

When Should Mediators Interrupt a Civil War? The Best Timing for a Ceasefire

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Abstract

When is the right time for a ceasefire to interrupt a civil war? Is it before or after negotiations on political reforms begin? Should mediators give priority to reaching a truce in order to save lives immediately while running the risk of prolonging the conflict? Or should they first promote the achievement of a political settlement that is likely to bring about a lasting peace and, with it, a definitive end to the carnage? The purpose of this article is to help negotiators make this uneasy decision. The question of the best timing for a ceasefire is addressed by assessing whether it ought to occur before, during, or after the negotiations over political issues underlying the conflict. The conclusion reached is that mediators eager to solve the conflict and limit the overall amount of damage are best advised to interrupt the fighting during the negotiation process, after the belligerents have attained a broad consensus on how to deal with the political issues at the root of the conflict.

Keywords

civil war, negotiation process, ceasefire, timing

Third parties mediating civil wars generally pursue the double objective of halting the violence and solving the issues in dispute. Indeed, their goal is not only to stop the bloodshed but also to help the belligerents find a lasting settlement to their differences. However, the achievement of a mutually acceptable arrangement is likely to take a long time, as it requires tackling the delicate political issues underlying the conflict. During this time, killings, atrocities and destructions may take place, which impede the accomplishment of one of the mediator's main goals. Negotiators are thus often tempted to push the parties to accept a ceasefire before dealing with the core problem. Yet, it has also been argued that interrupting the fighting too early is likely to substantially postpone the resolution of the conflict and, therefore, the attainment of a durable peace.

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Hence, the question is when is the right time for a ceasefire to interrupt the conflict? Is it before or after negotiations on political reforms begin? In other words, should mediators give priority to obtaining a truce in order to save lives immediately? Or should they first promote the achievement of a political settlement that is likely to bring about a lasting peace and, with it, a definitive end to the carnage?

The purpose of this article is to help negotiators make this uneasy decision. In this context, the analysis will begin by addressing the different opinions expressed in the literature about the best timing for a ceasefire. Then, the timing possibilities will be illustrated by examining episodes of civil wars where the cessation of hostilities intervened before, during, or after the negotiations of political issues underlying the conflict. Each case is an occasion to discuss the reasons for the success or the failure of the timing chosen. Finally, based on the deductions reached in the empirical study, conclusions will be drawn about the most appropriate sequencing of negotiations and ceasefires, confirming, contradicting, or reformulating the opinions expressed so far by conflict resolution students.

Theoretical Analysis

What does the current literature on negotiation and conflict resolution say about the question of timing for a ceasefire? In this section, the arguments in favor of a truce before the beginning of the talks will be presented first. Then, the assumptions of the scholars who call for the achievement of some sort of political agreement between the parties before any cessation of hostilities can take place will be examined.

A Ceasefire Should Precede Negotiations

Some authors argue that a ceasefire should be a necessary first step before negotiations on the matters in dispute can begin (Barker 1994, 5; Anderlini 2004, 16–32; Touval 1995; Smith 2003; Hauss 2001, 28). Generally speaking, three main reasons are invoked. First, the declaration of a truce between the parties as a precondition for the talks is justified for humanitarian reasons. Indeed, the sooner an interlude in the fighting is achieved, the greater is the chance to spare the lives of a higher number of innocent civilians (Touval 1995, 335). This is true not only because an early ceasefire represents an opportunity to stop the bloodshed before it degenerates into massive violence, but also because such a truce is an occasion for the potential victims of the hostilities to save their own lives by escaping from the conflict zones. In addition, a suspension of the fighting allows for the safe transportation and distribution of humanitarian relief, whose delivery is urgently needed in order to alleviate the sufferings of displaced and war-weary populations that have already become victims of the violence of the combatants.

However, some may argue that there is no guarantee that an early ceasefire will lead to a lesser loss of life than the continuation of the war while the negotiations over the root causes of the conflict are ongoing. Indeed, since such truces do not rest on any sort of political agreement between the warring parties, they are fragile and are likely to break down, leading to more fighting and eventually a higher death toll than if the combats had been allowed to carry on until the achievement of a definitive settlement (Touval 1995, 335). In fact, it is impossible to know for sure which strategy will ultimately be more deadly, especially because the timing for the achievement of a negotiated outcome can never be known in advance. Experience has shown that it can take a very long time before the parties reach an agreement. In the meantime, the level of violence and destruction may attain terrible proportions.

Confronted by these initial uncertainties, negotiators must bear in mind that predictions over the short run are typically more reliable than those over the long run and, therefore, elect the most appropriate course of action based on the most likely near-term consequences of their choices. Consequently, because it is easy to realize that, at least in the near-term, an immediate cessation of hostilities is more likely to cost less – in terms of human and material resources – than an ongoing war, negotiators ought to push for the declaration of an immediate ceasefire. As Touval (1995, 335) puts it, “the mediators can be certain that an ongoing war will produce casualties. The proposition that ceasefires break down, leading to a renewal of war and producing more casualties over the long term, is far less certain. A choice based on predictions of the short-term consequences of one’s actions seems therefore justifiable in such situations.”

Second, obtaining a ceasefire before the negotiations begin is necessary because it is much more difficult to reach a settlement while hostilities continue (Smith 2003). Indeed, how can the parties be willing to negotiate in good faith when, every day, members of their side are falling victim to the violent actions perpetrated by supporters of the other side? How can the conciliatory atmosphere required to make concessions and reach compromise be reached when combat is still raging on the ground? “A ceasefire is a necessary first step. It is not sustainable to negotiate when there are kidnappings, hijackings, and terror attacks against civilians,” is the argument that Skoog (2003) makes after drawing lessons from his experience as a negotiator during the Colombian peace process.¹ Moreover, the continuation of war generates sentiments of hatred and stirs up desires of revenge, thus fuelling the cycle of violence and perpetuating the conflict rather than encouraging the parties to bring it to an end. A preliminary truce will help to reduce the level of anger between the belligerents and contributes to building

¹ Olof Skoog is the Swedish Ambassador in Bogotá, Colombia, who participated in the peace negotiations between the Pastrana Government and the FARC guerrilla movement.

an atmosphere of trust, good will, and cooperation, which is critical for the appeasement of the differences between parties and for the achievement of a mutually acceptable and lasting settlement (Clark 1995, 61; Hampson 2001, 399; Touval 1995, 336).

Third, it can be argued that it is better to start resolving the dispute after the parties agree upon a ceasefire because this freezes the situation for all parties and allows for the consecutive negotiations to operate over a well-framed basis rather than constantly moving foundations and an ever changing cost-benefit analysis, depending on the gains and losses on the battlefield. How can a negotiation process be sustainable when what a party had to offer in exchange for its opponent's concession is taken by force by the latter on the ground, or when its threats become useless because they have been made inoperative by its enemy's actions on the battlefield? A truce, because it immobilizes the course of events on the ground, is likely to facilitate the negotiations, thus making the process shorter and the achievement of an agreement faster.

Negotiations Should Precede a Ceasefire

Political scientists have argued that a ceasefire should not be declared before the beginning of the talks (Darby and McGinty 2003, 262 & 265; Ramsbotham, Woodhouse and Miall 2006, 171–174; Crocker 2004, 158). Rather, a truce should intervene either during or after the process for political settlement. The best strategy is therefore to allow hostilities to follow their course until the pre-conditions for peace arise. Regrettably, third-party mediators – in particular the United Nations – often impose ceasefires before the concretization of such circumstances can occur, often for no other reason than to assuage the repulsion of the general public, exposed via television to dreadful scenes of war. Indeed, the media, through the well-known “CNN effect,” lead their audiences to pressure leaders to quickly end massacres rather than to negotiate with the parties an enduring solution to the strife (Touval 1995, 333; Crocker 2004, 157; Luttwak 2004, 265). As a result, mediators are asked to give priority to stopping the killing rather than tackling the crucial issues that motivate and perpetuate the conflict. The outcome is often a hasty declaration of truce imposed on the parties when no basic political agreement has been reached.

However, such pauses, even if they do spare lives during their (generally short) duration and allow for a short-term palliation of the humanitarian consequences of the violence, actually prolong the conflict and ultimately lead to more killings and more destruction. In fact, these interludes in the hostilities give the belligerents time to recover, regroup, rebuild, and rearm; this consequently increases the intensity and the duration of the fighting once the ceasefire comes to an end (Luttwak 2004, 267; Zartman 1995, 337; Clark 1995, 61; Crocker 2004, 158). In addition, they provide relief from war-induced exhaustion and pain, making

the situation more bearable for the parties. As a result, warring sides are likely to lose certain incentives to grant the concessions needed to reach a negotiated settlement (Touval 1995, 334; Luttwak 2004, 265–267; Sisk 2002). In other words, because ceasefires create a situation where belligerents are no longer threatened by defeats and losses on the ground, parties feel less pressed to negotiate peace, which perpetuates the state of war.

Scholars, such as Crocker (2004, 158), even argue that imposing a cessation of violence when deep-seated political questions have not been dealt with not only discourages the party to concede but also incites “cheating and muscle-flexing on both sides, adding to the conflict’s already massive scar tissue of distrust.” Such mistrust arising among the parties understandably makes the joint search for a mutually beneficial outcome particularly difficult and is likely to delay the attainment of peace.

Moreover, as Clark (1995, 68) points out, it is unreasonable to believe that the rebels will cease hostilities when turning off violence constitutes their only bargaining chip against the government. Indeed, those groups are fully aware that playing that card before the game begins will simply neutralize their leverage against the government. Once the insurgents have renounced the use of force, they will no longer be in a position to demand any concession, which will in turn substantially reduce the government’s incentives to negotiate in good faith. In other words, the very nature of a civil war makes it unrealistic for a ceasefire to be a pre-condition for negotiation (Zartman 1995, 336). Since both parties want to negotiate from a position of strength, a truce, even if initially accepted by them, will be short-lived and likely followed by a show of force by the rebellion in order to demonstrate their resolve and determination to the government.

This is why, even if negotiations have already been initiated, conflicts should not be interrupted by outsiders through imposed ceasefires or armistices. War should be allowed to naturally follow its course until the exhaustion of the moral and material resources for its continuation leads to its self-destruction (Luttwak 2004, 265), or until a “broad sense among the parties that a mutually acceptable framework for negotiation is coming within reach.” (Crocker 2004, 158).

In the former case, the argument is that war should be “given a chance” to solve the conflict once for all. Consequently, a ceasefire should only be declared at the end of the natural process of transformation of war into peace, due either to the total victory of one side or to the political changes that war itself generates (Luttwak 2004, 265; Crocker 2001, 231). In the latter case, a truce can be attempted during the negotiations, when belligerents have reached some sort of consensus on the way to deal with the basic political issues at the root of their conflict. When a general formula for the negotiations has been achieved, it becomes propitious to persuade the parties to agree on a cessation of hostilities, not only because it is then more likely to last, but also because it will contribute to the achievement of a final settlement.

Indeed, once the parties have arrived at a common understanding of their conflict, they will realize that it is less costly to find a way out of their dispute by pursuing negotiations rather than resorting to force. As a result, they will truly engage in a joint search for a mutually acceptable settlement and will not be tempted to resume the fight. Moreover, this break in the combat will allow the parties to benefit from an appeased atmosphere while they tackle the details of the peace agreement (Zartman and Berman 1982). This is likely to strengthen the cooperative impetus that has arisen between the parties and to accelerate the search to find a commonly agreeable and lasting outcome.

If imposed on the parties before a general formula for the negotiations is agreed upon, truces are likely to be mere quick fixes, ultimately prolonging the duration of the state of war. According to Baker (2001, 761), immediate ceasefires are unlikely to lead to the achievement of a real settlement between the parties because they constitute only “short-term solutions that address the precipitous events that sparked the conflict, above all [seeking] a swift and expedient end to violence.” Without addressing the fundamental political, social, or economic issues that triggered the conflict, hostilities will erupt again and again, each time with increasing intensity, thus substantially delaying the achievement of peace (Doyle and Sambanis 2000; Crocker 2001, 235; Gates, Gleditsch and Hegre 2004, 4; Weinstein 2005).

Empirical Study

Authors are divided with regard to which course of action mediators should adopt when asked to negotiate the end of a civil war. What does reality tell us about this issue? When do ceasefires really occur? And more importantly, when and why do truces fail or succeed in bringing about peace agreements? This section will attempt to answer these questions. Various sequencing for ceasefires will be discussed through an examination of their occurrence in recent civil wars. Given the space available in this article, it is not possible to delve into the background of each of the conflicts. The purpose of this section, however, is not to explore in detail the evolution of a conflict but rather to focus on a particular episode of the war that was marked by a cessation of hostilities and to analyze the consequences of this truce for the outcome of the negotiations.

Ceasefire Before Negotiations

UK-Northern Ireland

The civil war in Northern Ireland unfolded for three decades, during which Irish insurgents sought to end Northern Ireland's status within the United Kingdom

and bring about a United Ireland through the use of violence. Between 1969 and 1998, the Irish Republican Army (IRA) and other smaller, pro-united Ireland militant groups fought against British rule in Ireland. In reaction, they faced a devastating counterinsurgency campaign led by the British police and military forces in Northern Ireland. In total, the conflict killed over 3200 people (Archick 2005). This exceptionally violent period in the struggle over Northern Ireland ended in 1998 with the signature of the so-called “Good Friday Agreement.”

By the early 1990s, formal and informal peace talks began between local political parties with the purpose of discussing ways to end the conflict. However, Sinn Féin, a political party associated with the IRA, was excluded from this dialogue on the future of Northern Ireland. In the mid-1990s, talks were largely at a standstill and it became clear that IRA/Sinn Féin had to be given a seat at the negotiation table. However, the British/Protestant parties insisted that no talks could take place before IRA/Sinn Féin had expressed a permanent rejection of violence and the decommissioning of arms had begun; the insurgents, however, demanded that they could only renounce the use of force and disarm once negotiations had begun (Bloomfield, Nupen and Harris 1998, 128–129). In other words, the parties were unable to settle on the timing of a ceasefire: should it be declared before any substantial political talks could begin or only after some basic political issues had been discussed?

In early 1996, the Northern Irish citizens headed to the polls in order to choose the political parties that would participate in further negotiations. Sinn Féin was one of the parties elected. Nevertheless, the British conservative government maintained its position to exclude the party from the negotiation table, as long as the IRA had not relinquished violence on a permanent basis. Fortunately, in May 1997, a new British government came to power under Prime Minister Tony Blair. The latter brought Sinn Féin closer to the negotiation table by declaring that decommissioning would not be a precondition for talks (Bew, Gibbon and Patterson 2002, 231). However, he did not give up on the principle that the IRA's ceasefire would be a precondition for Sinn Féin's participation in the negotiations. This time, IRA/Sinn Féin gave in and the IRA announced a suspension of its violent campaign in August. Shortly after, the first all-inclusive peace talks started with Sinn Féin acting as a proxy for the IRA. They led to the elaboration of a comprehensive peace agreement – commonly known as the Good Friday or the Belfast Agreement – which was approved by all parties that had taken part in the talks.

The Northern Irish case illustrates the hypothesis that the imposition of a ceasefire as a precondition for negotiations may contribute to the conclusion of a mutually acceptable peace agreement. The British government refused to discuss substantial political issues underlying the conflict with Sinn Féin before its military arm, the IRA, agreed to renounce violence. Once violence was

rejected, all-inclusive negotiations tackling essential questions underlying the conflict started. The result was the achievement of a settlement addressing the fundamental issues regarding the future of Northern Ireland, such as its constitutional status and institutions.

Scholars argue that the explanation for the settlement process in Northern Ireland is a “hurting stalemate” between the IRA and the British army (English 2003, 307–313; Arthur 1997; Ginty, Muldoon and Ferguson 2007, 6). In other words, both sides perceived that they were in a costly deadlock that they could not escape by escalating the conflict and that a negotiated solution would be mutually beneficial (Zartman 2000). On one hand, the republicans realized that they would be unable to attain their goals at either the military or the political level (Todd and Ruane 2006); on the other hand, the British recognized “that the IRA had become an insurmountable obstacle, a force that could neither win nor be defeated (O’Brien 1995, 301).” This gave incentive to all parties to negotiate rather than resort to violence. A modest concession by the British government convinced the IRA to agree to the ceasefire. Because the parties had reached a “mutually hurting stalemate,” the moment was ripe for this ceasefire to last until the end of a mutually beneficial negotiation process.

First Liberian Civil War (1989–1996)

The Liberian civil war began on 24 December 1989 when a few hundred insurgents invaded the country from neighboring Côte d’Ivoire. The rebel forces claimed to belong to a new opposition group, the National Patriotic Front of Liberia (NPFL), led by Charles Taylor, a former government official. The conflict rapidly degenerated into brutal violence against civilians (Cook 2003).

In September 1990, the Economic Community of West African States (ECOWAS) decided to intervene in the conflict. Its priority was to stop the carnage and to convince the warring parties to accept a ceasefire. Negotiations towards this purpose were held in Bamako, Mali, and a ceasefire agreement was signed in November 1990. The text urged “all parties to the conflict in Liberia” to “enter into dialogue with a view of reaching a political accommodation (Tarr 1993, 75).” Indeed, a truce was believed to be a necessary first step to be followed by substantive talks that would lead to the settlement of the conflict. To ensure the implementation of the truce would hold, ECOWAS even sent in its Ceasefire Monitoring Group (ECOMOG).

Unfortunately the ceasefire broke down in October 1992, when Taylor’s combatants assaulted Monrovia in a full-scale attack, known as “Operation Octopus,” while the peacekeeping force reacted with heavy bombing raids. The episode was one of the most destructive of the war. It was followed by a period of sporadic fighting amongst all armed factions, interspersed with interludes of precarious ceasefires (Sesay 1996a; Zartman 2005). Each of these interruptions in the hostilities constituted an occasion for the numerous warring groups involved

to re-arm and re-group before resuming their attacks (Sisk 2002). Intense combat and atrocities endured until the war ended with a controversial national election held on 19 July 1997, in which Charles Taylor emerged as the new president of Liberia.

In the first Liberian civil war, the belief was that a preliminary ceasefire was necessary in order to make the context more propitious for negotiations over a political settlement, thus accelerating a mutually acceptable solution. Unfortunately, each of the ceasefires was broken and none of them really contributed to make the negotiations progress towards the achievement of such an agreement. Under the pressure of the international community, combat was regularly interrupted by tenuous truces, although the various rebel factions never had any intention to relinquish their arms and solve their differences through compromise.

Until 1995 and the Abuja agreement (the thirteenth peace accord of the Liberian war), “Taylor’s signing of ceasefire agreements and accords did not indicate a serious commitment to a political solution,” Seasey confirms (1996a and 1996b, 395–420). The lulls were used tactically by the rebels as breathing space to rearm and reorganize, or, especially after 1993, to freeze the situation as Taylor was losing his most productive territory in favor of ECOMOG and ECOMOG-backed opposing groups (Ellis 1999). For years, the factions felt no urge to respect ceasefires and to contribute to the success of the peace process, since they were thriving from the war and saw gaining territory as the best way to secure future political aims. Indeed, the persistent strife allowed them to exploit the natural resources and the commercial opportunities available in the territory they controlled (Alao, Mackinlay and Olonisakin 1999, 118). The international community could have altered the calculations of the warlords by hampering their opportunities for trade and export. However, no initiatives were taken to impede European and Asian companies from paying Liberian warlords for illicit exports of timber, diamonds, or hard woods (Adebayo 2002, 606). Moreover, attempts to impose an economic embargo at the UN Security Council were undermined by France and other countries whose commercial firms benefited from this trade (Wippmann 1993, 174).

In addition to the profits generated by the economies of war, costs were made bearable thanks to the fact that the factions received support from neighboring countries and faced only limited resistance from ECOMOG, who lacked the means to engage in a guerilla war against the various militias spread throughout the country (Adebayo 2002, 620). Clearly, the situation was not painful enough for the warlords to be willing to engage seriously in a peace process that would deprive them of lucrative enterprises and instead lead to elections that would generate one winner and many absolute losers. Belligerents felt that they had much to lose and nothing to gain from the successful implementation of a peace process. In such a context, they had no incentive to honor their commitments

under the numerous ceasefire agreements, and each truce was therefore doomed to fail.

However, over time, the situation on the battlefield started to turn to Taylor's disadvantage. Indeed, ECOMOG and a number of Liberian factions lined up against him and managed to substantially erode his control over Liberian territory (Adebajo 2002, 148). Moreover, former NPFL backers, Burkina Faso and Cote d'Ivoire, reconsidered their stance and decided to contribute troops to ECOMOG (Adebajo 2002, 202). By 1996, the military stalemate, the proliferation and growing strength of his opponents, and the waning of his international support led Taylor to see a negotiated peace agreement as the only means of winning the political power for which he longed. Only then did his commitment to the negotiation process become sincere, since he realized that there was no chance he could eliminate his rivals and wrest the presidency by force (Ellis 1999, 109).

On the side of the other warring factions, the situation was also deteriorating. As Alao *et al.* explain, by 1996 war exhaustion, desertions, and depleted funds started to exert pressure on the warlords, while the hostility and resistance of the Liberian population against them was mounting. Furthermore, "externally, the leaders of neighboring states were tired of bearing the cost and disruption of the adjacent conflict which, from time to time, came spilling across their borders. Consequently they put pressure on their client factions, threatening to withdraw base facilities, rights of access, and political support (Alao, Mackinlay and Olonisakin 1999, 120)." Finally, in 1996, the United States and the European Union provided crucial logistic support to ECOMOG, enabling it to resist and disarm the factions (Adebajo 2002, 202). Having reached a painful deadlock on the ground and facing increasing external pressures, the warlords felt that they had no better options but to accept the political power that the Abuja Accord II was willing to offer them in exchange for disarmament.

It took seven years of war and a dozen ceasefire agreements before the belligerents reached the mutually hurting stalemate necessary to make the truce hold and the negotiation process go forward. During these years, each interlude constituted not only a chance to release the pain induced by combat, but also an opportunity for new factions to form (Ellis 1999, 101–102) and for existing militias to recover and increase their preparedness for further and more violent fighting (Sisk 1996–97, 155–156). The effect of the multiple ceasefires was to prolong a war whose result, ironically, after seven years of fighting, was exactly the one that ECOWAS countries had wanted to prevent in 1990: Charles Taylor was president of Liberia.

Liberia is only one example amongst others where preliminary ceasefires were imposed, broken quickly, and followed by even more ferocious combat, which ultimately prolonged the state of war and potentially increased the overall toll of death and destruction. In instances like Bosnia (1994) (Luttwak 2004), Sri Lanka

(1995),² or Darfur (2003–2004),³ ceasefires were imposed as a precondition to negotiation based on humanitarian reasons or as a confidence-building measure through which parties were supposed to demonstrate to each other their sincere commitment to the peace process. In all cases, the premature truces were exploited by the parties as opportunities to improve their capabilities to obtain by force what they believed negotiations could not provide them with at that point in the conflict.

Thus, premature ceasefires are doomed to be broken, for they intervene at a time when parties do not yet feel the exhaustion of war and still believe they can attain their objectives through violence. By interrupting the strife anticipatively, mediators give warring parties the opportunity to recover from the fight and to feel released from the pain of the combat. Belligerents will generally come out of the lull better equipped and more prepared than before. Consequently, the hostilities following the truce will be more intense and more destructive, ultimately prolonging the state of war and the suffering of the civilian population.

Frozen Conflicts

Experience also shows us that a ceasefire imposed before any political settlement has been reached may simply freeze the conflict, giving rise to an awkward situation that cannot be qualified as a real failure or a real success. In such cases, indeed, the only certainty is that there is no real settlement.

A good example for such a scenario is Cyprus. The violent clashes among Greek and Turkish Cypriots in 1974 were stopped by a UN-brokered ceasefire whose implementation has, since then, been monitored and ensured by a UN peace-keeping mission (American Library Association 1998). The cessation of hostilities preceded talks on a political arrangement between the parties. Although respected by both sides, the interruption did not encourage the parties to find any mutually acceptable solution to their differences. On the contrary, they brought about a comfortable status quo that has diminished the parties' incentive to negotiate for

² K. Rupesinghe. (ed.) *Negotiating Peace in Sri Lanka: Efforts, Failures and Lessons*. International Alert of London, London and Colombo, 1998. In page 260, the authors explain that when, fourteen weeks after the preliminary ceasefire was agreed upon in January 1995, "the hostilities resumed *with greater ferocity*, it became evident that the warring parties had used the fourteen weeks to build up their respective armed forces."

³ See R. Iyob and G. M. Khadiagala. *Sudan: The Elusive Quest for Peace*. Lynne Rienner: Boulder and London, 2006. The N'Djamena ceasefire agreement of 8 April 2004 was imposed for humanitarian reasons. However, it was repeatedly broken by the Sudanese government and the rebel movements. Instead of encouraging the parties to discuss the political issues underlying their conflict, the international community (including the United States, the United Nations, and the African Union) pressured them to pursue a dialogue about the conditions of a cessation of hostilities and attacks against civilians. This led the authors to indicate (p. 155) that the attacks, perpetrated in violation of the truce accord, demonstrated that, in the absence of a *political process* to deal with the escalating problem, the negotiations would fail in their aim to bring about a peaceful settlement to the strife.

the achievement of a true settlement. As Crocker (2001, 243) rightly puts it, “the thirty year old UN peacekeeping presence on Cyprus has played a useful role of the traditional blue-helmet variety through confidence-building, ceasefire monitoring and violence reduction. But its success in these terms has, if anything, reduced the pressures among the parties the Western powers to push for a real settlement.” In other words, by preventing the political stalemate from hurting, the truce and the UN peacekeeping operation have contributed to the perpetuation of the dispute and maintenance of the *de facto* division of the island.

This is also the case of Nagorno-Karabakh. Since the ceasefire achieved in 1994 and the deployment of an international peacekeeping force, negotiations on the status of the region have been ongoing between Armenia, Azerbaijan, and the government of Nagorno-Karabakh. Although no agreement has been achieved since then, the hostilities have not resumed and the conflict has been largely qualified as frozen. Following a similar scenario of ceasefire and peace-keeping mission, Trans-Dniester in Moldova as well as Abkhazia and South Ossetia in Georgia have suffered the same fate.

Ceasefire During Negotiations

Bosnia

Throughout the years of war in Bosnia, numerous ceasefires were imposed by the United Nations on the warring parties in order to reduce the level of violence of the combat and facilitate the negotiations. However, these truces were not only rapidly broken, but also typically diverted from their de-escalation purpose as belligerents exploited the interludes to recruit, train, and equip additional forces for further combat. Actually, it was under the shield of consecutive ceasefires that Croats and Bosnian Muslims managed to build up their own armed forces in order to defy the well-equipped Serbian army. Ultimately, the unintended result was to greatly prolong the strife and increase the toll of death and destruction (Luttwak 2004, 267).

In parallel to combat on the ground, negotiation efforts went uninterrupted. In particular, a forum, called the Contact Group,⁴ organized separate meetings with the belligerents, and peace talks were also conducted in Geneva. In 1995, fighting intensified on the battlefield, as the Bosnian Croats and Muslims, by then united in the Federation forces, began to win back territory. In addition, intense UN-sanctioned air strikes by NATO aircraft were launched on Bosnian Serb military targets (Operation Deliberate Force) in response to their repeated violations of UN safe areas (Owen 2000, 61–2).

⁴ The Contact Group includes four of the five Permanent Members of the UN Security Council. In addition, Representatives of the EU Council, EU Presidency, European Commission, and NATO generally attend Contact Group meetings.

At approximately the same time that Operation Deliberate Force was initiated, the US administration undertook a new peace initiative based on earlier proposals from the Contact Group. In this context, the foreign ministers of Bosnia, Croatia, and Yugoslavia (who represented the Bosnian Serbs) met in Geneva and then New York in September 1995. They were able to agree on the basic principles for a peaceful settlement in Bosnia, which provided, among other things, for the continued existence of Bosnia within its original borders. Yet, the country was to be comprised of two entities: the Federation of Bosnia and Herzegovina (51% of the territory) and the Serb Republic (49% of the territory).

A week later, a temporary ceasefire of 60 days was signed and comprehensive peace negotiations began on 1 November 1995 at Wright-Patterson Air Force Base in Dayton, Ohio. The peace talks led up to the signing of a peace agreement on 14 December, which was based on the accords reached in Geneva and New York in September.

Following this brief description of the evolution of the conflict, an important question needs to be answered: Why were all ceasefires imposed on the parties during the conflict violated, except for the last truce of October 1995? More precisely, why did the last ceasefire allow for the achievement of a settlement, whereas all the previous ones failed to generate any de-escalation in the combat or to bring about any progress in the road towards a peaceful settlement?

Contrary to the previous truces, the last ceasefire was respected by the belligerents because it intervened at a time where they had agreed beforehand on a basic framework for negotiations. Indeed, the agreements reached in Geneva and New York the month before constituted a general formula that they could rely on in order to work out the details of a mutually agreeable settlement (Zartman and Berman 1982). Indeed, once the parties arrived at a common understanding of a way to solve their differences, they realized that a negotiated solution to their dispute was within reach. This perception convinced them to silence their guns during the final stage of the negotiation process.

So far, the developments on the battlefield had contributed to the negotiating effort because they brought the reality on the ground closer to the desired negotiated outcome (Daalder 2000, 125), which was agreed upon in principle in September 1996. However, it became necessary to stop the course of events on the battlefield when the war started to turn in favor of the Federation forces. Indeed, Bosnian Croats and Muslims were about to make important further territorial gains (Banja Luka and Posovina corridor) that would go beyond what they had been granted in the general framework agreed upon in Geneva and New York. At that point, it was thus crucial to freeze the situation so that it continued to reflect the conditions contained in the accepted formula. The cessation of hostilities was required to allow the parties to settle the details based on an unchanging ground corresponding to the basic framework agreed upon by the parties. Allowing the war to follow its course would have meant allowing the Federation to win more

than 51 percent of the territory provided by the general formula. These additional territorial gains would have hollowed out the painfully reached agreement and put the parties back on the track of war.

The achievement of a final settlement in Dayton required the interruption of the war before the last stage of the negotiation process could begin. However, it is important to remember that such a truce could only last because the parties had reached a general agreement on the basic principles that would rule the settlement of their conflict. If the situation had been frozen by a ceasefire before the belligerents had agreed on this general formula, it is not adventurous to say that, similarly to what had happened in the past, the truce would have been broken and the war would have resumed for an indefinite amount of time.

*Niger*⁵

The rebellion of the Tuareg against the Nigerien government started in October 1991 when the *Front de Libération de l'Air et l'Azaouad* (FLAA) was created with the purpose of fighting for a federal system with greater autonomy as well as for better economic conditions for the Tuareg population.

Throughout the years of conflict, negotiations were held continuously. They led to the signature of several truce agreements that were meant to calm the situation and ease the dialogue between the insurgents and the government. However, they did not prevent the situation from heating up again, mostly because they did not tackle any basic political issues. For example, in 1993, secret talks between FLAA and the government were held in Paris under French mediation. The agenda of the negotiations focused only on the modalities for a truce, for a demilitarization process, and for financial assistance to returning Tuareg refugees. None of the Tuaregs' political demands were addressed. As a result, the ceasefire agreed upon during the talks (Paris Accord, 10 June 1993) endured for barely a month.

The next significant round of negotiations occurred a year later. This time, the *Coordination de la Résistance Armée* (CRA) represented the Tuareg rebels. Again, France served as mediator, this time together with Algeria and Burkina Faso. During the talks, the government agreed in principle to meet the demands for autonomy for Tuareg regions, which would be governed by elected assemblies and governors. Following the talks, the belligerents accepted the cessation of hostilities as a prelude to further negotiations.

As opposed to the previous round of talks, this time the parties had found an agreement on fundamental political issues. As a result, the ceasefire was observed throughout the following stage of negotiations, which dove into the details of the settlement, including the creation of elected assemblies for Tuareg areas, the reha-

⁵ For a detailed account of the conflict, see Uppsala University, "Niger. Conflict Summary", *Department of Peace and Conflict Research*, at <http://www.pcr.uu.se/database/conflictSummary.php?bcID=78>.

bilitation and security of areas affected by the violence, and the resettlement of refugees. The process eventually led to a comprehensive peace agreement, signed in Niamey on 24 April 1995, between the main rebel factions (FLAA and CRA) and the Nigerien government.

Similar to what happened in Bosnia, none of the ceasefires accepted by the parties throughout the negotiations endured until the parties finally agreed on fundamental political questions underlying their conflict. Then, the interruption of the hostilities allowed the parties to tackle the details of the peace agreement in a more serene atmosphere, leading to the conclusion of a mutually acceptable outcome for all the parties involved in the negotiations.

The Power of the Mediator

Especially after the example of Bosnia, it could be argued that the success of a ceasefire depends more on the power of the mediator to impose such a truce on the parties than on the opponents reaching a mutually hurting stalemate or a general formula to settle their differences. Indeed, according to this argument, while any mediator accepted by the parties should be able to persuade them to cease hostilities for a while, the persistence of the pause essentially relies on the mediator's capacity to keep the belligerents in awe and make the truce hold.⁶ The power of the mediator may rest on his or her military capabilities, political influence, economic clout, or on the trust parties invest in the mediator, which generates an authority sufficient to motivate the adversaries to obey his/her recommendations. Not all mediators enjoy such power. This should not detract from the mediation effort, but the distinction between a mediator capable of enforcing a ceasefire, and a mediator that cannot, may have real consequences for the likelihood of mediation success.

Clearly, it is necessary for the prospective mediator to be capable of imposing a ceasefire on the belligerents if it is intended to last throughout the negotiation process.⁷ Nevertheless, this is not a sufficient condition for it to hold and lead to the success of the mediation. Indeed, even a powerful mediator will not be able

⁶ See V. Fortna. *Peace Time: Ceasefire Agreements and the Durability of Peace*. Princeton University Press, 2004, pp. 185–188. Though the author focuses her analyses and data on the durability of ceasefires in *international* wars, she does confirm that, in civil wars, third-party explicit guarantees of the peace (including deployment of monitors and troops as peacekeepers) are essential to help belligerents keep the ceasefire.

⁷ In the case of Liberia, it has been argued that the moment to conclude a peace agreement might have been ripe before 1996, but that ECOWAS did not have the capabilities to impose a lasting ceasefire and turn the momentum into a lasting agreement. Indeed, Zartman argues that, in 1993, the stalemate reached after Taylor's debacle in Monrovia could have been used to enforce the Cotonou ceasefire and reach a definitive agreement, if only a more forceful mediator assisted by a more robust peacekeeping force had been in place. Unfortunately, at the time, ECOMOG did not have the capabilities to make a ceasefire last. It did only in 1996, when ECOWAS countries stopped hampering its actions and the US and EU eventually backed it up. See, I. W. Zartman. *Cowardly Lions: Missed Opportunities to Prevent Deadly Conflict and State Collapse* Lynne Rienner, Boulder, 2005, pp. 65–68, esp. 67.

to change the fact that the parties will keep incentives to resume the fight – and will do so as soon as the mediator relaxes his/her grip on the ceasefire – unless they have become tired of fighting or have agreed on a general formula to solve their conflict. Thus, no matter how powerful the mediator is, the truce will still have to be imposed at the right time if one wants it to endure until the achievement of the peace agreement.

Experience shows that mediators theoretically are capable of making a ceasefire happen and last – such as NATO, the UN, or the US – managed in practice to impose only short-lived interludes until belligerents fulfilled those conditions. Despite their ability to apply economic, political, and military pressure on the parties, they were generally unable to make the cessations of hostilities endure as long as the warring parties felt that they could gain more through fighting and felt no urge to negotiate. In the few instances when strong mediators used their clout to maintain ceasefires they had imposed too early in the process, the outcome was a frozen conflict without the achievement of a settlement.

Once parties have achieved a general formula, however, the power of the mediator to maintain the ceasefire becomes essential to the success of the mediation. Though parties no longer have any rational incentive to break the truce, the presence of a strong mediator represents a form of additional guarantee reassuring both sides that their opponent will be forced to comply with his or her commitments while the details of the agreement are being settled. Indeed, powerful mediators will be able to exert constant pressure on the former belligerents to ensure they stay the course established by the negotiation process. If a mediator is not vested with such power over the parties, the risk exists that one side, feeling no external pressure to play by the rules and seeing that the success of the mediation depends only on the good faith of an unchecked adversary, will make an inconsiderate move, undermining the whole process.⁸ The power of the mediator is therefore a crucial factor during the detail phase in order to keep the parties in check and ensure the success of the negotiation process.

Ceasefire After Negotiations

Finally, a ceasefire may be declared when the parties have reached a comprehensive settlement through negotiation or when the war is naturally brought to an end following the total victory of one side.

Mozambique

The civil war in Mozambique illustrates a scenario in which rebels refused to completely lay down arms until a comprehensive peace agreement was reached.

⁸) One could imagine the case of a party refusing to relinquish all his weapons by fear that his adversary, unconstrained by a powerful mediator, will not disarm completely. Such a decision is likely to trigger a security dilemma mechanism, unraveling the whole peace process.

Indeed, in this particular case, a general ceasefire was only declared at the twelfth and last round of the two-year negotiation process between the rebels (RENAMO) and the government (FRELIMO).

Throughout the conflict, RENAMO never renounced its stance that an agreement on political reforms had to be attained before any discussion of a ceasefire could begin. The group did not believe that an interruption of hostilities would lead to any progress toward the achievement of a satisfying accord with the government (Walters 1999, 17). As Afonso Dhlakama, RENAMO's leader, clearly expressed:

What is at stake is not a ceasefire, because it would be childish of us to talk about a ceasefire without emphasizing what democracy is all about... Now people are talking about a ceasefire... But what will happen 24 hours after a ceasefire is in place? How will Mozambicans live afterwards? Does it mean that once a ceasefire is signed, President Chissano will abolish communal villages? Will he then do away with the People's National Security Service which has been killing Mozambicans under the cover of darkness? (Voice of RENAMO 1992)

Initially, the FRELIMO government refused to yield in front of RENAMO's intransigence and insisted that a ceasefire was a necessary condition before talks on political issues could begin. However, the government soon realized that such a stance led only to an unpleasant deadlock and, in order to overcome it, eventually, gave in to the rebels' demands (Lloyd 1995, 153). As a result, fighting went uninterrupted on the ground while belligerents tried to find a solution to their dispute through peace talks. Moreover, the continuation of the hostilities on the battlefield turned out to be crucial for the achievement of a settlement. Indeed, the worse the situation on the ground became, the greater the incentive for the parties to make concessions (Msabaha 1995, 225). In other words, the stalemate that had pushed the belligerents to the negotiation table hurt, and continued to hurt, as result of the military developments on the ground. Consequently, parties were constantly pressured to compromise, which made it easier to reach a final deal.

Military Victory

Civil wars are traditionally expected to end by a military victory of one side over the other. Empirical studies have shown that the majority of intrastate conflicts end when one warring party achieves a victory over the other (Licklider 1995, 698). Recently, this happened in Ethiopia (1991), Rwanda (1994), and Yemen (1994), where rebels managed to overthrow the government through the use of force, eventually gaining political power.

However, although allowing the war to follow its course until the total victory of one side will bring a definitive end to the conflict, this is decreasingly the way in which the international community 'likes to see things happening.' In many cases, negotiators will be sent in to mediate the conflict opposing the belligerents

and stopping the bloodshed. As will be argued in the conclusions, their intervention might indeed help precipitate the end of the war and decrease the toll of death and destruction – if it takes place at the right moment.

Conclusions

Several authors contend that ceasefires preceding negotiations constitute only an occasion for the belligerents to rebuild and re-arm, leading to more intense combat after the truce and to a prolongation of the war in the long-run. However, the Northern Ireland case shows that preliminary ceasefires can sometimes have the positive effect of pushing the negotiation process forward. Such a favorable outcome will occur if the ceasefire is declared after the parties reach a mutually hurting stalemate. In other words, if the truce follows the time when each party realizes that its adversary cannot be defeated through military means and feels that the benefits of reaching a negotiated outcome exceed those of continuing a costly war, then this truce is likely to last and precipitate the achievement of a settlement.

While it may be clear theoretically, it is far less obvious in practice. First, this conclusion seems to suggest that mediators should adopt a wait-and-see attitude and accept a large toll of death and destruction until the parties attain a painful deadlock. However, it is extremely difficult for a third party to enter the mind of the belligerents in order to establish *ex-ante* if they have arrived at this subjective level of saturation. Indeed, even though some mediators can be very talented in deciphering behaviors adopted and signals expressed by parties reaching the end of their tether, one can never be sure whether their interpretations about someone else's psychology are undoubtedly right. Second, apart from Northern Ireland, the present writer was unable to find other cases where preliminary ceasefires were not broken and were not exploited by the parties to increase their preparedness for war.

This is why, if the priority is to reach a real settlement as soon as possible, it is not recommended to push for an immediate truce before negotiations begin. For a mediator, the decision to forego seeking a ceasefire before commencing a negotiation is a difficult and painful one. Indeed, moral principles rightly teach us that every single life is important and deserves to be saved when possible. However, attempts to save lives in the short-term should be reasonably weighed against the long-term consequences of such decisions. Experience has shown that premature ceasefires, while likely to stop murders and destruction during their short duration, tend to increase the intensity of the resuming hostilities, prolonging a traumatic state of war and delaying the achievement of a lasting settlement necessary to start the reconstruction of the country (i.e. Liberia, Bosnia). Early truces postpone the attainment of a state of exhaustion by the belligerents, providing them a respite from combat and allowing them to reconstitute their forces. They will

generally be followed by even more ferocious clashes that are likely to worsen in the long-term the overall balance sheet of killings and destruction. This is an uneasy trade-off between a) saving lives now through ceasefires that momentarily halt the violence, but allow more victims to accumulate over time as the country returns to war again and again, or b) accepting the loss of lives today in support of a process of building, once and for all, a solid and lasting peace. Moreover, another danger of a premature truce is to freeze the conflict, as the warring parties become complacent with the situation created by the suspension of the strife. As has been shown, a ceasefire can make the stalemate bearable for the protagonists, causing them to lose incentives to find a real settlement. The result is a dormant conflict that awaits only the departure of the international forces to resume.

Mediators eager to solve the conflict and to limit the overall amount of damage are thus best advised to interrupt the fighting during the negotiation process. More precisely, it appears from the case studies that the most appropriate moment to suspend the hostilities is when the belligerents have reached a broad consensus on the political issues underlying their conflict. Indeed, conforming to what has been hinted by some authors, ceasefires are most likely to last and to facilitate the attainment of a mutually acceptable settlement when the parties have agreed on a general formula for the negotiations. Indeed, once the parties arrive at a common understanding of a way to solve their differences, they realize that a negotiated solution to their dispute is within reach. This perception encourages them to lay down their weapons during the ‘detail’ phase of the negotiation process, which in turn can take place in a serene context, more propitious to the granting of the concessions necessary for the achievement of the final agreement.

Finally, the war can be allowed to follow its course while negotiations are conducted in the hope of accelerating the finding of an agreement; following this, the ceasefire will be declared. However, this is likely to be successful only if the problem is not too complex and allows for a relatively quick settlement. In other cases, the battle might be won on the ground or the level of death and destruction might reach dire heights before any consensus can be reached at the negotiation table. Some wars indeed resist negotiations and may seem endless. Colombia’s four-decade civil conflict is a good example of such an intractable dispute. In those cases, a ceasefire might just be a light in the dark for a civilian population exhausted with the war. Then, even if it does not really improve the chances to arrive at a settlement, a truce is a worthy achievement at any point in time during the negotiation process.

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