



ISSN: 2045-1903

Vol. 8 | No. 1 | 2020



# Journal of Conflict Transformation & Security

**Special Issue**

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# Journal of Conflict Transformation & Security



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Peer-reviewed | Academic journal

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## The Determinants of Negotiation Commencement in Civil Conflicts

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### ABSTRACT

*Although the world has witnessed more negotiated settlements in civil conflicts since the end of Cold War than in previous eras, scholars still question what brings the parties of civil conflicts to the negotiation table in the first place. Previous scholarship has neglected significant variables concerning the potential costs and benefits of negotiation, such as reputation, legitimacy, relationships to the status quo, and the reliability of the actors involved, as well as the presence and role of third parties in the conflict. In doing so, studies have failed to grasp that negotiation is a process and a costly choice in itself. This article investigates the determinants that affect negotiation commencement in civil conflicts in terms of costs and benefits to the warring parties. It shows that the odds of negotiation occurring become higher when existing conditions or the characteristics of parties mean that involvement is cost-cutting rather than cost-increasing.*

**Keywords:** Civil Conflicts, Conflict Management, Conflict Resolution, Negotiation, The Costs/Benefits of Negotiation

**Biographical Note:** Ilker Kalin is a post-doctoral fellow at the the Center for Peace and Conflict Studies at Wayne State University in Michigan. The present article is part of his PhD research project that explores negotiation issues in civil conflicts. His academic interest lie primarily in the area of peace and conflict studies, with special focus on civil wars, terrorism, and conflict resolution.

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## Introduction

While political scientists have investigated why peace processes fail, civil conflicts arise, and negotiations succeed or fail, they have not sufficiently examined the predictors of negotiation use in civil wars.<sup>1</sup> Constructing an adequate model for the initiation of negotiations has a plethora of advantages including saving lives, time, and resources and encouraging peacebuilding, reconciliation, and the restoration of justice.<sup>2</sup> The study of negotiations commencement in wars (civil or interstate) lags behind other areas of research in world politics, which focus on issues such as war and peace, foreign policy, leadership in conflict, and terrorism. Few analysts have attempted to delineate the conditions under which negotiations become more probable in civil conflicts.<sup>3</sup>

Bargaining theory and ripeness theory have been proposed to explain when, why, and where negotiations are most likely to happen in interstate and civil wars. Both paradigms concentrate on the cost of war as the main independent outcome driving changes in negotiations. On the one hand, using bargaining theory, Blainey and Pillar have suggested that parties to a conflict view their participation as a bargaining process that enables them to achieve their proclaimed outcomes.<sup>4</sup> Fearon concluded that parties' perceptions of the different outcomes involved in the bargain, as well as monetary cost, casualties, loss/gain of territorial control, and other factors determine whether a party will initiate negotiations.<sup>5</sup> On the other hand, Zartman posited what has become known as "ripeness theory" to explain why and when the parties to a conflict prefer negotiations over warring.<sup>6</sup> He argued that parties are more likely to negotiate when they are in a rough and costly situation.<sup>7</sup> Two factors facilitate the initiation of negotiation: one is "mutually hurting stalemate" and the other is a desire to seek a "way out". Mutually hurting stalemate refers to a situation where both parties have come to believe that they cannot practically or successfully escalate the conflict to achieve their goals at an acceptable cost;<sup>8</sup> therefore, they seek "a way out" of the conflict.<sup>9</sup> The literature informed by the two theories noted here concludes that negotiations begin once the cost of war exceeds the expected value to be gained from fighting.

Ghosn observed that negotiation in international wars may be associated with some costs and benefits,<sup>10</sup> but his idea gained little purchase and most other researchers continued to regard negotiation as a costless decision. Kaplow was the first to mention that negotiation itself might inflict costs on, or produce benefits for, parties engaged in civil conflicts.<sup>11</sup> He

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<sup>1</sup> Hartzell et al., "Stabilizing the Peace After Civil War: An Investigation of Some Key Variables"; Hartzell et al., "Institutionalizing Peace"; Fortna, "Does Peacekeeping Keep Peace?"; Cunningham, "Veto Players and Civil War Duration".

<sup>2</sup> Bercovitch et al., "Negotiation or Mediation"; Pearson et al., "The Challenge of Operationalizing Key Concepts"; Pearson et al., "Steps toward Peace in Civil Wars in the Asia-Pacific Region".

<sup>3</sup> Barbara Walter, *Committing to Peace: The Successful Settlement of Civil Wars*; Bapat, "Insurgency and the Opening of Peace Processes"; Findley, "Bargaining and the Interdependent Stages of Civil War Resolution".

<sup>4</sup> Geoffrey Blainey, *The Causes of War*; Paul Pillar, *Negotiating Peace*.

<sup>5</sup> Fearon, "Primary Commodity Exports and Civil War".

<sup>6</sup> I. William Zartman, *Ripe for Resolution*.

<sup>7</sup> I. William Zartman, *The Unfinished Agenda*.

<sup>8</sup> Ibid.

<sup>9</sup> Zartman, "Ripeness".

<sup>10</sup> Ghosn, "Getting to the Table and Getting to Yes".

<sup>11</sup> Kaplow, "The Negotiation Calculus".



argued that parties involved in civil wars often do not negotiate when they perceive negotiation as being costly, and he went on to identify several measurements to quantify the costs and benefits derived during negotiation, including the fear of losing external and/or internal support, the risk of granting legitimacy to the other side, and the difficulty of finding a reliable partner with whom to negotiate. Building on Kaplow's insights, as well as other theoretical premises, this current study identifies several additional measurements related to the costs and benefits of negotiations, including terrorism, the role of third parties, the characteristics of the governments or insurgent groups involved, and the government's respect or lack thereof for human rights. It then uses these measures to capture the costs and benefits of negotiation in civil conflict contexts, using a large dataset to ensure an inclusive sample size and a broad time frame.

The findings of this research do not directly contradict other existing approaches which focus on the "cost" or "type" of wars; rather, they suggest that the "cost of war" logic is especially relevant to negotiation decisions made in civil wars. Military stalemate and the insurgent's control over a territory, which are accepted measurements of the costs of conflicts, seem to be important determinants of the initiations of negotiation as a result. However, the findings also show that the cost of war is not the sole determinant of negotiations, and the study finds support for indicators that relate to the costs and benefits of negotiations. Findings show that third parties may play both positive and negative roles in shaping parties' perceptions about whether the decision to negotiate is a cost or a benefit to them. Moreover, it is found that the parties to a civil conflict are often concerned about the legitimacy and reliability of the other side as a negotiation partner and about their own reputation if negotiations carry a risk that they might be perceived by their constituency as being concession-prone or weak.

This study's contribution to the understanding of negotiation in civil conflicts is threefold. First, it extends Kaplow's insight by adding new measures and variables, as well as providing a study based on wider geographic coverage; it also improves the existing understanding of the conditions that lead to negotiation during civil conflicts by focusing on difficult negotiation issues in particular.<sup>12</sup> Second, the study draws on an extensive review of literature about the commencement of negotiations; this has enabled us to assess many previously tested and newly suggested hypotheses together under the "costs/benefits of negotiation" framework. Third, the study utilizes five reliable datasets – namely the UCDP/PRIO Armed Conflict Dataset, the Non-State Actors in Armed Conflict (NSA) Dataset, the Global Terrorism Database (GTD), the International Military Intervention (IMI) Dataset, and the CIRI Human Rights Data Project – merging them to establish the conditions that ripen the ground for negotiation.<sup>13</sup>

Overall, this research attempts to conceptualize possible indicators for the occurrence of negotiation during civil conflicts at a theoretical level, so that researchers and analysts can give meaning to the correlation between these indicators and the practical occurrences of negotiation. It understands negotiation as a process, and it takes all negotiation attempts in civil conflicts between 1989 and 2008 into consideration without regard for their

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<sup>12</sup> Ibid.

<sup>13</sup> Gleditsch et al., "Armed Conflict 1946-2001"; Cunningham et al., "Non-State Actors in Civil Wars"; START, "Global Terrorism Database"; Pearson et al., "International Military Interventions"; Pickering et al., "The International Military Intervention Dataset"; Cingranelli et al., "The CIRI Human Rights Dataset".

successes or failures. The study assumes that any negotiation attempt at any stage of a conflict may indicate the willingness of the parties involved to discuss the conflict's issues further.

### **The determinants of negotiation commencement**

It is vital to conceptualize negotiations in civil conflict before delving into a detailed survey of their commencement factors. Bercovitch and Jackson define negotiation as "a process by which states and other actors communicate and exchange proposals in an attempt to agree about the dimensions of conflict termination and their future relationship".<sup>14</sup> In line with the Uppsala Armed Conflict Database (UCDP), this study defines negotiation as talks between warring parties concerning conflict-related issues, such as ceasefires, exchange of war prisoners, and the creation of humanitarian zones.<sup>15</sup> This generally accepted definition has been supported by a range of studies.<sup>16</sup>

The conventional wisdom in world politics is that negotiations in civil wars are a complicated puzzle.<sup>17</sup> Civil wars last longer than interstate wars due to the lower probability of reaching a negotiated settlement.<sup>18</sup> This "delayed negotiations" phenomenon has been linked to numerous factors, which include parties' failure or unwillingness to recognize each other as credible and legitimate negotiating partners;<sup>19</sup> issues at stake that are unsuited to compromise;<sup>20</sup> parties' optimism in the early years of a conflict that victory is a probable outcome;<sup>21</sup> and parties' perceptions that losses will be more salient than any gains that might result from any prospective negotiation.<sup>22</sup> These factors shape the negotiation puzzle in civil wars, and they raise a number of questions: firstly about why negotiations take place in certain conflicts while not in others, and, secondly, about whether or not the timing of negotiations can be predicted or sped up by increasing the impact of ancillary factors that lead to their commencement. Thirdly, we might ask, what role is played by the costs and benefits associated with the actors' perceptions of a possible negotiation? Such questions have given rise to the emerging literature on the determinants of negotiations; those determinants are reviewed below.

### **The cost of conflict**

Scholars of conflict resolution have translated both the bargaining theory of war and Zartman's ripeness theory into a unified framework for analysing international and civil conflict in order to focus on the cost of conflict.<sup>23</sup> An understanding that relies on this framework proposes that the higher the costs of conflict are for involved parties, the higher chances are that negotiations will commence and succeed, assuming that all parties to the conflict are rational. As for the operationalization of costs associated with conflicts,

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<sup>14</sup> Jacob Bercovitch et al., *International Conflict*, 25-26.

<sup>15</sup> Gleditsch et al., "Armed Conflict 1946-2001".

<sup>16</sup> Kaplow, "The Negotiation Calculus"; Findley, "Bargaining and the Interdependent Stages of Civil War Resolution".

<sup>17</sup> Fred Iklé, *Every War Must End*; Paul Pillar, *Negotiating Peace*; I. William Zartman, *The Unfinished Agenda*.

<sup>18</sup> Ibid.

<sup>19</sup> Fred Iklé, *Every War Must End*; Paul Pillar, *Negotiating Peace*.

<sup>20</sup> Ibid.; Barbara Walter, *Committing to Peace*.

<sup>21</sup> Bapat, "Insurgency and the Opening of Peace Processes".

<sup>22</sup> McDermott, "Prospect Theory and Negotiation".

<sup>23</sup> Rubinstein, "Perfect Equilibrium in a Bargaining Model"; Powell, "Bargaining Theory and International Conflict"; Zartman, *Ripe for Resolution*.

studies have suggested that various factors have an effect including military stalemate, a deteriorating economy, casualties of conflicts, war weariness, the conflict's intensity, and dynastic survival.<sup>24</sup>

Dukalskis argues for the importance of "war weariness" as a factor, whereby parties in a long-lasting conflict come to realize that there is a low probability of victory and decide to settle by negotiation without necessarily achieving their goals in full.<sup>25</sup> Pursuing a similar vein of enquiry, Collier and Hoeffler find that the probability of peace increases every year after a seven-year conflict period.<sup>26</sup> Doyle and Sambanis support this argument when they note that long wars are more likely to be settled by negotiation because of parties' increasing perception that their likelihood of victory is low.<sup>27</sup> Recent studies, however, have been taking different approaches and have provided new conditions to consider, such as the number of potential claimants, the intensity of the conflict, the relationship between the disputants, and services provided by the insurgent groups.<sup>28</sup>

### ***The type of conflict***

It is important to note that not all civil conflicts are the same. While some are fought over territorial disputes, others primarily focus on control of governance.<sup>29</sup> Some scholars have suggested that the indivisibility of the issues at stake in civil conflicts make them difficult to resolve.<sup>30</sup> Iklé, for example, argues that, in civil wars where the sides are not geographically separable, partition is difficult and therefore "one side has to get all, or nearly so".<sup>31</sup> Pillar sees negotiation during a civil conflict as less practical than in an interstate conflict due to this same problem of indivisibility.<sup>32</sup>

The divisibility of territorial and governmental control issues seems to make the likelihood of a negotiation quite difficult for the parties involved. On the one hand, it could be argued that an insurgency fought over a territory might be easier to resolve through negotiation because, while the political elite can make concessions on territory, they can still hold on to power.<sup>33</sup> On the other hand, Walter has found that insurgent groups fighting over territory are not more likely to initiate negotiations, and this has a negative effect on the insurgent's willingness to sign a treaty.<sup>34</sup> Moreover, Walter has found that territorial goals, as opposed to goals associated with gaining a share of governing power, have a negative effect on the willingness of insurgents to come to an agreement.

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<sup>24</sup> De Mesquita et al., "War and the Survival of Political Leaders"; Collier et al., "Greed and Grievance in Civil War"; Dukalskis, "Why do Some Insurgent Groups agree to Cease-fires While Others Do Not?".

<sup>25</sup> Ibid.

<sup>26</sup> Collier et al., "Greed and Grievance in Civil War".

<sup>27</sup> Sambanis, "Terrorism and Civil War".

<sup>28</sup> Findley, "Bargaining and the Interdependent Stages of Civil War Resolution"; Heger et al., "Negotiating with Rebels".

<sup>29</sup> Walter, *Committing to Peace*.

<sup>30</sup> Licklider, "The Consequences of Negotiated Settlements in Civil Wars, 1945–1993"; Mason et al., "How Civil Wars End".

<sup>31</sup> Fred Iklé, *Every War Must End*, 95.

<sup>32</sup> Paul Pillar, *Negotiating Peace*.

<sup>33</sup> Stedman, "Spoiler Problems in Peace Processes".

<sup>34</sup> Barbara Walter, *Committing to Peace*.

### ***The costs and benefits of negotiation***

The existing scholarship on conflict negotiation suffers from scholars' lack of understanding about how negotiations incur costs or benefits for the respective parties in civil and international conflicts. Only a few academics have raised the question of the costs and benefits of negotiation,<sup>35</sup> and, before Kaplow's study,<sup>36</sup> many scholars treated negotiation as a costless choice, on the assumption that parties to civil conflict were deciding to negotiate based on the cost of war or some other characteristic of the conflict. However, Kaplow argued that the commencement of negotiations in civil wars brings a number of potential benefits and costs to parties.

### ***The construction of hypotheses***

This study builds on Kaplow's insight and uses several additional measurements (such as terrorism, the role of third parties, characteristics of the insurgent groups involved, and the government's respect or lack thereof for human rights) in its analysis of a large dataset to thoroughly capture the costs and benefits of negotiation in civil conflict contexts.<sup>37</sup> On the basis of this analysis, we suggest the following hypotheses to account for the commencement of negotiations in civil conflicts:

**Table 1.** Suggested hypotheses

<b>Variables</b>	<b>Hypotheses</b>
The number of actors	<u>Reputation Hypothesis</u> : Negotiation becomes less likely to happen if the government perceives potential fights with additional insurgent groups.
The insurgent's political link	<u>Legitimacy Hypothesis</u> : Negotiation is more likely to happen if the insurgent group is connected to a legal political party or faction.
The insurgent's leadership structure	<u>Valid Spokesman Hypothesis</u> : Negotiation is more likely to occur if the insurgent group has a known representative who speaks for them.
	<u>External Pressure Hypothesis</u>
The insurgent's transnational constituency	<u>Hypothesis a</u> : Governments are more likely to negotiate if the insurgent group has a transnational constituency or actually receives foreign assistance.
External military support for the insurgent	<u>Hypothesis b</u> : Insurgents are less likely to negotiate when they receive external military support.
Terrorism-oriented groups v others	<u>Terrorism Hypothesis</u> : Negotiation is less likely if the insurgent group is terrorism-oriented.

<sup>35</sup> Ghosn, "Getting to the Table and Getting to Yes"; Kaplow, "The Negotiation Calculus".

<sup>36</sup> Kaplow, "The Negotiation Calculus".

<sup>37</sup> Ibid.

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Physical integrity rights and empowerment rights indexes	<u>Human Rights Hypothesis:</u> Negotiation is less likely to happen if the government breaches human rights.
	<u>Foreign Military Intervention Hypothesis</u>
Foreign military intervention	<u>Hypothesis a:</u> Negotiation is more likely to happen in the presence of a third-party intervention.
Neutral intervention vs. biased interventions	<u>Hypothesis b:</u> Neutral foreign military intervention will increase the likelihood of negotiation compared to biased foreign military intervention.

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The reputation hypothesis derives from the idea that governments do not want to be perceived as concession-prone.<sup>38</sup> A government may therefore understand negotiation with an insurgent or a terrorist group as a loss of popular support (loss of reputation). Given that governments are not generally willing to grant legitimacy to any insurgent group,<sup>39</sup> a possible negotiation already represents a cost for the government. Moreover, the involvement of every additional insurgent group increases the perceived cost of negotiation in the government's eyes. This is because governments may be concerned that other insurgent groups will demand privileges that are the same as, or similar to, those granted to the first insurgents with whom the government comes to terms. Therefore, governments may perceive negotiation as being costly when they are fighting with multiple actors.

Questions about the legitimacy of the actors involved in civil conflicts have been pointed to as the biggest impediments to negotiation.<sup>40</sup> Most of the time, governments do not recognize insurgent groups as having enough legitimacy to justify the initiation of talks, and they often label insurgent actors as terrorists, traitors, and criminals.<sup>41</sup> It is safe to assume that negotiation with an insurgent group poses a cost to governments due to these legitimacy issues, but legitimacy is a variable factor: some groups may appear more legitimate than others, and this, in turn, can decrease the costs that governments perceive to be attached to negotiation in certain cases. Under some conditions, an insurgent group can be considered as somewhat legitimate or at least to have de facto credibility. For instance, if the insurgent group is linked to a legal or proto-legal political party, the group can represent its goals and demands clearly through nonviolent means rather than through resort to the use of arms.

It is a prerequisite for any sort of negotiation that it must be possible to find a representative of the group(s) involved in the conflict in order to initiate talks.<sup>42</sup> By definition, negotiation requires at least two parties to consider the issues involved in a

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<sup>38</sup> Barbara Walter, *Committing to Peace*.

<sup>39</sup> Bapat, "Insurgency and the Opening of Peace Processes".

<sup>40</sup> I. William Zartman, *The Unfinished Agenda*; Barbara Walter, *Committing to Peace*.

<sup>41</sup> Bapat, "Insurgency and the Opening of Peace Processes".

<sup>42</sup> I. William Zartman, *Dynamics and Constraints in Negotiations in Internal Conflicts*.

confrontation. While, on the government's side, there will always be one official or more who can speak with authority, it is not always easy to identify a representative for an insurgent group, even if the government is eager to settle a conflict through negotiation.<sup>43</sup> As we have noted, not all insurgent groups are the same and some are more structured than others, and it is easier for governments to initiate peace talks with an insurgent group when that group has a leader or some sort of hierarchical structure. Therefore, governments perceive negotiation to be less costly when the insurgent group has a valid spokesperson to speak on its behalf.

Zartman argues that very few intrastate wars are purely internal.<sup>44</sup> This is to say that the government, the insurgent group, or both, receive external support during the conflict. This support might encompass military assistance, financial support, or even diplomatic influence. For the purpose of this study, the insurgents' external support is of particular concern because civil conflicts are often seen as asymmetric conflicts where, without the help of outside support, the insurgents may be weaker than the government in terms of factors such as military capability, financial power, and legitimacy.

External support in the context of negotiation can be interpreted differently and external pressure on negotiations can go either of two ways. First, those insurgent groups which have a transnational constituency can bring international pressure to bear, leveraging the influence of diaspora groups in order to encourage a government to negotiate or make concessions. When outside pressure to solve a conflict's issues is directed towards a government, the regime may want to meet the demands of the outsiders and so it may come to see negotiation or the making of some concessions as being less costly than fighting. Second, the presence of outside support for insurgent groups can affect the decisions made in negotiations. Insurgent groups desire maintenance of their outside support and therefore cannot make a decision against an external group's wishes.<sup>45</sup> In such cases, the insurgent groups perceive negotiation as a cost which may cause them to lose their external support. It is notable that, while the first hypothesis looks at the negotiation cost from the perspective of the government, the second takes the insurgents' assessment of the cost into account. Both situations represent the effects of external pressure, even though that pressure affects perceptions of the negotiation calculation in different ways.

In the literature on conflict resolution, there are no clear distinctions between insurgents and terrorist groups when it comes to negotiation practices, and although the general position of governments is that they neither concede to terrorists nor negotiate with them, Neumann argues that they do often negotiate in relation to various issues.<sup>46</sup> Fortna finds that rebels who use terrorism are less likely to experience a negotiated settlement than those who avoid terrorism.<sup>47</sup> Fortna also asserts that terrorism only causes the conflict to last longer and is not useful for rebels as a means of achieving their political goals. On the other hand, Thomas draws on an examination of civil wars in African countries to argue that governments are more likely to offer concessions to rebels who execute large-scale

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<sup>43</sup> Cunningham et al., "Non-state Actors in Civil Wars"; Kaplow, "The Negotiation Calculus".

<sup>44</sup> I. William Zartman, *Dynamics and Constraints in Negotiations in Internal Conflicts*.

<sup>45</sup> Kaplow, "The Negotiation Calculus".

<sup>46</sup> Neumann, "Negotiating with Terrorists".

<sup>47</sup> Fortna, "Do Terrorists Win?".

terrorism during civil wars than those who eschew terrorism.<sup>48</sup> She argues that the use of terror not only displays the insurgent's "power to hurt" but puts governments at a disadvantage when they are forced into the passive position of responding to terrorism. This study suggests that governments will be less likely to negotiate with those who rely on terrorism if the public perceive negotiation as an act that concedes to violence; any such perception may damage a government's reputation and credibility and so the government might therefore perceive negotiation with a group that uses violence as a cost.

The human rights hypothesis also considers the costs-benefits calculation from the perspective of the insurgent group, bearing in mind that it is not always the government which is not willing to negotiate. There have been few, if any, attempts in the literature to include the government's respect for human rights as an indicator of the prospect for negotiation in civil conflicts, yet it is a factor that is clearly in play for insurgents. Just as governments insist that they will not acquiesce to the violent actions of insurgents or terrorists, insurgent groups insist that they will not ignore the violent and disrespectful actions of a government, and there are cases where the government accedes to negotiation demands and the insurgents forego the chance to negotiate, as has been seen in Sri Lanka, Eritrea, and the Western Sahara.<sup>49</sup> Insurgents tend to perceive negotiation as less costly if a government has a reasonably good reputation for respecting human rights than if it has little or no respect for those rights. The logic here is that the insurgent groups are concerned about the effects of a potential negotiation on their internal cohesion and appeal to their constituents if they engage without human rights being safeguarded to some extent. If insurgent groups do initiate any form of negotiation with a government disrespectful of human rights, disagreements might arise among their group members that would pose risks to both internal cohesion and external credibility. By the same token, Kahneman and Tversky argue that, when legitimate rights are violated or moral outrage is incurred, the anticipated loss from a potential negotiation may be perceived as more unacceptable to the parties.<sup>50</sup> Although it is not right to expect that all insurgent groups will be equally concerned about liberal values, such as human rights, the hypothesis still holds value because governments' observation of human rights can at least be interpreted as a sign of a partners' reliability during negotiations and can produce other benefits or safeguards. For example, if a negotiation fails and fights begin anew, the members of insurgent groups may expect fair trials and justice in the future rather than torture and political killings. In essence, insurgent groups feel they at least have better chances when negotiating with a respectful government rather than a disrespectful one.

Third-party states regularly practise foreign military intervention in order to influence the evolution of civil wars. While some scholars have argued that military interventions increase the duration of the wars, others have asserted that the direction of military intervention plays a major role in determining the probability of negotiation.<sup>51</sup>

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<sup>48</sup> Thomas, "Rewarding Bad Behavior".

<sup>49</sup> I. William Zartman, *Dynamics and Constraints in Negotiations in Internal Conflicts*.

<sup>50</sup> Kahneman et al., "Conflict Resolution".

<sup>51</sup> Pickering et al., "Political, Economic, and Social Consequences of Foreign Military Intervention"; Patrick M. Regan, *Civil Wars and Foreign Powers*; Pearson et al., "International Military Interventions".

Accordingly, Pearson and Baumann categorize foreign military interventions into three types: neutral, supportive, and hostile.<sup>52</sup>

The parties' lack of trust in each other and the absence of commitment and goodwill are the main obstacles that stand in the way of a possible negotiation, and therefore parties perceive these problems as part of the cost of negotiating. However, the presence of a neutral third party can lower the cost of negotiation by offering at least a guarantee of security in the case of a failed negotiation. In these cases, although a cost of negotiation is initially perceived as unavoidable by the parties involved, that cost can be mitigated, or become a benefit, when a third party offers to provide commitment and trust in certain forms during negotiations. In other words, intangible factors, such as goodwill and trust, which are perceived as certain costs by the parties at the beginning can appear as certain benefits in the presence of a third party, and this will increase the likelihood of a negotiation.<sup>53</sup>

### **Methodology and data**

Since this study's dependent variable was a binary measure of negotiation, the statistical technique of Logistic Regression was used to test our hypotheses. The unit of analysis was structured in "dyad-year" form, which stood for a government group and an insurgent group being in conflict with one another in a given year. Dyadic form is important to this study since its main goal is to understand the negotiation calculation from the perspective of both warring parties. The study is informed by the notion put forward by Cunningham, Gleditsch, and Salehyan, that "it takes two" to negotiate.<sup>54</sup> It is interested neither in understanding changes in conditions over time, nor in how the negotiation has affected the outcome, partly because most of the variables do not show much variance over time. Therefore, it takes every dyad-year as an independent case, without assessing the factor of time, and this research strategy is in line with those of most of the other studies which have focused on similar research questions.<sup>55</sup>

In order to explain the relationship between the costs and benefits of negotiation and the occurrences of negotiation, all civil conflicts occurring from 1989 to 2008 were identified by using the Armed Conflict Database UCDP/PRIO; its definition asserts that a civil conflict is "a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in a calendar year".<sup>56</sup> These years were chosen since the dependent variable (negotiation) acquired from the UCDP Database Categorical Variables is only available for the conflicts occurring in this time period. For the dyadic form, we relied upon the UCDP/PRIO Dyadic Dataset.<sup>57</sup> The data were combined with datasets from Non-State Actors in Armed Conflict (NSA),<sup>58</sup> Global Terrorism Database

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<sup>52</sup> Ibid.

<sup>53</sup> McDermott, "Prospect Theory and Negotiation".

<sup>54</sup> Cunningham et al., "It Takes Two".

<sup>55</sup> Barbara Walter, *Committing to Peace*; Kaplow, "The Negotiation Calculus"; Findley, "Bargaining and the Interdependent Stages of Civil War Resolution".

<sup>56</sup> Gleditsch et al., "Armed Conflict 1946-2001".

<sup>57</sup> Harbom, "Dyadic Dimensions of Armed Conflict, 1946-2007".

<sup>58</sup> Cunningham et al., "Non-State Actors in Civil Wars".



(GTD),<sup>59</sup> International Military Intervention (IMI),<sup>60</sup> and CIRI Human Rights Data Project to accommodate, respectively, factors such as the characteristics of insurgent groups, terrorist events, foreign military intervention variables, and governments' respect or lack of it for human rights.<sup>61</sup>

The main dataset utilized in this study, the UCDP/PRIO, offers several advantages over alternatives. First, since its threshold for a dyad to be considered to be in a "civil conflict" is 25 battle-related death in a given year, it provides a broader sample than other datasets of armed conflicts which use different thresholds (i.e. 250, 500, and 1,000 battle-related deaths). It allows more cases to be included in the study, but it also enables analysis of the differences between low-level and major conflicts. Second, it allows for dyadic analysis and is compatible with the NSA dataset from which the study derives variables regarding the characteristics of insurgent groups. Third, the broad definition of negotiation used in the construction of the database means that it includes not only successfully implemented negotiations, but also any talks between warring parties concerning conflicts and conflict-related issues. In the end, our study was able to analyse 991 dyad-years on the basis of the collected data, and it was able to include low-level and major internal armed conflicts taking place around the world between 1989 and 2008.

### ***The dependent variable***

The dependent variable was a dichotomous measure of negotiation, which assigned a value of one if there were any negotiations in the dyad year and zero otherwise. In the analysis, any talks involving both parties to the conflict and concerning conflict-related issues such as ceasefires, exchanges of prisoners, or the creation of humanitarian zones, were considered to be negotiations.

### ***Independent variables***

The costs and benefits of negotiation were measured by several indicators. To test the reputation hypothesis, a simple measure of the number of insurgent groups fighting with the government was created by simply counting the number of insurgent groups fighting with the same government in a given year. To test the legitimacy hypothesis, a measure adopted from the NSA dataset was utilized. Accordingly, a dichotomous measure was used which takes a value of one if the insurgent group has a political link but otherwise assigns a zero. To test the valid spokesman hypothesis, an ordinal measure was constructed, relying on the NSA dataset, which indicates the strength of central leadership in the insurgent group as low, moderate, or high. As for the effect of outside actors on talks between governments and insurgent groups, two hypotheses were proposed and these focused on transnational constituency and outside support.

To test outside support, two dichotomous variables were included which indicate whether or not the insurgent group received military support from an external state and/or non-state actor. By taking this approach, the study helps to differentiate between the effects of different sources of support for insurgent groups on the occurrence of negotiation. The external state support variable took the value of one if the insurgent group received

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<sup>59</sup> START, Global Terrorism Database.

<sup>60</sup> Pearson et al., "International Military Interventions"; Pickering et al., The International Military Intervention Dataset.

<sup>61</sup> Cingranelli et al., The CIRI Human Rights Dataset.

military support from at least one external state. To test the transnational constituency hypothesis, a dichotomous variable created by the NSA dataset was adopted. The measure for the transnational constituency of an insurgent group took the value of one if the insurgent group had a transnational link to, and/or was supported in a non-military manner by, another non-state actor in other states; otherwise it took the value of zero. To test the terrorism hypothesis, a dichotomous measure was used to distinguish insurgents from terrorists. Accordingly, if the insurgent group was coded in the GTD dataset, it was coded as a terrorist group; otherwise it was coded as an insurgent group.

For the third-party intervention variable, use was made of the IMI dataset in order to code third-party military intervention(s) for the given year. The IMI dataset codes all foreign military intervention in civil conflicts and provides information about the intentions of these interventions, labelling them as neutral, supporting the government, supporting rebels, opposing the government, and/or opposing rebels. Accordingly, two dichotomous variables were created. One dichotomous variable was included to measure whether there was a foreign military intervention in the country regardless of the intervener's intention. Another dichotomous variable was created to indicate whether the intervention was biased or unbiased. The interventions made by opposing governments or insurgents and the ones supporting either parties were coded as biased interventions, while neutral interventions, which did not support either party, were coded as unbiased interventions.

As for the human rights hypothesis, Physical Integrity Rights and Empowerment Rights indexes from the CIRI Project index were adopted. The Physical Integrity Right index includes four indicators (torture, extrajudicial killing, political imprisonment, and disappearance) and ranges from zero, which represents no respect for these four rights, to eight, which represents full respect. The latter index consists of the Foreign Movement, Domestic Movement, Freedom of Speech, Freedom of Assembly & Association, Workers' Rights, Electoral Self-Determination, and Freedom of Religion indicators. It ranges from zero (no respect for these rights) to 14 (full respect for these rights).

### ***Control variables***

Since the literature places a heavy emphasis on the cost of conflict, this study used it as a control variable. Drawing on the extant literature, four indicators were used to measure the cost of each conflict. The first indicator was the number of battle-related deaths in a given year. A logarithmic value of this variable was included in the analysis to produce more meaningful interpretation. Second, the duration of conflict, measured by how many years have passed since the conflict first began, was included. Third, the most pronounced stalemate hypothesis was controlled for. To measure stalemate, an ordinal variable drawn from the NSA dataset (which measures the relative strength of insurgent group against the government as "much weaker", "weaker", "at parity", "stronger", and "much stronger") was recoded into a dummy which took the value of one if the military strength of the insurgent group was at parity with the government; otherwise it took a value of zero. Lastly, the NSA dataset's measure of whether or not the insurgent group controlled a territory within the country was adopted.

Due to the focus in previous scholarship on types of conflicts, another series of control variables was included in order to rule out any biased assessment of negotiations during civil conflicts. To decide which issue was at the root of the conflict, a one-dummy variable (called territorial conflicts) was created. While this variable took a value of one if the

conflict was fought over a territory, the territorial conflict variable took a value of zero if the conflict was over government control. In addition, another dummy variable was integrated to differentiate internal conflicts from internationalized conflicts. The UCDP dataset defines an internationalized internal conflict as “armed conflict [which] occurs between the government of a state and internal opposition groups, with intervention from other states in the form of troops”.<sup>62</sup> Another dummy was included to differentiate between high-intensity and low-intensity conflicts. Accordingly, while conflicts with more than 1,000 deaths were coded as major conflicts, those with fewer than 1,000 deaths were coded as minor conflicts.

## Results

In this study, which relied on the extant literature, two sets of control variables were used, namely cost of war (conflict) and type of war (conflict) variables. Before we employed these variables in the logistic regression, they were separately put into chi-square tests to identify their association with the dependent variable (negotiation). This was necessary because these variables reflect the characteristics of conflicts, and they do not show much variation across time. Thus, it is crucial to determine whether there is a significant association between various characteristics of conflicts and negotiation outcomes. Accordingly, the following tables describe the significance of suggested associations and the percentages for each outcome.

First, the association between the variables of type of conflicts (issues of incompatibility, type of conflict, and intensity of conflict) and the occurrence of negotiation were considered. Accordingly, **Error! Reference source not found.** 2 shows the association between the issues of incompatibility and negotiation. As seen from the table, territorial issues somewhat dominated over governmental issues in the occurrence of negotiation. These numbers suggest, though they do not prove, that it may be easier for parties to negotiate when the issue at stake concerns territorial issues rather than control, or sharing, of governance. This preliminary finding seems to be in line with previous studies.<sup>63</sup> Accordingly, the numbers show that while about one-third of territorial conflicts-years have contained negotiations, this is true of one fifth of governmental conflicts-years. From another point of view, almost two thirds of total observed negotiation (66 per cent, 185/280) across dyad-years have occurred in disputes fought over territory, while about one third (34 per cent, 95/280) of those have emerged from conflicts over the control of governance.

**Table 2.** Issues of Incompatibility and Occurrence of Negotiation

Negotiation	Government	Territory	Total
No (negotiation=0)	338 (78.1%)	373 (66.8%)	711 (71.7%)
Yes (negotiation=1)	95 (21.9%)	185 (33.2%)	280 (28.3%)
Total	433 (100%)	558 (100%)	991 (100%)

$\chi^2 (1) = 15.125, P = .000$

<sup>62</sup> Pettersson et al., “Armed Conflicts, 1946-2014”.

<sup>63</sup> Stedman, “Spoiler Problems in Peace Processes”; Barbara Walter, *Committing to Peace*.

Table 3 illustrates the association that exists between type of conflict and occurrence of negotiation. The study categorizes civil conflicts into two types in terms of the actors involved, namely internationalized and internal conflicts. The table suggests that the association between type of conflict and negotiation is significant. This is to say that the type of conflict may involve some factors which influence parties' perception of negotiation. It is easily noticed that the number of internationalized conflicts is much lower than internal ones. However, it seems that while almost 39 per cent (44/113) of internationalized conflicts have involved negotiations, the figure is about 27 per cent (236/642) for internal conflicts. Although this illustration suggests that actors in internationalized conflicts may be keener on negotiation than those in internal conflicts, the argument cannot be proved unless other factors are controlled. However, since there is a lack of understanding on how internationalized conflicts differ from other civil conflicts in the likelihood of negotiation, this could be a significant starting point for future research on the topic.

**Table 3.** Type of Conflict and Occurrence of Negotiation

Negotiation	Internal	Internationalized	Total
No (negotiation=0)	642 (73.1%)	69 (61.1%)	711 (71.7%)
Yes (negotiation=1)	236 (26.9%)	44 (38.9%)	280 (28.3%)
Total	878 (100%)	113 (100%)	991 (100%)

$\chi^2 (1) = 7.182, P = .007$

Table 4 demonstrates the association between the intensity of conflicts and negotiation. In the literature, some notional, if arbitrary, thresholds are employed to distinguish the intensity of conflict. In this study, a 25 battle-related deaths threshold was selected to decide whether there was a civil conflict and a 1,000 battle-related deaths threshold was used to decide whether the scale of conflict reached a high level or became a major conflict. Table 4 suggests that the association between the intensity of conflict and negotiation is significant. It seems that the negotiation talks are slightly easier to initiate for dyads in major conflicts than those in minor conflicts. This suggestion is in line with the cost of war argument which suggests that, as the costs of fighting increase, the parties will become increasingly likely to prefer negotiation. Presumably, the cost of war would be higher in major conflicts than minor ones given the time, money, and people invested.

**Table 4.** Intensity of Conflict and Occurrence of Negotiation

Negotiation	Minor	Major	Total
No (negotiation=0)	601 (73.7%)	110 (62.5%)	711 (71.7%)
Yes (negotiation=1)	214 (26.3%)	66 (37.5%)	280 (28.3%)
Total	815 (100%)	176 (100%)	991 (100%)

$\chi^2 (1) = 9.025, P = .003$

Tables 5 and 6 show further associations between cost of war variables and the occurrence of negotiation. Table 4 illustrates that there is a statistically significant

association between insurgents' territorial control and negotiation outcomes. On the face of it, of the total 384 conflict-years where the insurgent group held a territory within a country, a full 43 per cent (165/384), seem to have encompassed some sorts of negotiations, but, of the total 605 conflict-years in which the insurgent group did not occupy a territory, a full 81 per cent (490/605) had not held any negotiations. As another illustration, in about 59 per cent (165/280) of negotiations observed in dyad-years, the insurgent group had control over a territory within the country. Overall, Table 5 suggests that a negotiation outcome is more likely if the insurgent group controls a territory in the given country.

**Table 5.** Insurgents' Territorial Control and Occurrence of Negotiation

Negotiation	No Control	Control	Total
No (negotiation=0)	490 (81.0%)	219 (57.0%)	709 (71.7%)
Yes (negotiation=1)	115 (19.0%)	165 (43.0%)	280 (28.3%)
Total	605 (100%)	384 (100%)	989 (100%)

$\chi^2 (1) = 66.446, P = .000$

Lastly, as Table 5 further illustrates, in line with Zartman's prediction, the association between parties' stalemate situation and negotiation is also significant. The suggestion here would be that negotiation might be easier to form in dyads where military power is at parity than in those in which one side is stronger than the other. Also, it is obvious from the table that stalemate situations are very rare events. Indeed, in only 7.2 per cent of 991 dyad-years (71/991) are insurgent groups and governments observed to have equal military power. However, parties to civil conflicts have initiated talks with each other in a full 50.7 per cent (36/71) of such stalemate situations, whereas only 26.6 per cent (244/920) of non-stalemate situations featured negotiations. These results appear to emphatically verify the much-advocated hurting stalemate argument in the literature, though only the "military stalemate" aspect of the concept was tested. This indicates that when parties to civil conflicts are basically unable to escalate the conflict further, they somewhat prefer to step outside of it, although the data indicates that this is still a proposition with roughly 50-50 probability.

**Table 6.** Insurgents' Relative Strength to Governments and Occurrence of Negotiation

Negotiation	No Stalemate	Stalemate	Total
No (negotiation=0)	676 (73.5%)	35 (49.3%)	711 (71.7%)
Yes (negotiation=1)	244 (26.5%)	36 (50.7%)	280 (28.3%)
Total	920 (100%)	71 (100%)	991 (100%)

$\chi^2 (1) = 19.015, P = .000$

The suggestions above, derived from the results of chi-square analyses, provide insight into the association between various characteristics of conflicts and the occurrence of negotiation. All of the tables present statistically significant associations between the suggested variables and negotiation. Although the suggestions are valuable to examine, it is too early to reach some conclusions before conducting more comprehensive analysis and without controlling for various factors and other variables.

Table 7 shows the results of logistic analyses, examining each hypothesis in the last model separately and together. Overall, the tables demonstrate that the negotiation calculation applies to civil conflicts. Specifically, they demonstrate that parties to civil conflicts are more likely to negotiate when they perceive negotiation as less costly, or more strategically beneficial. It should be noted, given that the observations are clustered by dyads, that the study uses bootstrap corrected standard errors to obtain unbiased inferential tests. In the table, each row stands for a variable, and each column represents a model. A total of nine models are presented separately in the table's columns. Each model tests one hypothesis, and in the last model all variables are tested. The variables for cost of war and type of conflict arguments are treated as control variables.

**Table 7.** Logistic analysis of the costs-benefits of negotiation in civil conflicts

<b>Hypothesis</b>	<b>Variable</b>	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
Cost of War	Logged – Number of Deaths	1.097	1.102	1.115**	1.125†
	Duration of Conflict	.992	.998	.994	.997
	Military Stalemate	1.638†	1.660†	1.603*	1.437
	Territorial Control	3.027***	3.461***	3.385***	3.252***
Reputation	Number of Actors	.869***			
Legitimacy	Political Link		.585**		
Valid	Low Level Leadership			.681†	
Spokesman	Moderate Level Leadership			.909	
External	Transnational Link				1.950***
Pressure	State Military Support				1.430*
	Non-State Military Support				.469***
Terrorism	Terrorism-oriented Group				
Military	Intervention				
Interven.	Unbiased Intervention				
Human Rights	Physical Integrity Index				
	Empowerment Index				
Type of Conflict	Territorial Conflict	.655*	.572***	.551***	.508***
	Minor Conflict	1.048	1.085	1.068	1.122
	Internationalized Conflict	1.204	1.288	1.259	1.421
Constant		-1.406	-1.713	-1.760	-2.161
<b>MODEL SUMMARY</b>					
Chi-Square (Change in – 2 log likelihood)***		114.243	111.542	103.980	124.802
Cox-Snell R-Square		.109	.107	.100	.119
Nagelkerke R-Square		.157	.154	.144	.171
N (Number of Observations)		988	988	988	988

**Table 7.** Logistic analysis of the costs-benefits of negotiation in civil conflicts (continued)

<b>Hypothesis</b>	<b>Model 5</b>	<b>Model 6</b>	<b>Model 7</b>	<b>Model 8</b>	<b>Model 9</b>	<b>Consistent</b>
Cost of War	1.123† .994	1.132† .994	1.139* .993	1.151† .994	1.087 .996	Yes No
	1.684† 3.266***	1.380 3.196***	1.475 3.205***	2.035† 3.347***	1.121 3.511***	Yes Yes
Reputation					.861**	Yes
Legitimacy					.866	No
Valid					.605	Yes
Spokesman					.926	Yes
External Pressure					1.998**	Yes
					1.802**	No
					.410***	Yes
Terrorism	.943				1.089	NO
Military		1.968***	1.583*		1.602*	Yes
Interven.			1.953*		2.257**	Yes
Human Rights				1.054	.975	Yes
				1.033	1.101**	Yes
Type of Conflict	.581***	.600**	.621**	.539***	.500***	Yes
	1.045	1.039	1.029	1.016	.965	Yes
	1.239	1.043	1.105	1.116	1.210	Yes
Constant	-1.879	-2.135	-2.172	-2.296	-2.233	
<b>MODEL SUMMARY</b>						
Chi-Square (Change in -2 log likelihood)***	101.302	117.908	123.521	89.991	167.850	
Cox-Snell R-Square	.097	.112	.118	.096	.172	
Nagelkerke R-Square	.140	.162	.169	.140	.251	
N (Number of Observations)	988	988	988	892	892	

The odds ratio – Exp (B) – values are presented in the table so that readers can interpret the results easily. Accordingly, the interpretation of these values is as follows: values less than one indicate that the odds of negotiation decrease as the independent variables increase; an odds ratio equal to one means that the odds of negotiation do not change as the independent variables change, meaning that there is no relationship; and the values greater than one show that the odds of negotiation increase as the independent variables increase. However, one should be more careful interpreting the dichotomous variables. With these variables, any interpretation should be made by referencing the control group, rather than considering the unit of increase or decrease in the independent variables since

this would cause meaningless interpretations. Also, the percentage change in odds can be calculated easily by the equation  $[Exp(B)-1]*100$ .

Model 1 illustrates that the likelihood of negotiation decreases by 13 per cent for every additional increase in the number of insurgent groups that the government is fighting. The finding is significant at the .001 level and supports the reputation hypothesis that negotiation is less likely to happen if the government perceives that there may be potential fights with additional insurgent groups.

In Model 2, the legitimacy hypothesis is tested. The model's result runs counter to the suggested legitimacy hypothesis that the likelihood of negotiation is higher if the insurgent group has political links. On the contrary, the model suggests that the odds of negotiation taking place are more likely if insurgent groups are not linked to a political party. Indeed, the model's results reveal that the odds of negotiation are 50 per cent lower for insurgents with political connections than for those who do not have those connections.

Model 3 shows that insurgent groups that have low levels of leadership are 10 per cent less likely to experience negotiation than those with a highly structured leadership, and this finding is significant at the .10 level. Also, the model does not point to moderate-level leadership having a significant effect on negotiation compared to high-level leadership. However, although the significance is weak, the direction of variables operates in the expected way. When the three levels of strength of leadership in insurgent groups are compared, the results suggest that negotiations are more likely in the presence of highly structured insurgent leadership.

Model 4 tests the effects of external pressure on the occurrence of negotiation. The first variable, transnational links, confirms the suggested hypothesis that negotiation is more likely if the insurgent group has a transnational link. This study argued that an existing transnational link would bring pressure on the government, and that the government would want to respond on the assumption that negotiation would be beneficial rather than costly. As for the effect of external support for insurgents, the model suggests conflicting results for the external pressure hypothesis. The hypothesis assumed that the insurgent group would see negotiation as costly and be unwilling to negotiate if there was a potential risk that it might lose existing support. However, the model makes two suggestions. First, the model indicates that the odds of negotiation increase by 43 per cent when there is external state support for the insurgents compared to cases with no support. Second, the odds of negotiation seem to decrease by 47 per cent in the presence of a non-state support for insurgents as opposed to the cases where no support exists. While the former result is not in the opposite direction of the suggested hypothesis, the latter confirms it. Moreover, regardless of the direction of variables, they all are statistically significant at the .001 level.

Model 5 does not lend significant support to the study's expectation that negotiation is less likely if the insurgent group is terrorism-oriented. However, when the odds of negotiation are considered, it still seems that the likelihood of negotiation is slightly lower, though not significantly so, for the terrorism-oriented insurgents as compared to the others.

The finding of Model 6 is consistent with the foreign military intervention hypothesis and it produces a .001 level of significance. This suggests that the odds of negotiation are higher if there is a military intervention in the conflict, as compared to conflicts without

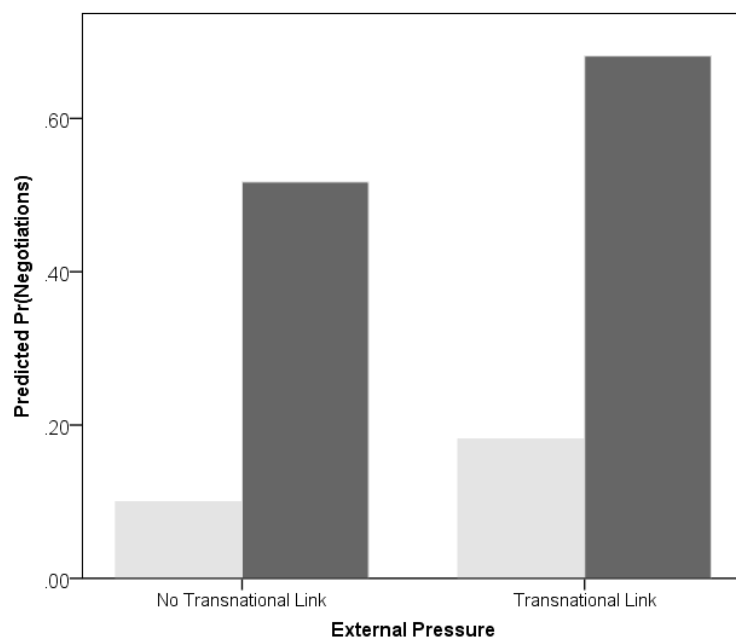


foreign interventions. It is argued that foreign military intervention, especially neutral interventions, would decrease the cost of negotiating for parties to civil conflicts, and, in turn, the likelihood of negotiation would increase. Accordingly, Model 7 confirms that when the intervention is unbiased (neutral) instead of biased, the likelihood of negotiation is much higher.

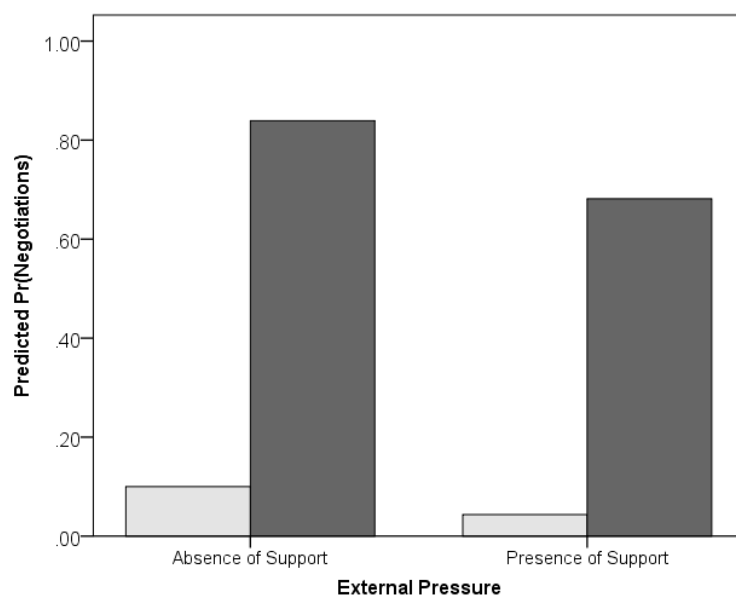
Model 8 indicates that, on its own, the government's respect for human rights has no significant effect on the prospect of negotiation prospect. Although, at first glance, the finding seems to run contrary to the human rights hypothesis, it would be naïve to expect human rights variables to produce a significant effect on negotiation without controlling for more variables.

Model 9 presents the results of the combination of all variables. The model lends strong support for the reputation, external pressure, and foreign military intervention hypotheses. However, the model calls into question the legitimacy, valid spokesman, and terrorism hypotheses. It is also important to take a closer look at the human rights hypothesis because in Model 9 one variable of the hypothesis (the empowerment index) become significant at the .01 level and is in the expected direction. Similarly, in Model 9, the effects of suggested indicators on negotiation become more significant, and all variables except one (external state support for insurgents) are in the expected direction. Therefore, the model confirms the costs and benefits of negotiation argument. Accordingly, the odds of having negotiation become higher if the existing conditions or characteristics of parties or the conflict itself are cost cutting rather than cost increasing.

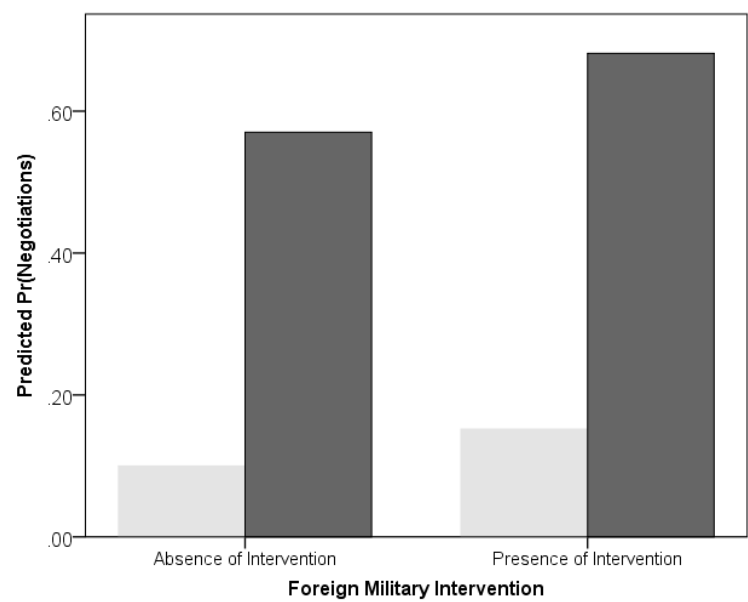
Figure 1 presents the marginal significance of the most significant findings of this research on the probability of negotiations. Since the independent variables, except the "number of actors" variable, are categorical, the best way to plot their effects is to use bar charts with each bar representing the predicted probability of observing negotiations in that situation. The estimates are calculated using the coefficient of Model 9. While the continuous variables are kept at their means, categorical variables are shifted from absence (value of zero) to presence (value of one). As such, the figures show how the predicted probability of negotiations shifts based on the absence and presence of suggested indicators for specific conditions.



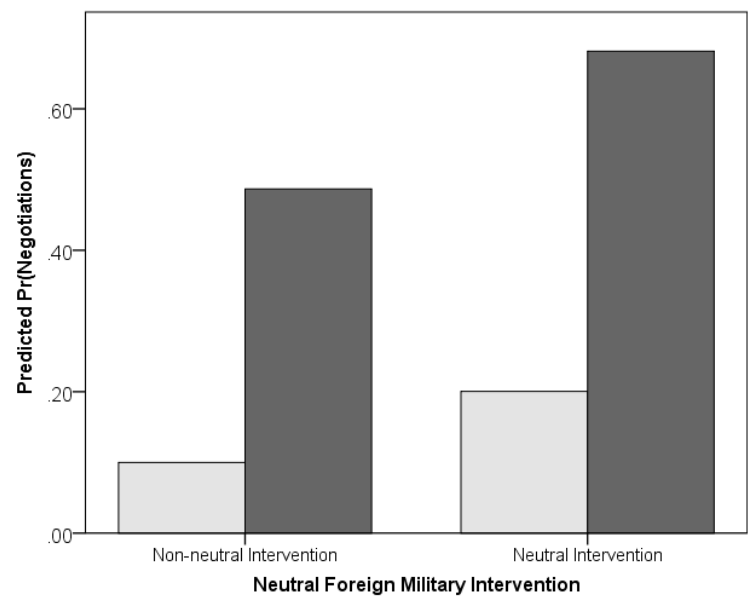
**Figure 1A:** Negotiations by Insurgents' Transnational Link



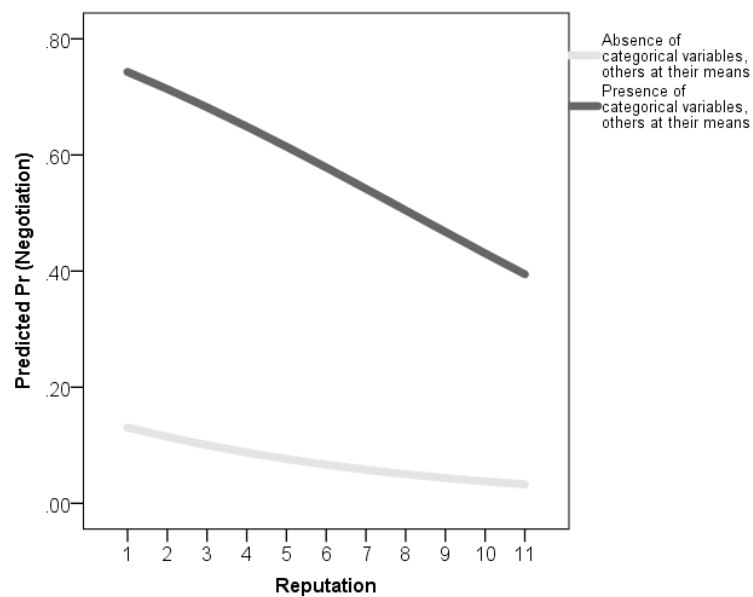
**Figure 1B.** Negotiations by Non-State Military Support for Insurgents



**Figure 1C.** Negotiations by Foreign Military Intervention



**Figure 1D.** Negotiations by Neutral Foreign Military Intervention



**Figure 1E.** Negotiations by Number of Insurgent Groups

## Discussion and Conclusion

This research investigated the magnitude of costs associated with entering into negotiations in civil wars. The question is central to the conceptualization of negotiations, since many models cast doubt on the significant costs of negotiations and conclude that participation is in fact costless. On the other hand, a number of political scientists have noted that negotiations incur concerns about reputation, communication and legitimacy, as well as political costs.<sup>64</sup> This study has extended the understanding of the costs and benefits of negotiation during civil wars, building on knowledge established in prior research.<sup>65</sup> In doing so, it has extended the consideration of negotiation costs to include new measures such as a government's respect for human rights, terrorism, foreign military intervention, insurgents' political links, and insurgents' transnational constituency, and these measures can be used in future to gauge parties' negotiation calculations more thoroughly.

The determinants of negotiation in civil conflicts were examined in relation to three concepts: the cost of conflict, the type of conflict, and the costs and benefits of negotiation. In relation to the costs of war logic, the findings showed that insurgents' territorial control significantly influenced negotiation decisions: the probability of negotiation substantially decreases when the insurgent group controls a territory within a country. As for the type of conflict, the findings implied that territorial wars are less likely to feature negotiation than are conflicts fought over the control of government; this is in line with

<sup>64</sup> Ghosn, "Getting to the Table and Getting to Yes"; Bercovitch et al., "Negotiation or Mediation?"; Kaplow, "The Negotiation Calculus".

<sup>65</sup> Kaplow, "The Negotiation Calculus".

earlier research and confirms that parties are less likely to sign a treaty that concerns sharing a territory than they are to agree on gaining a share of governing power.<sup>66</sup>

The chief finding of this work is that our understanding of contemporary civil conflicts and peace is inadequate without a thorough knowledge of the costs and benefits of negotiation. Very few studies provide an empirical consideration of the costs associated with the decision to negotiate. We have attempted to verify previously tested hypotheses, and we have conducted, at a theoretical level, an investigation of newly proposed relationships concerning the occurrence of negotiations during civil conflicts. The results of this study confirm Kaplow's findings and provide further insight into the perceived costs and benefits of negotiation for parties in those conflicts.<sup>67</sup> This research suggests that the decision to negotiate carries some costs and benefits for the parties to civil conflicts, and these costs are often associated with the parties' concerns about the other side's legitimacy and reliability as a negotiation partner and the reputational costs of appearing to be concession-prone if negotiation is attempted. Therefore, governments become less willing to negotiate as the number of potential claimants in the conflict increases. Third parties, on the other hand, seem to play a major role overcoming these barriers to negotiation in several ways. First, foreign military interventions increase the likelihood of negotiation occurring during civil conflicts. It can be argued that the parties more confidently negotiate under the supervision of a third party. Moreover, they prefer a neutral foreign intervention which does not support either of the parties to the conflict. Second, it is believed that the involvement of a transnational constituency might increase the international community's awareness of the conflict and exert international pressure on the government, persuading it to listen to the demands of the insurgency. In such cases, the government might seek to secure more recognition in the international arena by meeting the demand, and consequently, it can perceive initiating talks with the insurgent group as less costly, or even beneficial. On the other hand, the fear of losing external support seems to matter for the insurgent group. However, it should be noted that the fear of losing external support holds true when the group receives military support from a non-state actor but has a different effect on the probability of negotiation if the support comes from a state actor. One possible explanation might be that a state's sponsorship increases the insurgent's military capacity more than support from a non-state actor does. Furthermore, the human rights hypothesis suggested in this study seems to provide a new understanding of how negotiation calculations appear from the perspective of insurgent groups. Human rights indicators included in this study, such as freedom of movement, freedom of speech, political participation, and freedom of religion, seem to influence the ways that an insurgent group perceives the government involved in their conflict, and this, in turn, shapes the group's understanding of the gains and losses that might result from a potential negotiation with the government.

This study contributes to the extant literature on conflict resolution by laying out the factors that influence the decision to negotiate in civil conflicts, given the fact that only a limited number of studies have systematically analysed this question.<sup>68</sup> It has uncovered

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<sup>66</sup> Walter, *Committing to Peace: The Successful Settlement of Civil Wars*.

<sup>67</sup> Kaplow, "The Negotiation Calculus".

<sup>68</sup> Paul Pillar, *Negotiating Peace*; Bapat, "Insurgency and the Opening of Peace Processes"; Thomas, "Rewarding Bad Behavior".

the set of conditions under which negotiations occur during civil conflicts, with a special focus on how parties might perceive the costs and benefits of negotiation. However, there remains a need for future research to secure a better understanding of conflict resolution in civil conflicts. This study was designed to explain the factors that affect the initiation of negotiations, and it does not provide any insight into the ways that the durability and success of negotiations are linked to their costs and benefits. This gap should be filled in future research to provide policymakers and scholars with a better sense of the practical implications of costs and benefits throughout conflict resolution processes. Also, the study relied on dichotomous variables to measure the suggested hypotheses. This leads to much information being omitted and an underestimation of the extent of variation in outcomes between groups. Future studies should use interval/ratio measures to see whether the effects on negotiations vary across the levels of suggested indicators.

Finally, the understanding of the costs and benefits of negotiation to the parties in civil conflicts might provide a useful framework for diplomats, policymakers, mediators, and peace seekers who are seeking to determine ripe moments and conditions for initiating talks and encouraging negotiations. The most important recommendation of this research for members of the international community would be that they pay attention, not only to the cost of war, but also to the costs and benefits that parties relate to the prospect of negotiation in civil conflicts: they should aim to decrease the parties' perceptions of the costs while making the benefits more salient. Future researchers are also encouraged to reappraise what does and does not constitute a cost to the parties in civil conflicts.

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