Civil Society at the Negotiation Table, Legitimacy Beliefs and Durable Peace

Direnç Kanol
Management Centre of the Mediterranean, direda@yahoo.co.uk

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Author Bio(s)

Direnç Kanol is a research fellow at the Management Centre of the Mediterranean in Cyprus. His research articles appeared in various journals, including International Journal of Conflict and Violence, Business and Politics and Journal of Public Affairs. Contact: direda@yahoo.co.uk P.O. Box 187, Lefkosa, Mersin 10, North Cyprus

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Introduction

At the time of writing, a number of peace negotiations were underway all over the world. Peace negotiations may be ongoing for years as in the case of Palestine/Israel, or they may take a briefer time right after lengthy civil wars such as the one in Liberia. Sometimes, civil society is included at the negotiation table during these processes. Civil society refers to the organizations or collective citizen movements outside of the spheres of family and government. The Accra 2003 agreement was largely successful in ending violence in Liberia in contrast to the Abuja 1996 peace accord which failed to do so (Drew & Ramsbotham, 2012). Civil society participation was low in the latter and high in the former.

The Accra 2003 peace accord was signed not only by the government and two different rebel groups, but by political parties and civil society organizations as well (Nilsson, 2012). Various studies have suggested a positive link between civil society participation at the negotiation table after violent conflict and the consolidation of peace. Although most of these studies followed an exploratory approach (Jessop, Aljets & Chacko, 2008; Lanz, 2011;

McKeon, 2005; Paffenholz, 2014; Wanis-St.John & Kew, 2008; Zanker, 2013; Zartman, 2008), Nilsson (2012) tested this hypothesis with a large-N statistical design. Although this impressive study presented some interesting results in favour of the inclusion hypothesis, it has its theoretical and methodological shortcomings.

In the next section of this paper, Nilsson's (2012) study is analysed and the limitations that need to be addressed are outlined. Nilsson (2012) argues that the perceived legitimacy of inclusive peace treaties increases the likelihood of acceptance of these agreements by the wider public, so this may be the main causal mechanism that can explain the relationship between inclusion of civil society at the negotiation table and the consolidation of peace. In the later sections of this paper, the findings from a controlled experiment which tests this anticipated causal mechanism is presented.

This mechanism is tested in the Cypriot context. More specifically, a sample of Greek Cypriot students' perception of the legitimacy of a hypothetical peace treaty is used to measure the impact of inclusive peace treaties when compared to exclusive peace treaties. The Cypriot context is quite relevant for this study as it is a typical post-conflict country where peace negotiations have been still going on since violence first erupted in 1950s. Contrary to the expectations of the scholars working on the inclusiveness and the consolidation of peace hypothesis, the results show that the wider public may not perceive inclusive peace agreements to be more legitimate. The implications of this finding are then further analysed and discussed.

Literature Review

Procedural fairness theory argues that fair decision-making procedures determine how people are to react to authoritative decisions (Lind & Tyler, 1988; Tyler, Boeckmann, Smith, & Huo, 1997). Civil society is representative of the people. Therefore, civil society's inclusion in the peace negotiations may be positively received not only by those who participate, but also the wider public (Nilsson, 2012). Inclusive treaties may be perceived as more fair, just or legitimate by the people. In turn, the belief in the legitimacy of a peace treaty increases the likelihood of support for it. Thus, the belief in the legitimacy of any peace treaty is absolutely crucial for its approval by the people and its implementation.

Nilsson (2012) presents the richest data collected so far on the topic. She analyses 83 peace agreements while measuring civil society inclusion with a dummy variable and the dependent variable as duration of peace. The operationalisation of the independent and the

dependent variable are both problematic. On the one hand, measuring civil society inclusion with a dummy variable is not a very realistic indicator of civil society inclusion at the negotiation table. One context may provide the opportunity for active involvement of hundreds of civil society organizations while another may provide an opportunity for a few which may make a significant difference just in terms of quantity. Moreover, the intention of the authorities behind involving civil society organisations in such cases cannot be measured with this method. For instance, are those few organisations included only for the need of getting some technical information? Are they co-opted in order to silence opposition while not giving them effective opportunities to participate in discussions? Or is the inclusion of a large number of civil society organisations not practically possible, so, a few representative ones are included and provided an opportunity to participate and deliberate during the negotiations? We simply do not know.

It should be noted that the operationalisation of the dependent variable is also problematic. Peace in Nilsson's (2012) work is conceptualised and measured by relying just on the negative violence definition (Galtung, 1964). Measuring the duration of absence of violent conflict cannot fully capture the nature of the relationship between former enemies. Suppose that in one country the root causes of the conflict are targeted, reconciliation between former conflicting parties is achieved, so conflict is being transformed *à la* Lederach (1997). Are we to assume that some violence in this kind of setting makes this context less peaceful than another context where discrimination, injustice, negative feelings between conflicting groups is a rule, but for this or that reason, violence is contained? It is doubtful that this would be a meaningful interpretation of peace.

A final note on Nilsson's (2012) work is that despite her attention to regression assumptions, she cannot avoid specification error. There are probably tens, if not hundreds of reasons why one divided society is more peaceful than another. Although one may not have to go so far as Bell and O'Rourke (2007) who suggested that this makes it impossible to establish causality between civil society participation during peace negotiations and the consolidation of peace, it needs to be stressed that establishing causality cannot be done by controlling a few variables. When variables that are potentially correlated with both x and y are not included in statistical models, such models can establish only correlations rather than causality.

Suppose, for instance, that there is variation in the active involvement of international actors in the making of peace treaties. Actors such as the United Nations or the European Union are known to promote good governance and partnership with civil society

organisations. What happens if the inclusion of international actors increases the chances of civil society inclusion at the negotiation table and also increases the chances of the consolidation of peace? While trying to control for such variables, researchers might also face the opposite problem by over-controlling (Greene, 1997, pp. 586-588), thus suppressing the true effect of the independent variable. Therefore, case studies should also be considered in order to test the inclusion hypothesis.

While we see that advancement of methodology in the field of establishing correlational causality is still needed, the few preliminary studies published, so far, points to a positive correlation. What is more worrying is the lack of a robust theory in order to give meaning to such a correlation. Nilsson's (2012) theory which is based on legitimacy beliefs can be challenged. The positive effect of participation on legitimacy beliefs is far from established. In spite of the confidence of political philosophers who argue that inclusive methods are the most fair policy-making styles, and thus, are more likely to be perceived as legitimate by the participants and the wider public, empirical findings are mixed (Bowler, Donovan, & Karp, 2007; Cavalcanti, Schläpfer, & Schmid, 2010; Esaiasson, 2010; Esaiasson, Gilljam, & Persson, 2012; Hibbing & Theiss-Morse, 2002; Morrell, 1999; Olken, 2010; Sutter, Haigner & Kocher, 2010; Ulbig, 2008). Hence, Nilsson's (2012) innovative study needs to be cross-checked with alternative methods before coming to definitive conclusions.

Although the legitimacy beliefs of the representatives of civil society representatives who participate in the negotiation process are important, one should keep in mind that including a substantial number of civil society organisations at the negotiation table is not practical. Cunningham (2013) argued that including many actors at the negotiation table may complicate the negotiation process and hinder the possibility of finding an agreement. In the case that only a few representative civil society organisations are consulted during the negotiation process, it is not only important to measure how their inclusion changes their legitimacy beliefs but the wider society's beliefs as well. In fact, one can argue that the legitimacy beliefs of the wider society, especially the potential spoilers of peace, are much more crucial than the beliefs of a few civil society organisations. Therefore, this study focuses on the potential effect of the inclusion of civil society organizations in peace negotiations on the legitimacy beliefs of the wider society.

Method

This review of the literature shows that any observational study, even as sophisticated as Nilson's (2012), faces various problems. Experimental research may overcome some of the important problems that come with correlational studies. By using randomization, researchers can overcome the specification error problem. Therefore, this paper uses the first experimental design on this topic in order to advance our knowledge. The experimental study was conducted at the University of Nicosia and the University of Cyprus in the Republic of Cyprus (Greek Cypriot side). The Republic of Cyprus presents a good example of how peace agreements can fail if they are not embraced by the wider society. London-Zurich Agreements (1959) which paved way for a short-term peace in Cyprus were never embraced by the Cypriot society which resulted in renewed violence on the island (Kanol & Kanol, 2013). The secretive nature of talks that took place during the Annan Plan negotiations may have contributed to the rejection of the Annan Plan in 2004 as well (Amaral, 2014). To the author's knowledge, there is no specific reason that may lead to the belief that Cyprus is a deviant case study among the population of countries which have experienced violent conflict. However, it should be emphasized that inferring from just one case is not possible so the findings in this paper should be cross-checked in other post-conflict countries before coming to definitive conclusions.

University students were randomly assigned into two groups. Like most experiments, this study uses convenience sampling instead of representative sampling. Students in the campus were approached and the surveys were handed out to the students. The researcher was granted the permission to conduct the experiment from the authorities in both universities. The treatment group comprised of 171 students who completed a survey by reading a paragraph that invited them to think that a hypothetical agreement was found which satisfies most but not all of the concerns of both sides. The subjects were notified that this hypothetical agreement was found as a result of the negotiations between the presidents of the two sides and active participation of 50 representative civil society organizations. Another 166 students were assigned to a control group where the participants were given the same text without any information about the active involvement of civil society organisations. The students in the treatment group are coded as 1 and the students in the control group are coded as 0. Using the means of vignettes like this enabled the use of a simulation to measure the legitimacy beliefs of the wider society, depending on the participation of civil society organizations in peace-treaty negotiations. The short texts that were presented to the subjects

are provided below. Unlike the short text given to the control group, the one provided to the treatment group stresses that 50 civil society organisations which are representative of the Cypriot people have actively participated during the peace negotiations.

Treatment Group (coded as 1)

Suppose that after intense negotiations between the leaders of the two sides and active participation of 50 representative civil society organisations from both sides for three months, a reunification agreement is agreed upon. The leaders and most civil society organisations from both sides stated that the agreement satisfies most but not all of the concerns of their side.

Control Group (coded as 0)

Suppose that after intense negotiations between the leaders of the two sides for three months, a reunification agreement is agreed upon. The leaders of both sides stated that the agreement satisfies most but not all of the concerns of their side.

Perceived legitimacy was measured for all students after they read the texts that talk about this hypothetical agreement. After a reflection on the questionnaires used by de Fine Licht (2011), de Fine Licht, Naurin, Esaiasson, & Gilljam (2013), Persson, Esaiasson & Gilljam (2013), Stromer-Galley & Muhlberger (2009), Sulkin & Simon (2001) and Zhang (2012), the dependent variable is measured by taking the average of three questions in order to ensure face validity. In line with these studies, the current study understands legitimacy to be a subjective phenomenon which can only be measured by procedural fairness, satisfaction with the outcome and acceptance of the decisions.

The first statement used for calculating the perceived legitimacy index is: "the decision was taken in a fair way." The respondents were asked to put a circle around one of the numbers on a 7-point scale which varies from 0 which implies that the respondent strongly disagrees with the statement to 6 which implies that the respondent strongly agrees with the statement. The second statement used to calculate the perceived legitimacy index is: "please indicate what you thought of the outcome." The respondents were asked to put a circle around one of the numbers on a 7-point scale which varies from 0 which implies that the respondent is not satisfied at all to 6 which implies that the respondent is completely satisfied. The third question used to calculate the perceived legitimacy index is: "how willing are you to accept the decision?." The respondents were asked to put a circle around one of the

numbers on a 7-point scale which varies from 0 which implies that the respondent is not willing at all to 6 which implies that the respondent is completely willing.

A perceived legitimacy scale is generated by taking the averages of these three variables that is used as the dependent variable in the analysis. Cronbach's alpha (0.84) shows that the perceived legitimacy index is very reliable (internal consistency). The sample size is large (N=337) and there are 7 categories for the dependent variable. To make sure that the randomization process was successful, the author also asked the subjects their age, gender, religiosity, ideology, trust towards Turkish Cypriots and vote intention in a future referendum. The full questionnaire which includes the question wordings and the coding structures of these variables can be found in the appendix. Descriptive statistics, correlations between the independent variable and the control variables, and the results of the t-test are provided in the next section.

Results

Table I presents the number of observations, means, standard deviations and minimum and maximum values for the dependent, independent and control variables. The number of observations is similar between the treatment and control groups with a mean of 0.51 (166 people in the control group and 171 people in the treatment group). There is a large age variance considering that the sample is only comprised of university students (standard deviation=3.28) and a large number of the sample are females (mean=0.64, 121 males and 216 females). The descriptive data show that the sample is slightly negative towards the Turkish Cypriots and the peace process. The means for vote intention in a future referendum (mean= 2.6) and trust towards the Turkish Cypriots (2.66) are slightly more negative than the possible average value, which is 3. Similarly, the average perceived legitimacy of the hypothetical peace treaty (2.82) is a little less than the middle value of the 0 to 6 scale, which is 3.

Table I – Descriptive statistics

Variable	N	Mean	SD	Min	Max
Civil Society	337	0.51	0.5	0	1
Age	337	22.44	3.28	17	39
Gender	337	0.64	0.48	0	1
Ideology	334	2.87	1.53	0	6
Religiosity	337	3.56	1.78	0	6
Trust TC	337	2.66	2.01	0	6
Referendum vote	336	2.6	1.82	0	6
Perceived legitimacy	337	2.81	1.33	0	6

Table II reports the correlations between the independent variable and the control variables in order to see if the random assignment procedure was successful. The correlations show that none of the control variables are significantly correlated with the independent variable at the 90% confidence level. Therefore, we can be confident that the sample is randomly assigned into control and treatment groups.

Table II – Correlations between the independent variable and the control variables

	Civil Society Inclusion
Age	0.05
Gender	0.01
Ideology	0.04
Religiosity	-0.07
Trust TC	0.06
Referendum vote	-0.05

The perceived legitimacy means of the two groups in table III show that the control group scores slightly higher on the perceived legitimacy index than the treatment group (control group: 2.89 and treatment group: 2.72). This is quite the contrary of what is suggested in the literature. However, the difference of the means test (t-test) shows that this difference is not significant at the 90% confidence level (p=0.23, see table III). Therefore, it can be concluded that there is no significant difference between the two groups. In order to show the difference between the two groups more clearly, figure I graphs the perceived legitimacy means for the control and treatment groups.

Table III – T-test

	Mean	t-value	p-value
Control Group	2.89	1.19	0.23
Treatment Group	2.72		

Figure I – Graph bars of means of perceived legitimacy for the control and treatment groups
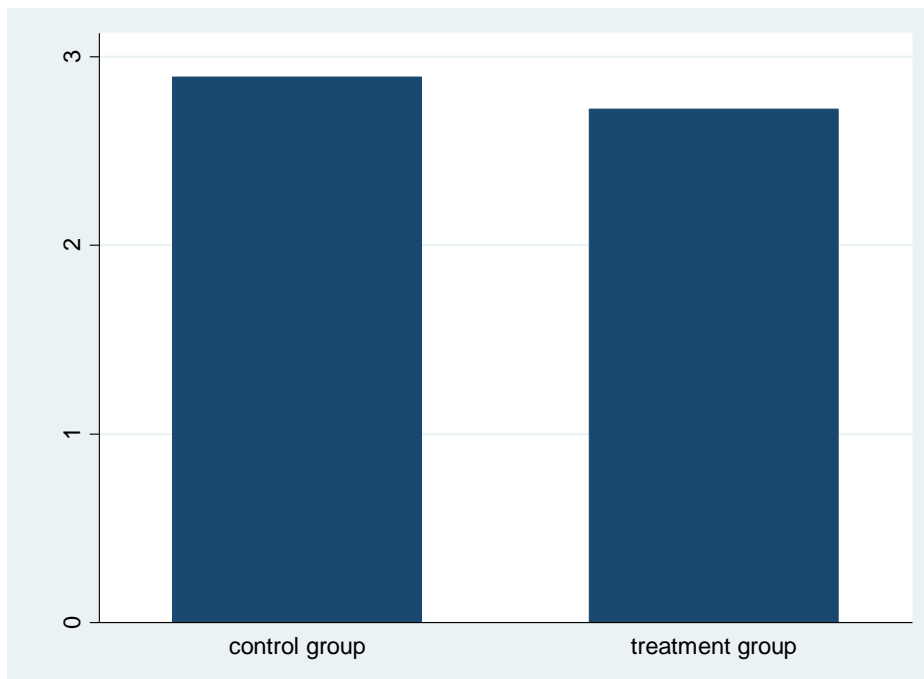
Discussion and Conclusion

The results of the controlled experiment presented in this paper suggest that for the participants of this study civil society participation during the making of peace agreements does not have a significant positive effect on their perceived legitimacy of these agreements. This might come as a disappointment for the proponents of the inclusiveness hypothesis. However, some important points have to be made before rejecting the possible positive effects completely. Even though the sample size in this study is large, an obvious shortcoming of this research is that the sample is comprised of university students only. This implies that different results may be obtained with a representative sample. Therefore, researchers should also conduct a similar study by using a representative sample of the whole population. Even though using university students in experimental studies is quite common, using a representative sample could strengthen the validity of research findings of a study which tries to infer to the whole population.

It should also be emphasized that this study looks at the perceived legitimacy of the wider public as a function of the participation of civil society organisations at the negotiation table and not the perceived legitimacy of the civil society organisations that participate in the making of the peace treaties themselves. The results presented here should not be interpreted in any way as to negate this possible effect. One should, however, take into account the issue that; active participation of a considerable number of civil society organisations may not be possible. If the policy-makers include a large number of civil society organisations, then the participation of these organisations would be very limited. Therefore, it is an empirical matter to measure if there would be any change in these organisations' legitimacy beliefs as a result of their inclusion. If, however, a small number of civil society organisations participate actively during the peace-making process and their legitimacy beliefs do increase, it is again an empirical matter to see if increased legitimacy beliefs of these limited number of organizations can have a substantial impact on the consolidation of peace.

One should also not forget that the current study was not able to take into account the effect of positive discourse of civil society organisations on the wider public. If participation influences civil society organisations' legitimacy beliefs and this has a positive impact on their discourse and activities with regard to embracing peace agreements, then the researchers should also measure if their discourse and activities may have an effect on the legitimacy beliefs of the wider public.

Another point to note is that this paper does not deal with a different possible causal mechanism that might suggest that inclusive treaties should be preferred. This point is about the epistemic quality of peace agreements. Might one suggest that inclusiveness can help to create better agreements that are more realistic and responsive to the socio-cultural situation in the conflict societies? Various scholars argue that engaging experts and societal actors in the policy-making process may help to find the best available public policy by making credible information available (Albin, 1999; Corell, 1999). One should argue, therefore, that the possible improvement in the epistemic quality of peace agreements and its possible impact on the consolidation of peace should also be explored in future research before forming definitive conclusions about the impact of civil society participation during peace negotiations and the consolidation of peace.

Despite these shortcomings, one can argue, based on the findings in this paper, that scholars should be much more cautious before advocating civil society inclusion at the negotiation table. Including civil society at the negotiation table may also have some negative consequences. Some authors argued that it may slow down the peace process and create

deadlocks (Cunningham, 2013). Therefore, the theoretical arguments in favour of inclusion should be thoroughly tested before advocating civil society's inclusion at the negotiation table during peace processes.

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Appendix

Dependent Variable

*The Perceived legitimacy index is created by taking the average of the following three variables. The index varies from 0 to 6.

1) The decision was taken in a fair way.

Strongly disagree 0 1 2 3 4 5 6 Strongly Agree

2) Please indicate what you thought of the outcome.

Not Satisfied at All 0 1 2 3 4 5 6 Completely Satisfied

3) How willing are you to accept the decision?

Not willing at all 0 1 2 3 4 5 6 Completely willing

Control Variables

Age:

Gender: Male 0 1 Female

Ideology: Left 0 1 2 3 4 5 6 Right

How religious do you consider yourself as?

Not religious at all 0 1 2 3 4 5 6 Very Religious

Overall would you say that Turkish Cypriots can be trusted?

No, they cannot be trusted 0 1 2 3 4 5 6 Yes, they can be trusted

If there was a referendum tomorrow for reunification your likelihood of voting yes would be?

Definitely no 0 1 2 3 4 5 6 Definitely yes