

Jacob Bercovitch (2011). *Theory and Practice of International Mediation*. London: Routledge, ISBN 978-0-415-46958-6 (hardback) / 978-0-203-8311200 (ebook), 286 pp.

Kyle Beardsley (2011). *The Mediation Dilemma*. Ithaca, NY: Cornell University Press, ISBN 978-0-8014-5003-7, 240 pp.

Mediation is a relevant theme for diplomacy and international relations, and two recent publications shed light on this discipline. The contribution of the late Jacob Bercovitch to our understanding of international mediation cannot be underestimated. In the year when he passed away, his selected essays were published in the 'Security and Conflict Management' series, resulting in this book. *Theory and Practice of International Mediation* is more, however, than a bundle of essays. It is Bercovitch's legacy to the academics and practitioners in the field. As a complement, Kyle Beardsley's book, *The Mediation Dilemma*, is a very valuable extension of, and critique on, Bercovitch's writings. According to Beardsley, mediation is often counter-productive in the longer run. Mediation might be useful in managing a conflict for the first few years, but after about four-and-a-half years the mediation effort has lost its impact and the conflict will resurface. Beardsley argues that mediation has often put the lid on the can of a conflict without resolving the underlying issues. As a consequence, the recurrent conflict might be even more violent.

How to study and research mediation is covered in the opening chapter of Bercovitch's book. His definition of mediation enumerates nine characteristics of the phenomenon, describing it as an extension and continuation of peaceful conflict management. He then introduces the elements of mediation: the parties to a conflict; the issues and their nature; the identity and characteristics of the mediator; the context of it all. In doing this, he arrives at a contingency framework where context, process and outcome are linked. His book is a 'must' in understanding mediation and the way in which mediation works or does not work. However, the volume's structure is such that his book is a basket of chapters, papers and articles written in the past. There are overlaps and some lack of consistency. Bercovitch's final book thus lacks a firm and inclusive conclusion about the usefulness of mediation in international crisis situations and international negotiation processes. This is understandable and obvious for the reader, but it does undermine the value of Bercovitch's final contribution to the understanding of mediation.

In the first part of the book, Bercovitch connects context and mediation. For him, mediation is an appropriate method for dealing with international conflict when a conflict is long, complex or intractable — when the parties themselves prove unable to break the impasse and there is a 'mutual hurting stalemate', as

well as a 'mutual enticing opportunity' for cooperation to end the cycle of conflict. In other words, Bercovitch defines mediation as a decisive factor in negotiation processes that cannot be managed by the contending parties. He then poses four questions for research: why do parties and mediators decide to enter into mediation, who may mediate, how do the mediators behave, and what are the conditions for success? On the last issue, he does not really draw substantial conclusions. Obviously, this is outside his scope, which is problematic, as both practitioners and researchers will look for these conditions in order to judge whether a mediation process will be effective or worthwhile studying.

The second part of the book deals with two case studies in the context of the Israeli-Palestinian peacemaking process: Camp David; and Oslo. Bercovitch puts them in an interesting sequential framework. He distinguishes 'antecedent', 'concurrent' and 'consequent' phases. Within that flow he shows us the inter-relationships of goals, personal factors, role factors, interactional factors, situational factors and the outcome of the process. He then gives the reader a prescription for the actions that the mediator should take in order to be successful. He adds a prerequisite: 'international mediation is a form of conflict intervention that requires the prior acceptance and cooperation of the parties' (p. 129).

Part Three of Bercovitch's book deals with quantitative studies in mediation, beginning with the question of choice between mediation and negotiation. On two different occasions Bercovitch shows that mediation is an important means in conflict management. According to the data used, mediation comes first in something like 60 per cent of the cases of peaceful conflict resolution in 309 conflicts between 1945 and 1995. Negotiation comes only second, used in almost 40 per cent of instances of the peaceful management of conflicts. Although based on the same data set, the percentages differ slightly in the tables presented to us. It is here that Bercovitch discusses three strategies of mediation, concluding that mediation is a diverse and complex process of social interaction.

'Current issues in mediation research' is the title of Part Four of Bercovitch's book. Four mediation issues are considered: 1) internationalized ethnic conflict; 2) culture in mediation; 3) intractable international conflicts; and 4) international mediation's contribution to the prevention of deadly conflict. On the first issue Bercovitch proves the usefulness of mediation in dealing with ethnic conflict. On the second he concludes that culture has a major impact on mediated negotiation processes, which is why he stresses the necessity of selecting culturally sensitive mediators. On issue three he presents his finding that mediation has little impact on intractable conflict situations, but does not go on to offer a solution for the problem. On the final issue he recommends the institutionalization of mediation, in the sense that the international community creates a mediation system like the system of international negotiation.

Unlike the Bercovitch 'reader', *The Mediation Dilemma* by Kyle Beardsley is more consistent, but at the same time it lacks Bercovitch's richness and 'helicopter

view'. To Beardsley, 'mediation is the inclusion in a peace process of a third party with mutual consent of the parties involved without binding authority or the use of violent coercion' (p. 43). The author thereby limits himself to mediation in violent conflict situations, excluding mediation in more peaceful processes, such as in the European Union and the United Nations, etc. His main conclusion is that by solving short-term problems through mediation, long-term stability might not be accomplished. In other words, mediation will often allow conflicts to linger, and might therefore be questioned as a tool for managing internal and external conflicts. This finding is quite the contrary of Bercovitch's approach.

After his introduction, Beardsley presents five chapters: on the question of negotiating mediation; the issue of accepting mediation as a toll in conflict resolution; the short-term benefits of mediation; the struggle for self-enforcing peace; and mediation in intra-state conflicts. He then includes a final chapter on implications, applications and conclusions, and concludes with a section on policy-relevant recommendations, namely: 'First, mediation should be used sparingly when there are major vulnerabilities to failed implementation'; 'Second, third parties should be aware of issues related to legitimacy'; 'Third, outside actors should intervene more carefully when the disputants could benefit from using mediation for ends other than peace'; 'Fourth, potential third parties should hesitate to become involved in a peace process when coordination and implementation are likely to prove difficult'; and 'Fifth, the use of leverage itself is not actually a source of long-term instability; it is the attenuation over time of that leverage that increases the propensity for renegotiation'.

Beardsley's study is based on an analysis of international crises since 1918. He finds that nearly half of those conflicts ended with some sort of agreement, that 52 per cent of them recurred, while 50 per cent of the crises that did not end with an agreement also recurred. In the ten years of the new millennium, 34 per cent of the mediated conflicts relapsed, compared with 21 per cent of the unmediated conflicts. Mediation, then, creates less-stable peace. Beardsley notes the catch-22 that under the UN system, countries have an obligation to defend human security, which then might lead to more problems instead of less. He continues by testing his hypotheses on several inter-state cases: Kissinger and Carter in the Middle East; Carter in North Korea; and Roosevelt at Portsmouth, mediating the end of the Russo-Japanese war of 1905. He then tests intra-state cases: Rwanda; Haiti; Oslo; Sri Lanka; and Aceh.

While Bercovitch values mediation highly as one of the few tools — albeit with shortcomings — to deal with conflicts in a peaceful manner, Beardsley modifies this viewpoint by showing that mediation is useful in the short run, but often counter-productive in the long term. He concludes with five recommendations for policy-makers: (1) use mediation sparingly; (2) be aware of issues related to legitimacy; (3) as well as of disputants using the mediation efforts to prolong the conflict; (4) coordinated implementation must be feasible; and (5) remember

that the attenuation of leverage over time might increase the propensity for renegotiation. In conclusion, the two books help the reader to get to grips with the positive and negative consequences of mediated negotiations. While mediation is often an international obligation, it may not always help to solve the problems at hand, and it might even be counter-productive.

Paul Meerts

*International Negotiation Analyst / Senior Research Associate Clingendael Processes  
of International Negotiation Programme, The Hague, The Netherlands  
pmeerts@clingendael.nl*

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