

International Mediation, Selection Effects, and the Question of Bias^{*}

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International mediation of violent conflicts is commonplace in today's world, and so is academic research on its features and effectiveness. But research that speaks to both the initiation and implementation of mediation remains relatively rare. This article outlines a theoretical and empirical argument that contributes to filling this gap and suggests a counterintuitive selection effect: potential mediators that are likely to resolve a dispute are unlikely to select into mediation. The argument hinges on the claim that mediation by biased third parties is relatively ineffective, and I provide qualitative evidence to suggest that this claim is plausible.

KEYWORDS: bias; conflict management; mediation; third parties

1. Introduction

International efforts to mediate military conflicts have become commonplace, a trend generally welcomed by practitioners and researchers alike (Haas, 1993; Dixon, 1996; Bercovitch and Diehl, 1997). Mediation is, by most accounts, “by far the most common form of peaceful third-party intervention in international conflicts” (Bercovitch and Gartner, 2009: 5), and “third-party intervention in conflicts has increased significantly” since the end of the Cold War (Crocker et al., 2005: 21). It is the most commonly used technique of intervention in interstate disputes, accounting for more than one-fifth of all third-party actions between the end of World War II and the turn of the century (Frazier and Dixon, 2006: 395).¹ In

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¹ Frazier and Dixon consider about two dozen techniques as varied as boundary demarcation missions, preventive peacekeeping, and election monitoring. The most common modes of intervention are mediation (about 22%), ceasefire appeals (19%), and appeals for negotiation (14%). About 8% of interventions involve the provision of good offices, which they code separately from mediation.

modern civil wars, the “most common outcome” is a peace process involving international mediators (Sisk, 2009: 1), and in an effort to make mediation even more prevalent, the United Nations established a dedicated mediation support unit in 2006 and a mediation support standby team—a team of negotiation experts ready to be dispatched at a moment’s notice—in 2008 (United Nations, 2009).

Most researchers agree that the ascent of mediation as the technique of choice for third parties hoping to settle military conflicts has been a success story (Dixon, 2009: 124). The modal settlement reached in today’s world involves international mediation (Gartner and Bercovitch, 2006: 826), and mediation has been linked to the decrease in the total number of civil wars in the 1990s.² Ted Gurr has argued that the mediation efforts of states and international groups, both governmental and non-governmental, have prevented bloodshed,³ and William Dixon found in his 1996 statistical assessment of conflict management techniques that mediation “emerged as consistently effective in both preventing escalation and promoting peaceful settlements”—in fact more effective than any other type of third-party intervention.⁴

Yet despite an emerging consensus on the effectiveness of international mediation, research on the subject has fallen short on two counts. First, theoretical and cross-case empirical analyses of mediation generally study its effects separately from its causes. This makes it difficult to rule out that an apparent effect of mediation on conflict settlement is not in fact the result of certain states and international organizations sending mediators to particular types of conflicts. Second, statistical work on international mediation typically only identifies correlations, but no causal effects. Mediation is never initiated in a conflict the way a new medication is assigned in a drug trial, with a treatment and a control group, although most statistical analyses of mediation treat it as if it was just that (or something close to it, once we adjust for certain covariates). The second point is related to the first: if we were to fully understand the conditions under which mediation is initiated, this would bring us closer to identifying the causal effect of mediation on conflict settlement.

The larger project within which this article is embedded makes two contributions to filling this gap in the literature (Beber, 2010). First, it encompasses a theory of mediation that accounts for the strategic considerations of disputants and third parties during both the initiation and the implementation stages of mediation. Disputants and third parties anticipate the likely consequences of mediated

² See Sisk (2009) and United Nations (2009).

³ Gurr describes his *People versus States* as “an encouraging volume for those who have promoted, applauded, or otherwise supported efforts to resolve intrastate conflicts through dialogue between the protagonists and the active engagement of the international community” (2000: xi). See also Esman and Telhami (1995: ix) and Crocker et al. (2005: 21), who write that “[i]t is now generally accepted that third parties ... have been helpful—if not vital—in resolving some conflicts”.

⁴ Dixon’s analysis (1996: 676) covered the years 1945–84 and used the event database SHERFACS, compiled by Sherman (1994).

negotiations when choosing to engage in such talks, and I derive hypotheses about the likely impact of this strategic process on the sample of mediation events we actually observe, that is, the selection effect from which a basic analysis is likely to suffer. Second, it includes a new dataset of mediation and negotiation in post-1990 wars and an analysis that takes account of just this selection effect and problems of causal identification more generally. I find reason to be optimistic about mediation overall. Third-party mediation does help disputants reach a settlement, but the finding depends crucially on its proper causal identification. A positive effect of mediation is recovered only if we account for the fact that the sample of observed mediation efforts is subject to strategic selection.

This article provides an overview of both of these contributions, but focuses primarily on just one claim that plays an important role in the theoretical argument that I develop at length elsewhere: biased mediators are relatively less effective at resolving disputes than their unbiased counterparts, because only an unbiased mediator can credibly share conflict-relevant insights. Disputants will sometimes attribute statements by a biased mediator to the third party's preferences rather than the underlying facts, which is not the case with unbiased mediators.

This claim is at the center of this article because it goes against the findings of a number of mediation scholars.⁵ Recent academic work on mediation often takes a favorable or indifferent view on mediator bias (that is, the third party's interest in conferring an advantage on one side in a dispute), despite limited empirical evidence. Most findings that bias is a desirable mediator attribute are not statistical but theoretical or qualitatively empirical in nature.⁶ And with surprising frequency

⁵ While Fisher (1995) and Rauchhaus (2006) find that bias undercuts mediation, Touval (1982), Smith (1985), Touval (1985), Touval and Zartman (1989), Rifkin et al. (1991), Carnevale and Arad (1996), Kydd (2003), Zartman and Touval (2007), and Savun (2008) argue that biased mediation can be and often is effective. Crocker et al. (2009: 502) suggest in a recently published handbook on conflict resolution that the “‘bias-sometimes-helps’ thesis is an important and widely understood element in the international mediation literature”, and Bercovitch (1996: 26) is “doubtful of the importance” of impartiality (see also Bercovitch and Gartner, 2009: 36). See Carnevale and Pruitt (1992: 568–569) for a review of the literature—primarily from the 1980s—on mediator bias. Favretto (2009) argues that “middling intervener bias” is least useful in facilitating negotiations. Svensson (2007) provides evidence that in internal wars, mediators biased toward the government move negotiations forward, while mediators biased toward rebel groups do not. Betts (1994) comments on the failure of impartiality in humanitarian intervention, and Regan (2002) contends that biased military and economic interventions tend to be more effective than unbiased ones. But see also Gent and Shannon (2011), who argue that unbiased third parties are relatively more effective at settling disputes because they tend to select into more effective modes of conflict management.

⁶ Relatively little has changed since Carnevale and Arad (1996: 39) lamented “a shortage of statistical studies of impartiality and bias in international and other arenas of mediation”. Exceptions include Svensson (2007) and Savun (2008).

researchers cite the same small set of conflicts—cases for which alternative narratives are readily available.

This article therefore provides just such a set of alternative narratives as a counterpoint to the prevailing interpretations of these cases. It proceeds as follows: Section 2 defines mediation, compares it to other types of conflict management, and discusses mediators' means of influence. Section 3 summarizes key arguments of the larger project within which this article is situated. Section 4 turns to a discussion of case evidence on the relative effectiveness of biased mediators. It first provides a brief summary of a case in which mediator bias impeded conflict resolution to show that such cases exist and, second, provides alternative interpretations for a set of cases that are particularly commonly cited as examples of effective biased mediation. Section 5 concludes.

2. Mediation and Means of Influence

I broadly conceive of mediation as the non-coercive intervention by a third party in a dispute between two or more political entities for the stated purpose of effecting a settlement of the dispute.⁷ The intervening third party does not have to be a state; it can (and frequently does) consist of one or more private individuals, or an international governmental or non-governmental organization. The political entities engaged in conflict do not have to be states either, and mediation is a common means of intervention in intrastate violence.

Mediators can use a variety of tactics, but they are different from other types of interveners in that they do not employ force to suppress, create the conditions necessary for or guarantee the settlement of a conflict (Skjelsbæk and Fermann, 1996: 76). This separates mediation from forms of conflict resolution such as peacekeeping, which involves the deployment of military staff to oversee a ceasefire (Fisher, 1995: 41). The non-coercive nature of mediation implies more broadly that the mediator does not promise rewards, threaten punishment, or deliver payments or goods to the antagonists. This distinguishes mediation from conflict management strategies involving humanitarian aid or economic sanctions.⁸

Mediation is also distinct from arbitration as a tool of conflict resolution, in that mediation is inherently open-ended with respect to whether a settlement will be reached. Mediation is not a judicial, but “basically a political process; there is no advance commitment by the parties to accept the mediator’s ideas” (Touval and Zartman, 1985: 7). Finally, conflict management strategies such as international public appeals, resolutions, and advice differ from mediation in that the latter requires two-directional communication between the intervener and each

⁷ See for instance Princen (1992: 3), Bercovitch (1996: 3), Bercovitch (2002: 5), and the *United Nations Handbook on the Peaceful Settlement of Disputes between States* (1992).

⁸ Fisher (1995) draws a distinction between “pure mediation” in which the mediator has no leverage to use “promised rewards or threatened punishments to motivate the parties toward a settlement” and “power mediation” (or “mediation with muscle”), which is really an instance of “triadic bargaining”.

antagonist. Disputants are not passive recipients of mediation efforts, but must actively accept and engage with the mediator.⁹

What are the tools available to mediators? I will generally distinguish three channels of influence.¹⁰ First, mediators can structure how disputants interact in a bargaining situation; they can provide a procedural framework. For instance, a mediator can arrange negotiation sessions for disputants, help prioritize issues, draft an agenda, suggest and provide meeting places, set deadlines, and assist in managing media relations. Theodore Roosevelt, for example, selected the Portsmouth Navy Yard in New Hampshire not simply as a matter of convenience as the site of negotiations to end the Russo-Japanese War 1904–05 (Washington weather was deemed too unpleasant in August), but also because the Navy Yard had an easily guarded entrance that would keep reporters away (Princen, 1992: 113).

Second, mediators can ascertain facts, relay information to the disputants, provide “good offices”, and facilitate communications between antagonists; they can influence the exchange and acquisition of information between the parties to the conflict. “Good offices” were important for instance when Algeria helped defuse the Iranian hostage crisis of 1979–81, or when UN Secretary-General Dag Hammarskjöld negotiated the release of US Air Force personnel from China in 1954. The People’s Republic had shot down a US military plane dropping pamphlets over North Korea, at a time when the US did not maintain diplomatic relations with the PRC and the nationalists headquartered in Taiwan occupied China’s seat on the Security Council. Hammarskjöld provided a communication link without which the troops’ release could not have been negotiated (Skjelsbæk and Fermann, 1996: 94).

Mediators can also manage information by preventing or screening communications between disputants. In the Iranian hostage crisis, for instance, the Algerians insisted that messages between the US and Iran were to be reviewed and transmitted by them, which turned out to have a positive effect on negotiations (Slim, 1992: 221–223). President Carter similarly maintained control over how the Israeli and Egyptian delegations communicated with each other during the Camp David negotiations. While he initially arranged for “maximum direct contact between [Prime Minister Begin] and President Sadat”,¹¹ he changed course after emotions in an early meeting ran high, with the result that “for the last ten days of negotiation leading up to our final agreement, the two men never spoke to one another, although their cottages were only about a hundred yards apart” (Carter, 1982: 333).

⁹ On the different means of conflict management, see Esman and Telhami (1995: 14) and Dixon (1996: 658).

¹⁰ This section draws in particular on Fisher (1995). For an overview of mediation strategies, see Bercovitch (1996: 189–193).

¹¹ See the letter of invitation sent by President Carter to Prime Minister Begin, available for instance at <http://www.ibiblio.org/sullivan/docs/CampDavid-Invitation.html>.

Third, mediators can recommend concessions, moderate extreme demands, and propose possible settlements; they can suggest substantive compromises (Touval and Zartman, 1985: 7). President Carter's role in the Camp David negotiations, for example, went beyond setting up a procedural framework and facilitating communication. He also drafted possible solutions and reasoned and bargained with Begin and Sadat. Similarly, the Algerian delegation mediating in the Iranian hostage crisis "did have a hand in the wording and substance of nearly every communication. In effect, they had the final word on what they would transmit" (Princen, 1992: 53). In the case of El Salvador, where the United Nations facilitated a peace agreement between the government and the guerrilla FMNL in 1992, lead mediator Alvaro de Soto recalls that "[b]ecause of acute distrust between the parties that ruled out direct give-and-take, we wrote much of what they [the government and FMNL delegations] signed as agreements, unassisted by anyone outside the employ of the UN Secretariat" (de Soto, 1999: 350).¹²

The latter two channels of influence form the core of the mediation dynamics examined here: mediators shape the informational environment faced by antagonists and actively engage in making proposals and drafting settlements. This reflects practitioners' own understanding of their role as mediators. Andrea Bartoli, in writing about Sant'Egidio's mediation efforts in Mozambique in the early 1990s, emphasizes the need to collect, assess, and strategically share (and withhold) information. He argues that the "time spent [by the mediator team] sharing information, commenting on and analyzing it, suggesting new ideas, and making recommendations was invaluable", but notes also that "information management was crucial ... in order to minimize a disruptive and possibly inflammatory diffusion of information" (Bartoli, 1999: 263). Alvaro de Soto, when he mediated between Greek and Turkish Cypriots on behalf of the United Nations, worked by listening patiently and "by 'not telling [Turkish Cypriot leader] Mr Denktash what I [President of the Republic of Cyprus Clerides] was thinking, and by not telling me what Mr Denktash was saying or how far he was prepared to go'" (Martin, 2006: 36). Lakhdar Brahimi argues that leverage in mediation "is not about putting a gun to someone's head nor is it about promising something" (Martin, 2006: 18). It is about "reassur[ing] a partner that what is being proposed is not bad. And the implicit message is 'Don't worry, ... you are not going to lose everything, you are making concessions that are acceptable.'" Mediators formulate proposals and compromises, and they provide and withhold information as they attempt to convince disputants to adjust expectations. This is the type of third-party intervention that is the subject of this article.

¹² An alternative categorization of mediator techniques collapses the first two channels of influence identified here into facilitation, refers to the third as formulation, and adds another technique called manipulation, in which case "[t]he mediator augments the appeal of its solutions by adding and subtracting benefits to/from the proposed solution" (Touval and Zartman, 1985; Wilkenfeld et al., 2003: 283–284). Since the latter is arguably a coercive tactic, it is not included here.

3. Selection Effects in Mediation

This article focuses on the role of bias in mediation, but it does so in order to help disentangle the causes and consequences of mediation in military conflicts more generally. Mediator bias is related to mediator effectiveness, which in turn affects the decisions of disputants and third parties to launch a mediation effort in the first place. This section provides a brief description of a formal theoretical and empirical account of this selection process, which I develop at length elsewhere (Beber, 2010).

3.1. Strategic Interaction and Mediation Initiation

There are two steps to the formal analysis of the causes and effects of mediation. First, I examine under what conditions mediators facilitate a settlement between disputants and find that unbiased mediators will be more effective in obtaining the disputants' agreement than biased mediators, in contrast to some of the existing literature (Kydd, 2003; Favretto, 2009).

Mediator bias here refers to the extent to which the third party derives utility from the allocation of the stakes to each side in the dispute. This is how mediator bias is conceptualized in most bargaining models of this type (Kydd, 2003: 601, citing Young, 1967: 81; Smith and Stam, 2003: 118; Favretto, 2009: 250). Important exceptions include models by Rauchhaus (2006) and Kydd (2006), who conceive of the mediator as being biased toward a particular outcome, regardless of whether it favors one of the disputants.¹³ I follow the more conventional definition of bias in allowing third parties to straightforwardly favor one side or the other, because this is the definition of bias adhered to by most theories that find bias to be a desirable mediator trait in the sense that it helps to bring about settlements. Both Rauchhaus (2006) and Kydd (2006), having redefined what bias means, suggest that this finding is not robust. But we do not need to redefine bias to arrive at this conclusion. Even if bias implies that a mediator works to obtain as large a share of the stakes as possible for one of the disputants, we can show that it is unbiased mediators who are most effective at facilitating a settlement between the disputants.

My argument that biased mediation is relatively ineffective reflects the relationship between mediation and the informational setting within which antagonists operate. While disputants face incentives to avoid costly conflicts, they sometimes fail to do so because they find themselves unable to agree on what the outcome of an armed struggle would be (Fearon, 1995). In this conception of war onset, each

¹³ A third way to conceptualize bias is to think of it as skewing the probabilities with which a non-strategic mediator makes certain statements about the world (Calvert, 1985: 535). The term bias is further confounded by the fact that it is sometimes used to denote a third party's aversion to fighting, or "bias toward peaceful solutions" (Smith and Stam, 2003: 118). I agree with Favretto (2009: 251) that "this dimension is unnecessary" in the sense that mediators, just like disputants, can benefit directly from avoiding a reduction of the stakes that are to be divided. I use the terms partiality and bias interchangeably. See Kleiboer (1996: 369) for a discussion of this terminology.

disputant possesses private information, for example about battle strength or resolve, but has incentives to exaggerate in order to extract an advantageous settlement. As a consequence, disputants sometimes overestimate their respective expected gains from conflict, with the result that no settlement is found acceptable by both sides.

In this situation an unbiased mediator can credibly convey private, conflict-relevant information that he or she holds, because the disputants know that the mediator does not care about how exactly the incompatibility between the disputants is resolved. This is not the case for a biased mediator, who prefers to design an agreement that allocates as much as possible to his preferred disputant. If the mediator's private information indicates that his preferred disputant will fare poorly in the absence of a settlement, biased mediation can result in a settlement, because the mediator can extract the necessary concession from his ally. But if this is not the case, biased mediation will fail.

The argument in favor of biased mediation typically revolves around the idea that a disputant is more likely to agree to a concession suggested by an ally than a concession suggested by an unbiased mediator.¹⁴ The problem with this argument is what happens if the mediator believes that not his ally, but the other disputant needs to make a concession in order for a settlement to be feasible. It is not obvious that the latter situation would arise any less frequently than the former, and it is not clear why a biased mediator would be effective in pressing the disputant he disfavors for a concession. If a biased mediator was effective in this situation, he would always ask for such a concession. Why bother his ally if he can extract the concessions necessary for a settlement from the other side? But that is exactly why a disputant is unlikely to take suggestions made by a mediator rooting for the other side.¹⁵

Given these results with respect to mediation implementation, a second step is to ask under what conditions a mediator is likely to offer assistance. I find that a biased mediator is relatively less sensitive to fixed costs (i.e. costs that are associated with the provision of mediation, regardless of the outcome of the bargaining process) than an unbiased mediator. A biased mediator derives utility from being able to affect the outcome of a dispute, which implies that fixed costs are offset by any impact the mediator has on an agreement reached between disputants as their conflict is resolved. This is not the case for an unbiased mediator, for whom one conflict-resolving agreement is as good as the next.

These results at the initiation and implementation stages combine to suggest a counterintuitive selection effect: Third parties that are relatively ineffective at bringing about settlements should be relatively likely to select into mediation. In turn, a sample of observed mediation processes—unadjusted for any selection effects—should indicate that mediation is less effective than it actually would be if we were to randomly assign potential mediators.

¹⁴ I use the term ally to refer to the disputant preferred by the mediator.

¹⁵ For a more detailed and technical discussion of the differences between my analysis and other relevant models, see Beber (2010: 46–48).

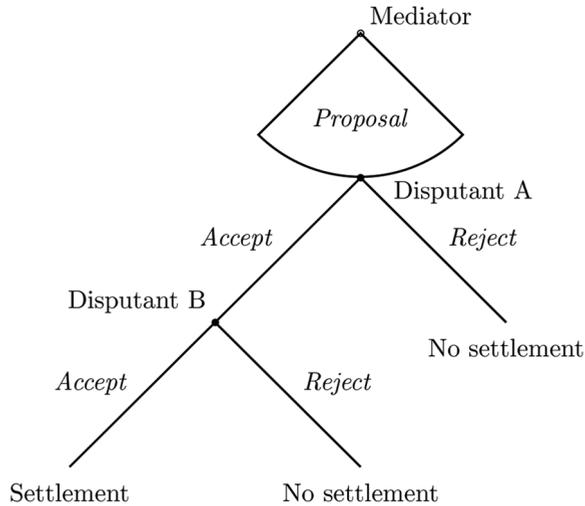


Figure 1. A Game Tree of Mediated Bargaining

This is counterintuitive, because one might expect that mediators would select into disputes if they anticipate that they can help arrange a settlement, thus biasing the sample of observed interventions in favor of a finding of effective mediation. I suggest that, to the contrary, we may observe selection that favors relatively ineffective mediators.

Figures 1 through 3 illustrate this approach and key result graphically. Most models of mediation analyze games similar to the one depicted in Figure 1: a mediator, who possesses some dispute-relevant but private information, proposes terms of a settlement or sends a signal in some other form to the disputants. The disputants then bargain in response, either by way of one of them making an offer or by accepting or rejecting the mediator’s proposal, where the latter is shown in Figure 1.¹⁶

This neglects, however, that we only observe this bargaining game if mediation occurs. Figure 2 amends the game tree to include the disputants’ and the mediator’s strategic decisions to engage in mediation. The crucial feature of this extension is that both disputants and mediator have to agree to mediation in the shadow of the likely outcomes further down the game tree.¹⁷

Although more complete, this is of course still a stark simplification of actual diplomatic processes. We can usefully simplify the game further if we assume that the third party can absorb the fixed costs of mediation, so that disputants suffer no penalty for engaging in mediated negotiations. Instead of focusing on why disputants could be reluctant to invite a mediator, we focus on the potential mediator’s

¹⁶ See Kydd (2003); Smith and Stam (2003); Rauchhaus (2006) for models in this vein.

¹⁷ The decision to undertake mediation is generally omitted from formal models of mediation, but see Terris and Maoz (2005) for an exception.

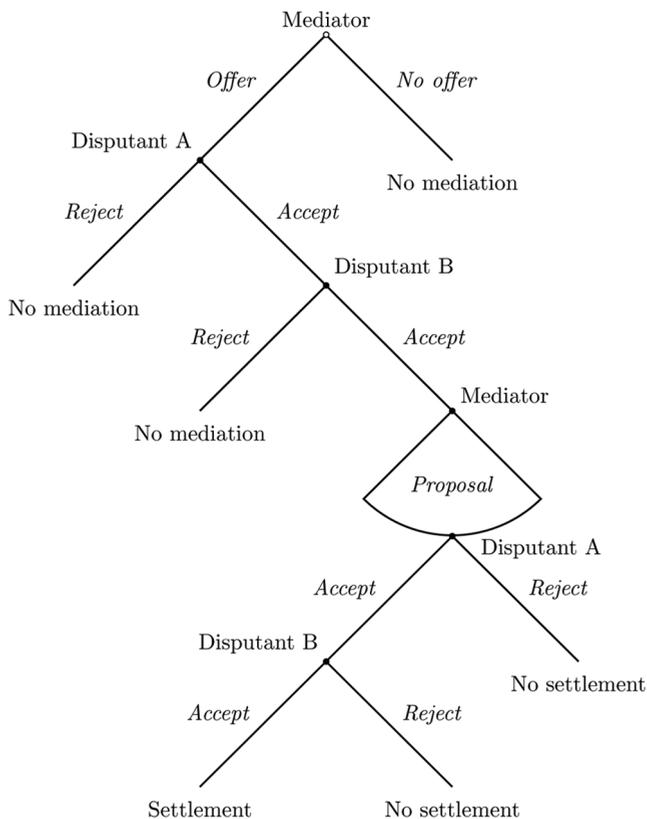


Figure 2. A Game Tree of the Initiation and Implementation of Mediation

decision calculus, which has two key aspects: first, how much is at stake in the dispute? Second, how costly is it to provide mediation?

An unbiased mediator really only worries about the second of these two questions, as shown in Figure 3. This type of mediator prefers to end conflicts, but does not per se care about the size or allocation of what is at stake in the dispute. If mediation is sufficiently cheap to provide, he or she will offer to intervene. A biased mediator will do so as well, but will be tempted to intervene even if mediation is costly to provide in order to shape the outcome of the dispute. The more is at stake in a dispute, the more willing is a biased third party to step into the fray despite the attendant costs.

Figure 3 illustrates this finding: a biased mediator is willing to intervene in a wider range of scenarios than his unbiased counterpart. This is the case despite the fact that unbiased third parties are far better equipped to change disputants' expectations and hence effect settlements, and we can therefore expect that actually observed mediations will appear relatively ineffectual due to this selection process.

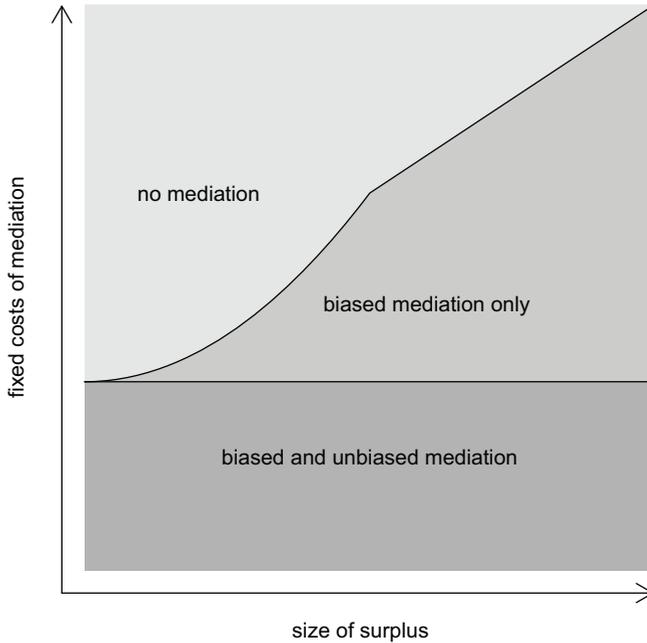


Figure 3. Mediator Bias and the Decision To Intervene

3.2. Empirical Evidence for Selection Effects

The empirical analysis in Beber (2010) brings statistical evidence to bear on the hypothesis above. I introduce a new dataset of post-1990 wartime conflict management and provide evidence for the selection effect identified above. A useful point of comparison is the impressive and vast data collection assembled by the late Jacob Bercovitch and known as the International Conflict Management database (Bercovitch, 1996; Bercovitch and Gartner, 2006). It differs in scope in two ways: First, I focus on conflicts between 1990 and 2005, while Bercovitch’s publicly available dataset ends in 1995. Second, Bercovitch’s data covers a somewhat different set of disputes, namely interstate and internationalized civil conflicts, including those that generated fewer than 1000 fatalities. I widen the scope to also include non-internationalized intrastate conflicts, which seems appropriate given changes in the prevalence of these different types of disputes over the last two decades, but narrow the focus to wars with at least 1000 deaths.¹⁸

Table 1 compares the two datasets and suggests that Bercovitch’s dataset identifies relatively more talks per conflict-year and more effective instances of conflict management. This points to noteworthy but seemingly innocuous differences in coding procedures: Bercovitch’s data tend to be more inclusive both in terms of

¹⁸ For the sake of comparability, the numbers for the Bercovitch data in Table 1 are for conflicts with at least 1000 fatalities.

Table 1. A Comparison with the International Conflict Management Dataset

	Bercovitch	Beber
Time period covered	1945–1995	1990–2005
Number of conflict-years	880	290
Share of interstate conflict-years	25%	5%
Mediations per conflict-year	1.64	0.52
Non-mediated talks per conflict-year	0.89	0.27
Share of mediations that end in settlement	0.24	0.13
Share of non-mediated talks that end in settlement	0.23	0.12

identifying an event as a distinct conflict management observation and marking it as having led to a settlement.

Take the Sudanese Civil War, which was settled in 2005 by way of the Comprehensive Peace Agreement (CPA) with the help of mediation by the Intergovernmental Authority on Development (IGAD). The IGAD mediation effort that eventually led to the CPA began in 1994, and the data I have collected include a single observation for that year. The effort lapses, but is renewed the following year. The International Conflict Management database, on the other hand, includes nine mediation events for 1994, all of them in the context of the IGAD process and some of them days apart from each other. They appear to correspond roughly to the arrival of particular dignitaries at the negotiations (such as the foreign ministers or presidents of Ethiopia, Eritrea, Kenya, and Uganda). Four of the nine mediations are coded as having led to partial settlements, a designation used more sparingly in the data used here.¹⁹

When we use the newly collected data for the post-Cold War era to test the hypothesis outlined in the previous section, we find that a basic comparison of mediated and non-mediated talks does not indicate a statistically significant effect of mediation. However, we can recover a positive and significant coefficient once potential selection problems are taken into account, and I do so by way of an instrumental variable estimation. In essence, I locate a variable that is highly predictive of the initiation of mediation but does not explain conflict management outcomes, which is the dependent variable of interest. By relating the variation in mediation induced by this other variable to variation in our outcome of interest—did talks result in a settlement?—I obtain a causal estimate of the effect of mediation.²⁰

I use the timing of talks as an instrumental variable for whether negotiations were mediated or not. Negotiations are in particular more likely to be mediated if

¹⁹ See Beber (2010) for details on coding criteria.

²⁰ To be precise, the identified effect is a local average treatment effect for “compliers”, i.e. the effect of having a mediator participate in talks when the instrumental variable predicts such participation.

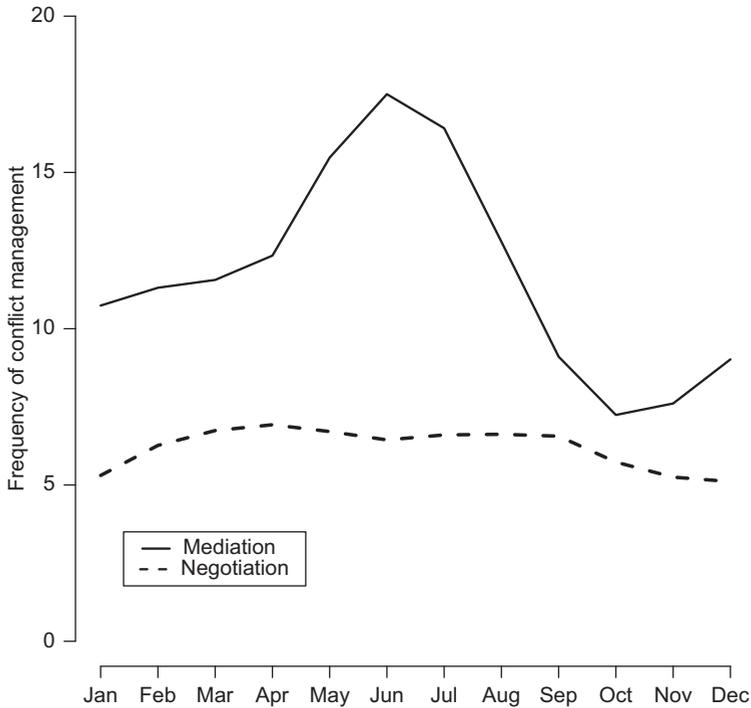


Figure 4. Seasonal Initiation of Mediated and Non-Mediated Talks

they are initiated in the early summer (in the Northern hemisphere), and I argue that this is because the fixed costs of mediation are lower then. The schedules of potential lead mediators (high-level officials, senators, prime ministers, etc.) tend to be less crowded at that time of year, which leads to more mediation, while affecting the chances for a settlement only through any mediation that might not have been provided at another time.

Figure 4 shows smoothed rates of onset for mediated and non-mediated talks and suggests that there is indeed seasonal variation in their initiation. Crucially the incidences of mediated and non-mediated talks do not vary in tandem over the course of a year, but mediation occurs relatively more frequently in the summer months. This enables us to use the timing of talks as an instrument for the involvement of a mediator in talks.

Figure 5 suggests that the smoothed rate at which mediated talks produce settlements also spikes in the summer months, as we would expect if relatively unbiased, capable mediators are more likely to offer their help in the summer when barriers to entry are lower. Note that unmediated talks do not exhibit the same pattern, which suggests that it is indeed mediations and not talks in general that generate settlements at a higher rate during the summer. While mediated talks in this dataset are not associated with an overall increase in the likelihood of a settlement

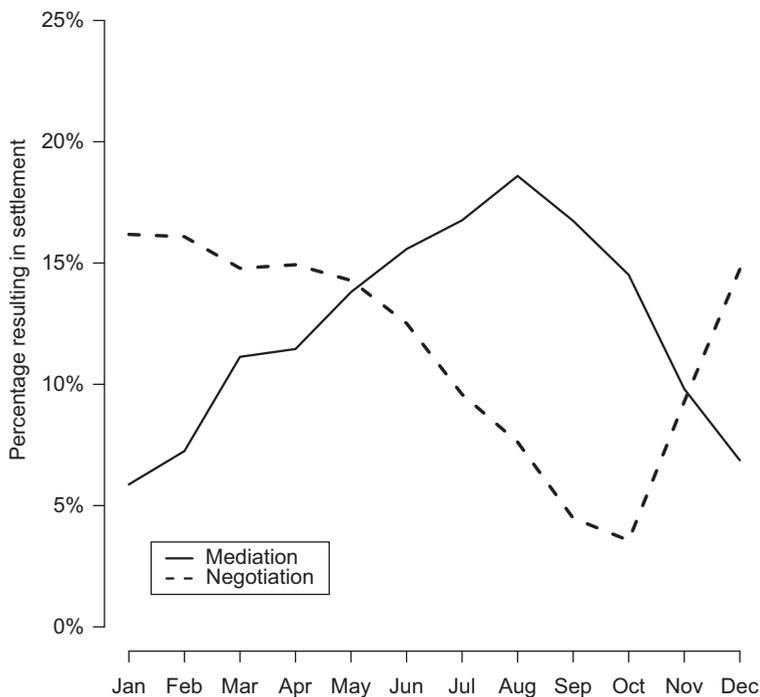


Figure 5. Seasonal Variation in the Effectiveness of Mediated and Non-Mediated Talks

compared to non-mediated talks, summertime mediation—i.e. mediation that is less severely shaped by selection effects and pressures—improves the probability of a settlement.²¹

4. Qualitative Evidence on Mediator Bias

The previous section outlined theoretical and empirical reasons for the significance of selection effects in international mediation. The remainder of the article focuses on one characteristic that is of central importance in the selection decisions of mediators and disputants: mediator bias. I focus in particular on the argument summarized in the previous section that bias impedes mediator credibility and effectiveness, which stands in contrast to other research that points to bias as a useful mediator characteristic.

Below I discuss a set of mediation events that illustrate the plausibility of this article's claim and that are intended to serve as a counterpoint to existing qualitative assessments of some of the same cases that find biased mediation to be an effective tool of conflict resolution. My strategy of case selection is twofold. First, I briefly discuss an instance of failed biased and effective unbiased mediation in order to

²¹ Details of the instrumental variable estimation are left to Beber (2011).

illustrate how mediator partiality can interfere with effective negotiations: I discuss the mediation efforts by the Intergovernmental Authority on Development (IGAD) in Sudan's civil war, which languished until IGAD shed some of its biases against Khartoum. This is a "typical" case, in the sense that it fits squarely with my predictions (Seawright and Gerring, 2008; Gerring and Seawright, 2007: 91), although it is not typical for the academic literature on mediation.

I then focus on a number of tough cases: high-profile success stories of biased mediation. I discuss how in some cases, biased mediation led to a settlement because the agreement required no changes in disputants' expectations, in which case one can expect biased mediators to be as effective as unbiased mediators in ushering in an agreement, and how in other cases it is not clear that the third party was biased in the first place. The cases include the Anglo-American intervention in the Trieste negotiations of 1954; Algeria's mediation in the Iranian hostage crisis in the early 1980s; Soviet conflict management between India and Pakistan at Tashkent in 1966; and Jimmy Carter's mediation efforts at Camp David in 1978 (Carnevale and Arad, 1996: 41–42; Touval and Zartman, 1985: 15).

These are not necessarily "hard cases" in the sense that "the circumstances at hand are distinctly unfavorable" to the mechanism I describe (Young, 1992: 165; also cited in Mitchell and Bernauer, 2004: 92), but they are difficult cases for my argument in that they are typically marshaled in support of the claim that biased mediation works.²² This is the main reason for selecting these cases: other research on mediation has argued that they indicate that biased mediation is effective, when in fact an alternative reading is possible and in my view more compelling.

4.1. Sudan's Civil War and IGAD Mediation

Sudan's civil war, which rekindled in 1983 and ended with the 2005 Naivasha Agreement, pitted government forces against the Sudan People's Liberation Movement/Army (SPLM/A), with fighting concentrated in the south of the country. Initial mediation efforts by the Intergovernmental Authority on Development (IGAD) in the mid-1990s had failed to move the government of Ahmad Al-Bashir and John Garang's rebel forces close to an agreement (El-Affendi, 2001).²³ Several obstacles were impeding a resolution of the conflict. For one, there was significant battlefield uncertainty about the outcome of a war fought to a costly finish. While the SPLM/A had been substantially weakened by its split into two factions in 1991 and the loss of support from Ethiopia when Mengistu Haile Mariam's regime fell that same year, the tables had turned somewhat by the mid-1990s: Ethiopia, once again, supported the SPLA's operations, as did Eritrea,

²² They are perhaps better described as "deviant" cases, in that they do not appear to neatly align with theoretical claims I have made. They are also "influential" cases, because they have informed previous claims about the virtues of biased mediation, although they are not necessarily influential in a statistical sense (Gerring and Seawright, 2007). See also Levy (2009) on case selection.

²³ For an overview and assessment of the Sudan peace process, see for example Morrison and de Waal (2005).

whose relations with Khartoum had deteriorated because of Sudan's support for the Eritrean Islamic Jihad Movement. Uganda also cooperated with the SPLA in an effort to root out the Lord's Resistance Army (LRA) operating in its northern territories, and so with the support of neighboring regimes the SPLA regained significant amounts of land (Young, 2003: 428).

But "the government was in denial", recalls IGAD's lead negotiator Lazaro Sumbeiywo, and unwilling to make concessions that reflected battlefield realities (Martin, 2006: 134). One reason for Khartoum's intransigence was that Al-Bashir knew that the sponsors of the IGAD mediation process were negatively predisposed toward his National Islamic Front (NIF). Of IGAD's seven member states (one of which is Sudan), three had actively supported the SPLA's military campaign (and one, Somalia, did not have a government capable of exerting much influence on IGAD, or really any central government at all). In fact, Kenya was charged with leading the mediation effort on behalf of IGAD because it was the only IGAD member "to have reasonable relations with both the Khartoum government and the SPLM/A" (Martin, 2006: 133).

This changed in the late 1990s and early 2000s, when support for the SPLM/A among IGAD members dried up (Morrison and de Waal, 2005: 165). Ethiopia and Eritrea went to war from 1998 to 2000, with neither government showing much interest in directing resources to the south of Sudan instead of their own front line. Similarly, Uganda was drawn into the conflict in the Democratic Republic of the Congo and discontinued its support of the SPLM/A. At this point, IGAD members' position on Sudan was driven less by an interest in a particular outcome of the war than by the desire to see the conflict settled.

IGAD renewed its mediation effort in 2001, with significant support from a group of Western observers, including the United States, the United Kingdom, and Norway. While the observer group has been described as "the engine needed to push the process forward" (Martin, 2006: 136), the American role was double-edged: on the one hand, the US provided important technical expertise and logistical support, but on the other hand, its strong bias in favor of the SPLM/A occasionally threatened to be a roadblock in negotiations.

US President Bush appointed former Senator John Danforth as his Special Envoy to Sudan, "an ordained minister", as the President pointed out when he introduced Danforth to the press, in a move that pleased the President's conservative Christian base.²⁴ Danforth understood the war as "a clear conflict between Islam and Christianity" (Martin, 2006: 136) and left little doubt that the SPLM/A

²⁴ A transcript of the President's remarks is available at <http://transcripts.cnn.com/transcripts/0109/06/se.01.html>. When CNN's White House correspondent Major Garrett was asked "why John Danforth?" he responded that Danforth "has a good deal of trust with many who are advising the president on this issue", including Senator Brownback, who "has worked long and hard on this issue. There are others in the religious community throughout the United States who've been working this issue very hard, Chuck Colson, Franklin Graham, who is Billy Graham's son. The Reverend Billy Graham's son talks to the White House frequently about this issue. They also know Jack Danforth very well, trust him immensely."

could expect his sympathy and active support against the NIF and Sharia law.²⁵ A second reason for an American bias in favor of the SPLM/A was the Sudanese government's past support for Al-Qaeda. Operatives located in Sudan were allegedly involved in the bombings of the US embassies in Tanzania and Kenya, and although Sudan had ejected bin Laden in 1996 and begun to dismantle Al-Qaeda bases in 2000, the US continued to designate Sudan as a "state sponsor of terrorism" (Prendergast and Thomas-Jensen, 2007).²⁶

When the mediation team produced a first draft of what would eventually become the 2002 Machakos Protocol, the first building block of the Naivasha Agreement, they failed to include a reference to the right of self-determination, which left both the SPLM/A and the US delegation "furious". An IGAD staff member recalled that the American envoy "just snapped. He swore, went red in the face and walked out" (Martin, 2006: 140).

But at this point, IGAD's lead mediator Sumbeiywo "did what he could to protect the process from what he considered as outside interference" (Martin, 2006: 137). When during later negotiations "the mediators came under heavy pressure from the U.S. and the Norwegians" to push for the capital Khartoum to be Sharia-free, in contradiction to what had been agreed on in the Machakos protocol,²⁷ Sumbeiywo "threatened to shoot the American envoy, Jeff Millington [who was appointed as the US chargé d'affaires for Sudan in 2002], and then threw him out of his office" (Martin, 2006: 148).

By the time significant progress toward peace was made, the SPLM/A had consolidated its control over much of Sudan's south, the government was engaged in another conflict that was brewing in Darfur, and it was concerned about possible US military action in the aftermath of the attacks of 11 September 2001. But the negotiations also benefited from IGAD's even-handedness and the fact that Sumbeiywo was willing to be at "loggerheads" with the American delegation (Martin, 2006: 81).

4.2. Anglo-American Involvement in the Trieste Negotiations, 1954

What about cases in which biased mediation was supposedly successful? One explanation is that disputants' expectations did not need to change in order for an

²⁵ See Danforth's first report to President Bush on the situation in Sudan (Danforth, 2002), in which he notes his consultations with the Vatican and the Archbishop of Canterbury (p. 4) and describes an "open air Episcopal service near a bombed out church" in Sudan's south as one of the "most memorable experiences" of his visits to Sudan (p. 3). On the American approach to Sudan, see also Woodward (2006: 175–176).

²⁶ The Department of State's list of state sponsors of terrorism is available at <http://www.state.gov/s/ct/c14151.htm>. Sudan received this designation in August 1993.

²⁷ The protocol stated that "[n]ationally enacted legislation having effect only in respect of the states outside Southern Sudan shall have as its source of legislation Sharia and the consensus of the people". The text is available at <http://www.issafrica.org/AF/profiles/Sudan/darfur/compax/cl.pdf>.

agreement to emerge in these cases. A biased mediator can be effective in helping the disputants coordinate on a settlement, provided the disputants' reservation values form a bargaining range of potential agreements even before mediation begins. As long as any alternatives to conflict resolution are sufficiently costly, the disputants can accept a settlement proposal even if the mediator is biased.

The case of Anglo-American mediation between Italy and Yugoslavia over Trieste in 1954 is one such case, and one that has been cited as an example of the effectiveness of biased mediation (Touval, 1982: 12, 1985: 375; Jabri, 1990: 2; Carnevale and Arad, 1996: 41; De Maio, 2009: 56). British and American mediators were biased towards Italy, a Cold War ally for whom the UK and the US had administered the northern part of the disputed territory around Trieste. But mediation did not need to change beliefs on either side in order to be effective. Both Italy and Yugoslavia already understood that the post-WWII demarcation line separating Anglo-American forces in Zone A from Yugoslav-controlled Zone B constituted an acceptable bargaining solution, despite the fact that Yugoslav delegates publicly protested American and British intentions to hand control over the northern Trieste area to Italy (Zartman and Berman, 1982: 68). As the British negotiator Sir Geoffrey Harrison put it: "They both claimed to have rights to more territory. They both knew they could not get it. They both realized that the best they could hope to get was Zone A and Zone B, respectively" (Campbell, 1976: 72–73).

Yet another alternative reading of the case is that the UK and the US had moderated their bias toward Italy by the time the status of Trieste was negotiated in 1954, as the Western powers aimed to improve relations with Yugoslavia following Tito's split with the Soviet Union (Favretto, 2009: 256–257; Heuser, 1989; Rabel, 1988). But while the British and American governments "adopted a more neutral position",²⁸ they did not embrace impartiality. The US negotiator and architect of the 1954 settlement, Llewellyn E. Thompson, recalls that "I suppose the fact that we were on the spot and were occupying and administering Zone A made us somewhat partisan, which in a sense we were.... We realized that the Italians were our allies" (Campbell, 1976: 38–39).

But either way, it was not Anglo-American bias toward Italy that settled the dispute, but the fact that expectations and beliefs on both sides permitted an acceptable agreement from the get-go. The mediators in this case did not need to convince either side that the situation was significantly different from what they believed it to be. Hence a range of mediators, both biased and unbiased, could have proposed an acceptable division of the territory.

4.3. Algeria's Mediation in the Iranian Hostage Crisis

A similarly acceptable bargaining solution already existed in the Iranian hostage crisis when Algeria offered to mediate, another mediation effort cited in support of the notion that biased interventions work (Carnevale and Arad, 1996: 41; Kleiboer, 1996: 370; Carnevale, 2002: 30; Zartman and Touval, 2007: 444; DeMaio,

²⁸ Ballinger (1999: 76) offers a critical perspective on the Anglo-American role.

2009: 56). Algeria's mediation was successful, and the Algerian government was partial towards Iran: Algeria represented Iran in consular and other ambassadorial affairs in Washington after diplomatic relations had ceased between Iran and the US in April 1980, and the Algerian ambassador in Tehran, Abdelkarim Gharaiib, was understood to maintain a close relationship with the inner circle of the revolutionary Iranian leadership (Sick, 1985: 26).²⁹ But Algeria did not need to substantially change either Iranian or American expectations about what each side would be able to extract from the other if Algeria's diplomatic efforts were to fail.

After the initial attack and the hostage-taking at the American embassy in Tehran on 4 November 1979, there did not appear to exist any possible agreement between Iran and the US for almost a year. In mid-1980, however, three events precipitated a solution acceptable to both sides. First, the Shah passed away in late July 1980. The fact that the United States had allowed the Shah to receive medical treatment in the US and relocate some of his assets to the United States was an important justification for the hostage-taking, a point of contention that faded with the Shah's death.

Second, elections for the Majlis (parliament) were held in May and a new government under Prime Minister Rajai was installed on 10 September. Ayatollah Khomeini had made it clear that the issue of the American hostages would not be resolved until a government was chosen, presumably because the hostages augmented Khomeini's position in the domestic struggle over the formation of a new government, which was scheduled to take over a set of executive responsibilities from the Revolutionary Council. After the formation of a government had been delayed during the summer of 1980, an associate of Khomeini named Sadeq Tabatabai approached Washington through the German Ambassador on the very day Rajai was inaugurated as Prime Minister.

Third, Iran's border conflict with Iraq escalated, which forced Iran to shift priorities away from the confrontation with the US and made a settlement a more attractive option (Farber, 2005: 178). This pressure only increased over the course of the following few months: just as Iranian representative Tabatabai and Deputy Secretary of State Warren Christopher met for a first round of negotiations in Bonn, Germany, in late September 1980, Iraq staged a full-scale attack on the Iranian province of Khuzestan.

The four key elements of the Iranian proposal put forward by Tabatabai were in principle acceptable to the United States: (1) Iranian governmental funds in the US were to be unfrozen and transferred to Iran; (2) the US was to commit that it would not intervene in Iran; (3) the Shah's assets were to be handed over to Iran; (4) and the US was to cancel Iranian debt and forgo other claims pending or arising out of the occupation of the US embassy. However, mediation was needed to (1) verify the transfer of hostages and money; (2) relay the fact that neither the President nor Congress would be able to simply annul court orders relating to

²⁹ One could also question whether Algeria was in fact perceived as a partial mediator, as Slim (1992: 224–226) does.

Iranian assets (ultimately this problem was solved by transferring claims to a settlement mechanism outside of US courts); and (3) indicate to the Iranians that the US government had no easy way of determining the Shah's total wealth in the US, much of which had probably been withdrawn in the aftermath of the hostage-taking in any case.³⁰

Algerian assistance in hammering out the details of the final settlement was important, and negotiations were complicated: at one point, Iran accepted in principle that the Shah's assets would not be available immediately, but grossly overestimated the financial guarantee it could expect to be placed in escrow—a “\$24 billion dollar misunderstanding”, in the words of then-National Security Council staffer Gary Sick (1985: 39). The technical intricacies of what came to be “probably the largest private transfer of funds in a single transaction in history” up to that point, with the US Federal Reserve wiring almost \$8 billion into an Algerian Central Bank account with the Bank of England, posed a series of obstacles that were overcome only with the help of the Algerian diplomats involved (Sick, 1985: 39; Slim, 1992: 228). But the general parameters within which the US and Iran settled the hostage crisis were not the result of Algerian mediation. On the contrary, Algeria's biased (and laudable) diplomatic efforts could be successful because Iranian and American expectations had already shifted and allowed an acceptable agreement to emerge.³¹

4.4. Soviet Mediation at Tashkent, 1966

In other cases in which biased mediation was allegedly successful it is not clear that the intervening third party was in fact taking sides. The Soviet Union, which facilitated an agreement between India and Pakistan at Tashkent in 1966 following the two countries' war over Kashmir, is often seen as having been biased in favor of India at the time, and the Tashkent negotiations are commonly cited as an example of effective biased mediation (Touval, 1982: 12, 1985: 375; Carnevale and Arad, 1996: 42; Kleiboer, 1996: 370; Zartman and Touval, 2007: 443; DeMaio, 2009: 56). Krushchev had “lavished attention on India and been hostile toward Pakistan because of the latter's close cooperation with the United States” (Thornton, 1985: 144). By 1965, however, Krushchev had been removed from power, and the new leadership under Kosygin was eager to avoid taking sides in South Asia—much to the dismay of the Indian government, which lacked Soviet backing in the 1965 war.

During the Tashkent proceedings, a “general principle of Kosygin was absolute neutrality. Neither during the conference nor afterwards, when the euphoria had worn off, was there ever any suggestion from any of the participants that Kosygin had favored one side over the other” (Thornton, 1985: 156; Nayar, 1969: 117). The emphasis Kosygin placed on “evenhandedness” led him to insist on “an equal

³⁰ See for example Bowden (2006: 563).

³¹ Perhaps the fact that Houghton (2001) does not mention the Algerian involvement at all in his book on the Iranian hostage crisis is indicative of the role that academics outside the field of conflict resolution attribute to the Algerian mediators.

number of pictures of Ayub and Shastri on the streets; equal press coverage; painfully balanced references to each in Soviet speeches; and ritualistic alternation of which name was mentioned first” (Nayar, 1969: 117; Kux, 2006: 33).

The Soviet leadership had important strategic interests in South Asia, but these interests went beyond the terms of an agreement on Kashmir. Primarily, the Soviet Union wanted a cessation of hostilities between India and Pakistan, which were seen to strengthen China’s strategic standing in the region. Kosygin was biased against Chinese influence in South Asia, but not biased towards either of the disputants negotiating at Tashkent. This enabled him to facilitate an agreement that brought a ceasefire and the withdrawal of troops to the pre-war line of control.

Kosygin was also wary of China’s attempts to establish close relations with Pakistan after the Sino-Indian War of 1962. The Chinese leadership hoped to keep “India on the defensive” (Dixit, 2002: 155) and defuse Pakistani alliances with the West, and it voiced strong support for Pakistan when the 1965 war broke out (Dixit, 2002: 156). But this left the Soviet leadership worried about an extension of Chinese influence along the Southern perimeter of the USSR, and Kosygin moved from a policy of strong support for India to a more balanced approach that could improve relations with Pakistan and Afghanistan and that could perhaps even yield access to the Arabian Sea (Dixit, 2002: 157). Kosygin’s effective mediation at Tashkent was a result of this change in policy, not a precursor.

4.5. US Mediation at Camp David, 1978

Finally, US mediation at Camp David is sometimes cited as an example of biased conflict management gone right (Touval, 1982, 1985: 375; Jabri, 1990: 2; Carnevale and Arad, 1996: 42; Kleiboer, 1996: 370, 1998: 44–45; Zartman and Touval, 2007: 443).³² But again it is not clear that the US was as staunchly pro-Israeli as is conventionally suspected. In fact, Israeli decision-makers were concerned about the “special relationship” Jimmy Carter appeared to maintain with Egypt’s President Sadat (Telhami, 1992: 9). Faced with popular pressure over cuts in price subsidies and concerned about Egyptian reliance on Soviet military support, Sadat had invested in a strategic partnership with the US and believed that the Carter administration would assist him in reaching an advantageous settlement with Israel (Zartman and Berman, 1982: 67).

Indeed, Carter had apparently agreed with Sadat to pursue a confidential strategy aimed at extracting concessions from Israel, although Carter later retracted (Quandt, 1986: 173–175; Telhami, 1992: 5). And in the run-up to the Camp David negotiations, Secretary of State Cyrus Vance and National Security Advisor Zbigniew Brzezinski prepared proposals for Carter that stressed Israeli concessions on the status of the Palestinian territories and urged Israeli acceptance of UN Resolution 242, which reiterated the inadmissibility of territorial expansion through war. Carter’s unsympathetic insistence on Resolution 242 was one of the

³² The narrative provided here draws heavily on Stein (1999: 229–268) and Telhami (1990).

reasons why Begin complained on the fourth day of negotiations that Carter had abandoned neutrality and was siding with Sadat.

Not only Begin was concerned about a potential US bias towards Egypt. Ezer Weizman, Israeli defense minister at the time of the Camp David accords, noted that Sadat's decision to force Soviet advisors out of Egypt "brought the West closer to him, necessarily diluting its loyalty to us ..., costing us our position as the cosseted godchild of the Western world" (Weizman, 1981: 18; cited in Telhami, 1992: 2). Moshe Dayan, who, as Israel's foreign minister, was also a member of the Camp David delegation, recalls that in the follow-up discussions to the Camp David Accords, "it was evident that [the Americans] supported Sadat's position, and that was the pattern in our two-day discussions at the State Department.... The Americans represented Egypt's view, without the authority to change or concede anything" (Moshe, 1981: 130). The Knesset even passed a resolution at the end of 1978 noting that the US had taken a "one-sided" approach to the negotiations (Touval, 1982: 315).

The Carter administration was not clearly biased towards Israel. But neither was it clearly biased towards Egypt. Vice President Walter Mondale, for one, was a firm supporter of Israeli interests, and an important player at Camp David. In his speech before the Knesset on the occasion of the 30th anniversary of Israel's founding, just two months before the Camp David talks, he proclaimed that "in our life time there has been no more profound symbol of man's commitment to freedom—to dignity and justice—than the history of the Jewish state". He stressed that no disagreement "can sever the special bond that unites Israel and America today", that "the special relationship between Israel and my country will always endure", and that the US has given more economic and military aid to Israel than to any other country in the world: \$10 billion since World War II, one-fifth of all foreign aid handed out under the Carter administration, and almost 50% of all materiel grants for 1979—"an unprecedented amount".³³

In the immediate aftermath of the negotiations, neither side considered itself entirely victorious. Israel had conceded that it would withdraw all Israeli forces (as well as all settlers, pending Knesset approval) from the Sinai, and the *Washington Post's* editorial stated that Sadat got "exactly what he wanted—a negotiated peace with Israel that leaves him closely tied to the United States and excludes the Soviet Union from the entire process".³⁴ But "in Egypt, there was a feeling that Sadat gave away the store" (Telhami, 1992: 12), as he had normalized relations with Israel and agreed that the residents of the West Bank and Gaza alone should represent the Palestinians, without a solution to the Palestinian question in hand. Perhaps this is a sign of a balanced agreement. It would reflect the US's balanced approach to negotiations. And this relative balance, not biased American mediation, was one of the reasons that the Camp David Accords came to pass at all.

³³ Mondale's speech is available from the Israeli Ministry of Foreign Affairs at http://www.mfa.gov.il/MFA/Foreign_Relations/Israels_Foreign_Relations_since_1947/1977-1979/167.

³⁴ *Washington Post*, Israelis jubilant but Arabs are critical, cautious. 19 September, A1.

5. Conclusion

This article has two core goals. First, it provided an overview of a theoretical and empirical argument that links the initiation of mediation to its implementation in order to suggest that one cannot be comprehensively understood without an account of the other. Mediator bias is one important characteristic that affects the decisions of disputants and third parties. I argued that impartial mediators are relatively more likely to produce settlements, but that they also have fewer incentives to become involved in a dispute and are hence more likely to forgo mediation. This can create a selection effect by which an unadjusted empirical analysis will indicate lower mediation success rates than we would observe otherwise.

The second goal of this article is to convince readers that it is plausible to claim that biased mediators are relatively ineffective, in the face of much scholarly writing to the contrary. I suggest that to some extent the evidence of a positive bias effect in fact reflects a focus on a small set of cases. These cases include American and British mediation between Italy and Yugoslavia over Trieste in 1954, Algerian mediation between Iran and the US during the hostage crisis in 1979–80, Soviet mediation between India and Pakistan at Tashkent in 1966, and American mediation between Egypt and Israel at Camp David in 1978.

This is odd for three reasons: first, these cases are not particularly representative of mediation efforts more generally, if only for the fact that none of them involve non-state rebel groups. Second, there are hundreds of mediation cases. Bercovitch and Schneider (2000: 156) count 723 mediation efforts in international disputes between 1950 and 1990, Wilkenfeld et al. (2003: 285) report that “125, or 30%, of all crises between 1918 and 1996” were mediated, and there are more than 150 mediations in data I have collected on conflict management events in wars between 1990 and 2005 (Beber, 2011). Given these numbers, the frequency with which those particular cases appear in the literature seems disproportionate. Third, it is possible to argue that none of these four cases provide evidence for the efficacy of biased mediators, as I have done in this article. Either the third party was actually relatively neutral (the Soviet leadership at Tashkent, and the Carter administration at Camp David) or there was little need for persuasion in the first place because a range of possible agreements existed already at the outset of the mediation effort (Trieste, and the Iran hostage crisis). But this means that even in “hard” cases that are supposed to illustrate the effectiveness of biased mediation particularly well, we can construct an alternative narrative that highlights the effectiveness of unbiased mediation. This should raise some question marks with respect to mediator bias as an efficacious mission attribute.

References

- Ballinger, Pamela. 1999. The politics of the past: Redefining insecurity along the “world’s most open border”. In *Cultures of Insecurity: States, Communities, and the Production of Danger*, ed. Jutta Weldes, pp. 63–90. Minneapolis, MN: University of Minnesota Press.

- Bartoli, Andrea. 1999. Mediating peace in Mozambique: The role of the community of Sant' Egidio. In *Herding Cats: Multiparty Mediation in a Complex World*, eds Chester A. Crocker, Fen Osler Hampson and Pamela Aall, pp. 247–273. New York: United States Institute of Peace Press.
- Beber, Bernd. 2010. International mediation of military conflicts: Causes and consequences. PhD dissertation, Columbia University.
- Beber, Bernd. 2011. The effect of international mediation on war settlement: An instrumental variables approach. Working paper.
- Bercovitch, Jacob. 1996. Introduction: Thinking about mediation. In *Resolving International Conflicts: The Theory and Practice of Mediation*, ed. Jacob Bercovitch, pp. 1–10. Boulder, CO: Lynne Rienner.
- Bercovitch, Jacob. 2002. Introduction: Putting mediation in context. In *Studies in International Mediation: Essays in Honor of Jeffrey Z. Rubin*, ed. Jacob Bercovitch, pp. 3–24. New York: Palgrave Macmillan.
- Bercovitch, Jacob, and Paul Diehl. 1997. Conflict management of enduring rivalries: The frequency, timing, and short-term impact of mediation. *International Interactions* 22(3): 299–320.
- Bercovitch, Jacob, and Scott Sigmund Gartner. 2006. Is there method in the madness of mediation? Some lessons for mediators from quantitative studies of mediation. *International Interactions* 32(4): 329–354.
- Bercovitch, Jacob, and Scott S. Gartner. 2009. New approaches, methods, and findings in the study of mediation. In *International Conflict Mediation: New Approaches and Findings*, eds Jacob Bercovitch and Scott S. Gartner, pp. 1–15. New York: Routledge.
- Bercovitch, Jacob, and Gerald Schneider. 2000. Who mediates? The political economy of international conflict management. *Journal of Peace Research* 37(2): 387–404.
- Betts, Richard K. 1994. The delusion of impartial intervention. *Foreign Affairs* 73(6): 20–33.
- Bowden, Mark. 2006. *Guests of the Ayatollah: The First Battle in America's War with Militant Islam*. New York: Atlantic Monthly Press.
- Calvert, Randall L. 1985. The value of biased information: A rational choice model of political advice. *Journal of Politics* 47(2): 530–555.
- Campbell, John C., ed. 1976. *Successful Negotiation, Trieste 1954: An Appraisal by the Five Participants*. Princeton, NJ: Princeton University Press.
- Carnevale, Peter J. 2002. Mediating from strength. In *Studies in International Mediation: Essays in Honor of Jeffrey Z. Rubin*, ed. Jacob Bercovitch, pp. 25–40. New York: Palgrave Macmillan.
- Carnevale, Peter J., and Sharon Arad. 1996. Bias and impartiality in international mediation. In *Resolving International Conflicts: The Theory and Practice of Mediation*, ed. Jacob Bercovitch, pp. 39–53. Boulder, CO: Lynne Rienner.
- Carnevale, Peter J., and Dean G. Pruitt. 1992. Negotiation and mediation. *Annual Review of Psychology* 43: 531–582.
- Carter, Jimmy. 1982. *Keeping Faith: Memoirs of a President*. New York: Bantam.
- Crocker, Chester A., Fen Osler Hampson and Pamela Aall. 2005. Introduction: Mapping the nettle field. In *Grasping the Nettle: Analyzing Cases of Intractable Conflict*, eds Chester A. Crocker, Fen Osler Hampson and Pamela Aall, pp. 3–30. New York: United States Institute of Peace Press.
- Crocker, Chester A., Fen Osler Hampson and Pamela Aall. 2009. Why mediation matters: Ending intractable conflicts. In *The SAGE Handbook of Conflict Resolution*, eds Jacob Bercovitch, Victor Kremenyuk and I. William Zartman, pp. 492–505. Thousand Oaks, CA: Sage.

- Danforth, John C. 2002. Report to the President of the United States on the Outlook for Peace in Sudan (<http://www.state.gov/documents/organization/10258.pdf>).
- De Maio, Jennifer L. 2009. *Confronting Ethnic Conflict: The Role of Third Parties in Managing Africa's Civil Wars*. Lanham, MD: Lexington.
- de Soto, Alvaro. 1999. Ending violent conflict in El Salvador. In *Herding Cats: Multiparty Mediation in a Complex World*, eds Chester A. Crocker, Fen Osler Hampson and Pamela Aall, pp. 349–386. New York: United States Institute of Peace Press.
- Dixit, Jyotindra N. 2002. *India–Pakistan in War and Peace*. New York: Routledge.
- Dixon, Jeffrey. 2009. Emerging consensus: Results from the second wave of statistical studies on civil war termination. *Civil Wars* 11(2): 121–136.
- Dixon, William J. 1996. Third-party techniques for preventing conflict escalation and promoting peaceful settlement. *International Organization* 50(4): 653–681.
- El-Affendi, Abdelwahab. 2001. The impasse in the IGAD peace process for Sudan: The limits of regional peacemaking? *African Affairs* 100(401): 581–599.
- Ezman, Milton J., and Shibley Telhami, eds. 1995. *International Organizations and Ethnic Conflict*. Ithaca, NY: Cornell University Press.
- Farber, David. 2005. *Taken Hostage: The Iran Hostage Crisis and America's First Encounter with Radical Islam*. Princeton, NJ: Princeton University Press.
- Favretto, Katja. 2009. Should peacemakers take sides: Major power mediation, coercion, and bias. *American Political Science Review* 103(2): 248–263.
- Fearon, James D. 1995. Rationalist explanations for war. *International Organization* 49(3): 379–414.
- Fisher, Ronald J. 1995. Pacific, impartial third-party intervention in international conflict: A review and an analysis. In *Beyond Confrontation: Learning Conflict Resolution in the Post-Cold War Era*, eds John A. Vasquez, James T. Johnson, Sanford Jaffe and Linda Stamato, pp. 39–59. Ann Arbor, MI: University of Michigan Press.
- Frazier, Derrick V., and William J. Dixon. 2006. Third-party intermediaries and negotiated settlements, 1946–2000. *International Interactions* 32(4): 385–408.
- Gartner, Scott Sigmund, and Jacob Bercovitch. 2006. Overcoming obstacles to peace: The contribution of mediation to short-lived conflict settlements. *International Studies Quarterly* 50(4): 819–840.
- Gent, Stephen E., and Megan Shannon. 2011. Bias and effectiveness of third-party conflict management mechanisms. *Conflict Management and Peace Science* 28(2): 124–144.
- Gerring, John, and Jason Seawright. 2007. Techniques for choosing cases. In *Case Study Research: Principles and Practices*, ed. John Gerring, pp. 86–150. New York: Cambridge University Press.
- Gurr, Ted. 2000. *Peoples versus States*. Washington, DC: United States Institute of Peace Press.
- Haas, Ernst B. 1993. Collective conflict management: Evidence for a new world order? In *Collective Security in a Changing World*, ed. Thomas G. Weiss, pp. 63–119. Boulder, CO: Lynne Rienner.
- Heuser, Beatrice. 1989. *Western Containment Policies in the Cold War: The Yugoslav Case, 1948–53*. New York: Routledge.
- Houghton, David Patrick. 2001. *U.S. Foreign Policy and the Iran Hostage Crisis*. New York: Cambridge University Press.
- Jabri, Vivienne. 1990. *Mediating Conflict: Decision-Making and Western Intervention in Namibia*. New York: St Martin's.
- Kleiboer, Marieke. 1996. Understanding success and failure of international mediation. *Journal of Conflict Resolution* 40(2): 360–389.

- Kleiboer, Marieke. 1998. *The Multiple Realities of International Mediation*. Boulder, CO: Lynne Rienner.
- Kux, Dennis. 2006. *India-Pakistan Negotiations: Is Past Still Prologue?* Washington, DC: United States Institute of Peace.
- Kydd, Andrew. 2003. Which side are you on? Bias, credibility and mediation. *American Journal of Political Science* 47(4): 597–611.
- Kydd, Andrew. 2006. When can mediators build trust? *American Political Science Review* 100(3): 449–462.
- Levy, Jack S. 2009. Case studies and conflict resolution. In *The SAGE Handbook of Conflict Resolution*, eds Jacob Bercovitch, Victor Kremenyuk and I. William Zartman, pp. 72–85. Thousand Oaks, CA: Sage.
- Martin, Harriet. 2006. *Kings of Peace, Pawns of War: The Untold Story of Peace-Making*. New York: Continuum.
- Mitchell, Ronald, and Thomas Bernauer. 2004. Beyond story-telling: Designing case study research in international environmental policy. In *Models, Numbers, and Cases: Methods for Studying International Relations*, eds Detlef F. Sprinz and Yael Wolinsky-Nahmias, pp. 81–106. Ann Arbor, MI: University of Michigan Press.
- Morrison, J. Stephen, and Alex de Waal. 2005. Can Sudan escape its intractability? In *Grasping the Nettle: Analyzing Cases of Intractable Conflict*, eds Chester A. Crocker, Fen Osler Hampson and Pamela Aall, pp. 161–182. New York: United States Institute of Peace Press.
- Moshe, Dayan. 1981. *Breakthrough: A Personal Account of the Egypt–Israel Peace Negotiations*. New York: Albert A. Knopf.
- Nayar, Kuldip. 1969. *Between the Lines*. Bombay: Allied.
- Prendergast, John, and Colin Thomas-Jensen. 2007. Blowing the horn. *Foreign Affairs* 86(2): 59–74.
- Princen, Thomas. 1992. *Intermediaries in International Conflict*. Princeton, NJ: Princeton University Press.
- Quandt, William B. 1986. *Camp David: Peacemaking and Politics*. Washington, DC: Brookings Institution.
- Rabel, Roberto. 1988. *Between East and West: Trieste, the United States, and the Cold War, 1943–54*. Durham, NC: Duke University Press.
- Rauchhaus, Robert W. 2006. Asymmetric information, mediation, and conflict management. *World Politics* 58(2): 207–241.
- Regan, Patrick M. 2002. Third-party interventions and the duration of interstate conflicts. *Journal of Conflict Resolution* 46(1): 55–73.
- Rifkin, Janet, Jonathan Millen and Sara Cobb. 1991. Toward a new discourse for mediation: A critique of neutrality. *Mediation Quarterly* 9(2): 151–164.
- Savun, Burcu. 2008. Information, bias, and mediation success. *International Studies Quarterly* 52(1): 25–47.
- Seawright, Jason, and John Gerring. 2008. Case selection techniques in case study research: A menu of qualitative and quantitative options. *Political Research Quarterly* 61(2): 294–308.
- Sherman, Frank L. 1994. SHERFACS: A cross-paradigm, hierarchical and contextually sensitive conflict management data set. *International Interactions* 20(1–2): 79–100.
- Sick, Gary. 1985. The partial negotiator: Algeria and the U.S. hostages in Iran. In *International Mediation in Theory and Practice*, eds Saadia Touval and I. William Zartman, pp. 21–66. Boulder, CO: Westview.
- Sisk, Timothy D. 2009. *International Mediation in Civil Wars: Bargaining with Bullets*. New York: Routledge.

- Skjelsbæk, Kjell, and Gunnar Fermann. 1996. The UN Secretary-General and the mediation of international disputes. In *Resolving International Conflicts: The Theory and Practice of Mediation*, ed. Jacob Bercovitch, pp. 75–104. Boulder, CO: Lynne Rienner.
- Slim, Randa M. 1992. Small-state mediation in international relations: The Algerian mediation of the Iranian hostage crisis. In *Mediation in International Relations: Multiple Approaches to Conflict Management*, eds Jacob Bercovitch and Jeffrey Z. Rubin, pp. 206–231. New York: St Martin's.
- Smith, Alastair, and Allan C. Stam. 2003. Mediation and peacekeeping in a random walk model of civil and interstate war. *International Studies Review* 5(4): 115–135.
- Smith, William P. 1985. Effectiveness of the biased mediator. *Negotiation Journal* 1(4): 363–372.
- Stein, Kenneth W. 1999. *Heroic Diplomacy: Sadat, Kissinger, Carter, Begin, and the Quest for Arab–Israeli Peace*. New York: Routledge.
- Svensson, Isak. 2007. Bargaining, bias and peace brokers: How rebels commit to peace. *Journal of Peace Research* 44(2): 177–194.
- Telhami, Shibley. 1990. *Power and Leadership in International Bargaining: The Path to the Camp David Accords*. New York: Columbia University Press.
- Telhami, Shibley. 1992. The Camp David Accords: A case of international bargaining. *Pew Case Studies in International Affairs*, Case 445. Washington, DC: Institute for the Study of Diplomacy.
- Terris, Lesley G., and Zeev Maoz. 2005. Rational mediation: A theory and a test. *Journal of Peace Research* 42(5): 563–583.
- Thornton, Thomas Perry. 1985. The Indo-Pakistan conflict: Soviet mediation at Tashkent, 1966. In *International Mediation in Theory and Practice*, eds Saadia Touval and I. William Zartman, pp. 141–171. Boulder, CO: Westview.
- Touval, Saadia. 1982. *The Peace Brokers: Mediators in the Arab–Israeli Conflict, 1948–1979*. Princeton, NJ: Princeton University Press.
- Touval, Saadia. 1985. The context of mediation. *Negotiation Journal* 1(4): 373–378.
- Touval, Saadia, and I. William Zartman. 1985. Introduction: Mediation in theory. In *International Mediation in Theory and Practice*, eds Saadia Touval and I. William Zartman, pp. 7–17. Boulder, CO: Westview.
- Touval, Saadia, and I. William Zartman. 1989. Mediation in international conflicts. In *Mediation Research: The Process and Effectiveness of Third-Party Intervention*, eds Kenneth Kressel and Dean C. Pruitt, pp. 115–137. San Francisco, CA: Jossey-Bass.
- United Nations. 1992. *Handbook on the Peaceful Settlement of Disputes between States*. New York: United Nations.
- United Nations. 2009. *Peacemaking*. New York: UN Department of Political Affairs.
- Weizman, Ezer. 1981. *The Battle for Peace*. Toronto: Bantam.
- Wilkenfeld, Jonathan, Kathleen Young, Victor Asal and David Quinn. 2003. Mediating international crises: Cross-national and experimental perspectives. *Journal of Conflict Resolution* 47(3): 279–301.
- Woodward, Peter. 2006. Peacemaking in Sudan. In *Ending Africa's Wars: Progressing to Peace*, eds Oliver Furley and Roy May, pp. 167–178. Burlington, VT: Ashgate.
- Young, John. 2003. Sudan: Liberation movements, regional armies, ethnic militias & peace. *Review of African Political Economy* 30(97): 423–434.
- Young, Oran R. 1967. *The Intermediaries: Third Parties in International Crises*. Princeton, NJ: Princeton University Press.
- Young, Oran R. 1992. The effectiveness of international institutions: Hard cases and critical variables. In *Governance Without Government: Change and Order in World Politics*, eds

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- James N. Rosenau and Ernst-Otto Czempiel, pp. 160–194. New York: Cambridge University Press.
- Zartman, I. William, and Maureen R. Berman. 1982. *The Practical Negotiator*. New Haven, CT: Yale University Press.
- Zartman, I. William, and Saadia Touval. 2007. International mediation. In *Leashing the Dogs of War: Conflict Management in a Divided World*, eds Chester A. Crocker, Fen Osler Hampson and Pamela Aall, pp. 437–454. Washington, DC: United States Institute of Peace.

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