

The Negotiation Calculus: Why Parties to Civil Conflict Refuse to Talk

RESEARCH NOTE

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Why do some parties to intrastate conflict refuse to negotiate? I propose a simple theory of civil conflict in which the act of negotiation itself carries costs and benefits. Several hypotheses follow: parties to civil conflict will avoid negotiation when they (1) fear alienating external supporters or internal constituencies, (2) risk granting legitimacy to their opponents or signaling weakness to other potential claimants, or (3) find it difficult to identify reliable negotiating partners. Empirical tests find support for my argument. My findings suggest that cases exist in which the parties would reach an agreement if only they could overcome the costs of negotiation and engage in talks. Diplomats and mediators should consider the costs and benefits of talks when planning the timing and form of interventions designed to bring parties to the table.

In the summer of 2011, as the conflict in Syria escalated into civil war, the international community repeatedly appealed to the parties to cease hostilities and negotiate. The Assad regime assented at first by hosting a “national dialogue.” The opposition chose to boycott, however, and the government later ruled out talks with armed rebels it labeled as “criminals” and “terrorists” (Barnard 2013; Hassan and Borger 2011). International pressure briefly brought both sides to the negotiating table in early 2014, but those talks soon collapsed, with Islamist factions of the opposition rejecting any negotiation with the government. The United States, for its part, first pushed for talks with the Syrian government, then rejected any peace process that involved Assad and, more recently, acknowledged that the government will likely be a party to any negotiated settlement (Gordon 2015).

Civil wars commonly experience these ups and downs in negotiations. Parties to civil conflict often refuse to hold talks at one point in the fighting only to relent as hostilities drag on. Sometimes they agree to negotiate, but storm away from the table as talks progress. These patterns of negotiation vary between conflicts as well. Some civil wars enjoy frequent negotiations, whereas other conflicts never see direct discussions between the rebels and the government.

What accounts for this variation within and across conflicts? Why do some parties to internal conflict refuse to negotiate, while others prove eager to do so? Why do parties seek and reject talks at different stages within a single conflict? The answers to these questions matter for the

peaceful resolution of civil wars. If policymakers can create conditions favorable for talks, they may increase the likelihood of ending hostilities. Negotiations might build mutual confidence through more open communication or through concrete pre-negotiation concessions such as ceasefires. If negotiation acts as a means of exchanging information with an adversary, then a willingness to talk might help to facilitate peace by minimizing bargaining failure. In some cases, a refusal to negotiate may become the primary impediment to a settlement—if only the parties in such a conflict could come to the table, they might reach an agreement.

I propose a simple theory of intrastate conflict in which the act of negotiation itself carries costs and benefits for the parties. I argue that these negotiation costs and benefits help to explain the decisions of governments and rebel groups to participate in negotiations and that they carry important implications for the chances of an ultimate settlement. Using data on opposition groups in the Middle East and North Africa, I find that the costs and benefits that attend to negotiations themselves are statistically and substantively significant factors in whether the parties participate in talks—even after accounting for the costliness of conflict and for parties’ expectations about the likelihood of reaching a peaceful settlement.

The Costs and Benefits of Negotiation

The large literature on civil and international conflict mostly fails to address the process of negotiation. It assumes that combatants face a simple choice between peace and war. In the widely adopted bargaining approach to war, scholars treat parties as engaging in a costly lottery to determine the outcome of conflict, choosing either to settle or fight on (Fearon 1995). The decision to negotiate, in these models, carries no cost, or at least the cost of talking cannot be distinguished from the cost of continuing to fight.

Recent scholarship takes the process of negotiation more seriously. Theoretical treatments model the decision to negotiate as a “pre-bargaining” stage or allow for

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simultaneous negotiating and war fighting in continuous time (Bearce, Floros, and McKibben 2009; Langlois and Langlois 2012). Empirical work, building on Walter's (2002) approach to civil war as a multi-stage game, focuses attention on the negotiation stage to identify important new drivers of peaceful settlements (Findley 2013; Ghosn 2010; Thomas 2014). A substantial literature on mediation offers new insight into the bargaining process. It highlights the determinants of both mediation itself and peaceful outcomes brought about by the involvement of third parties (Beardsley 2011; Greig and Regan 2008). This more recent body of work, however, largely examines a single set of factors at different stages of bargaining or the subset of cases that involve mediation. It fails to theorize the broader drivers of negotiation. As a result, existing research probably misses key factors, such as the costs and benefits that attend to negotiations themselves, that strongly influence participation in talks.

The decision to negotiate can help or hurt parties to civil conflict in a number of ways. It can affect the likely terms of a final settlement or the chances of military victory, signal a party's capability or resolve, or incur direct costs for one side or the other. Several routine features of civil war bargaining, such as the practice of holding talks in secret or exclusively through intermediaries, suggest both that the decision to negotiate carries such costs and benefits and also that these costs and benefits exert some influence on the negotiation behavior of rebels and governments alike.

The costs and benefits that apply to negotiations themselves affect the larger calculus for those considering talks. Each side must weigh the payoff from negotiations and a potential peace settlement against the costs and benefits of continued conflict. Parties must discount the payoff from military victory or a peace agreement according to the chances of success, but the costs and benefits of negotiations loom large in decision making because they are realized in full whether talks succeed or fail. When parties see the act of negotiation as less costly, they will be more likely to engage in talks. When the cost of negotiating is high, talks become less likely. I describe five categories of negotiation costs and benefits below.

Signaling and Reputation Effects

A government's negotiating behavior sends a message to existing and future adversaries. If there are two types of governments—those with the resolve to meet opposition with force and those that will quickly make concessions—then agreeing to negotiate with rebels may signal that the government is the type with no resolve (Kreps and Wilson 1982; Walter 2006). Even concession-prone governments may have an incentive to put off negotiations as long as possible to avoid signaling their type to future opposition.

Walter (2006) shows that governments are concerned about their reputation for making concessions. They resist accommodations for self-determination movements when there are a greater number of potential opposition groups occupying land of greater value. The same calculus should apply to governments deciding whether to negotiate with opposition groups. In an environment of many potential claimants, governments eschew negotiations with the current opposition group to signal their strong type to future adversaries.

Reputation hypothesis: Governments will be less likely to negotiate with opposition groups the greater the number of potential future claimants.

Pressure From External Actors

Parties to civil war often face pressure from outside actors that complicates the decision to engage in talks. When rebels or governments pursue peace talks against the wishes of those providing military, financial, or diplomatic support, it can hurt a party's chances of winning a military victory or a favorable settlement. Combatants anticipate the harm caused by the loss of a key outside ally, and so refuse to participate in negotiations if talks threaten their external support.

For example, negotiations to end the civil war in North Yemen in the 1960s stalled until the parties managed to neutralize Egypt's opposition to talks. Egypt supported the republican side during the conflict both militarily and financially (Wenner 1993, 104–7). Until recently, the United States discouraged Afghanistan's interest in peace talks with the Taliban (Porter 2010; Shinn and Dobbins 2011, 11–14). Negotiating with the Taliban against US wishes would have jeopardized the significant military and financial support that the fledgling Afghan government received from the United States. Given the precarious security situation in Afghanistan, full talks without US consent may not have been possible. In late 2008, President Karzai offered safe passage to senior Taliban leaders if they would agree to peace talks: "As for Mullah Omar and his associates, if...he is willing to come to Afghanistan or to negotiate for peace... [I] will go to any length to provide him security" (Rondeaux 2008). The United States responded swiftly from the State Department podium, rejecting any possibility that US forces would give safe passage to the Taliban (US Department of State 2008).

Pressure from outside actors may be a particular problem for groups with large diaspora populations. Diaspora communities are sometimes seen as more politically extreme than those remaining within the home country and thus more likely to support the continuation of conflict (Connor 1986). Many diaspora groups provide significant financial resources to combatants (Collier and Hoeffler 2004). Agreeing to peace talks alienates these important outside groups, risking the loss of financial and material support for the opposition and making military defeat more likely if negotiations are unsuccessful.

External pressure hypothesis: Parties supported by outside groups that favor ongoing conflict will be less likely to negotiate.

Maintaining Internal Support

Domestic constituencies in civil conflict also create costs and benefits to engaging in talks. Governments are particularly vulnerable to political opposition because, often unlike rebel groups, state leaders have a government to run and must deal with issues beyond the civil war (Zartman 1995, 9). Hard-line factions may attempt to make a political issue out of a government's willingness to negotiate with terrorists, while war-weary constituencies may demand that a government make concessions to end costly fighting. Licklider (1993, 306–9) suggests that changes in political leadership—along with broad agreement within the government about the pursuit of peace—improve the prospects of ending a civil war. Pursuing unpopular talks may threaten a leader's hold on power and also may prolong a conflict if the opposition perceives internal dissent as an expression of weak resolve.

Of course, rebel groups also have internal constituencies. Political opposition to the rebels' conduct of the war may take the form of splinter groups that siphon resources away from the larger rebellion and reduce the negotiating power of the opposition (D. Cunningham 2006). But negotiation also elevates factions within the opposition (K. Cunningham 2013). For example, the leader of the Anya-Nya insurgency in Southern Sudan, Joseph Lagu, announced himself ready to engage in talks with Sudan in 1970. Struggling to unite multiple insurgent groups, he set as a precondition for negotiations the requirement that the government recognize his opposition group publicly as "the only element to negotiate with in the Southern Sudan." The government agreed, and Lagu's group became the key player in the Sudanese peace process (Rothchild and Hartzell 1993, 72).

For the opposition, too, the decision to negotiate affects its military standing and the prospects of a settlement. Opposition groups with strongly ideological or religious messages face particular challenges in engaging in peace talks. Rebels often resort to ideological appeals to draw material support from the community and to mobilize individuals willing to fight against the government (Gates 2002; Zartman 1995, 14). Toft (2007) argues that rebel elites engage in a "religious outbidding" process to win popular support. But a religious or ideological message can prove inconvenient when the rebels wish to begin negotiations. Holding peace talks with the unbeliever risks significantly undermining a religious group's base of support.

Internal pressure hypothesis: Opposition groups that use an ideological or religious message to mobilize support will be less likely to negotiate.

Legitimacy

Rebel groups may win legitimacy and recognition by virtue of their involvement in negotiations with the government (Svensson 2007). Zartman (1995, 13) argues that for rebels, "recognition is both the top and bottom line," a primary goal of many opposition movements. Governments often take proactive steps to delegitimize rebel groups. In Mozambique in the 1980s, for example, the government sought to define the Mozambican National Resistance opposition as thugs and criminals, whereas one of the rebels' principal demands was for legitimacy and recognition (Msabaha 1995, 213). The same dynamic played out in Syria, where President Bashar al-Assad claimed that the opposition to his regime was made up of "murderous criminals" and "terrorists" (Barnard 2013).

Legitimacy and recognition represent important practical concerns for rebel groups: recognition may improve outside perceptions of rebel success, thus boosting fundraising and opening foreign markets for arms sales or other kinds of material support. Recognition may also help opposition groups draw international attention to human rights concerns in their countries and open the door to international mediation or peacekeeping, potentially improving the prospects of an ultimate settlement.

These significant benefits from recognition and legitimacy for the opposition constitute significant costs for the government, which must worry about strengthening the rebels' bargaining position and their fortunes on the battlefield in the process of holding peace talks. New rebel

movements, largely unrecognized by outsiders, benefit most from negotiations. Once the opposition has established itself and connected with domestic or foreign supporters, legitimacy costs become less salient.

Legitimacy hypothesis 1: Governments will be more likely to negotiate with opposition groups the more time has elapsed since the group was formed.

Legitimacy hypothesis 2: Governments will be more likely to negotiate with opposition groups that international organizations or other governments have recognized.

Transaction Costs

In the low-information environment typical of civil wars, governments face a kind of transaction cost in their attempts to identify appropriate interlocutors from among a variety of opposition groups and would-be rebel spokespeople. Governments incur these costs in two ways. First, in order to conduct negotiations at all, governments must expend resources to identify a particular group with which they would like to reach a settlement, a reliable point of contact who speaks for the group, and a means of contacting this spokesperson. Several factors complicate this process, including confusion about which opposition group carried out which attack and the possibility that the government sees the group's best spokesperson as a criminal or a desirable military target. Consider, for example, the difficulty the United States would face in opening negotiations with al-Qaeda or, worse, a smaller al-Qaeda fringe group. How would the United States inform al-Qaeda of its interest in negotiations? How would al-Qaeda indicate its agreement to talk? Would a senior member of al-Qaeda's leadership be willing to come forward, or to provide the United States with the means to contact him, even if those actions risked alerting the United States to his whereabouts?

Second, governments incur costs if they decide to negotiate with an opposition group or spokesperson that cannot follow through on commitments. In addition to time and effort lost, revelations of a government's negotiating positions in failed talks might weaken its bargaining position in future negotiations. The government might find it difficult in the future, for example, to walk back any concessions that have been made in failed talks. The domestic political costs of failed negotiations might also limit the ability of the government to reengage in talks with a different opposition group. These considerations prevent governments from engaging in risky negotiations in the first place.

Many internal conflicts suffer from a glut of opposition groups and rebel spokespeople with whom the government may choose to negotiate (K. Cunningham 2013). The presence of a valid spokesperson has been considered a kind of precondition for negotiations, one of the criteria in Zartman's formulation of a "ripe moment" for conflict resolution (Zartman 1985, 236–38; 1995, 18). High-profile mistakes illustrate the difficulty parties face in identifying appropriate representatives on the other side. In 2010, a man claiming to be the Taliban's second-in-command held at least two meetings with Afghan President Karzai and other officials to discuss peace talks before it was discovered that he was instead a shopkeeper from the Pakistani city of Quetta (Partlow 2010). In September

2011, the peace process in Afghanistan suffered a setback when a suicide bomber who claimed to carry a message from senior Taliban leaders assassinated former Afghan president Burhanuddin Rabbani, the official in charge of peace talks with the Taliban (Londoño 2011).

Transaction cost hypothesis: Governments will be more likely to negotiate when there is a representative who clearly speaks for an opposition constituency.

Testing the Negotiation Calculus

To test my theory, I turn to the Minorities at Risk Organizational Behavior (MAROB) dataset, which provides detailed information about 118 organizations representing ethnic minorities in the Middle East and North Africa between 1980 and 2004 (Wilkenfeld, Asal, and Pate 2008). This dataset has two major benefits over the alternatives. First, unlike most civil-war datasets, these data include information about both nonviolent organizations and those that have resorted to armed conflict. Because the cost of conflict is likely to be an important determinant of negotiation behavior, including only violent organizations in the dataset risks obscuring other important drivers of the decision to negotiate. Second, the MAROB data code organizations in tremendous detail, allowing for a quantitative model that examines each of my hypotheses concurrently and obviating the need to combine organizational data from multiple sources that employ different inclusion criteria and coding rules.¹

Each government-rebel pairing probably carries its own negotiation cost, so I structure my data by the dyad-year. Each observation represents a government and a minority-representing organization in a given year. I use Honaker, King, and Blackwell's (2011) *Amelia II* software to multiply impute missing values in the MAROB data, but employing the original dataset with listwise deletion yields similar results.

Dependent Variable

The dependent variable for my analysis is a dichotomous measure that takes on the value of one if the government and opposition group engaged in negotiations in a particular year and zero otherwise.² About eight percent of dyad-years in the MAROB data feature talks between the parties, but negotiation behavior varies significantly both within dyads over time and across dyads. Morocco and Cyprus held talks in more than 30 percent of their dyad-years, for example, while Bahrain conducted no negotiations in these data and Lebanon and Turkey barely more than that—both negotiated in less than two percent of dyad-years.

Operationalizing the Costs and Benefits of Negotiations

I examine the relationship between negotiation costs and benefits and the incidence of talks using several variables of interest. To test the reputation hypothesis, I create a simple measure of the number of potential claimants the

government may face in the future. Following Walter (2006), I count each ethnopolitical organization listed in the larger Minorities at Risk dataset for each state in a given year (Minorities at Risk Project 2009). We would expect governments to be less likely to engage in negotiations as the number of potential claimants increases.

The external pressure hypothesis suggests that the presence of outside supporters of conflict reduces the likelihood of negotiation. To test this hypothesis, I include a dichotomous variable created from the MAROB data that takes a value of one if the opposition group received military support from a foreign state or from a diaspora community in a particular year and zero if it did not. If the internal pressure hypothesis is correct, organizations with a religious message will face additional costs in negotiating. I thus adopt the MAROB dataset's measure of whether or not an opposition group is a religious organization.

To test the first legitimacy hypothesis—that negotiations are more likely for more established opposition groups—I count the number of years since the founding of the opposition group. The second legitimacy hypothesis suggests that negotiations are more likely when parties are recognized by other governments or by international organizations. Government concerns about granting recognition to opposition groups through negotiations are largely moot if the opposition already enjoys outside support. Drawing from the MAROB data, I code a dichotomous variable as one if the opposition group received political support from a foreign government or an international organization and zero otherwise.

Finally, to test the transaction costs hypothesis, that negotiations are more likely when the opposition negotiator clearly represents his or her constituency, I use a measure of opposition group coherence from the MAROB data. I construct a dichotomous variable that takes on a value of one if the opposition has fractionalized, weak, or decentralized leadership and zero otherwise. We would expect negotiations to be less likely in the presence of uncertainty about the leadership of opposition groups.

The Cost of Conflict

This analysis must control for the cost of ongoing conflict because costly conflict might encourage parties to seek settlement through negotiation and might also be associated with several of the variables of interest. I include as covariates two proxies for the strength of rebel forces from the MAROB data. First, I use a measure of the level of violence the opposition group employs, ranging from no violence to full-scale civil war. Second, I include a measure of the opposition group's control of territory. This variable is coded as one if the opposition group controls movement in a rebel area and as zero if the group does not control territory. We would expect negotiation to be more likely in costlier conflicts.

The Likelihood of Settlement

Parties' decisions to negotiate may depend in part on the likelihood that the negotiations will result in a settlement. If the likelihood of settlement is associated with the costs and benefits of negotiation (for example, if settlement becomes more likely when disputants are supported by third-party states) then this might confound my analysis. To control for this possibility, I include a novel measure

¹Like any dataset, the MAROB data are not suitable for answering all research questions. For a review of issues associated with the larger Minorities at Risk project, see Hug (2013).

²The supplementary file provides more detail on the coding of the dependent variable.

Table 1. Probit analysis of negotiation in intrastate conflict

Hypothesis	Variable	Model 1	Model 2	Model 3	Model 4	Model 5
Reputation	Number of opposition groups	−0.261*** (0.066)				
External pressure	Military support to rebels		−0.594** (0.205)			
Internal pressure	Religious organization			−0.313 (0.251)		
Legitimacy	Longevity				0.010* (0.004)	
	Political support to rebels				0.905*** (0.176)	
Transaction costs	Fractionalized leadership					−0.488 (0.309)
Costs of conflict	Rebel violence	0.018 (0.049)	0.043 (0.036)	−0.015 (0.039)	0.003 (0.038)	−0.014 (0.039)
	Rebel territory	1.145*** (0.224)	0.937*** (0.228)	0.811*** (0.233)	0.511** (0.197)	0.831*** (0.232)
	Constant	−0.325 [^] (0.188)	−0.758*** (0.155)	−0.749*** (0.162)	−1.267*** (0.141)	−0.766*** (0.154)
	N	1,786	1,786	1,786	1,786	1,786

Note: Probit coefficients with bootstrapped robust standard errors, clustered by dyad, in parentheses. A cubic polynomial of the number of years since the last dyadic negotiation is included in all models but not shown. *** $p < .001$, ** $p < .01$, * $p < .05$, [^] $p < .10$.

of the probability of settlement given negotiation as an independent variable.

I first build a separate probit model to predict settlement in intrastate conflict. Because negotiation is a prerequisite to a peaceful settlement, however, I construct this model using only those dyad-years in which negotiation occurred. The dependent variable is whether the parties reached a peace agreement in a given year. Explanatory variables are those commonly used in the literature on civil-war settlement: whether the opposition party had territorial goals, whether third parties were providing military support to the opposition in the conflict, whether the rebels were a legal political group, the number of opposition groups in the state, the level of violence employed by the opposition group, whether or not the government is a democracy, the length of violent conflict, and controls for temporal dependence. This model correctly predicts whether a peace settlement occurs in a given year in about 80 percent of cases within the sample. Having built this model using dyads that experienced negotiation, I then apply it to the full range of cases in the MAROB dataset to recover a predicted probability of settlement given negotiation for all dyads. This predicted probability then becomes an independent variable in the original model of negotiation as a proxy for the likelihood of settlement.

Modeling Approach

I conduct several probit analyses on pooled time series data.³ Temporal dependence is a concern in time series cross-sectional data of this type; I thus include in all models a cubic polynomial of the time since the last negotiation in each dyad (Carter and Signorino 2010). I calculate robust standard errors clustered by dyad using a bootstrapping technique that resamples with replacement

³Negotiations occurred in 150 dyad-years, or about eight percent of observations. Robustness checks using rare-event logit models yield the same results (King and Zeng 2001).

within each dyad (Cameron, Gelbach, and Miller 2008). Other types of bootstrap sampling, as well as the calculation of more traditional cluster robust standard errors, yield similar results.

Findings

Table 1 shows the results of probit analyses separately examining each of my five hypotheses. Overall, I find strong support for the proposition that negotiation costs and benefits significantly affect the likelihood of talks in intrastate conflict. These findings are consistent with my hypotheses on reputation, external pressure, and legitimacy. In addition, the cost of conflict plays an important role in the decision to engage in negotiation. These findings persist when the hypotheses are combined into a single model and when adding a measure of the likelihood of settlement to the combined specification. Table 2 provides the results from these full models. In the supplementary file, I detail a variety of robustness tests and additional analyses, including an examination of previous negotiating behavior, the effects of democracy, and spatial diffusion.

The coefficient on the variable representing reputation costs—the number of opposition groups in a state—is negative and significant; the greater the number of potential claimants in a state, the less likely are the parties to negotiate. My results also support the hypothesis that external backers of conflict increase the cost of negotiation. The coefficient on a dummy variable representing foreign or diaspora military support is negative and significant in models 2, 6, and 7. This effect does not depend on the few high-profile cases, such as Iraq and Lebanon, in which foreign combat troops were directly involved in a civil war. The result persists when including only non-violent military support.

Contrary to the internal pressure hypothesis, whether or not an opposition group has a religious agenda has no significant effect on the likelihood of negotiation. While engaging in talks may not complicate religion-focused

Table 2. Combined probit models of intrastate negotiation

Hypothesis	Variable	Model 6	Model 7
Reputation	Number of opposition groups	-0.236*** (0.062)	-0.234** (0.084)
External pressure	Military support to rebels	-0.514* (0.216)	-0.517* (0.219)
Internal pressure	Religious organization	0.025 (0.310)	0.028 (0.315)
Legitimacy	Longevity	0.014** (0.005)	0.014** (0.005)
	Political support to rebels	0.612** (0.196)	0.615** (0.195)
Transaction costs	Fractionalized leadership	-0.588* (0.336)	-0.589* (0.339)
Costs of conflict	Rebel violence	0.068 (0.047)	0.068 (0.049)
	Rebel territory	0.984*** (0.215)	0.985*** (0.218)
Settlement prospects	Pr(Settlement Negotiation)		-0.026 (0.305)
	Constant	-0.760*** (0.169)	-0.761*** (0.180)
	N	1,786	1,786

Note: Probit coefficients with bootstrapped robust standard errors, clustered by dyad, in parentheses. A cubic polynomial of the number of years since the last dyadic negotiation is included in all models but not shown. *** $p < .001$, ** $p < .01$, * $p < .05$, $\hat{p} < .10$.

recruiting and internal mobilization in the way anticipated, it is also possible that this proxy variable does not adequately capture the differences between these religious organizations. Some religious groups, for example, seek pluralist governments and simply advocate for the free practice of their religious beliefs. Other groups may seek to exclude representatives of secular or other religious movements from government, and here we might expect the decision to negotiate to result in more substantial costs in terms of the opposition's ability to marshal internal support. Finally, I cannot control in these analyses for whether or not the government represents the same faith as the opposition group. When the same religious movement occupies both sides of the civil conflict, the decision to negotiate is less likely to undermine the opposition's message among its own constituents. Fully examining the role of religion in the decision to negotiate would require more fine-grained data on governments and opposition groups, which I leave for future work.

The decision to negotiate is strongly associated with two measures of the cost of legitimizing the opposition: the longevity of the opposition group and whether or not it receives political support from foreign states or international organizations. Groups with longer tenure and those that enjoy outside political support appear more likely to be involved in negotiations. Fractionalized opposition leadership is associated in models 6 and 7 with a reduced likelihood of negotiation, at the $p < 0.10$ level. This lends some support to my transaction cost hypothesis. Governments may be reluctant to bear the additional cost of identifying and vetting negotiation partners in a low-information environment such as civil war, and such costs are likely to be particularly high when the opposition lacks a clear leader with whom to talk.

I find mixed results for the variables representing the cost of conflict. Rebel control of territory is a strong driver

of negotiation in all models, suggesting that powerful opposition groups—those that can inflict substantial costs on the government if conflict continues—are better able to win a seat at the bargaining table. The level of rebel violence, however, does not significantly contribute to negotiation behavior in any model.

Finally, the likelihood of an ultimate settlement does not have a significant effect on negotiation behavior. Further, I find that the costs and benefits of negotiation continue to be an important driver of talks even after incorporating expectations about future settlement into the model. Mere changes in the likelihood of settlement do not explain variation in negotiation behavior—parties do not seem automatically to come together and engage in talks as soon as a peace agreement becomes possible.

The proxy variable for the likelihood of settlement asks the counterfactual question: what are the chances that two parties would have reached an agreement, if only they had negotiated? One concern is that negotiation dyad-years in these data are too dissimilar from nonnegotiation dyad-years to allow for an answer to this question. This concern is well founded—examining the convex hull of the data suggests that only about 30 percent of counterfactual observations involve interpolation; the remainder require extrapolation, risking substantial model dependence (King and Zeng 2006). Some caution, then, is warranted in interpreting the results of model 7. A more definitive understanding of the role that the likelihood of settlement plays in the decision to negotiate must wait for the availability of data that lie closer to the counterfactual questions we seek to answer.

External Validity

The 12 Middle Eastern and North African states included in the MAROB data represent an important sample for studies of civil war. My findings, however, are likely to apply more broadly. A wide range of civil conflicts—from Afghanistan and Mozambique to Russia and Sri Lanka—suggest that parties commonly consider the costs and benefits of negotiation. While available data do not allow a full empirical test of my theory beyond the Middle East/North Africa region, robustness checks using global civil-war data from the Uppsala Conflict Data Program (UCDP) find strong support for the reputation, external support, and legitimacy hypotheses (D. Cunningham, Gleditsch, and Salehvan 2013; Uppsala Conflict Data Program 2014).⁴ This should provide some reassurance that my findings are not merely an artifact of geographic limitations in the MAROB dataset.

Mediation

An important subset of negotiations involves third parties as mediators or facilitators of talks. The willingness of outside actors to support negotiations can affect the costs and benefits for warring parties in several ways. An offer to mediate amounts to the de facto recognition of an opposition group by a foreign state or organization and so grants a kind of legitimacy to the rebels. Once an outside actor extends a mediation offer, governments have less incentive to resist negotiations in order to deny legitimacy to the opposition. Mediation may also help governments mitigate the risk of negotiation by shifting the responsibility for identifying appropriate negotiating partners onto

⁴See the supplementary file for more details.

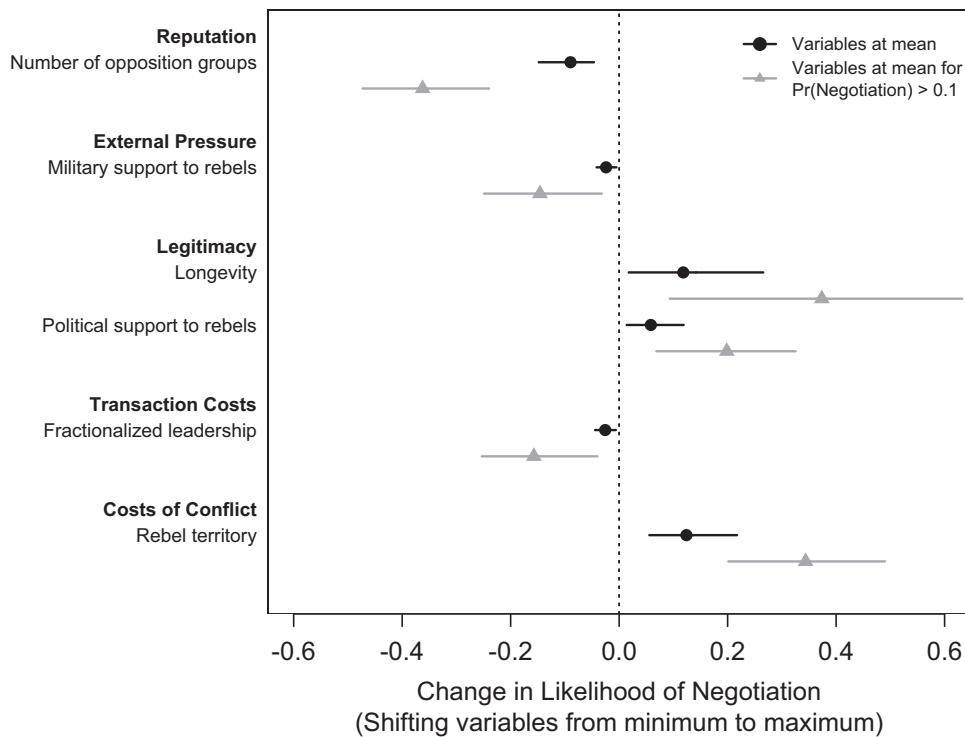


Figure 1. Substantive effect on negotiation in intrastate conflict

outsiders. In 1970s Sudan, for example, third parties lamented the difficulty of choosing a Southern interlocutor to bring into negotiations. According to one mediator, “There were many groups, and the question came up many times—who is the one to approach? You have to approach many leaders, and not only those who think themselves leaders; leadership changed quite often” (Rothchild and Hartzell 1993, 69). More broadly, mediation signals the interest of outsiders in a resolution of conflict, which may make parties more likely to engage in negotiations in an effort to appease external powers. Offers by foreign governments to mediate a dispute also sometimes carry an implicit threat—parties that do not come to the table may lose the support of outside patrons.

The MAROB data are not well suited to tests of the effect of mediation on negotiation behavior. These data include opposition groups that do not employ violence and so are unlikely to draw the attention of external mediators. Mediation data also are not readily available for the set of cases included in the MAROB dataset. To test the role of mediation in driving negotiation, then, I combine the UCDP global civil-war data with the Civil War Mediation dataset (D. Cunningham, Gleditsch, and Salehvan 2013; DeRouen, Bercovitch, and Pospieszna 2011; Uppsala Conflict Data Program 2014).⁵ Offers to mediate are strongly associated with negotiation in these data, increasing the likelihood of talks by more than 50 percent when holding other variables at their mean. Parties clearly have strong incentives to accept mediation offers. More interesting, perhaps, is that the availability of an outside mediator appears to make negotiation more likely even when the offer to mediate has been rejected. In a model of negotiation that excludes observations in

which mediation actually took place, the offer to mediate was strongly associated with a decision by the warring parties to come to the table.⁶ This lends some support to the idea that mediation offers can actually change the cost/benefit calculus for the parties involved and make negotiation more likely.

Substantive Significance and Predictive Power

The costs and benefits of negotiation are substantively important determinants of negotiation behavior. Figure 1 illustrates this substantive significance in two ways. First, black circles denote the change in the predicted probability of negotiation when shifting a particular factor from its minimum to its maximum value in the data, with all other variables held at their mean.⁷ For unusual events such as negotiation in civil conflict, however, the mean chance of negotiation occurring is quite low, and so predicted probabilities may well understate substantive effects for the dyads about which we are most interested. A more helpful measure (shown with gray triangles in Figure 1) calculates first differences by holding all other variables not at their global mean but at the mean for those observations predicted by the model to have a greater than 10 percent chance of negotiation.

These adjusted first differences are more extreme than those calculated using the global mean. For example, shifting the number of potential claimants in a state from

⁵The supplementary file includes an explanation of this model and full results.

⁶The conditions that lead to mediation, rather than mediation itself, may account for some of this effect. A bivariate probit model, treating mediation as an endogenous regressor, finds mediation offers make negotiation more likely even after controlling for several major determinants of mediation. See the supplementary file for details.

⁷Predicted probability calculations are based on model 7. The figure omits variables not found to be statistically significant at the $p < 0.1$ level.

one to eight, while holding all other variables at their mean, is associated with a nine percentage point decrease in the likelihood of negotiations. The same shift in potential claimants, holding other variables at their mean among observations with predicted probabilities greater than 10 percent, is associated with a 36 percentage-point drop in the likelihood of negotiations.

We can also examine the substantive importance of these findings through out-of-sample prediction: how much do the costs and benefits of negotiation contribute to our ability to predict negotiation behavior? I measure predictive power using the area under the Receiver Operating Characteristic curve (AUC). Models that correctly predict all cases will have an AUC of 1, while models that do no better than a coin flip will have an AUC of 0.5. Model 7 yields an out-of-sample AUC of 0.84. This performance compares favorably to a naïve model incorporating only a lagged dependent variable, which has a predictive power of about 0.52, scarcely better than chance. A more sophisticated baseline model, incorporating a cubic polynomial of years since the last negotiation as its only independent variables, does better, with an AUC of about 0.73. Still, the full model provides a significant improvement in predictive power. Please refer to the supplementary file for complete results.

Negotiation in Pursuit of Peaceful Settlement

The international community devotes substantial resources to bringing warring parties to the negotiating table. But negotiation behavior defies easy explanation: parties to civil war vary widely in their willingness to negotiate—some internal conflicts lead to talks early and often, whereas other parties never make it to the negotiating table. This article argues that peace talks carry their own costs and benefits, driven by parties' reluctance to signal weakness to current or future opposition, a desire to appease external supporters, concern about bestowing recognition or legitimacy on the opposition, and the difficulty of identifying appropriate negotiation partners.

Most of the literature on civil-war resolution rightly focuses on factors that lead to an enduring peace, rather than the process that leads to a settlement. But my analysis suggests that there may be some situations in which warring parties would agree to a peace deal if only they could overcome barriers to negotiation. Negotiations are rare in my data even among the conflicts that my model expects would have the best chances of a settlement.⁸ That is, talks rarely occur in the very cases in which they would be most likely to result in a peace deal. It seems likely that the inability to engage in talks represents the last substantial hurdle to settlement in at least a small number of these conflicts. That parties' refusal to negotiate can sometimes stand in the way of peace should be significant motivation for scholars to better integrate the process of negotiation into broader studies of civil conflict.

For policymakers, diplomats, and mediators, this theory of negotiation costs and benefits serves as a useful framework for identifying points of leverage to encourage negotiations. Changes in the costs and benefits of negotiation over time, for example, may help parties determine

when an attempt to launch talks is likely to succeed. Governments resist negotiations early in a conflict to avoid conferring legitimacy on the opposition, but see little cost to recognizing a rebel group once it has managed to establish itself. Similarly, governments face substantial transaction costs to negotiation early in the conflict, when identifying opposition spokespeople is most difficult. The costs of antagonizing political opponents may fall just after new leadership has come into power by repudiating the policies of the prior government. Opposition factions may hold the most sway in rebel groups early in conflicts—before power has been consolidated—or after long periods without progress in the war.

Because parties understand these costs and benefits, they may seek to manipulate them for strategic benefit. Parties commonly collude to reduce the costs from negotiation by holding talks in secret or through intermediaries. Other costs might be addressed directly. Rebel groups, for example, might seek to allay government reputational concerns by banding together with potential future claimants before negotiating (Walter 2006). Outside actors might work to neutralize third parties opposed to talks (for example, by cutting off funding from a diaspora community or by making a side deal with an outside military patron). When the international community recognizes an opposition group, it bypasses government concerns about granting the group legitimacy and encourages the parties to engage in talks. Ultimately, a better understanding of the process that leads parties to accept or reject negotiations provides those who desire peace with useful levers to bring combatants to the table.

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⁸If I limit my sample to dyad-years whose predicted probability of settlement is in the top 20 percent of all observations (excluding those where a settlement actually occurred) only 0.6 percent of the sample features talks between the parties.

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