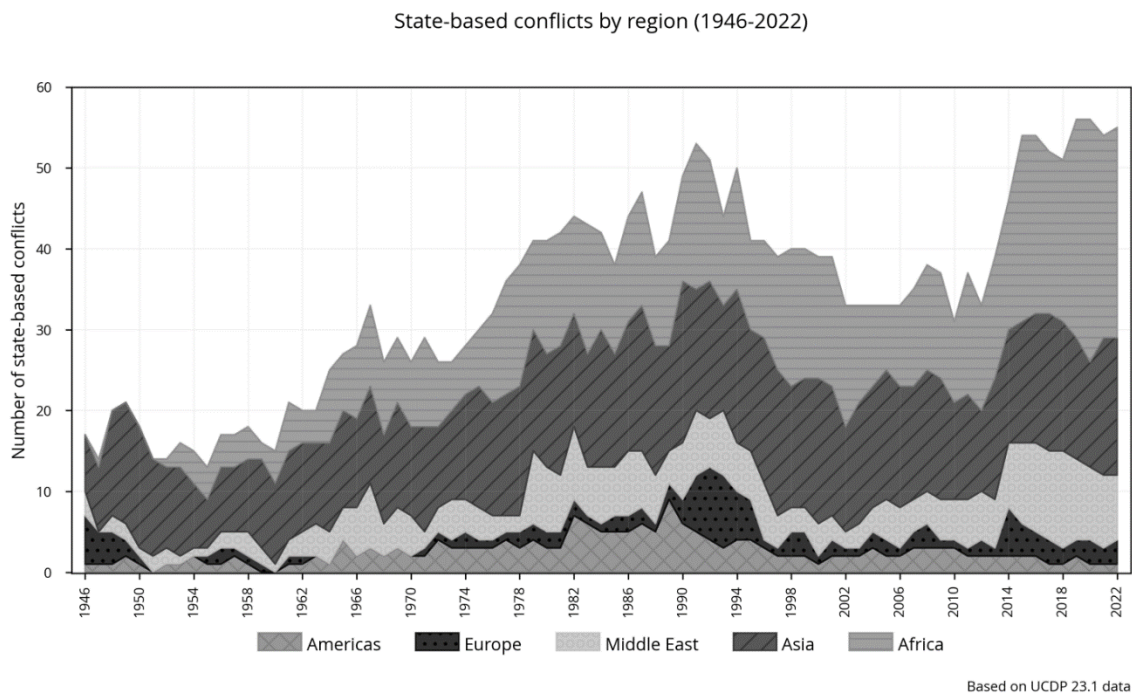
Figure 1: State-based conflicts by type, 1946-2022



Source: Uppsala Conflict Data Program

Most internal conflicts have occurred in Africa in the post – Cold war era than in any other major world regions, as observed in Figure 2 below, thus African third-party involvement in peace-making efforts is essential in order to resolve civil wars in Africa (Duursma, 2017). This resonates with Franke and Esmenjaud observation regarding the concepts of African ownership and Africanisation having a “virtual omnipresence throughout the proliferating literature on peace and security in Africa (Franke & Esmenjaud, 2008, p3).”

Figure 2: State-based Conflicts by region, 1946-2022



Source: Uppsala Conflict Data Program

4.2 Conflict resolution

A key feature of the changing nature of armed conflict is that the drivers of violence tend not to be resolved by peace agreements, as these agreements often result in elite power-sharing arrangements aimed at ending the fighting rather than addressing the root causes of the conflict (Saraiva, 2022). The focus on short-term conflict management rather than long term conflict resolution, often entail tensions frequently re-emerge not long after mediation processes are completed. Consequentially, when a country or society is on a recurring violent path, altering such trajectory toward peace becomes more difficult over time (Saraiva, 2022).

Reimann (2005) gave three approaches to dealing with conflicts as; conflict settlement, conflict resolution, and conflict transformation. Conflict settlement is specific to enabling a

definite end to all forms of the direct violence, without necessarily attending to the basic causes of the conflict (Zartman, 1989; Fisher, 1981). It considers conflict a zero-sum game, a deficit and anti-development phenomenon, with numerous strategies used incorporating a range of peaceful measures as negotiation, mediation or facilitation, including coercive measures like military, political or economic sanctions and threat (Chukwuemeka, 2012). Conflict resolution approach considers on-going conflicts as resulting from unsatisfied human needs (Kelman and Fisher, 2003). Conflict resolution framework distinguishes needs, which are essentially quasi-natural phenomena, from interests, which are flexible or negotiable. Security, equity, and recognition are a few of these survival requirements and principles (Burton, 1990). Resolution intends at not ending the conflict per se, however, to transfigure it into a non-violent conflict (Burton, 1990). Wide spectrums of methods like mediation, negotiations, or arbitration are among techniques applied in order to convert the respective conflict into a situation acceptable for both sides (Burton, 1990). Among key objectives of the conflict resolution approach is to foster mutual understanding for each party's interests and improve communication between the disputing parties (Chukwuemeka, 2012). The approach aims towards conciliation, negotiation being the oldest mechanism, albeit the most effective and most widely adopted is the mediation (Nte, 2018). Known as a form of assisted negotiation, mediation is equally a stimulant for negotiation (Touval & Zartman, 2001).

4.3 Mediation practices in Africa

African states have been embroiled in several conflicts, with conflicts been resolved at one time or the other by conflict resolutions mechanisms especially negotiation and mediation (Nte, 2018). Mediators have been actively involved in conflict resolution, management or prevention in the past, current, and prospective civil wars in Africa (Maundi et al., 2006).

The study by Odhiambo (2014) asserts that the presence of a mediator helps in the process of conflict resolution.

Individuals or institutions positioned in strategic leadership positions have played an instrumental role in various state and non-state conflicts. At the individual level African statesmen such as Julius Nyerere (former President of Tanzania), Daniel arap Moi (former President of Kenya), Nelson Mandela (former President of South Africa), Samora Machel (former President of Mozambique) and Olusegun Obasanjo (former President of Nigeria), are some of the human resource that triggered resolution of conflicts in Africa (Nte, 2018).

Efforts towards cessation of war in Africa are often undertaken by diverse actors such as a regional African leader or group of eminent persons, a sub-regional organisation, regional/international organisations or a single state or group of donor states, who at times act as primary mediators, utilising mechanisms such as dialogue, application of incentives and disincentives, with the end goal of getting parties to opt for bargaining and ballots instead of armed conflict (Maundi et al., 2006).

4.3.1 Case Studies

4.3.1.1 Mediation practices in Africa, including failures and success

The past decades have witnessed numerous attempts to resolve intra-state conflict in Africa through mediation. Notably, failure has been the outcome of most of these efforts, with one or more of the parties declining negotiations, reluctance and failure to secure an agreement during the course of mediation, or ultimately the failure to abide by the subsequent violation of agreed settlements. Main factors attributed towards outcomes or lack of success include the history, nature and causes of the conflict; demographic, cultural and socio-

economic conditions; the goals and conduct of the disputant parties; the role of external actors; and the style and methods of the mediator (Nathan, 1998).

(i) The Abuja Peace Process (Darfur)

According to Brosché (2008), one of the experts on Darfur, Julie Flint, points out three parallel events in the 1980s seen as crucial to understanding the present Darfur crisis, specifically, the Arab-Fur war of 1987–1989; the establishment of a new Arab supremacist ideology supported by the overtly racist Arab Gathering; and the drought and famine of 1984–1985. In the analysis by Lanz (2008), three distinct and interlinked conflict clusters explain the Darfur crisis, first, pastoralist and nomad communities in Darfur clashed as a result of factors of population growth, desertification, increased depletion of soil, and the over-taxation of traditional land and conflict management systems. Tribal tensions have been known to exist in the past, but as local communities became pawns in broader national and regional conflicts, tribal tensions became unmanageable. Second, Darfur is known as the most marginalised region in the national Sudanese context, with educational opportunities, economic development, and political power deprivations. The marginalisation contributed to the emergence of an insurgency against the central government in Khartoum. Third, Darfur has been the terrain of regional proxy wars, where the Sudanese, Eritrean, Libyan, and Chadian governments respectively, empowered and armed local proxy groups, exacerbating local conflicts (Lanz, 2008). With a dyadic scenario of state and non-state actors, the state actor includes mainly the government of Sudan (GoS), whilst the non-state actors include Sudanese Liberation Movement/Army (SLM/A), Justice Equality Movement (JEM) and the Janjaweed (Lahdili, 2020).

Mediation efforts in Darfur commenced in 2003 when Chad organised several failed mediation efforts (Brosché & Duursma, 2018). Subsequent to failed peace making effort by

Chad, in June 2004, the AU officially became involved in mediation between the GoS and the Darfurian rebel movements (Duursma, 2019). AU mediation efforts came to be known as the Abuja peace process (Toga, 2007). In an interview with President al-Bashir on 7th July 2004 as relates to preference for AU mediation in Darfur conflict, he commented that ‘Africans must learn to solve their own problems before inviting outsiders.’ (Gelot, 2012 p 8). Lead mediators were Special Envoy Jan Eliasson and his AU counterpart Salim Ahmed Salim in 2007 and 2008 (De Waal, 2013), supported by a mediation team led by Ambassador Sam Ibok consisting of different topical experts, some seconded by Western governments (Lanz, 2008). Core purpose of the talks was to broker a comprehensive peace agreement between the Government of Sudan and the main rebel movements in Darfur, the Sudan Liberation Movement/Army (SLM) and the Justice and Equality Movement (JEM) (Nathan, 2006). Towards this cause, the mediation team identified three different commissions focused on wealth sharing, power sharing and security arrangements (Duursma, 2017).

The mediation process had parties divided by deep mutual distrust, hatred, and lack of confidence in the other. A continuation of a historically-rooted pattern of political bargaining between powerful groups at the centre, with much less powerful ones at the periphery shadowed the process (De Waal, 2006). The lack of power parity between the government and the Darfurian rebels further contributed to DPA’s failure (Duursma, 2017). Compounding this was the fact that rebel movements’ side had limited military leverage; coupled with presence of inexperienced and unconfident negotiators as representatives; whilst confronted in the field and in Abuja by a formidable and sophisticated adversary (Nathan, 2006). In addition, there was the lack of compromises made by the Government of Unity due to outcome of concluded of the Comprehensive Peace Agreement (CPA, South Sudan), as there were certain elements of entanglement between the Naivasha and the Abuja peace processes, which affected the degree of progress made by AU mediators at Abuja in

terms of tackling the latent conflict issues in a mutually satisfactory way (Duursma, 2017). Another negative factor for DPA was that the balance of power in al-Bashir's regime had tilted in favour of hardliners with minimal interest to strike concessions on Darfur, due to Naivasha outcomes (Maitre, 2009). One important reason for this shift was unmet promises by the US to normalise relations with Sudan after the Naivasha agreement (Natsios, 2012). The end result of the hardliners strong position was very limited few concessions made by Khartoum (De Waal, 2007). Another drawback was the misguided intention of mediators to establish an agreement favourable to one party, the government, and when mediators distributed a draft peace agreement on 25 April 2006, the favoured party - Khartoum's delegation was quick accept it (Flint, & de Waal, 2008). Ultimately, the onus of terminating hostilities frequently lies with the disputing parties, as even the most skilled mediator is powerless to intervene on behalf of a party that declines to engage in constructive dialogue (Nathan, 1999). In the game theoretical model analysis, the cumulative costs of cooperating and mediating compared to the potential benefits of acting as a spoiler still do not match the benefits generated by cooperative strategies (Vukovic, 2016). Cooperation contains positive dividends beneficial to the process and the mediators (ibid).

Conditions at the international level also contributed to DPA's failure, the miscalculations of global actors as they initially ignored the Darfur conflict (Brosché & Duursma, 2018). The US involvement during the Darfur negotiations at Abuja is understood to have undermined the prospects for mediation success. De Waal encapsulated the situation quite comprehensively by stating that the US's involvement in Sudan's peace negotiations has been "both essential and problematic," and the international community's response to the Darfur crisis was typified by rhetoric coupled with inaction and commitments that were partially genuine (Abiodun, 2011). Deeply flawed approach of 'deadline diplomacy' emanating from AU headquarters and the funders and partners of the peace process further

impacted the negotiations process (Nathan, 2006). The approach inhibited effective mediation, resulted in a peace agreement that did not achieve peace, and sowed divisions that exacerbated the conflict (Nathan, 2006). Darfur mediators witnessed immense pressure from the political elite and financial backers to secure "quick accord" and finalise the mediation expeditiously (ibid). Unrealistic timetables, a lack of independent finance, and the ongoing fear of stopping donor assistance greatly hampered the mediation (Nathan, 2006).

As stated by Abiodun (2011), the main *security terms* included disarming the janjaweed militias; the disarmament, reintegration and demobilisation of the resistance movements' forces; and provision of security for internally displaced persons (IDPs). The rebel movements on the other hand have remained adamant to not only refusing to disarm but also preventing anybody or group to visit their locations as long as the GoS refuses to adhere to the instructions of the mediators of disarming Janjaweed militias (ibid). Furthermore, doubts were raised as regards whether GoS could be trusted in leading the Janjaweed disarmament process (Lanz, 2008). Demands were made by rebel movements, the SLA/Abdul Waheed (AW), to be part of the security forces to protect the IDPs and guarantee the safe return of the refugees and also to be part of the group to disarm the militias, however the demands were rejected by the GoS and the mediators (ibid). On the issue of *wealth sharing*, rather than focusing on national wealth sharing, the DPA was in favour of compensation (Abiodun, 2011). Given the symbolic value of compensation, the amount of US\$30 million was rejected as too small, being one of main reasons why Abdel Wahid refused to sign (Lanz, 2008). In terms of *power-sharing*, the fact that the National Congress Party (NCP) reserved majority status in all state legislatures in Darfur reflected the realities of power, which was unacceptable to the movements and people in Darfur (Lanz, 2008). This study affirms the findings that the conclusion of a negotiated settlement,

measured as a dichotomous variable, can be applied as a measurement of mediation success. Albeit, to be included in the data set, a negotiated settlement should remedy the incompatibility of goals determined by the conflict parties, and settle wholly or in part the conflict issues (Svensson, 2007).

Coercive leadership tactics of British Minister for International Development Hilary Ben, and Nigerian President Olusegun Obasanjo upon arrival in Abuja presented a further drawback to the process (Abaker, 2006). The mediation was overtaken by the duo with threats and inducements in attempts to secure the parties' signatures (ibid). The mediators became "manipulators", with sole focus being to exclusively obtain the parties' signatures, with little regard to the process, the content of the agreement, or implementation (Abaker, 2006). Only five days was given to the conflict parties involved in the Abuja negotiations to approve the DPA; thus, the agreement was de facto imposed. Unsurprisingly, the JEM and Abdel Wahid's faction of the Sudan Liberation Movement (SLM/AW), dissatisfied with the content of the DPA, and refused to sign it. Though Minawi signed under coercive pressure, almost all of Minawi's fighters abandoned him after signing (Duursma, 2011). Deadline diplomacy is applauded as contributing towards depriving the parties of the "ownership" of the process and the agreement (Lanz, 2008). Rather than the DPA bringing about the much-needed peace, Darfur and its people experienced a new wave and barrage of attacks (Abiodun, 2011). De-escalation of violence is often a key measurement of success for mediation outcomes (Carment et al., 2009). Mediation is not only about the cessation of hostilities, it is also about resolving underlying issues. While a forceful method of mediation can be effective in persuading conflict parties to sign an agreement, it does not always allow the conflict parties to make the compromises that could result in a more durable agreement.

Abuja process magnifies the dangers of employing deadlines as a mediation tactic (Lanz, 2008). The majority of mediations that end African civil conflicts are recognised to be protracted procedures, with dialogue spaced out by the execution of interim agreements like ceasefires and measures for fostering confidence (Ibid). During the AU mediation, advisers repeatedly asked for sufficient time to allow the parties to negotiate and build at least a modicum of trust (De Waal, 2006). Given the deteriorating humanitarian situation, a stream of well-known foreign actors were adamant that the proceedings be expedited (De Waal, 2006). In contrast, in the early 1990s, it took more than two years and more than three years, respectively, for talks to end the civil conflict in Mozambique and South Africa (Hume, 1994; Sparks, 1995). These processes progressed steadily, with pauses and breakthroughs in between, while the previous rounds of the Abuja talks were marked by impasse and no negotiations, this did not discourage the political leaders setting the deadlines (Nathan, 2006).

Failure for the AU to retain ownership over the Abuja process was succinctly displayed during process that led to the final days of talks (Duursma, 2019). Lead mediators Salim and Eliasson resigned in June 2008, citing inability of the Sudanese being “ready to sit down and make the necessary compromises,” This was not the only issue (Flint, 2010). To sum up, an inadequate understanding of the intricacy of conflict can invariably result in an erroneous assessment and misdirected tactics (Nathan, 1999).

(ii) The Kenya Post-election crisis mediation process

Kenyan crisis has several causes as noted by scholars focusing on the background. These comprise: (i) the colonial administration's establishment of ethnic administrative province boundaries, which led to politicised ethnicity that was supported by postcolonial leadership (Oucho, 2010); (ii) ethno-nationalism and diffused violence (Kagwanja, 2009); (iii) diffused

violence and the security sector's failure to undergo reform (Katumanga, 2010; Mueller, 2008); (iii) the failure to address the land question (Kanyinga, 2009; Mghanga, 2010; Oucho, 2010); and (iv) a centralised presidency and weak institutions, including political parties (Anyang Nyong'o, 1989; Kagwanja and Southall, 2009). The battles for control over Kenya's political structure and resource distribution are also major causes of violence in the country (Scott-Villers et al., 2014). Though levels of violence vary from place to place, and year to year, they remain persistent and combined with politics (Scott-Villers et al., 2014). Partisan politics appears to be the 'most prominent trigger of conflict' (Mbugua, 2013, p 8). Political violence along ethnic and class lines has been known to be prevalent during numerous times of political settlements in Kenya. (Scott-Villers et al., 2014)

On 23 January 2008, Kofi Annan's three-member mediation panel, known as the panel of eminent personalities, undertook the task of resolving the conflict through a mediation process called the Kenya National Dialogue and Reconciliation (KNDR) process (Wamai, 2014). The team comprised Benjamin Mkapa, with an advantage of familiarity as a former neighbouring president, and Graça Machel, former education minister in Mozambique and the then Kenyan Africa Peer Review Mechanism team leader, being critical in assisting the team to understand underlying conflict root causes and relay the situation of vulnerable constituencies (Wamai, 2014). Lindenmayer and Kaye (2009) highlight strategies adopted by Kofi Annan and his team in the mediation process of the postelection crisis in Kenya, these strategies are: i. Single mediation (Track 1); ii. Inclusion of pressure group (Civil Society); iii. Separating the short-term from the long-term issues; iv. Media strategy; v. Pragmatic mediation and vi. Making negotiation a process and not an event (Okhogbe, 2022). It is known that Annan laid a solid foundation for the central components of his strategy: a single mediation and the full undivided support of the international community (Lindenmayer & Kaye, 2009).

Sticking point was the power-sharing negotiations, which proved to be more intractable and consumed three and half weeks of the negotiation period. Mediation team strategy was to avoid what Annan referred to as a *who-won-who-lost* mentality and the invocation of *reruns and recounts*, and rather focused on the idea of sharing power between equals (Khadiagala, 2008). Given the close result, Annan's firm belief was that a coalition government was the best means of re-establishing calm and laying the groundwork for upcoming reforms (Ibid). The mediation panel acted fast and prioritised prevention of further violence, thus establishing the Kenya National Dialogue and Reconciliation team, which was given a broad mandate to negotiate how to end the violence and move the country forward (Kofi Annan Foundation, 2009). In addition, the team looked beyond quick fix solutions to address the root causes of the violence, by producing an agenda or 'Road Map' for the dialogue, which ensured that the mediation was tackled in a sequence of manageable steps (Kanyinga & Walker, 2013). The Road Map included four items: "(1) to undertake immediate action to stop violence and restore fundamental human rights and liberties; (2) to take immediate measures to address the humanitarian crisis, promote reconciliation, healing, and restoration; (3) to overcome the political crisis; and (4) to work on long-term issues and solutions, such as poverty, inequality, and unemployment (especially among the youth), as well as the need to confront impunity, tackle land reform, and consolidate national cohesion and transparency," (Lindenmayer & Kaye, 2009 p 10).

To secure inclusivity, the mediation team commissioned a wide consultative process to engage with multiple constituencies in Kenya to foster public dialogue and create confidence in the negotiations (Khadiagala, 2008). Lead mediator, Annan met for several days prior to the talks with diverse leaders from religious, human rights, and business groups. In addition, a strategy to incorporate media through regular briefings was initiated (Khadiagala, 2008). Other strategy entailed a dual mediating strategy of engagement with

key negotiators from both sides, with frequent consultations principals of the conflict, Kibaki and Odinga. This strategic effort ensured a participatory stamp on the process of committing all the key players to major decisions, which became vital towards the end, when the talks deadlocked, a situation only the principals could resolve (Khadiagala, 2008).

Subsequently, “by the end of the Panel’s first week in Kenya, the principals had agreed to enter into dialogue” (Lindenmayer & Kaye, 2009 p10). Eight Party of National Union (PNU) and Orange Democratic Movement (ODM) negotiators were appointed by the principals as the main mediation team (Khadiagala, 2008), “the fact that the principals themselves would not be around the negotiating table meant that a vast amount of power lay outside the negotiating room, a dynamic that would prove to be both a challenge and an opportunity within the peace process,” (Lindenmayer & Kaye, 2009 p 10).

Lindenmayer and Kaye (2009) noted that there were significant disparities between the parties' expectations for the outcome and the terms of entry when they entered the dialogue. Kibaki reiterated that the government was unable to share power with those it had accused of conducting mass killings, and Odinga positioned that a rerun of the presidential elections would be the sole means of restoring confidence, ruling out the prospect of forming a government of national unity with President Kibaki (Ibid).

Negotiations commenced on a swift and progressive start, with a clear separation of short and long term agenda items, with the initial intention of cessation of the violence on the ground. “*Agenda items 1 and 2: Ending violence and addressing humanitarian access*, there was an immediate agreement on two agenda items by PNU and ODM sides: ending the violence and resolving humanitarian access (Wamai, 2014). *Agenda item 3: Resolving the political crisis using a constitutional amendment*, proved to be the most difficult and lengthy agenda item as a deadlock evolved due to the failure by parties to resolve the political crisis

(Wamai, 2014). Being political, Item three was different and its outcome needed amendments to the constitution of Kenya (Odhiambo, 2014). In the face of the progressive concessions, serious disparities were still prevalent between the disputing parties pertaining to the aspect of balance of power and institutional mechanisms pertinent for the implementation of the agenda (Khadiagala, 2008). One report recorded that Annan ‘endured harangues from Justice Minister Martha Karua, who said she was *breathless* at how Annan was “encouraging violence and lack of respect for the rule of law” by demanding power sharing with Odinga’ (Cohen, 2008, p 18). Eight PNU and ODM negotiators working with Annan constantly rejected the proposal to accommodate Raila Odinga as the executive prime minister subsequent to the constitutional amendment (Wamai, 2014). The stalemate threatened to trigger more violence, thus prompted Annan’s insistence to stay until a sustainable deal had been reached, reiterating the importance of restoration of peace in Kenya. ‘I will stay as long as it takes to get the issue of a political statement to an irreversible point. I will not be frustrated or provoked to leave ...’ (Wamai, 2014, p73). Further persuasion by Tanzania president Jakaya Kikwete, being the newly elected AU chairman, induced Kibaki to finally agree to the proposal (Wamai, 2014). *Agenda item 4: Addressing long-term issues* saw an acknowledgement on the need to address underlying causes which were long-term political, social and economic issues through an overhaul of the constitution, although the flawed elections had been the immediate cause of violence (Wamai, 2014). As safeguard, a Committee of Experts on the constitution was subsequently appointed, to lead and ensure that the process of review and a referendum was successfully undertaken, which led to promulgation of the new constitution on 20 August 2010 (Wamai, 2014). Almost one month later the conflict parties signed an agreement, with the agreement laying the basis for a Grand Coalition Government that successfully mitigated the conflict. In order to secure such an agreement, Annan did not use any coercion or inducements (Duursma, 2017).

Annan's strategy, first and foremost, was to ensure he had the African leaders behind him, with the support of the international community and in particular the United States, which stepped in at pivotal moments to put pressure on the parties (Lindenmayer & Kaye, 2009).

Mediators attending to internal conflicts often confront government appeals to sovereignty and Annan had to deal with this throughout the negotiations (Khadiagala, 2008). Similar to most civil conflicts, inability of combatants to craft local solutions epitomised the post-electoral violence in Kenya. PNU and ODM were locked in zero-sum mentalities, and faced a grinding stalemate exacerbated by the escalating violence (Khadiagala, 2008). AU's mediation efforts are esteemed in de-escalating the incidence of violence, mending of the deteriorated relationship between the Party of National Union (PNU) and ODM, and stability that came with the cessation of conflict (Sithole & Asuelime, 2017). The Panel realised that while the mediation was initiated by the African Union, to be successful, the broader support of the international community was required, including African nations, the US, the EU, and the United Nations. Lead mediator clearly stipulated to all actors the need to walk in the same direction and speak with one voice (Lindenmayer & Kaye, 2009). Albeit such a concerted approach among external actors was contrary to the approach prior to the 2007/2008 election violence in Kenya. Western donors are seen to have done little to manage, and close to nothing to prevent the political violence that has plagued Kenya to varying degrees since 1991, with the notable exception of their concerted effort to end the political crisis that followed the hotly contested 2007 elections (Brown & Gillies, 2011). The fundamental contribution of a harmonious employment of various sources of leverage is seen as being quite instrumental to the effectiveness of the mediation process, where direct leverage is limited, it may be borrowed from others (Crocker et al., 1999).

4.3.1.2 Relevance of mediation in selected conflict scenarios in Africa

The major medium of resolving high-intensity conflicts in Africa, including coups, civil wars, and significant election disputes, is through mediated talks. The African Union (AU) or any sub-regional organisation, such the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS), and the Economic Community of West African States (ECOWAS), serves as a mediating body (Nathan, 2016). Even though the particulars of the mediator's recommendations and the agreements reached by the parties to the conflict may have variations from case to case, the mediating body's general objectives are often to achieve peace, stability, constitutionality, and democracy (Nathan, 2016).

Duursma (2020) acknowledges the certain degree of high level legitimacy accorded to African third parties during Sudan's second civil war in 1983. Omar al-Bashir, President of Sudan reiterated the need for Africans to lead resolution efforts of African problems, thus underplaying the role of foreign guardians. The president stated that 1994 Intergovernmental Authority on Development (IGAD) mediation efforts would proceed without the loopholes, being avenues utilised by colonial forces under the guise of humanitarianism (Khadiagala, 2007). The legitimacy of IGAD's legitimacy enabled the commencement of a mediation process, triggering a breakthrough in the talks in 2002, the conclusion of the Comprehensive Peace Agreement (CPA) in 2005, and a referendum on independence for the South held in 2011 (Duursma, 2020). Further, the legitimacy vantage was exhibited was the implementation of the outcome and compliance with CPA provisions. Duursma (2020) states that the high level of legitimacy accorded to third party by the government, could enable the party to convince the government to make concessions, thus creating pathways towards the conclusion of a negotiated settlement (Duursma, 2020).

Legitimacy is projected as belief normatively held by an actor or organisation in obedience of a rule (Hurd, 1999), and legitimacy is a subjective quality (Duursma, 2020).

Although variations tend to exist in relation to different cases in Africa, among the primary collective motivation for peace making is regional stability. Notably, intra-state conflicts have a tendency to project negative repercussions for adjacent countries; among these the flow of violence, weapons, rebels and refugees across borders (Nathan, 2016). Regional bodies have a political and economic interest in containing and ending such destabilisation, with the consequent assertion of the notion of *African solutions to African problems* (Nathan, 2016). Regional instability was among the key drivers of the concerted response to Kenya's post-election conflict. "By mid-January, the disruption of transport networks by ethnic militias threatened to choke other economies in the region," (Wamai, 2014 p 71), which prompted Rwanda's President Kagame to consider a military intervention if the crisis continued in order to prevent Kenya from sliding into genocide, as Rwanda had done in 1994 (Lindenmayer & Kaye, 2009). In Kenya, many believe that mediation spearheaded by Kofi Annan in 2008 helped prevent a civil war (Fiedler et al., 2020). The contribution of Annan towards the resolution of the conflict in Kenya was highly applauded, with Annan feted as the saviour of the nation. 'It was a terrible process, but a worthwhile goal. At the end we were able to support it, because it restored a sense of normalcy. The agreement stopped the violence and brought back a semblance of peace. It restored our sovereignty and control over our own affairs' an acknowledgement by Karua, a staunch opponent of foreign mediation (Baldauf, 2008, p 28). Critics of the mediation encountered constant pressure emanating from powerful external actors that stressed the pivotal and strategic importance of Kenya in the East Africa and Great Lakes region, and the dire impact of the conflict in the region (Khadiagala, 2008). Global indignation and pressure had a pivotal role in

generating leverage and focus, ultimately resulting in a blend of sanction threats and aid pledges for economic recuperation (Khadiagala, 2008).

The mediator was seen as having endorsed undemocratic elections in the case of the SADC mediation for Zimbabwe in 2007-8, with long-term repercussions for political power, governance and respect for human rights and the rule of law (Nathan, 2016). President Thabo Mbeki was appointed as lead mediator for Zimbabwe during the 2007 SADC Summit, in light of growing increasingly conflictual and repressive situation in the country as its government cracked down on the opposition Movement for Democratic Change (MDC) (Ibid).

According to Nathan (2016), the endorsement by Mbeki's of the undemocratic election was due to a mixture of ideological and strategic concerns. Mbeki was seen as having little sympathy for the MDC, due to the belief that MDC was incapable of governing Zimbabwe; Mbeki's affinity was with the ruling party, Zimbabwe African National Union – Patriotic Front (ZANU-PF), Mbeki had fear of a potential coup by the army in the event of electoral victory by MDC (Nathan, 2016). Amidst these perceptions and the risk that instability in Zimbabwe with the potential impact the entire region, Mbeki's defined mediation goal was fixated on stability instead of democracy, a goal perceived attainable either through a reformed ZANU-PF (without Mugabe) or a negotiated settlement that led to the formation of a coalition government (Nathan, 2016).

With visible divisions among SADC member states on how to deal with Zimbabwe, however the dominant position was based on the norms of regime solidarity, anti-imperialism and respect for sovereignty (Nathan, 2016). The compounding factor that contributed to SADC states' extension of support to Mugabe was the Western sanctions against Mugabe, and equally the view of the salience of the post-colonial period anti-

imperialist solidarity reinforced by elements of the West's prescriptive policies in Africa, domination of the UN Security Council and selective stance on human rights (Nathan, 2016).

4.3.1.3 Impact of leadership styles on mediation of conflict disputes and outcomes

Diverse leadership modes have various effects on the mediation disputes and outcomes, and at times the divergent leadership modalities are applied simultaneously in order to secure certain desired outcomes. Research by Van de Vliert et al., (1995) established that effective individuals rarely employ single conflict handling styles; instead blended or “conglomerated” approaches are employed that utilise the beneficial components of a variety of tactics. Williams (1983, 1993) in the research with attorneys, supports this finding, as findings demonstrated that effective attorneys (as rated by their peers) apply a pattern of behaviours in negotiations not necessarily neatly fitted with any one of the conflict-style categories.

Annan is known to have adopted a strategy of facilitative – communicative – formulator, with coercive tactics by the international community, and collective problem solving with the parties, which aided to secure compliance and adherence towards a power sharing agreement. Paramount was the aspect of ensuring that there was only one process led by his team of eminent personalities (Griffiths, 2008). Other key aspect was focus of mediation process on deliberate consultation with groups away from the mediation table through regular meetings, ensuring utilisation of the media to inform the wider public of progress (Baldauf, 2008) Global political leadership emphasises the actions of actors with a unified focus to pursue particular goals, whilst seeking to mobilise support in favour of specified goals among potential participants (Helms, 2014). To secure progressive and conclusive validation of outcomes, Annan further devised a two-prong mediation strategy for key

actors, with the principals (Raila Odinga and Mwai Kibaki) on the one hand, and, on the other, the eight PNU and ODM negotiators (Khadiagala, 2008).

According to Kanyinga & Walker (2013, p 11), “in the view of many people interviewed in this study, the mediators achieved an ‘insurmountable amount’ in bringing the violence to an end after forty-one days of fraught mediation, something that would ‘never have been achieved without the presence of Annan and the wider international community’”. Recognition was being accorded that success was also attained due to the nature of the lead mediator, as one with experience (having mediated other international conflicts as the UN head), skills (strategic, manipulation and formulation), status, leverage and resources from the AU, UN and EU and the early discouragement of possible other competing centres whereby either disputing parties seek alternative support. Annan utilised the resources of the AU, EU and UN through their expertise, sanctions and threats to influence the antagonists to a compromise (Kanyinga et al., 2007). Key to international community involvement was the determination to approach the crisis with a unity of purpose and a highly legitimate response. A strong stance was adopted to support the AU-led mediation and all deferred to Kofi Annan’s leadership (Kanyinga & Walker, 2013).

As earlier acknowledged, Coercive leadership is a "sticks-and-carrots" approach, incentivised to affect others to accept one's own terms or at least make a concession (Underdal, 1994). As pertains to Darfur, the plan was for the mediator to take the lead in directing the proceedings and creating agreements, while letting the parties handle the actual bargaining. Stated differently, the intermediaries in Abuja first served as "formulators." (Lanz, 2008). Long-term peace hinges upon an agreed settlement encompassing the positions (interests and needs) of parties and populations, which remedies underlying conflict causes and secures the commitment of parties to implement in a cooperative manner

(Nathan, 2007). Darfur Peace Agreement 2006 (DPA) seemingly failed to actualise these requirements as result of wrong strategies employed by the African Union's mediators, among such, drafting the agreement for the parties and the international community that exerted pressure on the parties to accept the flawed agreement. The final draft of the Darfur Peace Agreement was presented to the parties on a "take-it-or-leave-it basis (Nathan 2006a; International Crisis Group 2006).

Dual mediation leadership entailed competing interests, with a negative impact on the process and outcomes. Competing approaches in the Darfur conflict contributed towards hampering the overall peace process. The United Nations and the African Union had their own mediator which caused confusion as to who was the legitimate mediator and who was leading the peace process (Wamuyu, 2015). Further, AU mediators and international community's special envoys, in the absence of a serious strategy for ending the Darfur conflict, instead applied "deadline diplomacy" as their main negotiation tool (Nathan, 2006). Laurie Nathan (2007) states that deadline diplomacy has a negative effect on effective mediation – as it impedes on the mediator's responsibility of aid opposing parties to address their animosity, build confidence in the talks and establish rapport, bargaining and cooperative problem-solving. However, deadline diplomacy contributed to AU mediators' negation of such roles, and tilted towards the drafting of the in an attempt reconcile irreconcilable interests and needs of the parties. Consequently, the DPA was owned by the mediators and not the parties.

Further, Lanz (2008) acknowledges that the participation of multiple external actors that applied forceful leadership negatively affected the possible positive outcomes of the process. As coercive heavyweights, external actors forcefully overtook the process, and as manipulators, their sole focus was to obtain parties' signatures," (Lanz, 2008).

According to Duursma (2019, p 10), Salim Ahmed Salim asserts that ‘the rhythm and the pace of the peace negotiations on Darfur were fully ordered and organised by the AU.’ Yet, the final days of the Abuja process, in which the US and the UK completely hijacked the peace negotiations, contradicts this assertion. Laurie Nathan, a member of the AU mediation team, describes Salim Ahmed Salim as ‘remarkably passive, he never drove the process.’ One JEM leader reflects,

“by the end of the Abuja negotiations we thought of the international players as an extension of that old colonial way of looking at us as some people incapable of thinking and acting in a responsible way. Yet, they were the people who would try to cajole us by using carrots and sticks in order to move us to their imposed solutions.” (Brosché & Duursma, 2018 p 16).

4.3.1.4 Challenges and opportunities of certain leadership styles on mediation

Savun (2009) states that as consideration is made towards ascertaining the most effective modality between a fostering (IL) or forceful (Coercive) method of mediation, mediators focused on the provision of key information to the protagonists are likely to be more effective in conflict prevention or resolution of violent conflict, compared to their counterparts that are unable to provide the relevant information. In relation to the bargaining theory, Savun (2009) argues that improved and consistent provision of relevant information is paramount towards the reduction of uncertainty among the disputing parties, especially as regards each other’s reservation points, being a cardinal determinant for opting for continued fighting over a negotiated settlement. Therefore, the flow of information affords an opportunity to generate an agreement that relates to the costs each of the conflict parties bear and the likelihood of one party winning, underscoring the necessity for further fighting (Savun, 2009). In Kenya, the use of technical experts, be they humanitarian, electoral, legal,

or political, was an essential part of helping the parties to understand which solutions were feasible given the explosive environment in which they were operating; they also helped orient the parties to a problem-solving framework and away from adversarial negotiation strategies (Lindenmayer & Kaye, 2009). Peace making experience in African civil wars insinuates that international mediators are ineffective, if not counter-productive, once deviation is entertained from the logic of mediation and apply undue pressure on the parties (Nathan, 1999). Nathan (1999) states, that individuals and groups tend to resist coercion under most circumstances.

According to Duursma (2014), in a recent study Kaufman (2006) raises a pertinent observation in relation to the effectiveness of capacity-based mediations (coercive) approaches. Kaufman's reservation relates to the analysis that leverage based peace-making efforts accord limited attention towards the elimination of emotional and symbolic roots of armed conflict, Kaufman argues that conflict resolution of armed conflicts demands the alteration of hostile attitudes of parties towards more moderate ones (Duursma, 2014). Beardsley (2011) argues, on the basis of his illustrative cases, that there is tendency for mediation based on leverage to be particularly time-inconsistent. Werner and Yuen (2005) argue that agreements resulting from significant third-party pressure are highly likely to fail. The authors state that a forceful method of mediation leads to terms in agreements that stand at odds with the military reality on the ground, resulting in with greater uncertainty about the consequences of continued fighting. Such uncertainty may resultantly lead to resumed fighting as soon as one or both conflict parties feel they can gain more from war than they have gained from the terms specified in the peace agreement (Werner & Yuen, 2005). The argument is tested by Werner and Yuen who employ a hazard model by which effects of ceasefires that occurred due to significant third-party pressure are examined. Results of the

analysis determine that “unnatural” ceasefires, due to third-parties employing a threat and rewards based strategy, are less likely to hold (Duursma, 2014).

Mediated agreements as a result of minimal or absence of third-party pressure secures durable outcomes, one of the findings in a quantitative analysis by Carment et al., (2009). According to Carment et al., (2009), ceasefire and remedying the causes of conflict are the focus of mediation. In addition, the onus is on the mediator to undertake both roles of being manipulator and formulator, with the effectiveness of former being the cessation of hostilities and the latter on the addressing causes of the conflict. In other words, Carment et al., (2009) argue that well-aligned focus on manipulative and facilitative strategies is most effective in the resolution of protracted conflict. Indeed, the authors find that manipulation has the strongest effect on the likelihood of reaching a formal agreement, whereas facilitation has the greatest influence on increasing the prospects of lasting tension reduction (Carment et al., 2009). This analysis undercuts the view that the two mediation approaches are mutually exclusive, as one would assume from previous literature.

In a quantitative analysis, Svensson (2007a) analyses the effectiveness of what he describes as “power” and “pure” mediators in terms of reaching peace agreements, as well as the effectiveness of both types of mediation in the resolution of incompatible goals of conflict parties. Svensson (2007a) states that a power mediator is a third-party effort by a great power, colonial power, or neighbouring state, while a pure mediator is perceived as being a representative of an organisation, individuals, and small distant states. Svensson acknowledges that power mediators are more effective than pure mediators at securing peace agreements, whereas pure mediators outperform power mediators in the attainment of territorial and political power sharing provisions. A combination of both types of mediation is, however, most effective in both reaching peace agreements and durable institutional

arrangements within these agreements. In other words, just as Beardsley et al., (2006) and Carment et al., (2009), Svensson (2007a) projects the analysis beyond the debates of fostering versus forcing, and instead attests to the reality that the most effective modality for securing mediation success is grounded upon blending “power mediators” with “pure mediators” (Svensson, 2007a). Svensson further ascertains that there lies immense impetus in taking content of peace agreements into account as an outcome variable of mediation, instead of the sole consideration awarded only on the conclusion of peace agreements.

4.5 Conclusion

This chapter aimed at establishing the following aspects; mediation practices in Africa - failures and success, focused on Darfur crisis and Kenya post-election crisis 2007/8 as main case studies, relevance of mediation in selected conflict scenarios in Africa, impact of selected leadership styles on mediation disputes and outcome processes and challenges and opportunities of certain leadership styles on mediation. Contextual factors that entail complex social systems, including psycho-political dynamics, balance of power and other factors such as parties’ commitment to enter real negotiations towards de-escalation and peace-making outcomes, partly informs mediators’ abilities to sustainably influence the mediation process. Albeit, key to the process is also the component of mediator’s individual leadership attributes embedded in nature of the lead mediator, such technical capacities and experience, skills, status, leverage and resources (external rapport). Applied leadership hinges not only on application of unilateral mode of style, but is oftentimes modelled upon combined modalities of diverse styles in order to tackle varying dynamics. Leadership within the African context, as depicted by the above case studies, is often paralysed by the application of either mainly IL, defunct of coercive mechanism due to multidimensional incapacitation in financial, human and institutional resources i.e. low degree of economic,

technical capacities and military resources, or mainly on coercive leadership limited in its effectiveness due to over-reliance on external support and mechanisms. However, one critical strength that lead mediators within the African context stand to strategically benefit from, if rightly conglomerated with above factors, is the legitimacy bestowed onto African third parties as a result of African solutions norm, which is not often accorded to non-African third parties neither regional mediators from other regions. Such legitimacy mainly hinges on application of leadership highly cognisant of locally contextualised historical and social structures in which African third-party mediators and conflict parties operate. Leadership, in its core focus, is concerned with the identification of actor capabilities and relationship structures that constitute the sources from which leadership can be derived, and with understanding the operation of the social mechanisms and behavioural strategies through which it is or can most effectively be exercised.

The findings and analysis provided in chapter four has thus adequately attended to the four research questions and objectives stipulated in chapter one above.

Chapter 5: CONCLUSION AND RECOMMENDATIONS

5. Introduction

Chapter Five provides a summary of the thesis chapters, conclusion and recommendations. Further, it highlights that need for continued research, as the aspect of leadership in mediation scenarios specific to Africa warrant further research that could be exhaustively explored in this particular study. Brief background is provided, summary of findings, recommendations study limitations and area of future research.

5.1 Background

African third parties are known to have participated in mediation efforts in 241 conflict years in Africa within the period 1960 and 2012, whilst non-African third-parties mediated in 222 conflict years,” (Duursma, 2019). Since Africa’s early post-colonial period onwards, there exists a strong preference for African solutions to African conflicts within the African state system (Duursma, 2019). The preference and success strongly anchors on the relationship that exists between the third party and the conflict parties (Duursma, 2020). Such notion thus lies in supports of the necessity of the emerging peace and security architecture in Africa, which aims to position African ownership over peace-making processes in Africa (Duursma, 2019). Within the African conflict scenarios, previous and current intrastate conflict environments depict that the notion of a joint purpose implies that leadership cannot be based only on coercion, let alone brute force (Underdal, 1994). Unilateral or combined modalities of Instrumental and Coercive leadership should be applied in relation to evolving dynamics. Numerous intrastate conflicts, inclusive of those triggered by unconstitutional changes of governments, that is Liberia, Zimbabwe, Burundi, Madagascar, Mali, Darfur-Sudan, Sudan, South Sudan, Rwanda, Mozambique, Mali,

Burkina Faso, Niger among others reflect that successful leadership needs to build on and cultivate platforms of confidence building, facilitative and leverage based models, not merely predominantly capacity-based mediation or determined – designed models, capacitated by composites of technical skills, knowledge, ethical values, status, experience, relational alignment with social mechanisms of heightened familiarity, which is the rationale of the study findings. Leadership within the African context, as depicted by the above case studies, is often paralysed by over-reliance on unimodal approaches, defunct of multifaceted approaches. Multidimensional incapacitation in financial, human and institutional resources which is low degree of economic, technical capacities and military resources, barking without biting rhetoric, disunity among institutional state parties, external support mechanisms, embeds additional limitations. However, one critical strength that lead mediators within the African context stand to strategically benefit from, if rightly conglomerated with above factors, is the social structure in which the third party and the conflict parties operate, which in turn, greatly determines the nature of this relationship (Duursma, 2020). Despite vast empirical research regarding the mediation process, albeit focus on the particular aspect of leadership has been greatly overlooked in majority of these studies, including specific to the African context. Given this gap, the Study sought to complement studies on mediation by highlighting the vital role of leadership and the symbiotic application of diverse leadership models equally emphatic of the IL, more specifically within the African peace making and security architecture, as the Continent continues to grapple with increasingly sporadic emergence of complex intrastate conflicts.

Specific objectives of the Study were to:

1. Explore some cases of the mediation practices in Africa, including failures and success.

2. Determine the relevance of mediation in selected conflict scenarios in Africa
3. Explore impact of selected leadership styles on mediation of disputes and outcome processes, i.e. organisations, states, individuals
4. Explore challenges and opportunities of certain leadership styles on mediation

5.2 Summary

Chapter two (2) articulated a literature review of theoretical underpinnings that relate to negotiation, mediation and leadership. Conflict is perceived as crucial component of social processes, whether positive and negative, and emphasis is made on cooperative and non-cooperative problem-solving mediation techniques as adopted in resolution processes in global politics. The review showed that it is cardinal for reformulation and re-examination of models of mediation unresponsive to unique attributes of contemporary civil conflicts that are on the incremental trajectory. The study posited the aspect of leadership as key to reformed approaches, as leadership encapsulates all the key principles of the mediation processes being actor based, intentional influence contextualised to guide a structure, facilitate activities, and generation of cooperative problem-solving relationships in a group of actors. Instrumental and Coercive models were flagged, and IL seemingly key to refocused leadership styles in the contemporary conflicts. Barker (2001) points to positivistic and leader-centred perspective critics, which interpret leadership as a static concept, as having encountered criticism since the beginning of this millennium. Theorists as Underdal (1994) posit that, several scholars have noted that although leadership in international institution building remains a significant topic in any case of international collective action, little research has been done in the field. Theories by Bercovitch (2009), Moore (1996), Hopmann (1996) and Underdal (1994) on negotiation, mediation, game-theoretic models and leadership were reviewed. Chapter three (3), the Methodology focused

on the main research pathways, namely the use secondary data sources and case study modality. Methodology highlighted the application of multiple case explorations as its envisaged approach, with critical focus on two case studies namely, Darfur mediation and Kenya post - election mediation processes. Chapter Four (4) aimed to determine aspect of leadership effect and impact regarding processes and outcomes. Results from the diverse case studies revealed that key contributory factors to failures, successes, relevance and impact, opportunities/challenges relate to factors of the history, nature and causes of the conflict; demographic, cultural and socio-economic conditions; the goals and conduct of the disputant parties; the role of external actors; and the style and methods of the mediator (Nathan, 1998). Results of the two main case studies, Darfur and Kenya scenarios suggest mediation processes led by Africans pronounce that the personal characteristics of the chief mediators and African efforts to coordinate external participation and contribution play a vital role as pertains to the nature of critical leadership roles applied in African peace-making efforts. In other words, Carment et al., (2009) argue that well-aligned focus on manipulative and facilitative strategies is most effective in the resolution of protracted conflict. While the details of the mediator's proposals and the agreements concluded by the conflict parties may naturally differ from one case to another, the mediating bodies' general goal is to attain peace, stability, constitutionality and democracy (Nathan, 2016). More specifically, leadership that responds to the African solutions norm within the peace making structures as a core focus, should also be concerned with the identification of actor capabilities and relationship structures that constitute the sources from which leadership can be derived, with an in-depth understanding of the operation of the social mechanisms and behavioural strategies through which it is or can most effectively be exercised to ascertain parameters of failures and success, relevance of mediation, impact and opportunities created within mediation processes.

5.3 Recommendations

(i) African entities engaged in conflict prevention, management and resolution processes to strengthen pre-requisite financial and human institutional mechanisms, constitution provisions on mediation, to enable complementary and independent leadership trajectories within the broader global international mediation structures (International relations);

(ii) Contemporary mediation structures of panel of eminent African personalities, panel of the wise, elders, among others, to undergo specialised mediation training orientation, to skilfully compound their ethical values, strategy and knowledge base of mediation practices, aside from the statesmanship leadership statuses;

(iii) Academic institutions in Africa to strengthen their mediation knowledge generation repositories enhanced by both research and past and present practitioners' mediation experiences;

(iv) African regional and sub-regional entities, non-governmental and faith-based entities to strengthen mediation capacities, as specific operational units within respective institutions;
and

(v) Increased collective mechanism of shared costs in relation to economic and military resources to enable key ownership and accountability of African peace making and security architecture;

5.4 Contributions to Literature

Key contribution of the study to literature emanates from the specific focus on leadership in mediation processes, its critical role in relation to factors of the process itself such as, its influence, the context and goal attainment. Past and present literature on mediation practices

commonly exhibit a shortcoming in terms of generating data that creates in-depth understanding of role that leadership plays in mediation processes, in conflict scenarios with specific reference to the continent of Africa. Such literature mainly posits traits, coercive mechanisms, institutional/ actor capabilities as main areas of analysis or causal pathways to affect the above factors of process – influence – context – goal attainment.

Existing literature has not only lacked increased focus on leadership, but also analysis keenly focused on diverse conflict scenarios on the continent of Africa. Thus, the study contributed to a thorough analysis of components such as; leadership in mediation undertaken by states, institutions, individuals - diverse scenarios on complex contemporary intrastate conflicts in Africa - in various countries - and intrastate conflicts triggered by different conflict drivers.

5.5 Limitation of study and Future research

The study encountered challenges as regards unavailability of data specific to the aspect of leadership within mediation processes, particularly in relation to conflict scenarios within Africa. Enormous studies conducted on diverse conflicts within the continent, both interstate and intrastate, lacked key focus on the leadership aspect, including theoretical frameworks focused on Instrumental leadership. Majority of existing research is anchored on procedural and substantive aspects of the process, traits of the mediators, coercive mechanisms, to the neglect of any key focus on leadership. There is a growing demand for in-depth research and analysis of leadership in mediation of internal conflicts, particularly to elaborate their relevance in the emerging contemporary internal conflicts or new wars. Post-cold war era conflict demands sound theoretical development, as regards mediation leadership styles oriented towards the unique political and psychological attributes posed

by internal conflicts, which further embraces the practical experience of mediators, leadership roles that influences the dispute resolution process outcomes.

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