Leadership in Mediation Processes in Domestic, Tribal, Religious, and International Conflict

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A DISSERTATION

Presented to the Department of
Peace Studies
program at Selinus University

Faculty of Art & Humanities
in fulfillment of the requirements
for the degree of Doctor of Philosophy
in Peace Studies

2024

ABSTRACT

The study purposes to assess the impact of leadership in mediation processes in domestic, tribal, religious and international conflicts. 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 domestic violence, tribal wars, religious conflicts, complex contemporary interstate conflicts in Middle-East, Israel and Palestine, triggered by different conflict drivers. . In-depth analysis was on four main case studies namely Family Violence, Native Americans, The Shia and The Sunni, and The Israeli and Palestinian Conflict. Results of the four conflict scenarios equally emphasize that pertinent to leadership roles in peace-making efforts are the personal characteristics of the chief mediators, multi-layered with 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 socioeconomic 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.

DECLARATION

I declare that "*Leadership in Mediation Processes in Domestic, Tribal, Religious and International Conflicts* 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.

Olukunle Dare Adeoye

Signed   **Date: August 2024**

ACKNOWLEDGEMENTS

DEDICATION

Agnes Adeoye, for the unrelenting motivation to ensure that I successfully undertook PhD studies, and has personally committed from the onset to provide strict support for the entire duration of the academic undertaking. She has always been supportive and went above and beyond to ensure the research was successful, I dedicate this work to her.

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Chapter 1: INTRODUCTION

1.1 Background

The courts of this country should not be the place where resolution of disputes begins. They should be the place where disputes end after alternative methods of resolving disputes have been considered and tried (Justice Sandra Day O'Connor)

Mediation is familiar to most people as a means of resolving labor management and international disputes, but it also has been used to settle contract, interpersonal, human resource, and EEO conflicts. Mediation involves the intervention of a third person, or mediator, into a dispute to assist the parties in negotiating jointly acceptable resolution of issues in conflict. The mediator meets with the parties at a neutral location where the parties can discuss the dispute and explore a variety of solutions. Each party is encouraged to be open and candid about his/her point of view. The mediator, as a neutral third party, can view the dispute objectively and assist the parties in considering alternatives and options that they might not have considered. The mediator is neutral in that he or she does not stand to personally benefit from the terms of the settlement, and is impartial in that he or she does not have a preconceived bias about how the conflict should be resolved.

The mediation session is private and confidential. Matters unique to the mediation discussion have been held by Federal courts to be privileged and inadmissible in any adversarial administrative or court proceeding with the exception of certain issues such as fraud, waste and abuse, or criminal activity. If a settlement was not resolved

during a mediation session, and the dispute was litigated in any administrative or judicial proceeding, neither the mediator nor his/her notes can be subpoenaed by either party <https//www.commerce.gov/cr/reports-and-resources/eeo-mediation-guide/what-mediation> June 6, 2024.

Divorce mediation is a voluntary settlement process used frequently and successfully by married couples who want to divorce, and by domestic partners who want to separate. Divorce mediation gives couples the option to plan their futures rationally, and in an atmosphere of cooperation and mutual respect. With the assistance of a trained divorce mediator, you can reach an agreement that is custom-made for your family, your finances and your future <https//www.nysmediate.org/what-is-divorce-mediation-> June 6, 2024.

Ethnic conflicts pose significant challenges to global peace and stability, and there has been a notable absence of a step-by-step guide for mediating ethnic conflicts. Conflicts of this nature are prevalent in various regions worldwide, contributing to widespread human suffering, displacement, and socio-economic instability.

As these conflicts persist, there is an increasing need for comprehensive mediation strategies that address the unique dynamics of such disputes to mitigate their impact and promote enduring peace. Mediating such conflicts requires a nuanced understanding of the underlying causes, historical context, and cultural dynamics. This post utilized academic research and practical lessons to outline an effective and comprehensive step by step approach to ethnic conflict mediation.

Ethnic conflict mediation refers to a systematic and impartial process designed to facilitate dialogue, negotiation, and resolution among parties involved in disputes rooted in ethnic differences. These conflicts often arise from tensions related to cultural, linguistic, or historical distinctions among different ethnic groups.

Mediators, skilled in conflict resolution and knowledgeable about the specific cultural contexts involved, work to create a neutral space for constructive communication. The aim is to address the underlying issues, build understanding, and assist conflicting parties in developing mutually agreeable solutions. The process emphasizes cultural sensitivity, fairness, and the establishment of sustainable peace, fostering reconciliation and harmony within ethnically diverse communities <https://icermediation.org/mediating-ethnic-conflict/> June 6, 2024.

Conflicts involving religion present unique challenges to mediators.

Sukhsimranjit Singh, a specialist in cross-cultural dispute resolution, explains that in disagreements involving faith, the opposing parties typically hold strong expectations for what is right and what is wrong, which tend to raise differences above commonalities.

Moreover, religion often inspires particularly passionate actions and opinions that can be difficult to navigate.

Singh, who serves as managing director of the Straus Institute for Dispute Resolution at Pepperdine Law School, advises on how to overcome these hurdles in a recent ABA Dispute Resolution Magazine article, "Best Practices for Mediating Religious

Conflicts." In it, he shares pragmatic advice drawn from more than a decade of practice in the area.

Here are a few of his pointers:

1: Slow down.

Religious conflicts revolve around people's most sensitive beliefs, stoking passionate responses that can cloud the core dispute at hand. Singh cites the example of a case involving two congregations in a large religious community. In this instance, each group firmly declared that its "religious orientation" was right and the other side was wrong.

"In this multi-party environment, the participants expected to be heard but no one was willing to listen," Singh recalls, noting the deep distrust and feelings of disrespect among members of both sides due to past comments and actions.

"In another dispute, I might have asked the parties to review their stories in opening session and then immediately tried to help them move on in a private caucus," Singh says.

But as much as Singh wished to fast-forward the mediation conversation to the future, he instead invested days sifting through the hurt feelings and emotional innuendo to uncover the core source of distrust: each congregation had a different interpretation of the community's code of conduct.

"Taking time and extending the information-gathering phase of mediation allowed me to get a clear view of what each group cared about and valued, and after providing

feedback to both sides, it also allowed each side to understand more deeply the other's motivating core beliefs and values."

2: Understand historic orientations.

In conflicts involving faith, can be especially helpful to learn as much as possible about the past histories of the parties involved in the dispute, Singh says.

Doing so can provide a clearer understanding of the motivating core beliefs and values at play. It can help the mediator more accurately identify the position of each side and help the opposing parties confront the core dispute that brought them to the table.

Armed with a solid background, the mediator can better help one side understand the other. "When it comes to religion, I believe that the essence of mediation practice is helping people understand and possibly shift their positions. I find that this often involves challenging parties' strict views from multiple standpoints," Singh explains.

Singh says that respecting history, specifically the pasts of the parties' specific religious institutions and communities, not only deepens his understanding of the conflict at hand, but it also helps him "create more trust and connection with parties, and has been critical to motivating everyone to find a shared solution."

3: Use faith-based tools.

Singh stresses the importance of a mediator's approach. "Language is always important in discussing and resolving disputes, and this is even more true when religious beliefs are involved," he says. "When personal values are up for discussion,

what someone says can take on greater meaning and help bring people together – or drive them further apart."

In faith-based conflicts, it can be particularly challenging to even get the parties to listen to one another. "Because cultural identities are intertwined with our worldviews, divorcing our cultural identity for decision-making is not an easy process," Singh explains. Even just listening to the other party's story can require both a mental shift and change in attitude.

The use of texts and other faith-based tools common to both sides can help bridge the parties. Singh notes that "utilizing shared text as a source of guidance and direction throughout the mediation garners legitimacy between parties and promotes buy-in from both sides."

Elaborating further, Singh says that "every major religion, in its own way, promotes spirituality-based approaches to mediation and conflict resolution. I also found deep connections across such faiths: for example, the practice of generosity."

Citing the insights of Karen Armstrong, a former nun who has written extensively on the topic, Singh says that most faiths have their own version of the Golden Rule, "always treat others as you wish to be treated yourself," and introducing such concepts to the mediation can greatly help advance the conversation forward.

The last word

Singh says he approaches each mediation situation with caution and respect. "Religions are complex, and within each religion, people have different levels of adherence, and these individual differences make practices and beliefs even more

subjective," he says. "With such a wide diversity of values and belief systems, one thing is for sure - no two mediation will be identical" <https://www.americanbar.org/news/abanews/publications/youraba/2019/may-2019/three-tips-to-best-tackle-mediation-of-faith-based-disputes/> June 6, 2024.

Managing international conflicts has become a priority on the global agenda. The devastating consequences of conflict in an increasingly globalizing world order cannot be ignored. There are several peaceful ways to manage conflicts. These include avoidance, negotiation, mediation, arbitration, and adjudication. Of these, mediation offers many advantages. It has been studied by scholars and students of political science, psychology, business management, and law as well as practitioners. All have proposed various definitions of the process with very little consensus on any of these.

What are the characteristics of mediation? First, mediation is a voluntary process (Bercovitch 1992; Moore 1996). It takes place when disputants seek the assistance of third parties (Bercovitch 1992; Bercovitch and Houston 1993). The right to accept or reject an offer of mediation or a mediation outcome rests entirely with the disputants (Ross 1993). The fact that mediation is a voluntary process is directly related to its success or failure. Without a high level of disputants' willingness to concede, and motivation to engage in conflict management, a successful mediation outcome is unlikely to be achieved.

Secondly, the outcome of mediation is non-binding (Bercovitch 1992; Bercovitch and Houston 1993; Bercovitch 1997; Groom 1986; Moore 1996; Smith 1998; Touval and Zartman 1989; Wall and Lynn 1993). Mediation's non-binding nature distinguishes it from other forms of external interventions such as arbitration and adjudication. In

mediation, third parties have no authority over disputants' compliance with a mediated outcome (Groom 1986). Indeed, most disputants would not accept mediation in the first place if mediation bound them to an outcome.

These two characteristics mean that, for the most part, the outcomes of all mediation attempts depend entirely on the disputants' willingness to resolve their conflict and to abide by the mediator's term. In other words, mediation cannot be successful if the disputants do not see any reason to resolve the conflict quickly, or if they refuse to adhere to the terms of an outcome. Disputants' motivation is a crucial factor, which affects many aspects of the process (see Rubin 1992). It is also among the important factors affecting the choice of a strategy.

Mediation is defined here as a pacific approach to conflict resolution in which impartial third parties help disputants resolve conflicts through a process of information and social influence, without using violence or invoking the authority of a legal system. The objective of disputants in inviting or accepting mediation is to reach a compromise in a conflict, or at least to indicate willingness to do so (Richmond 1998). The third party in mediation may be an individual, organization, or country that is not a direct party to the conflict (Bercovitch and Houston 1993; Carnevale 1986; Touval and Zartman 1989; Wall and Lynn 1993). For a mediation to be successful and for a compromise to be reached, an effective strategy must be employed by a mediator. But how can we determine which strategy is likely to be the most effective? <https://www3.gmu.edu/programs/icar/ijps/vol8_1/Bercovitch.html> June 6, 2024.

1.2 Research problem

The main issues that must be addressed are the cost of conflict resolution and the duration of mediation. There is continuous global recognition of the pervasiveness and costly nature of conflict of all social processes, with a systematic and organized 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 causalties 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 domestic, tribal, religious or interstate.

Over the years, families have experienced violence, ethnic wars in communities, religious wars all over and international conflicts. 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 domestic, tribal, civil and international 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), Russia and Ukraine and Israel and Palestine.. 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 1 below, costs, among them high degree of fatalities justifies the mediation rationale, nor the success rate of mediation.

Table 1: Conflicts Disputes and Outcomes, Interstate and Intrastate

Disputes
➢ *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%);*

> *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)

There is no shortage of dispute in the field of mediation, and the themes that receive the greatest attention and active discussion are mediator qualification and process outcome (Noll, 2001). The arguments in the mediation area have revolved around which procedure is superior, who is competent to be a mediator, and how outcomes are measured (Ibid). International mediators are successful in diverse situations due to their interpersonal abilities, the attractiveness of the 'carrots' they offer the parties, and the 'ripeness' of the issue 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 appearing to understand the fundamentals of mediation, most diplomats lack expertise in the art or science of mediation (Nathan, 2007). African diplomats have expressed anxiety and discomfort about their lack of confidence and expertise while engaging in sophisticated mediation, with some ambassadors and foreign affairs officials calling for extensive training in mediation and associated 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, including the need for recognition or stalling (Maundi et al., 2006; Beardsley, 2011). Fueling these needs may be feelings of distrust or reflect risk aversion behaviors (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 most notable examples (including successes and failures) of mediation procedures in household, tribal, religious, and international conflicts?

2.What role has mediation played in chosen conflict scenarios, including domestic, tribal, religious, and international conflicts?

3.How have specific leadership styles influenced conflict resolution and outcomes? Leadership can be contextualized as organizations, states, or individuals.

4. What are the challenges and opportunities for certain leadership styles in mediation?

1.4 Objectives of the Study

The study's broad goal is to investigate the impact of leadership in mediation in chosen conflict scenarios, including domestic, tribal, religious, and international disputes.

Specific aims are:

1. Examine various examples of mediation practices in domestic, tribal, religious, and international conflicts, including both failures and successes.

2. Determine the relevance of mediation in various conflict scenarios, including household, tribal, religious, and international disputes.

3. Investigate the impact of selected leadership styles on dispute resolution and outcome processes in businesses, states, and individuals.

4. Investigate the problems and potential of certain leadership styles in mediation.

1.5 Relevance of the Study

Leadership is strikingly lacking from the literature on mediation, particularly international mediation. The vast body of extant literature on mediation leadership focuses mostly on labor market negotiations, school conflicts, community issues, and legal disputes. In these dynamics, mediators typically have specified norms, cultures, skills, and applicable knowledge and strategies to steer the dispute resolution process and achieve organizationally aligned outcomes. However, this does not appear to be the case in international conflict mediation settings, including 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 organizations 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

Mediation is widely acknowledged as an important strategy for promoting peaceful dispute resolution and conflict prevention.Progressive strides within the UN, especially the notable focus of the current UN Secretary General, António Guterres, embodies a keen focus on mediation, emphasizing the need for innovative thinking that embraces mediation as an imperative strategy and necessary approach (Turner & Heyworth, 2019).

1.6. Organization of the Thesis

Organization 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 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 theses leadership modalities lies in the mechanism (s) of application and the kind of capabilities involved.

Chapter 2: LITERATURE REVIEW

2. Introduction

Since mediation is consensual to all parties involved in it, scholars of mediation have studied the motives of involved actors as a way to uncover when and where mediation is most likely to take place.

Several factors that motivate conflict parties to accept mediation are identified in the literature, but one of the most established ones is the mutual hurting stalemate (MHS); which is a situation where disputants feel they are trapped in a costly conflict from which they cannot escape through victory (Zartman, 2008). According to Zartman, a MHS makes a conflict "ripe" for resolution since parties will seek a way out in order to avoid the negative consequences of what they feel as a costly predicament (Zartman, 2008). In essence, ripeness thus the moment where the conflict parties' fear of continuing the war becomes greater than the fear of peace. The proposition that conflict parties experiencing pain and loss are ready for negotiations is confirmed in a comparative study of six African armed conflicts by Maundi *et al.* (2006). Yet, the added value of this study is not so much in confirming Zartman's "ripeness" theory, which he put forward as early as 1989, as it is in generating new knowledge with regard to mediators' entries into armed conflicts. Basing the in-depth case studies on a rational-choice framework, the authors find that a high confidence in the mediator's ability to achieve preferred outcomes increases the probability of acceptance or a request of mediation. On the other hand, it is found that high stakes will make rejection of mediation more likely; since mediation reduces the flexibility of the adversaries in negotiations, they are less willing to be limited to certain outcomes when much is at

stake. In addition, the authors illustrate how mediation can be used by conflict parties to obtain political support, since it reduces perceived accountability of the leaders that have to make compromises (Maundi *et al.*, 2006).

Findings as those of Maundi *et al.* (2006) have recently also been confirmed in quantitative studies. While studies on when international mediation is most likely to take place emerged as early as the 1980s (Zartman, 1989), it was not until the turn of the century that scholars started examining the conditions that promote the occurrence of mediation between conflict parties in a more systematic manner. In this regard, Greig (2005) points out that scholars of mediation have devoted considerable attention to the form that mediation takes, while ignoring conditions under which mediation is most likely to occur.

One recent quantitative study by Beardsley fills this gap and supports the proposition that conflict parties are driven by self-interest. Mediation is found to likely be when the conflict intensity is high, when it has an ethnic dimension, when it is between opponents of similar strength, and when the crisis is long; which are conditions typically associated with the presence of a MHS (Beardsley, 2011). The findings of a quantitative analysis by Greig and Regan (2008) are also in line with the idea of conflict parties being driven by self-interest, but they neither find significant nor substantial evidence that the number of annual battle deaths influence the willingness to accept. Nevertheless, they do find that conflict duration influences the likelihood of mediation being accepted (Greig and Regan, 2008). More specifically, the results in Greig's and Regan's censored probit model suggest that offers of mediation are most likely to be rejected in the earliest and latest stages of the civil war. The authors explain this finding by pointing out that both the earliest and the latest phases of conflicts have unique characteristics that make parties hesitant to negotiate: in the early stages

conflict parties generally believe a victory is possible, while in the later stages the parties perceive high sunk costs making them hesitant to accept any alternative other than victory (Greig and Regan, 2008).

Greig and Regan (2008) also find that the reputation of the third-party influences the decision-making calculus of the disputants. A mediator that has reached an agreement in all of the armed conflicts in which it has previously been involved has nearly a 19 percent greater probability of being accepted as third-party than a mediator without prior success (Greig and Regan, 2008). In short, Greig and Regan (2008), although stressing conflict duration rather than battle deaths, find a relation between conflict costs and the willingness of conflict parties to accept mediation. They also find that mediators with a potential for success are more likely to be accepted. This means that Greig and Regan (2008), just as Zartman (2008) and Maundi *et al.* (2006), base their research on the idea that a necessary precondition for negotiations is a perception by the adversaries that a negotiated outcome is preferable to continued fighting and a way out is possible.

Beardsley (2011) has a different take on the reasons of warring parties to accept mediation. Although he recognizes that warring parties can be motivated to accept mediation by a desire for the conclusion of a peace agreement, Beardsley stresses that peace is not necessarily the ultimate goal of mediation. Drawing on Richmond's (1998) seminal study on "devious objectives" of warring parties, Beardsley (2011) puts forward two motives, other than a desire for a negotiated outcome, which might explain the onset of mediation. First, mediation in intrastate conflicts might be used by rebel parties to gain recognition. Governments indirectly legitimize the negotiation

positions of insurgents if they agree to negotiate with them. Second, mediation might be used as a stalling tactic. Getting involved in mediation provides combatants with time to regroup and reorganize, which may allow them to take the battlefield from a stronger position and end up with a better agreement (Beardsley, 2011). Beardsley thus puts forward some theoretical arguments why mediation can occur in spite of a lack of a desire among the conflict parties to make peace.

The findings of the studies addressed above all suggest that conflict parties are rational actors, who make cost-benefit analyses, and are primarily driven by self-interest. Indeed, an issue that has only been scarcely addressed in recent years, in terms of the conflict parties' motives for mediation, is the role of psychological dynamics that make disputants hesitant to engage in mediation. A recent study by Kelman (2005) is an exception in this regard. On the basis of conflict resolution efforts related to the Israeli-Palestinian conflict, Kelman (2005) explains that on the one hand, developing trust between opposing groups in armed conflicts is problematic, since both conflict parties believe – usually with a long history of supporting evidence – that the adversary is bent on causing them harm (Kelman, 2005). This level of distrust makes conflict parties hesitant to become involved in a mediation process. On the other hand, trust cannot be built without engaging in peace talks. Kelman argues that a mediator can play a decisive role in tackling this dilemma, since the presence of a third-party allows the adversaries to interact at a relative low level of commitment, which reduces the conflict parties' fears of the opposing party exploiting this trust (Kelman, 2005, p. 645). Indeed, instead of drawing on economic assumptions about the nature of human motivation to explain why conflict parties accept mediation, Kelman thus emphasizes factors that contribute to the persistence of violence and why initiating mediation is so

problematic. In this sense, Kelman also points out that a rationalistic concept such as self-interest as an explanatory variable for the onset of mediation has its limits, since it overlooks the psychological dynamics underlying armed conflicts.

2.1.Negotiation theories

2.1.1.Game theory

The human mind has been engaging in games ever since the inception of the species. The law of the jungle has governed our actions for the greater part of our existence on this planet, which clearly highlights the existence of a subconscious mind which helps us differentiate between what is 'right' and 'wrong'. Much before the theory of games played was formalized; we fought wars, assigned armies, and engaged in negotiations that compelled us to study and know about the human mind to an altogether different level (theory of games of strategy). From Darwin's theory of evolution to advanced studies done by Sigmund Freud, from Socrates's arguments in the symposiums of ethics to Shakespeare's Henry V.- The study of game theory has always been an important aspect while making investigations about the human mind and its behaviour. The modern-day definition of game theory can be put something like this- Game theory is the study of the ways in which interacting choices of economic agents produce outcomes with respect to the preferences (or utilities) of those agents, where the outcomes in question might have been intended by none of the agents. (www.coursehero.com/file/119362850/Team-4-Game-Theorypptm/) It is the study of how to mathematically determine the best strategy for given conditions in order to optimize the outcome. It is the theory of how optimal strategies are formulated in times of conflict (ross, 1997) (BOWMAN &Gould).

(www.coursehero.com/file/119362850/Team-4-Game-Theorypptm/, n.d.) One of the best real-life possible examples of applying game theory is 'Prisoner's Dilemma'. The prisoner's dilemma is one the aptest applications of game theory and was first framed by Merrill Flood and Melvin Dresher while working at RAND in 1950. Later it was formalised by a Canadian mathematician Albert. W. Tucker in 1993 (BOWMAN & gould)It basically proves how two sane and rational humans would not cooperate and do the right thing even if it is in their best interest. The optimum reward for both parties would be if they agree to cooperate. For example:- If a police officer has arrested 2 criminals for a crime. Both of these criminals are kept in two different cells and can't have any contact with each other. The police offer both the criminals to either remain silent or blame the other. If both of them remain silent, they will get one year of prison time (Von Neumann and the Development of Game Theory). If both of them turn on each other, both will get 3 years of prison time each. And if only one of the accused blames the other one, the latter will be set free and the one blamed would serve 5 years of prison time.

The middle ground between ancient and modern game theory was made to metamorphose thoroughly, if not formalised, in Gerolemo Cardano's infamous book 'The Book on Games of Chance: The 16th-Century Treatise on Probability, published in 1663. Works like Augustin Cournot's Researches into the Mathematical Principles of the Theory of Wealth, Francis Ysidro Edgeworth's Mathematical Psychics and Emile Borel's Algèbre et calcul des probabilités made a huge impact on advanced studies and discussions on game theory (Walker, 2001a). They created a strong base for mathematicians and economists later on to systematise and approbate game theory.(Schwalbe & Walker, 2001a) In 1912, Ernest Zermelo gave two talks in the Fifth International Congress of Mathematicians in Cambridge. The second speech was

on the game of chess which prompted him to write a paper on game theory named "Über eine Anwendung der Mengenlehre auf die Theorie des Schachspiels". It was published in 1912 and was written in Dutch. This is said to be the first paper ever written on game theory. Being a chess player, Zermelo wanted to prove how this theory works in the game of chess. His theorem states "either White can force a win, or Black can force a win, or both sides can force at least a draw". He used backward induction to prove his theory. (Schwalbe & Walker, 2001a) A number of works on the theory of games were published in 1921 by French mathematician Emile Borel. He discussed the issue of bluffing and second-guessing the opponent in a game with incomplete information using poker as an example. (Theory of Games of Strategy) Then came the Zeuthen bargaining model in 1938, which occupies a prominent place among those theories of the bargaining process that have been formulated and expounded by economists. (Coughlin, 1992) And then finally came the giants- Neumann and Nash. Although many people have made contributions to the history of game theory, it is generally agreed that John von Neumann started modern analysis and that John Nash gave it its methodological foundation

This article significantly advanced the subject. Von Neumann introduced the topic of game theory for the first time in his 1928 work, "Theory of Parlor Games," which also established the renowned Minimax theorem. Von Neumann anticipated that game theory would be a significant tool for economists. To establish his hypothesis, he collaborated with Princeton University economist Oskar Morgenstern, an Austrian (cournot)(MATHEMATICAL PSYCHICS)(Schwalbe & Walker, 2001). The discipline of economics was dramatically altered by their work. The book's applicability to psychology, sociology, politics, military, leisure activities, and many other areas quickly became clear, despite the fact that it was originally only meant for

economists. In 1950, John Nash, an American mathematician, came up with the Nash theory, which stated: "a situation in which a player will continue with their chosen strategy, having no incentive to deviate from it, after taking into consideration the opponent's strategy." (GAME THEORY-NASH EQUILIBRIUM AND ITS APPLICATIONS, 2015b)Game theory booms after this. One of the greatest developments in social science was the creation of noncooperative game theory was done by John Nash. (PINTO)To better comprehend how the core concepts of noncooperative game theory were established and how they altered the history of economic theory, Nash's work in this field is reviewed in its historical context. In 1971, the international journal of game theory was started. In 1972, John Maynard Smith, a British mathematician applied game theory to animal behaviour and with Price, he proved that game theory is also used in the evaluation of the species. They wrote the book " Game theory and the Evaluation of Fighting". In the last quarter of the twentieth century and early 2000s, Game theory paid special attention to the formulation of dynamic models. In 2007, Roger Myerson, alongside Leonid Hurwicz and Eric Maskin, was awarded the Nobel prize in Economics "for having laid the foundations of mechanism design theory" with game theory structure and its design. Roger Myerson has provided a clear and thorough examination of the models, solution concepts, results, and methodological principles of noncooperative and cooperative game theory. Myerson introduced, clarified, and synthesised the extraordinary advances made in the subject over the past fifteen years, presents an overview of decision theory, and comprehensively reviews the development of the fundamental models with games in extensive form and strategic form.(Myerson, 2025) In 2005, game theorists Thomas Schelling and Robert Aumann won the Bank of Sweden Prize in Economic Sciences. Dynamic models, the earliest applications of

evolutionary game theory, were a focus of Schelling's work. (Pinto, n.d.)Aumann made significant contributions to the equilibrium school, creating a coarsening correlated equilibrium and a thorough investigation of the presumption of general knowledge. For "laying the basis of mechanism design theory," Leonid Hurwicz, Eric Maskin, and Roger Myerson were given the 2007 Nobel Prize in Economics. A significant graduate text, Game Theory, Analysis of Conflict, and the idea of appropriate equilibrium are among Myerson's accomplishments. Hurwicz first proposed and formally established the idea of incentive compatibility. For "the theory of stable allocations and the practise of market design," (MATHEMATICAL PSYCHICS, n.d.)Alvin E. Roth and Lloyd S. Shapley received the Nobel Prize in Economics in 2012.

Shapley is generally considered one of the most important contributors to the development of game theory. Shapley won the 2012 Nobel Memorial Prize for "The theory of stable allocations and the practice of Market design" along with Alvin E. Roth. He elaborated on how some market participants cannot be divided a priori between a buyer and a seller. When the price of a product fluctuates, in some cases, one participant can be the seller and the buyer. Stocks are a clear example of commodities exchanged in such markets. However, in a market without this property: participants are either buyers or sellers, regardless of the price of the goods. Physical or the legal characteristics of the participants also make them be on the unique sides of the market (ddd.uab.cat/record/174208) (Jordi Massó Dept. d'Economia i d'Història Econòmica Facultat d'Economia i Empresa Universitat Autònoma de Barcelona 08193 Bellaterra, n.d.). Shapley also collaborated closely with his friend mathematician and game theorist Robert Aumann. Together, the two defined the Aumann-Shapley value. It was built upon Shapley's most famous work, the Shapley

value, which is a way of evaluating a game situation before the game gets played. Jean Tirole, a game theorist, received the Nobel Prize in 2014. A total of 15 game theorists have won the Economics Nobel prize. RESEAR

2.2. Leadership theories

Leadership literature reveals that theories have been refined and modified with passage of time and none of the theory is completely irrelevant. As mentioned earlier, relevance depends on the context in that it is applied. The type of leadership applied in functions entailing very high degree of precision, confidence level, sensitivity, care and technical expertise may be different than in simple management-oriented portfolios, as one that does not fit all heads (Dess, & Picken, 2000). It means that situations, contexts, culture, working environment, new laws and regulations, information overload, organizational complexities and psycho-socio developments remarkably impact the leadership concept thereby, making it commensurate to the changing organizational dynamics (Amabile, Schatzel, Moneta & Kramer, 2004). The great men became irrelevant and consequently growth of the organizations. "The passing years have given the coup de grace to another force the great man who with brilliance and farsightedness could preside with dictatorial powers as the head of a growing organization but in the process retarded democratization". It was also determined that, "a person does not become a leader merely by virtue of the possession of some combination of traits" (Samad, 2012). On the amount of direction and guidance, the dynamic among these factors was established; socio-emotional support and task behavior, in performing a task the readiness level (commitment and competence) of the followers and relationship behavior required by the followers

functions and objective (Ryan & Tipu, 2013). Without involving subordinates, the autocratic leader makes decisions, laissez-faire leader lets subordinates make the decision and hence takes no real leadership role other than assuming the position and the democratic leader accesses his subordinates then takes his decision.

2.2.1. Coercive Leadership

Coercive leadership is a leadership style characterized by its focus on obtaining immediate results through the imposition of strict rules and guidelines. In this context, it is essential to define and fully understand what this leadership style entails and its relevance in the work environment. We will explore its detailed definition and the context in which it is usually applied, and then critically analyze the importance of leadership in the workplace. In addition, we will closely examine how leadership, including coercive leadership, influences the dynamics of a team and the overall success of an organization.

Coercive leadership, also known as authoritarian leadership, is characterized by a dominant leadership style in which the leader exercises significant control over subordinates. This style is based on the imposition of rigid rules and guidelines, with a focus on obtaining results quickly and effectively. In a work environment where coercive leadership is applied, employees are expected to follow the leader's orders without question, and decisions are usually made unilaterally by the leader.

Coercive leadership tends to be most effective in crisis or emergency situations, where rapid decision making and immediate execution is required. It can also be useful in highly regulated environments, where compliance with rules and procedures is critical to the operation of the organization. However, this style of leadership can

have negative effects if applied continuously in situations that do not require such authoritarian supervision.

Leadership plays a key role in any work environment. Leaders are responsible for guiding their teams toward the achievement of organizational goals and objectives. Effective leadership can inspire motivation, foster collaboration and improve employee productivity. On the other hand, ineffective leadership can generate discontent, demotivation and conflict in the workplace, which can negatively affect the achievement of the organization's objectives.

The dynamics of a team are closely related to the leadership style practiced. In the case of coercive leadership, centralized decision making can lead to a lack of participation and creativity on the part of team members. Morale may decrease, and employees may feel less committed to their work.

In terms of organizational success, effective leadership is a critical factor. While coercive leadership can be useful in specific situations, its constant application can undermine innovation and the long-term adaptability of the organization. Therefore, it is essential that leaders understand when it is appropriate and when it is not appropriate to apply this leadership style.

Coercive leadership is distinguished by a number of key characteristics that delineate its approach and its impact on the work environment. By understanding these characteristics, one can better appreciate how this leadership style influences team dynamics and organizational results. The following are the main characteristics of coercive leadership:

1. Focus on Immediate Results

The coercive leader has a clear focus on obtaining immediate and tangible results. Their priority is to ensure that goals and objectives are achieved efficiently and without delay. This approach can be especially effective in crisis situations or when immediate action is required.

2. Exploration in the Prioritization of Results over Other Issues

One of the distinguishing characteristics of coercive leadership is its inclination to prioritize results over other aspects, such as the emotional well-being of employees or innovation. The leader tends to focus on achieving the stated objectives, often at the expense of considering other important variables.

3. Rational over Emotional Decisions

The coercive leader makes decisions based on logic and objectivity rather than letting emotions influence their choices. This approach can lead to more accurate and efficient decision making, but often lacks empathy and understanding of employees' emotional needs.

4. Use of Power for Operation

The coercive leader uses his authority and power to ensure that operations are carried out efficiently and in accordance with established standards. He can make decisions unilaterally and expects his orders to be followed without question.

5. Impact on Morale and Work Climate

One of the most salient characteristics of coercive leadership is its effect on morale and work climate. Because of its focus on authority and the imposition of strict rules,

this leadership style can create a tense and uncooperative work atmosphere. Employees may feel demotivated and have low morale, which can negatively affect their performance and commitment.

It is important to keep in mind that while coercive leadership can be effective in certain specific situations, its constant application in inappropriate contexts can have detrimental consequences for employee well-being and organizational culture. In the following segments, we will explore in depth the advantages and disadvantages of coercive leadership and when its use is appropriate.

The following case is an example that explains very well the characteristics of a coercive leader and how this style affected the work environment:

It is not difficult to understand why, of all leadership styles, coercive leadership is the least effective for most situations. Despite their focus on obtaining immediate results, the coercive type of leader brings a number of negative effects that can have a detrimental impact on the dynamics of a team and the long-term success of an organization. These negative effects are discussed in detail below:

1. Linearity in Decision Making

Coercive leadership is characterized by hierarchical and linear decision making, where decisions are imposed by the leader and are expected without question. This linearity can hinder creativity and employee participation, as the exchange of ideas and perspectives is not encouraged.

2.Lack of Flexibility and Innovation

The rigidity of coercive leadership can lead to a lack of flexibility and adaptability in the organization. Processes and practices can become static, hindering the organization's ability to innovate and adjust to changes in the business environment.

3. Loss of Initiative and Responsibility

When a leader makes decisions in an authoritarian manner, employees may feel that they lack autonomy and responsibility in their work. This can lead to a loss of initiative on the part of employees, as they are discouraged from making decisions on their own.

4. Erosion of Motivation and Pride at Work.

Coercive leadership can erode employee motivation, as they feel less valued and recognized for their work. Lack of emotional support and the imposition of strict rules can undermine the sense of pride at work, which negatively affects job satisfaction.

5. Impact on Employee Self-Determination and Organizational Culture

The constant application of coercive leadership can influence employees' self-determination, as they are limited in their ability to make decisions and contribute to the decision-making process. This can lead to an organizational culture characterized by dependence on the leader rather than employee autonomy.

It is essential to understand that while coercive leadership may be effective in crisis situations or in highly regulated contexts, its continued and inconsiderate application in other scenarios can lead to detrimental consequences for the organization. Leaders should be aware of the negative effects this leadership style can have on morale, motivation and organizational culture, and use it with caution and consideration.

In the following segments, we will explore when it is appropriate to use coercive leadership and what its advantages are in specific situations.

Although coercive leadership is often associated with negative effects on morale and work dynamics, there are specific situations in which its application can be appropriate and effective. Let's look at when coercive leadership can be beneficial:

1. Specific Application Situations

Coercive leadership is appropriate in specific situations that require quick decision making and strict adherence to rules and procedures. For example, in manufacturing environments where safety is critical or during a crisis where an immediate response is needed, a coercive leader can be effective.

A clear example of the effectiveness of coercive leadership is when an organization faces a serious security breach where immediate action is required to prevent harm to employees and assets. The coercive leader can take control of the situation, impose strict security procedures and ensure immediate compliance.

2. Breaking Bad Habits

When there are ingrained work habits that are detrimental to the organization, coercive leadership can be helpful in breaking those patterns. In such cases, the leader imposes necessary changes and ensures that the new work guidelines are followed.

If an organization has been dealing with an inefficient work culture or outdated work practices, the coercive leader can take bold steps to introduce new ways of working and ensure compliance.

3. Use in Genuine Emergencies

During genuine emergency situations, such as natural disasters or business crises, coercive leadership can be crucial. An authoritarian leader can make quick decisions and efficiently coordinate the organization's response to mitigate damage and ensure safety.

As in the case of the recent COVID-19 pandemic, coercive leadership can be crucial. Leaders must make quick decisions to ensure security and business continuity. At such times, authority and the imposition of strict measures may be necessary for the survival of the organization.

4. Dealing with Problem Employees

At times, teams may face challenges due to problem employees who undermine productivity or morale. Coercive leadership can be employed as a strategy to effectively address these problems, ensuring that firm and necessary action is taken.

When faced with problem employees, the coercive leader may apply strategies such as setting clear expectations, close supervision, and imposing consequences to ensure that problems are effectively addressed. This firmness may be necessary to maintain the integrity of the equipment.

In conclusion, coercive leadership is a leadership style that, while it can be effective in specific situations, should be used with extreme caution and consideration. It is important to recognize that its constant and inconsiderate application can have negative effects on employee morale, team dynamics and organizational culture.

It is essential to reflect on the importance of not abusing this style of leadership, reserving it for situations that require quick decision-making, strict control or the

correction of entrenched harmful behaviors. The leader must be aware of the negative effects it can have on the motivation and emotional well-being of employees.<https://belider.net/en/coercive-leadership-style/>, June 10, 2024.

2.2.2. Instrumental Leadership

Different authors have been defined leadership in different ways all the definitions and assumptions are right and touch the original line with verity of ways some of them are below. According to (James M. Burns, 1978) leader is one who instills purposes, not one who control employees by its brute force. A leader is someone who can take a group of people at a certain point that other people don"t think they can go (Rick L. Edgeman 1978). Leadership can be defined as a process of moving people to reach the desired goals (Jong and Hartog 2007).

Organizational leaders adopt different styles of leadership in different situations but in our study we will follow discuss the Instrumental leadership. Instrumental leaders can motivate employees by setting clear goals and directing the peoples toward goal attainment. Instrumental leaders closely supervise their employees and exert pressure on employees to attain the organizational goals.

Consideration leadership style (also called supportive or Instrumental Leadership) in which the organizational leader creates an environment of support and friendliness and where employees" ideas and input are sought and valued (House 1971). Empirical studies have confirmed that Instrumental Leadership is effective in increasing organizational commitment, job satisfaction and performance (Euwema, Wendt and van Emmerik 2007; Jaramillo and Mulki 2008; Vecchio, Justin, and Pearce 2010).

Instrumental Leadership Style

Instrumental Leadership style is that involves all employees of a team in indicating necessary goals and developing procedures or strategies to achieve these goals. Instrumental leaders create an intense environment during work and employees can not question to this type of leaders (Euwema, Wendt, and van Emmerik 2007). Under this style of leadership the team leader directing orders rather than plays a role of facilitator on employees to achieve those goals. Under this instrumental leadership style employees are less valued than participative style and not can much express their ideas, experiences and opinions easily with their leaders. Research shows when an employee seeks a leader as approachable and reliable source of support, that result is greater satisfaction and higher organizational commitment (Jaramillo, Mulki, and Marshall"s 2005).

2.3. Conclusion

This chapter reviewed the literature on mediation and leadership in the context of conflict. The chapter discussed the principles of negotiation, mediation, and leadership in the context of dispute settlement and resolution. Furthermore, negotiating and leadership theories were examined. The chapter conducted an analysis of various case studies that coincide with theories on negotiation, mediation, and leadership, showing both successes and failures of outcomes.

In general, the literature does not place as much emphasis on mediation and the role of leadership in conflict as it does on military-related actions particular to peacekeeping components. Although there has been some emerging research on mediation, albeit limited analysis has been conducted primarily under the auspices of

the post-cold-war 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 an increasing desire for in-depth research and analysis on mediation and leadership in internal conflicts, particularly to better understand their relevance in emerging modern internal conflicts or wars. This paper investigates selected cases of mediation procedures in household, tribal, religious, and interstate conflicts, including both failures and successes.

It also investigates the significance of mediation in the selected scenarios, as well as the impact of specific leadership modalities used during conflict mediation, the process's outcome, and the problems and possibilities offered by certain applied styles. Post-cold war conflict necessitates sound theoretical development, particularly in terms of mediation leadership styles geared toward the unique political and psychological characteristics of internal conflicts, as well as practical mediator experience and leadership roles that influence the outcome of the dispute resolution process.

Chapter 3: METHODOLOGY

3. Introduction

The 5 ways considered to carry out the research are qualitative, descriptive, analytical, exploratory and case studies, however, the research methodology will focus more on qualitative inquiries and case studies.

Qualitative research employs a variety of methods, including interviews, focus groups, and observation.Interviews can be unstructured, with open-ended questions on a topic, and the interviewer adapts to the answers. Structured interviews feature a set amount of questions that each participant is asked.

It is typically done one-on-one and is ideal for delicate or in-depth discussions. Focus groups are frequently held with 8-12 target members and are intended to explore group dynamics and collective perspectives on a topic. Researchers might be participant-observers, sharing the subject's experiences, or non-participants, detached observers.

<https://www.ncbi.nlm.nih.gov/books/NBK470395/#:~:text=Qualitative%20re search%20uses%20several%20techniques,that%20every%20participant%20is %20asked>, June 15, 2024.

Yin (2009, p. 18) defines case study as an empirical inquiry which investigates a phenomenon in its real-life context. In a case study research, multiple methods of data collection are used, as it involves an in-depth study of a phenomenon. It must be noted, as highlighted by Yin (2009), a case study is not a method of data collection, rather is a research strategy or design to study a social unit.

Creswell ([2014](, p. 241) makes a lucid and comprehensive definition of case study strategy.

 Case Studies are a qualitative design in which the researcher explores

 in depth a program, event, activity, process, or one or more individuals.

 The case(s) are bound by time and activity, and researchers collect

 detailed information using a variety of data collection procedures over

 a sustained period of time.

The following key attributes of the case study methodology can be underlined.

1. Case study is a research strategy, and not just a method/technique/process of data collection.

2. A case study involves a detailed study of the concerned unit of analysis within its natural setting. A de-contextualised study has no relevance in a case study research.

3. Since an in-depth study is conducted, a case study research allows the researcher the leeway to use any method of data collection which suits their purpose (provided the method is feasible and ethical). Generally, for a sound, unadulterated and unbiased[1] study of the phenomenon under investigation, several techniques of data collection are used such questionnaire, survey, in-depth interview, participant/non-participant observation and the study of documents (whether of books, archival manuscript or audio-visual records), conversations in natural settings, signs, physical artefacts and so on.

4. De Vaus (2001, p. 220) posits that the 'unit of analysis' in a case study research can be an individual, a family, a household, a community, an organisation, an event or even a decision.

<https://journals.sagepub.com/doi/full/10.1177/0038022920970318?fbclid=Iw AR3CVwEO-amDB9QlrbHmVWp99tlet5KXa7O8OS_0VsD0ygkTkmRhVXVzij0>, June 15, 2024.

Chapter 4: FINDINGS AND ANALYSIS

4.Introduction

The previous chapter discussed the methodology to be applied in the study. The use of the methodology will be broaden upon within this chapter, in relation to the research questions and objectives namely, mediation processes in domestic, tribal, religious and international conflict – failures and success, relevance of mediation in selected scenarios, 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 four main case studies of analysis will be Ontario's Domestic Violence Court Program, Conflict between Dinka and Neur in South Sudan, Religious Conflicts around the world and International Conflict.

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. Most internal conflicts have occurred in the post - Cold war era all around the world.

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 processes in domestic, tribal, religious and international conflict

Homes, Tribes, Religions and Interstates have been embroiled in several conflicts, with conflicts been resolved at one time or the other by conflict resolutions mechanisms especially negotiation and mediation. Mediators have been actively involved in conflict resolution, management or prevention in the past, current, and prospective civil wars.

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, the following African former presidents 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) and Barrack Obama (former president of The United States of America) offered conflict resolution wisdom, "But at a time when our discourse has become so sharply polarized – at a time when we

are far too eager to lay the blame for all that ails the world at the feet of those who think differently than we do – it's important for us to pause for a moment and make sure that we are talking with each other in a way that heals, not a way that wounds". <https://mediate.com/president-obamas-speech-offers-conflict-resolution-wisdom/>, june 29, 2024.

4.3.1 Case Studies

4.3.1.1 Mediation processes in domestic violence

Ontario's Domestic Violence Court (DVC) is a special program for handling domestic violence cases in the criminal justice system. The Domestic Violence Courts try to simplify the prosecution of domestic assault cases, provide more support to victims, increase offender responsibility, and provide early intervention. The program was started around 1996.

There is a Domestic Violence Court in each of the province's 54 court jurisdictions.

As part of the DVC Program, domestic violence cases are heard separately from other criminal law cases by specific judges who are trained about violence between intimate partners and familiar with the issues involved in these types of cases. The program also includes special training about intimate partner violence for police, Crown lawyers, probation officers and other staff that are involved in the program.

Domestic Violence is when one partner in an intimate relationship abuses the other. The abuse can be physical, sexual, financial, and/or verbal/emotional. Domestic violence is also commonly called "intimate partner violence". Intimate partner violence can be done by a current or former spouse or partner. It can also happen in

more casual dating relationships. Intimate relationships include relationships between people of all genders and gender identities.

The Domestic Violence Court (DVC) Program involves teams of specialized professionals who work on cases involving intimate partner violence. They are supposed to work together to improve support for victims/survivors of violence and coordinate investigations and prosecutions of domestic violence cases. DVC teams include:

Police Officers– The police have specialized units to deal with domestic assault situations. They are often the first ones to respond to a scene. They are supposed to have extra training about violence between intimate partners, investigating these situations and evaluating high risk cases.

Victim / Witness Assistance Program staff (VWAP)– The VWAP program provides information, assistance and support to victims and witnesses of crime after charges have been laid in a criminal case. V/WAP tries to help victims and witnesses better understand and participate in the entire criminal court process.

<http://owjn.org//2013/05/victim-witness-assistance-program-support-for-survivors-of-violence/>

Crown Counsel– Crown Counsel is the government lawyer in a criminal case who tries to prove that the accused has committed a crime in Court. The DVC Program uses specific Crown lawyers that are trained to handle domestic violence cases. They work with the other justice system actors to improve support and safety for the victim/survivor.

Probation Officers- Probation is when a person who has been found guilty of a crime is re- leased into the community. When a person is released on probation, they have to follow certain conditions and are monitored by a probation officer to make sure they do not commit more crimes. It is very important for probation officers to work together with the other actors in the justice system to evaluate risks and increase safety.

Partner Assault Response program (PAR) staff– PAR is a community-based agency offering educational and counselling services to people who have assaulted their partners. The 12 session program gives offenders the opportunity to examine their beliefs and attitudes towards intimate partner violence, and to learn non-abusive ways of resolving conflict. The Court often orders that offenders attend the PAR program.

Duty Counsel- Duty Counsel are lawyers who are available at criminal courthouses to help people who appear in Court without a lawyer and who cannot afford to hire a lawyer. Legal Aid Ontario provides duty counsel at the criminal courthouses in Ontario.

Court Services and Interpreter Services- Court Services can provide information about the case, court dates, file Court documents etc. Also, if you need an interpreter or other types of accommodation in Court, you can ask the Court Clerk or Court Services for help.

In Canada you have the right to an interpreter if you do not understand or speak the language in which the legal proceeding is happening, or when interacting with any of the justice system actors, including police.

Other community agencies- The DVC Programs involve other community agencies to help provide support and safety planning for victims/survivors, including helplines, family ser- vice agencies, and shelters for abused women.

Domestic Violence Court Advisory Committee: The committee consists of criminal justice partners, city representatives, the Children's Aid Society, the Crown, V/WAP and community organizations. The purpose of the committee is to manage the ongoing operation of the DVCs, to have a place to problem solve issues with the DVCs, and to maintain links to other community resources.

Special investigative procedures and specialized evidence collection by police: Police who respond to domestic violence calls should be specifically trained to collect different types of evidence, such as 911 tapes, medical reports, photographs of injuries, interviews with family and neighbours, and take audio or videotaped victim statements. The police try to get this other evidence so that the victim/survivor of abuse does not have to be as involved in the process and the police do not have to rely only on her statement.

Case management system: Crown lawyers work together to make sure that that the right types of criminal domestic violence cases go through the Domestic Violence Court system.

Special training for all criminal justice actors involved in the processing of domestic violence cases: As mentioned above, police, judges, and Crown lawyers are trained about intimate partner violence, evaluating high risk cases and how to better support survivors.

When police arrive at the scene of a problem between intimate partners, they must look at the situation and decide whether an assault probably happened, and who was the main aggressor, or attacker. If you talk to police, it is important to tell the truth.

In Ontario, if the police believe there is evidence that a person has assaulted their current or former intimate partner, police must lay a criminal charge, even if the person who was assaulted does not want them to. This is called a Mandatory Charging Policy. (http://owjn.org//2016/01/what-does-mandatory-charging-mean/) If the police believe that a woman has assaulted her partner, she may be charged. Sometimes, if it is not clear to the police who the main aggressor was, both partners may be charged. This is called dual charging. If you are charged, the police must tell you what you are charged with and you have a right to speak with a lawyer before you agree to speak with police.

If your abuser is arrested and charged, police may release the accused with conditions, or keep the accused in jail until a Bail hearing. At the Bail hearing, the Court will decide if the accused should be held in jail or allowed out into the community on bail, until the trial ends. Bail is the temporary release of the accused before trial. If the abuser is released into the community, there may be certain conditions they must follow. If the conditions of bail are not followed, the abuser may be re-arrested and ordered to stay in jail until trial.

After the abuser is charged, the Victim Witness Assistance Program V/WAP should contact you with referrals to community agencies for support. They also help prepare you for Court and work with Court Services to arrange for interpreters or other accommodation, if needed. A Domestic Violence Court Crown will be assigned to the

case and will evaluate all cases for eligibility into the Early Intervention Program (EIP). (See below for details)

The Domestic Violence Court can deal with domestic assault charges differently, depending on whether or not it was a first offence or involved a weapon or serious injuries. The case can follow two different paths:

Early Intervention Program (EIP)/ Plea Court– If the victim/survivor agrees to it, the Early Intervention Program is used for first time offenders IF:

there are no prior convictions for violent offences; there were no significant injuries or harm; and a weapon was not used.

If the abuser admits to the assault and attends counselling to understand and end partner abuse, the abuser may not get a criminal record. This counselling program is called the Partner Assault Response Program (PAR).

OR

Coordinated Prosecution Response– In more serious cases where the abuser has previous domestic assault charges, prior convictions, used a weapon or caused serious injuries, Crown Counsel will take the case to trial. If the abuser does not finish the PAR program or does not agree to do the Early Intervention Program, the Crown will also ask for a trial.

Domestic violence remains a serious problem in Canadian society, with the overwhelming majority of such violence directed at women. It affects all socioeconomic, ethnic, and cultural groups.

In 2019, there were 102, 316 victims of police-reported family violence and the majority (79%) of victims of intimate partner violence were female.

1. Approximately every six days, a woman in Canada is killed by her intimate partner.

2. As explained above, one way the justice system has tried to address intimate partner violence and better support women through the criminal justice process is by creating the special Domestic Violence Court (DVC) program. The DVCs try to resolve cases faster, pro vide early intervention, better risk assessment, and better support to women through referrals to community agencies and safety supports.. The Domestic Violence Courts are one of several initiatives the government has taken over the last 30+ years to improve the criminal justice response to domestic violence. Other changes include mandatory police charging policies, policies making it more difficult for domestic assault charges to be dropped against an abuser, changing laws to recognize intimate partner violence as a societal problem (not just a private matter), and improving collaboration between criminal justice actors and community services.. Over the years, there is evidence that the DVC Program has succeeded in helping the prosecution of domestic violence cases.

3. Domestic violence charges are less likely to be withdrawn by the Crown, and more likely to result in a finding of guilt than Criminal Code charges in general.

4. These cases are also moving through the criminal justice system faster.

5. However, statistics do not always show the whole picture. Crimes involving violence against women are often not reported to police.

6. Statistics on lower re-arrest rates may in part reflect the success of the Domestic Violence Court program, but it is also likely that less people are reporting their incidents of domestic violence to police. Furthermore, the average length of time between the arrest and the end of a case is still 12 months (in contrast to the 4-month guideline established by the Ministry of the Attorney General).

7. Additionally, cases involving intimate partner violence assault are also less likely to result in a guilty verdict than assault alleged to have been committed in a non-domestic context. This gap gets even wider when cases involving serious assault and sexual assault charges are considered.

8. Ultimately, there are still mixed feelings about the effectiveness of the DVCs. While policy reforms have had some positive benefits, the assumption underlying mandatory charging & pro-prosecution policies is that the criminal system is rehabilitative and an effective response to intimate partner violence in all cases. While this may be true in some instances, there are numerous examples where policy and procedures complicated a situation or exacerbated the violence for abused women.

9 Some women and their supporters report dissatisfaction and frustration over the lack of choice and control over the process. They feel that their views are not considered by prosecutors and the Courts and call for a more flexible or survivor-centred approach that considers how women in different social

positions experience violence, its consequences, and the social and legal structures set up to respond to it.

10. We know that not all women benefit equally from justice system responses, particularly racialized women or women from historically marginalized communities. For these reasons, it is important that women survivors play a key role in evaluations of the DVC program and that its effectiveness is not determined by statistics alone. <https://owjn.org/2022/09/06/ontarios-domestic-violence-court-program/>, June 29, 2024.

4.3.1.2 Mediation processes in Tribal violence

Cattle raids and conflicts over pastures and wells between the Dinka and Nuer, South Sudan's two largest ethnic groups, have a long history, although, at times, relations between both communities have been marked by intermarriage and cooperation. Traditionally, cattle raids are a livelihood-sustaining practice, which allows the restocking of herds after droughts. It also has an important cultural function, as it provides the means for young men to get married. Furthermore, access to water and pastures is central for local communities in South Sudan. During the dry season, different sections of the Dinka and Nuer have to migrate in search for wetter places, often infringing on land claimed by other communities, which gives both pretext and opportunity for resource conflicts and cattle raiding. Over the past 30 years this dynamic has been amplified by progressive warming and more frequent droughts in South Sudan (Richardson, 2011).

Traditional conflicts between Dinka and Nuer have also been exacerbated by the civil war opposing South Sudanese separatists and the government of Sudan. First, the

war brought large quantities of heavy weapons to the area, which has made traditional conflicts more lethal. Second, the Sudanese government used the hostility between different South Sudanese groups as a counter-insurgency strategy against the rebels of the Sudan People's Liberation Movement (SPLM), with the result that much of the killing during the civil war took place between the Dinka and Nuer.

After the signing of the Comprehensive Peace Agreement (CPA) with Sudan in 2005, South Sudan became semi-autonomous and competition between the Dinka and Nuer took place over political influence U.C.D.P, n.d.. Due to the fact that the Nuer supported the Sudanese government in the civil war, they were seen as not supportive enough of the new South Sudanese government. In 2013 the situation escalated after Salva Kiir, the South Sudanese president and a Dinka dismissed his vice president Riek Machar, a Nuer, on allegations of organising a coup against him. Initially limited to fighting between loyal and mutinous soldiers, the conflict soon developed into a civilian massacre. Following his dismissal Riek Machar threw his support behind an armed opposition of Nuer rebels and became their leader. This sparked bloodshed between the Dinka and Nuer, which is considered by some to be the next civil war in South Sudan (Howden, 2013). The South Sudanese army played a central role in this conflict as it is responsible for the majority of civilian deaths.

The exact amount of fatalities remains unclear but the official number of 500 was dismissed by experts. Eye witnesses stated that the real number was in the tens of thousands. Additionally, around 200,000 people were displaced and are looking for shelter in camps set up by the UN and NGO's such as Doctors Without Borders (Howden, 2013; Rémy, 2014; Scheen, 2013; Thielke, 2014).

The New Sudan Council of Churches (NSCC) has played a central part in facilitating reconciliation meetings between the Dinka and Nuer. In 1998, it held its first people-to-people event between Dinka and Nuer officials in Lokichokio, Kenya, which helped pacify Dinka and Nuer relations in the eastern part of South Sudan, while fighting continued in the western part of the country. It was followed in 1999 by the NSCC-sponsored "Wunlit Peace and Reconciliation Conference" gathering Dinka and Nuer representatives with the support of the SPLM/A and various South Sudanese intellectuals. Following the conference, inter-group violence between Dinka and Nuer ceased. Women and children who were abducted in earlier periods of fighting were returned to their families. Contested grazing and fishing areas as well as trading routes were reopened. In addition, border courts were established and violations of the covenant, which was signed by all parties at the conference, were punished. Furthermore, a guarantee of security was issued to allow people, who had been displaced during the conflict, to return to their homes (Bradbury et al., 2006).

The Wunlit conference is considered by many as an exemplary case of local peacebuilding efforts in South Sudan, as it succeeded in pacifying Dinka-Nuer relations for more than ten years. Yet, waning support by South Sudan's political elites made the peace process highly vulnerable and massive violence between the Dinka and Nuer erupted again in 2010 (Africa News Service, 1999; Bradbury et al., 2006).

In August 2014 women of the Nuer and Dinka communities met for the "Bor Reconciliation and Healing Dialogue". This was the first time since the outbreak of violent conflict in 2010 that a peace conference took place. The conference was spearheaded by local pastors, supported by the UN Development Programme (UNDP)

and hosted by the UN Mission in South Sudan (UNMISS). The meeting was described by a participant as an "amazing breakthrough […] at the people's level, at the community level, and amongst communities" (Radio Tamazuj, 2014).

Since the conference there have been no reports of fighting between the two groups. However, it is unlikely that the conflict will be completely resolved in the near future, as several thousands of Nuer continue to look for shelter in UN camps in fear of being killed by Dinka troops once they leave the camps.

4.3.1.3 Mediation processes in religious violence

The conflict in Northern Ireland, which has killed thousands, has political and religious roots that are centuries old. Since the 12th Century constant revolts challenged the often brutal British rule of Ireland, climaxing in the 1916 Easter Uprising in Dublin. It sparked a chain of events leading to civil war and partition of the island. In the south 26 counties formed a separate state, while six counties in the north stayed within the UK. Over successive decades the Catholic minority there suffered discrimination over housing and jobs, which fueled bitter resentment. In modern times the conflict is centred on opposing views of the area's status. Some people in Northern Ireland, especially the mainly Protestant Unionist community, believe it should remain part of the United Kingdom. Others, particularly the mainly Catholic Nationalist community, believe it should leave the UK and become part of the Republic of Ireland. Violence would break out between the two groups where walls ended up being built to seperate them in Belfast. In the early 1990s negotiations took place between political parties and the British and Irish governments. After several years of talks IRA and loyalist ceasefires held and in 1998 the "Good Friday"

agreement was signed. It set up a power-sharing executive, with ministerial posts distributed by party strength, and elected assembly. The deal was backed by voters in referendums in Northern Ireland and the Republic, which scrapped its constitutional claim to the north.

Israel is the world's only Jewish state, located just east of the Mediterranean Sea. Palestinians, the Arab population that hails from the land Israel now controls, refer to the territory as Palestine, and want to establish a state by that name on all or part of the same land. The Israeli-Palestinian conflict is over who gets what land and how it's controlled.

Though both Jews and Arab Muslims date their claims to the land back a couple thousand years, the current political conflict began in the early 20th century. Jews fleeing persecution in Europe wanted to establish a national homeland in what was then an Arab- and Muslim-majority territory in the Ottoman and later British Empire. The Arabs resisted, seeing the land as rightfully theirs. An early United Nations plan to give each group part of the land failed, and Israel and the surrounding Arab nations fought several wars over the territory. Today's lines largely reflect the outcomes of two of these wars, one waged in 1948 and another in 1967.

The 1967 war is particularly important for today's conflict, as it left Israel in control of the West Bank and Gaza Strip, two territories home to large Palestinian populations: What makes things more complicated is the city of Jerusalem. It is a holy city for all three Abrahamic religions and contested between the Jews and Palestinians over who should control it.

Nigeria was amalgamated in 1914, only about a decade after the defeat of the Sokoto Caliphate and other Islamic states by the British, which were to constitute much of Northern Nigeria. The aftermath of WW1 saw Germany lose its colonies, one of which was Cameroon to French, Belgian and British mandates. Cameroon was divided in French and British parts, the latter of which was further subdivided into southern and northern parts. Following a plebiscite in 1961, the Southern Cameroons elected to rejoin French Cameroon, while the Northern Cameroons opted to join Nigeria, a move which added to Nigeria's already large Northern Muslim population. The territory comprised much of what is now Northeastern Nigeria, and a large part of the areas affected by the present and past insurgencies.

Following the return of democratic government in 1999, the Muslim-dominated northern Nigerian states have introduced Sharia law, including punishments against blasphemy and apostasy. Several incidents have occurred whereby people have been killed for or in response to perceived insults to Islam.

Since the restoration of democracy in 1999, Christian governments have dominated the country at the federal level, while the Muslim-dominated Northern Nigerian states have implemented strict Sharia law. Religious conflict between Muslims and Christians has erupted several times since 2000 for various reasons, often causing riots with several thousands of victims on both sides. Since 2009, the Islamist movement Boko Haram has fought an armed rebellion against the Nigerian military, sacking villages and towns and taking thousands of lives in battles and massacres against Christians, students and others deemed enemies of Islam.

In August 2017, a deadly crackdown by Myanmar's army on Rohingya Muslims sent hundreds of thousands fleeing across the border into Bangladesh.

They risked everything to escape by sea or on foot a military offensive which the United Nations later described as a "textbook example of ethnic cleansing".

In January 2020, the UN's top court ordered the Buddhist-majority country to take measures to protect members of its Rohingya community from genocide.

But the army in Myanmar (formerly Burma) has said it was fighting Rohingya militants and denies targeting civilians. The country's leader Aung San Suu Kyi, once a human rights icon, has repeatedly denied allegations of genocide.

With more than half a million Rohingya believed to still be living in Myanmar's northern Rakhine province, UN investigators have warned there is a "serious risk that genocidal actions may occur or recur".

The conflict has its roots in the failure of a political transition supposed to bring stability to Yemen following an Arab Spring uprising that forced its longtime authoritarian president, Ali Abdullah Saleh, to hand over power to his deputy, Abdrabbuh Mansour Hadi, in 2011. As president, Hadi struggled to deal with a variety of problems, including attacks by jihadists, a separatist movement in the south, the continuing loyalty of security personnel to Saleh, as well as corruption, unemployment and food insecurity. Alarmed by the rise of a group they believed to be backed militarily by regional Shia power Iran, Saudi Arabia and eight other mostly Sunni Arab states began an air campaign aimed at defeating the Houthis, ending Iranian influence in Yemen and restoring Hadi's government.

The UN hoped the agreement would clear the way for a political settlement to end the civil war, but in January 2020 there was a sudden escalation in hostilities between the Houthis and coalition-led forces, with fighting on several front lines, missile strikes

and air raids. Yemen is currently a humanitarian crisis due to lack of food and medical facilities for the people.

Nagorno-Karabakh is at the centre of an ethnic and territorial conflict between the two countries that dates back to the early 20th century. A breakaway Armenian-majority region inside Azerbaijan, Nagorno-Karabakh has around 150,000 inhabitants. Armenia is majority Christian, while Azerbaijan is majority Muslim. Though it is part of Azerbaijan, Nagorno-Karabakh is run by separatist Armenians supported by the Armenian government. They have sought for decades to split from Azerbaijan and become part of Armenia, though unsuccessfully. In the 1990s, the region broke away from Azerbaijan, but has yet to be recognized by any country in the world. Conflict has recently broken out between the two groups.

Freedom of religion is provided by the constitution of 1995, and freedom of worship had also been guaranteed by the 1930 and 1955 Constitutions of Ethiopia, although in certain localities this principle is not always respected in practice. There is no state religion, and it is forbidden to form political parties based upon religion; all religious groups are required to register with the government, and renew their registration once every three years. It is a crime in Ethiopia to incite one religion against another. Discrimination against Muslims has been rampant since the creation of modern Ethiopia, Muslims were marginalized in the Haile Selassie era. Haile Selassie actually came to power during the rise of opposition to Muslims in government positions. U.S ambassador David H. Shinn stated in 2005 that the Ethiopian leadership continued to be largely Christian. Tension between Christian and Muslim Oromo were witnessed during the 2005 Ethiopian general election, when Muslim Arsi

Oromo denounced the Shewa Oromo for participating in political nepotism.b There is some tension between members of the Ethiopian Orthodox Church and Protestant Christians, as well as between the Ethiopian Orthodox and Muslims in general. According to the Barnabas Fund, 55 churches were torched in March 2011 in the Jimma Zone by Muslims after a dispute. In December 2019 several mosques and Muslim owned businesses were attacked in the Christian dominated Amhara Region.

<https://storymaps.arcgis.com/stories/2b1bf8de178943f39da0f91ccace79cc>

4.3.1.4 Mediation processes in international conflicts

Traditionally, the term "international conflict" referred to conflicts between different nation-states and conflicts between people and organizations in different nation-states. Increasingly, however, it also applies to inter-group conflicts within one country when one group is fighting for independence or increased social, political, or economic power (e.g., Sudan/South Sudan, Iraq (now that the US has largely left), and Syria.

A distinction is made between private-sector international conflicts, which are conflicts between individuals and/or businesses which just happen to come from two different countries, and conflicts between different national governments. Private conflicts are similar in nature to private domestic interpersonal or business conflicts except that they are further complicated by distance, culture, sometimes language, and an ambiguity regarding whose laws will be applied. Sometimes these issues become very difficult to handle, but increasingly, international business contracts call for dispute resolution through arbitration with one of many international arbitration organizations. This avoids jurisdictional disputes, and moderates some of the other complications as well.

Public international conflicts tend to be much more difficult to resolve. While this term was originally limited to conflicts between sovereign nation-states, in the last two decades, an increasing number of so-called "international" conflicts have actually been inter-group or communal conflicts within one country. (Examples are Ireland, Sri Lanka, Bosnia, Kosovo, Rwanda, and Chechnya in addition to the ones listed above, and many others.) In most of these cases, the issue in dispute has been the sovereignty of a particular ethnic group or region, and/or the equality of those ethnic groups in the political, social, and economic structures of their own societies. Until recently, the concept of sovereignty suggested that other nations should not become embroiled in such "internal" disputes. However, the human costs and changing values have made international intervention in these "domestic" conflicts increasingly common.

An example of a private sector international conflict would be a conflict between a U.S. computer company, and a Japanese company which was supplying motherboards for the U.S. company. If the Japanese company had a contract requiring them to ship 10,000 motherboards a month, but they only shipped 6,000, this would cause a private international conflict. It would not be a conflict that involved the U.S. government, but it would be one that would likely be handled in an international tribunal of some sort. Another example would be a set of would-be parents who traveled from the U.S. to China, believing that they would be able to adopt a Chinese infant when they arrived. However, when they got to China, they were told that "their" infant was no longer available, and they would have to go home. This conflict might be harder to handle, unless there was some sort of written agreement about what would be done in the case of disagreements. Without that, the American couple would be on very shaky ground, being in China and being subjected to Chinese laws in the case.

Examples of public international conflicts are in the news daily. The conflict between the U.S. and the Taliban in Afghanistan is an international conflict, as is the conflict between India and Pakistan. But more and more conflicts within countries are considered "international," too, if international intervention is being contemplated or has actually occurred (as in Bosnia, Kosovo, Libya, or Iraq).

As indicated above, private conflicts are usually resolved in the same way as they are domestically, once the jurisdictional issues are worked out, unless they are taken to an international body of some kind (such as an International Court of Arbitration), of which there are many.

Public conflicts can also be resolved by an international body, such as the U.N., but that does not occur very often. More often, the countries engage in diplomacy, negotiating a settlement to their differences, or they continue their conflict at varying degrees of intensity and violence. Sometimes mediators are brought in, who may be from the U.N., statesmen from third party nations (for example U.S. President Jimmy Carter mediating the Camp David Accords between Egypt and Israel) or former statesmen such U.S. Senator George Mitchell in Northern Ireland or Jimmy Carter who continues to operate independently as an international mediator, but with considerable experience and respect. At times intermediaries are private citizens, often members of one of the "peace churches," the Quakers or the Mennonites for example. In addition to mediating, the U.N. or other international bodies fairly routinely will send in "peacekeepers" – armed or sometimes unarmed military and/or civilian forces who simply position themselves between the warring factions in an effort to stop the violence (though they do nothing to solve the underlying conflict).

While peacekeeping (halting the violence) is generally easier to accomplish than peacemaking (the negotiation of a peace agreement), it is not an end state. Rather it leaves the conflict in suspension until peacemaking--and later peacebuilding-- can succeed. It has been charged that in some cases this suspension of hostilities detracts from the peacemaking process, as it becomes apparently unnecessary. The warring nations or factions become dependent on the provision of outside peacekeepers forever, which is seldom, if ever, a viable situation. (This charge has been leveled at the Cyprus situation, for instance.)

<https://www.beyondintractability.org/coreknowledge/international-conflict#:~:text=The%20conflict%20between%20the%20U.S.,conflict%20between%20India%20and%20Pakistan.>

4.4 Conclusion

This chapter aimed at establishing the following aspects; mediation processes processes in domestic, tribal, religious and international conflict – failures and success, relevance of mediation in selected scenarios, impact of leadership styles on mediation of conflict disputes and outcomes, 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 world wide, 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 stand to strategically benefit from, if rightly conglomerated with above factors, is the legitimacy bestowed onto third parties as a result of solutions norm, which is not often accorded to third parties. Such legitimacy mainly hinges on application of leadership highly cognizant of locally contextualized historical and social structures in which 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 research questions and objectives stipulated in chapter one above.

Chapter 5: CONCLUSION AND RECOMMENDATIONS

5. Introduction

Chapter Five summarizes the thesis chapters, conclusion, and suggestions. Furthermore, it emphasizes the necessity for ongoing research, as the issue of leadership in mediation settings around the world necessitates more research than can be thoroughly examined in this study. A brief background is presented, followed by a description of the findings, recommendations, study limitations, and areas for future research.

5.1 Background

The courts of this country should not be the place where resolution of disputes begins. They should be the place where disputes end after alternative methods of resolving disputes have been considered and tried (Justice Sandra Day O'Connor)

The mediation session is private and confidential. Matters unique to the mediation discussion have been held by Federal courts to be privileged and inadmissible in any adversarial administrative or court proceeding with the exception of certain issues such as fraud, waste and abuse, or criminal activity. If a settlement was not resolved during a mediation session, and the dispute was litigated in any administrative or judicial proceeding, neither the mediator nor his/her notes can be subpoenaed by either party <https//www.commerce.gov/cr/reports-and-resources/eeo-mediation-guide/what-mediation> June 6, 2024.

Divorce mediation is a voluntary settlement process used frequently and successfully by married couples who want to divorce, and by domestic partners who want to separate. Divorce mediation gives couples the option to plan their futures rationally, and in an atmosphere of cooperation and mutual respect. With the assistance of a trained divorce mediator, you can reach an agreement that is custom-made for your family, your finances and your future <https//www.nysmediate.org/what-is-divorce-mediation-> June 6, 2024.

Ethnic conflict mediation refers to a systematic and impartial process designed to facilitate dialogue, negotiation, and resolution among parties involved in disputes rooted in ethnic differences. These conflicts often arise from tensions related to cultural, linguistic, or historical distinctions among different ethnic groups.

Mediators, skilled in conflict resolution and knowledgeable about the specific cultural contexts involved, work to create a neutral space for constructive communication. The aim is to address the underlying issues, build understanding, and assist conflicting parties in developing mutually agreeable solutions. The process emphasizes cultural sensitivity, fairness, and the establishment of sustainable peace, fostering reconciliation and

harmony within ethnically diverse communities <https://icermediation.org/mediating-ethnic-conflict/> June 6, 2024.

Religious conflicts revolve around people's most sensitive beliefs, stoking passionate responses that can cloud the core dispute at hand. Singh cites the example of a case involving two congregations in a large religious community. In this instance, each group firmly declared that its "religious orientation" was right and the other side was wrong.

<https://www.americanbar.org/news/abanews/publications/youraba/2019/may-2019/three-tips-to-best-tackle-mediation-of-faith-based-disputes/> June 6,2024.

Managing international conflicts has become a priority on the global agenda. The devastating consequences of conflict in an increasingly globalizing world order cannot be ignored. There are several peaceful ways to manage conflicts. These include avoidance, negotiation, mediation, arbitration, and adjudication. Of these mediation offers many advantages. It has been studied by scholars and students of political science, psychology, business management, and law as well as practitioners.

Specific objectives of the Study were to:

1. Explore some cases of the mediation practices in family dispute, tribal war, religious conflicts and interstates conflicts including failures and success.

2. Determine the relevance of mediation in selected conflict scenarios in family dispute, tribal war, religious conflicts and interstates conflicts

3. Explore impact of selected leadership styles on mediation of disputes and outcome processes, i.e. organizations, states, individuals

4. Explore challenges and opportunities of certain leadership styles on mediation.

5.2 Summary

In the second chapter, an analysis of literature was presented that focused on the theoretical foundations of negotiation, mediation, and leadership. Conflict is seen as a vital element of social dynamics, with both positive and negative aspects, and the spotlight is on collaborative and non-collaborative approaches to mediating problem-solving in the global political process of conflict resolution. The review highlighted the importance of reformulating and reassessing mediation strategies that do not adapt to the unique features of modern civil disputes that are steadily increasing.. The study suggested that leadership plays a crucial role in reforming approaches, as it embodies the essential principles of mediation processes by being actor-based, intentionally influencing and guiding a structure, facilitating activities, and fostering cooperative problem-solving relationships within a group. The study highlighted the instrumental and coercive models, with IL appearing to be crucial in reshaping leadership styles in present-day conflicts.Barker (2001) points to positivism 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 The primary research methods include utilizing secondary data sources and employing the case study approach. The methodology emphasizes the use of multiple case explorations as the intended strategy, with a particular emphasis on case studies related to family disputes, tribal conflicts, religious tensions, and international (interstate) mediation. In Chapter Four (4), the goal was to explore the influence and consequences of leadership on processes and results. Findings from various case studies showed that the main contributors to failures, successes, significance, impact, opportunities, and challenges are linked to the history, nature, and causes of the conflict; demographic, cultural, and socio-economic conditions; the objectives and behavior of the conflicting parties; the involvement of external parties; and the approach and techniques of the mediator. The outcomes of primary case studies are crucial in determining the types of essential leadership positions utilized in peacebuilding endeavors.. 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). Leadership that responds to the conflicts solutions norm within the peace making structures should also be concerned with the identification of actor capabilities and relationship structures that constitute the sources from which leadership can be derived and the behavioral tactics that make it most

effective in determining parameters of failure and success, relevance of mediation, impact and chances created within mediation processes.

5.3 Recommendations

* Current mediation structures of panel of prominent personalities, panel of wise, elders, among others, to undergo specialized mediation training orientation, to skillfully compound their ethical values, strategy and knowledge base of mediation practices, apart from the statesmanship leadership status.

* Academic institutions all around the world to strengthen their mediation knowledge generation repositories enhanced by both research and past and present practitioners' mediation experiences;

* Local and International non-governmental and faith-based entities to strengthen mediation capacities, as specific operational units within respective institutions; and

* Increased collective mechanism of shared costs in relation to economic and military resources to enable key ownership and accountability of family, community, religious and international peace making and security architecture.

5.4 Contributions to Literature

The study's key contribution to the literature stems from its attention on leadership in mediation processes, its crucial function in connection to process factors such as

influence, context, and goal attainment. Past and present literature on mediation practices Commonly, there is a lack of data generation that leads to a thorough understanding of the function that leadership plays in mediation processes and conflict scenarios, with a focus on the family, tribes, faiths, and interstates. Such research mostly identifies characteristics, coercive mechanisms, and institutional/actor capabilities as major areas of investigation or causal pathways influencing the aforementioned variables of process, influence, context, and goal accomplishment. Existing literature has not only lacked increased focus on leadership, but also analysis keenly focused on diverse conflict scenarios on the Ontario's Domestic Violence, Conflict between Dinka and Neur in South Sudan, Religious Conflicts around the world and International Conflict . 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 various countries - and intrastate conflicts triggered by different conflict drivers.

5.5 Limitation of study and Future research

The study faced obstacles due to a lack of data pertaining to the element of leadership within mediation processes, particularly in respect to conflict scenarios. Numerous research on various interstate and intrastate conflicts lacked a critical focus on the leadership aspect, including theoretical frameworks focusing on instrumental leadership. The majority of extant research focuses on procedural and substantive components of the process, mediator characteristics, and coercive methods, to the exclusion of any significant attention on leadership.

There is an increasing demand for in-depth research and analysis of leadership in conflict resolution, particularly to expound on their importance in emerging modern internal conflicts or new wars. In the post-cold war era, mediation leadership styles should be tailored to the unique political and psychological characteristics of internal conflicts. Practical experience of mediators and leadership roles is also important in influencing dispute resolution outcomes.

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