

Public participation in peacemaking



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Democratizing peacemaking

The negotiations to facilitate the transition from war to peace are more than a means to end armed hostilities. They are opportunities to agree new political, constitutional and economic arrangements to address the underlying conflict and to lay the foundations for a more inclusive political settlement. Both the contents of the agreements and the characteristics of the process affect whether peace negotiations can serve as the bridge to sustainable peace and responsive government. Who participates – to what degree, at what stage, and in what capacity – is therefore critical.

Most peace negotiations aim to broker pacts between the representatives of the main belligerent groups, who do not necessarily represent the interests of diverse constituencies in the wider public. Many wars have ended through such processes. Yet this approach restricts the opportunities of those who did not take up arms to have a voice in shaping the contents of peace agreements. Other political groupings, organized civil society, and marginalized populations such as women, youth, minorities and displaced people may be excluded and alienated from a settlement that is not 'theirs'. This is a particular concern in situations where the government and the armed groups lack a strong social support base or are not seen as legitimate representatives of public interests. All too often such processes send the powerful, if unintended, message that violence pays.

More inclusive peace negotiations are possible, however, and may be more effective in the long term. Comparative experience shows that peace negotiations with structured opportunities for broader public participation can:

- widen the range of issues addressed, including the structural causes of conflict;
- help produce broadly legitimate peace agreements;
- strengthen the capacity for inclusive political participation in future governance;
- facilitate a degree of political reconciliation.

Characteristics of participatory peace processes

The possibilities for more participatory models of peacemaking are revealed in peace negotiations from South Africa to Northern Ireland, Guatemala to Mali, and the Philippines to Papua New Guinea-Bougainville. In all these cases non-combatant activists asserted the right of the wider public to participate in negotiated processes to shape their country's future. They were to varying degrees able to influence the shape of the process, the agenda of issues addressed, the substantive agreements reached and their implementation.

Dynamics enabling wider participation

Despite the potential benefits, opportunities for meaningful public participation in official peacemaking are rarely offered and reluctantly given. Leaders of belligerent groups may view the involvement of others as irrelevant or even as a threat. International mediators may consider increasing the number of parties to talks as an unnecessary and potentially risky complication. That is why circumstances conducive to more inclusive talks need to be understood. A common feature in all cases is that space for broader public participation was ultimately opened in response to groups demanding to be included. In some cases, governments and armed groups saw it as a way to improve their democratic credentials. In others, inclusive negotiations stemmed from widespread recognition, encapsulated in the slogan from Northern Ireland, that 'if you are a part of the problem, then you need to be part of the solution'.

A more inclusive negotiation process may evolve as a distinct phase within an overall peace process. In some cases, they developed after the main belligerent groups had reached agreement on the terms for entering wider political negotiations, including on military and security arrangements that typically require discreet negotiations (Northern Ireland, South Africa). In other cases, public participation played an important role from the very early stages of getting the parties to the negotiation table (Bougainville, Mali) or framing the negotiation process (Guatemala).

Bringing negotiations into the public sphere

Inclusive negotiation processes have helped to bring peace talks into the public sphere, enabling a wider range of people to contribute suggestions and follow the negotiations. With greater transparency, the agreements reached have tended to be imbued with greater legitimacy. In many cases the public was better able to understand – and potentially accept – the reasons for the compromises reached. Furthermore, the processes helped to establish the value of public debate and democratic processes as the legitimate response to conflict. With broader public acceptance of the process and greater buy-in to the agreement from a range of political and social groups, in many cases peace has proved more durable.

Balance of power

These processes did not occur outside of *realpolitik* or the belligerent groups' pursuit of their own interests. They were agreed because leaders recognized that the balance of power was such that no party could dominate unilaterally and realized that consensual solutions offered the best hope for durable peace. In most cases, decisions were made by forms of modified consensus, as voting would have been unnecessarily divisive. Smaller political groupings were able to make a difference to the outcomes when they organized themselves effectively and articulated coherent, persuasive analysis and proposals.

This brief draws on the findings from **Accord 13 (2002)** *Owning the process: public participation in peacemaking*, which features studies from South Africa, Guatemala and Mali with additional cases from Colombia, the Philippines and Northern Ireland as well as comparative analysis from practitioners. All quotations are from Accord 13, which can be downloaded at www.c-r.org

Nevertheless there were in-built constraints on the issues that the negotiation processes addressed – especially in places where the power of those who controlled the state had not been altered fundamentally during the course of the conflict. For example, none of the processes resulted in fundamental redistribution of wealth, despite the fact that addressing economic inequality was cited by most armed movements and by civil society as a central goal.

Implementation challenges and durability of agreements

A peace agreement typically marks the beginning of a peacebuilding process, not its end. Inclusiveness can build stakeholder buy-in to the agreement and help increase the political will to implement it. Yet this cannot be taken for granted. However even in places where there have been major implementation difficulties, such as Guatemala and Northern Ireland, the agreement has been impossible to ignore altogether. Agreements have remained alive in public political discourse at least as aspirational guidelines, and pro-agreement actors continue to use them as a 'baseline' for their political agendas.

Designing more participatory processes

Mandate and mechanisms

There is no single model for public participation in peace negotiations. The mandate and modalities vary widely. Mechanisms to enable participation are incorporated into such processes as broad-based multiparty negotiations, national dialogues and constitutional conventions. At the 'maximalist' end of the continuum, they may be a deliberative body whose agreements have legal force; at the minimalist end, the mechanisms are primarily consultative with outcomes treated as recommendations. There are three basic modalities:

Representative participation through political parties. Examples include: South Africa's all-inclusive multi-party negotiations to agree the principles for the transition and constitutional reform, followed by an elected constituent assembly to negotiate the new constitution; Northern Ireland's model of directly electing political parties to the multi-party negotiation process, followed by a public referendum on the agreement.

Consultative mechanisms where civil society has an opportunity to voice views and formulate recommendations. Examples include: Guatemala's Civil Society Assembly, which operated in parallel to the official negotiations mandating diverse sectoral groupings to develop detailed proposals for substantive provisions that were incorporated into the final agreement; the Philippines National Unification Commission's provincial, regional and national consultations on the causes of the country's multiple conflicts and how they could be addressed.

Direct participation where all interested individuals engage in a process of developing and implementing agreements to address the conflict, usually at more local levels. An example is Mali's series of inter-community meetings, which resulted in local ceasefires and agreements on contested issues that over time led to the end of the protracted civil war.

These mechanisms are different from, though potentially complementary to, the types of civil society peacemaking roles

fulfilled by non-official individuals and agencies who act as quiet intermediaries, process facilitators and trainers to support constructive dialogue amongst the main protagonists or to create a social environment conducive to peacemaking.

"Mechanisms for public participation in peace processes can be extremely important. ... The preparatory phase is a time for mobilizing voices, formulating substantive agendas, designing processes and developing a popular constituency of interest to support and engage in conflict resolution."

– Quintin Oliver, Northern Ireland activist and political lobbyist

Representation and accountability

It is impossible for everyone to participate meaningfully in negotiations at the national level, although there may be more scope at the community level. This poses the challenge of how groups are chosen and how specific representatives are selected to represent wider public interests. Representative multi-party talks may be open to all political parties willing to participate or to parties that can demonstrate a minimum threshold of membership; others utilize public elections to select parties. In consultative processes, formal accountability to constituents is less relevant than whether participants reflect diverse concerns and are able to help generate a broad social consensus. Yet legitimate representation of public interests remains challenging, particularly where leaders are unable or unwilling to engage or communicate effectively with their constituents and the wider public.

Structures for public participation

While political parties can provide a channel for structuring representative multi-party negotiations, the structures for broader participation in consultative processes or direct participation are more elusive. The Philippines and South Africa developed a process for engaging diverse elements of civil society at the national, regional and local levels. In Mali and Bougainville, indigenous traditions of community decision-making were harnessed to create a space for widespread involvement in deliberations leading to localized peace agreements. In South Africa and Northern Ireland there were traditions of mass movement politics and civil society initiatives that became the channel for participation.

Women and marginalized groups

Participatory processes increase opportunities for an array of previously subordinated groups to have a voice in shaping arrangements. Yet their inclusion is not automatic and they often struggle to claim a right to participate. For example, an early intervention by a female delegate in South Africa's negotiations shamed the mostly male delegates to include more women in their teams. Increased participation by women has been secured both through distinct women's groupings (Guatemala and Northern Ireland) and through increased representation in the mainstream

parties (South Africa, Philippines). Mayan communities in Guatemala organized to have a major role in the Civil Society Assembly and promoted a landmark agreement recognizing their identity and rights.

Dilemmas of more participatory processes

Despite its potential advantages, public participation in peacemaking poses a number of dilemmas.

Security first. Does public participation slow down the process of reaching agreements on ending the violence? How can tensions between short-term security and long-term solutions be managed?

Efficiency and confidentiality. Does public participation put at risk the confidentiality and coordination that many mediators believe to be crucial to building trust and effective negotiations between belligerent parties? Can sequencing inclusion in the talks at different phases of the process help address this dilemma?

Divergent voices. How can process mechanisms deal with the heterogeneous nature of 'the public' so as to address diverse and contradictory aspirations? Can and should exceptional support be given to pro-peace, pro-human rights and pro-democracy groups within civil society?

Empowering inclusion. How can the process be designed to enable the effective participation of traditionally marginalized social groups and not just the 'civil society elite'? What strategies can be used to help cultivate genuine and constructive public involvement in the dialogue and discussion surrounding the substantive issues negotiated in a peace agreement?

Superficial participation. Given inevitable imbalances of power, how can it be ensured that public participation is meaningful rather than a superficial public relations exercise?

External support for participatory processes

Although the most important ingredient in each process was the activism of those involved, each mechanism needed a variety of financial, technical and practical resources to support it. External actors – whether governmental, inter-governmental or non-governmental – can play valuable roles. They can help to create the space for the mechanisms, both literally (by sponsoring or hosting meetings) and politically (by encouraging governments and armed groups to open out the process to other groups). They can provide financial support (although robust processes often utilize in-kind support from domestic sources with strategic contributions from

foreign donors). They can provide training and technical support to prepare groups for effective participation. External monitors and peacekeepers can also help create a sufficiently secure environment for public participation – a task that state security forces may be unable or unwilling to perform.

"In each negotiation there is a trade-off between the tidiness of controlled confidentiality and the political advantages of giving the public a role in the process and thereby a sense that, at least to some extent, it belongs to them."

– Marrack Goulding, former UN Under-Secretary for Political Affairs

A challenge for international mediation?

Most governments view peacemaking as a quintessentially governmental activity, an assumption that has carried over to inter-governmental organizations. International mediators have tended to see their role as that of directing the negotiation process between governments and armed non-state actors. Many require a high degree of confidentiality and may therefore view the idea of opening the process to a wider array of parties as a risk to their central task of ending the war.

Yet public participation in peace processes should be understood within the wider context of the right to effective participation in governance and decision-making. To the extent that negotiations go beyond agreements on the specific means for ending the hostilities to address questions involving the state structure, political systems or the allocation of resources, they become a form of political decision-making. As such, opportunities for broader participation should be seen as a norm, not an exception.

There is clearly a time and a place where private dialogue is necessary to move the process forward. Yet the challenge remains: if the leaders of the combatant parties do not promote inclusion (possibly because of their interest in consolidating their own position), should the international sponsors of a process create opportunities for broader participation, at least on the non-military, substantive parts of the agenda? Furthermore, are there opportunity costs inherent in deferring participation until after an agreement has been reached? These are issues in need of further debate in international peacemaking circles – without forgetting that it is the people of conflict-affected societies who must ultimately own the process of political change if they are to take responsibility for upholding it.

Conciliation Resources is an independent peacebuilding charity with over 15 years of experience working internationally to prevent and resolve violent conflict. Our practical and policy work is informed by the experiences of people living in countries affected or threatened by war. We work with partners in the Caucasus, Colombia, the Democratic Republic of Congo, Fiji, Guinea, India, Liberia, Pakistan, the Philippines, Sierra Leone, Southern Sudan and Uganda. Our efforts to influence peacemaking policy and share the lessons learned include the publication series *Accord: an international review of peace initiatives*.

Three Modes of Public Participation in Peacemaking

Representation through multi-party negotiations

(eg South Africa's negotiations and Northern Ireland's Belfast Talks)

- Multi-party negotiating forums act as the deliberative or decision-making body to decide the political future of the country, potentially formalized through public referendums and/or constitutional reform
- Political party structures serve as the channel to promote constituency interests and values; negotiators are able to consult party members and public constituencies and potentially bring them along in the process
- Multi-party negotiations can potentially create opportunities for new political groupings to emerge
- Negotiation structures utilize procedures to select parties and/or negotiators, including public elections that can formalize accountability
- Various decision-making procedures are utilized for formalizing agreements, including 'sufficient consensus', voting and public referendums

South Africa

"During the transition, South Africans started to debunk misperceptions and myths about each other. As trust increased, they began to make the political compromises necessary for a mutually acceptable future. They soon learned that the benefit of engagement was in the process itself as well as in its outcomes. Those involved gained a sense of the reasons why specific compromises were necessary and a commitment to ensuring the success of agreements reached. And to this end all stakeholders – and as many people as possible – needed to be engaged and the process as transparent and accessible as possible. The parties learned these lessons well and over time the negotiating forums became increasingly open. In so doing, the process itself created conditions for a radical change in South Africa's formerly exclusionary and secretive political culture and helped to create a more truly democratic state and society." – Eldred De Klerk

Consultative processes accompanying the peace negotiations

(eg Guatemala's Civil Society Assembly and the Philippines National Unification Commission)

- Typically engages organized civil society, either as diverse sectors or those located in specific regions or localities
- Focus is on identifying conflict issues and making recommendations to address them; the process can influence the official negotiating agenda and substantive agreements
- Consultations can happen at different 'levels' (local, provincial, national) and involve different groupings
- Heterogeneity in society means antagonistic groupings potentially participate in the same forum, creating the possibility of forging common ground on contentious issues that can contribute to practical change and facilitate a degree of reconciliation
- Processes have the potential to take debates outside elite political circles and into the public sphere, thus helping to open the process to ordinary people and contribute to social consensus on the peace process and agreements
- There may be concerns about the 'representativeness' of participants and the strength of their links to the wider public

Guatemala

"The peace accords finalized in December 1996 brought a formal end to a war that had lasted intermittently for 36 years. They included almost 200 substantive commitments that, if fulfilled, would bring significant changes to the structure of the Guatemalan state and society and go some way towards addressing issues that many believe are the underlying source of protracted conflict. The scope of the accords was due partially to several mechanisms that enabled representatives of organized sectors of civil society to discuss problems largely untouched in public discourse for decades. Through these discussions and subsequent lobbying efforts, civil society representatives helped to shape a negotiating agenda and then contributed proposals on how to address substantive issues. ... The experience laid the groundwork for potential change to a more inclusive society, both by providing an opportunity for those outside the established elite to voice their opinion in the policy arena for the first time and by raising expectations for a more participatory democratic state and society." – Enrique Alvarez and Tania Palencia Prado

Direct participation at local level

(eg Mali's inter-community meetings, Colombia's municipal constituent assemblies, South Africa's local and regional peace committees)

- Engages all those with an interest in the ways of reaching and implementing an agreement, sometimes involving thousands of participants
- Generally situated in a local context and typically aiming at generating a 'pragmatic peace' between those in inter-dependent communities by addressing issues within their control
- These localized processes can help to generate a new approach to politics and create spaces conducive to national reconciliation

Mali

"One of the striking features of the Malian experience of peacemaking is that the negotiated agreements between government representatives and the armed factions were unable to bring the conflict to a conclusion. Instead, the initial negotiations actually exacerbated the conflict dynamics. Although later talks created the political terms for peace, without the involvement of local guarantors of the settlement at the community level, implementation floundered and peace remained elusive on the ground. It was only when thousands of people throughout the north engaged directly in inter-community peacemaking that the path to national reconciliation opened. The involvement of all those most affected by the conflict in open and inclusive decision-making meetings was able to achieve what official political negotiations could not: a transformation of the conflict and consolidation of peace." – Kåre Lode

Key considerations

To respond effectively to the opportunities and challenges presented by the potential for public participation in peacemaking, international actors and those in conflict-affected societies can consider:

- Even if the process begins with fairly limited objectives (such as reaching a ceasefire), does it envision a process that widens out to become more inclusive and more comprehensive in addressing the underlying causes of conflict and work toward more responsive governance?
- Are there efforts to increase public confidence in the process, in the parties and in the negotiated agreements? Are there strategies for supporting local capacities to engage constructively and skilfully with the process?
- Are there mechanisms that enable constructive public debate and public participation to feed into the agreements that involve fundamental changes to the state structure, constitutional arrangements and other core substantive issues?
- Will the substantive agreements require some form of public endorsement, such as a referendum, that encourages the negotiators to develop public support?

General principles for international actors

Primacy of local ownership and popular sovereignty.

International interventions should be designed to strengthen or complement capacities for conflict resolution. This includes respect for societal leadership structures as well as encouraging marginalized groups and progressive societal forces. International actors can use their leverage to support or sponsor processes that are socially and politically inclusive. They can promote transparency and encourage the accountability of those involved in negotiations.

Support local peace initiatives. Participatory processes at a local level can offer important precedents for national initiatives. International actors should be sensitive to and supportive of local initiatives, especially as they offer opportunities for reaching a 'pragmatic peace' within the community.

External support to prepare for negotiations

Support for civil society as peace advocates. Provide political, financial and technical support as appropriate to vulnerable peace advocates operating in a hostile environment. Their voices will play an important role in preparing the public and possibly in encouraging the protagonists to engage in negotiations.

Capacity-building. Invest in training opportunities and resources for participants who might contribute to future negotiations. Provide technical assistance and other support to key groups so that they can develop strategies and skills to articulate their aspirations, shape the negotiating agenda, develop consensus positions and negotiate effectively. This is an investment both in the peace process and for future policy dialogue for governance.

Violence mitigation mechanisms. In a context where widespread violence could threaten a negotiation process, explore with local civil society and the parties to the conflict initiatives to reduce violence that could be implemented at a local as well as national level.

Enabling participation in formal political negotiations

Opening the process. All actors, particularly mediators and countries that are 'friends of the process', can use their influence to open appropriate aspects of the process to the participation of non-combatant groups – including women, youth, minorities and displaced people – and to ensure their concerns are considered in the negotiating agenda.

Process mechanisms. Develop mechanisms that enable the effective participation of all groups and mitigate against domination of the process by one or two groups. Explore the possibility and appropriateness of multi-party representative negotiations, multi-sectoral consultation processes, or mass participation in direct negotiations. Sequencing may be key, with initial agreements between belligerents to address urgent security concerns, followed by more inclusive peace negotiations and constitutional reform processes to address underlying issues.

Substantive negotiation agenda. Decisions regarding the topics on the negotiation agenda shape the scope of agreements reached. Relevant sectors of society can be invited to engage in dialogue on issues that should be addressed in the peace process.

Communication strategies. Those facilitating the process should work to ensure there are public information campaigns that speak effectively to the variety of different constituencies represented at the negotiations. There should also be a premium placed on sufficient time and appropriate mechanisms for consultation between delegates and their constituencies.

Referendums. If the public will be balloted on the agreement, work with the parties to ensure that the public is informed of the issues and that referendum questions are clear. Provide adequate security and monitoring to prevent intimidation and fraud as necessary.

Cover photo: South Africans march in a peace rally in downtown Johannesburg before the first democratic elections in 1994.

Source: David Turnley/CORBIS