In 1986, as the UN’s newly appointed Under-Secretary-General for Peacekeeping, I gave a talk to an American religious group visiting UN headquarters in New York. At the end, someone asked whether I thought NGOs had a role to play in the UN’s efforts to maintain peace and security. I answered with an unequivocal ‘no’. The United Nations was an association of governments; NGOs could help to relieve hardship but had no role in the negotiation and implementation of peace settlements. Thus was manifested the ignorance and arrogance of the new appointee.

I would not give the same answer today. Since the end of the Cold War, non-state actors have played an increasingly important role both in the conduct of conflict and in its resolution. International NGOs have proliferated and have become an accepted part of ‘the international community’ — although their quality varies and there are unanswered questions about their accountability. Within countries, the institutions of civil society have also acquired a recognized role, both in the resolution of internal conflicts and as a channel for public participation in peacemaking.

**Public participation: normative, efficient or a nuisance?**

Nevertheless, ambiguities remain about how far public participation in peacemaking is viewed either as normative, in the sense that the people have an inherent right to participate in efforts to maintain peace in their countries; or as pragmatically desirable, because it contributes to the efficiency of peacemaking; or as a nuisance, which governmental peacemakers would prefer to avoid.

The preamble to the United Nations Charter begins grandiloquently ‘We the Peoples of the United Nations determined to save succeeding generations from the scourge of war …’ but it ends on a different note: ‘Accordingly, our respective Governments …do hereby establish an international organization to be known as the United Nations’. The UN has always been an organization of governments and will so remain. It is only slowly and reluctantly that governments have conceded...
to civil society a role in peacemaking, which almost all of them see as a quintessentially governmental activity. Very few have been persuaded to give civil society access to peacemaking, whether for normative or efficiency reasons. Progress has been due to pressure from below, not wisdom from above; to accumulated precedents, not generic decisions.

With the variety of forms that both ‘international peacemaking’ and ‘public participation’ can assume, it is impossible to define general prescriptions for an ideal relationship between international peacemakers and public participants. Each conflict is unique. In each case the peacemakers – be they international, national or a mixture of the two – have to judge how they can best help the protagonists negotiate a peaceful settlement. The points at issue should (but do not always) include the potential scope for public participation in that process. What seems to emerge from recent experiences of peacemaking is that there may be greater scope for public participation when the peacemaking is led by national actors rather than international organizations.

Why have international peacemakers made rather limited use of public participation? It may be helpful if, as a superannuated peacemaker, I offer not a political scientist’s treatise but a practitioner’s impressionistic answer to this question. There are three possible explanations; they are not mutually exclusive. First, as already mentioned, few governments are positive about greater public involvement in peacemaking. Second, international actors may undertake, or be permitted, a mediatory role only when national peacemaking efforts have failed. In these cases, the society may be so polarized that public participation is difficult to manage without enlarging existing divisions, thereby making the search for peace even more difficult. Third, international peacemakers tend to be ill-informed, at least initially, about the country where they aspire to mediate peace. This may obscure their perception of the advantages that they and the process itself can gain from public participation.

Confidentiality versus public participation
The process of converting a situation of armed conflict into one of stable peace is long and complicated. In most cases where international peacemakers are in the lead, there are four phases. First, overture, when a third party or parties (‘the mediator’) persuades representatives of the armed combatants (‘the parties’) to enter into negotiations for a peaceful settlement of their conflict. Second, negotiation, when the mediator helps the parties to work out an agreement (‘the settlement’) that is, for
each of them, a better option than continuing the war. Third, implementation, when the mediator (or another third party) helps the parties to implement the settlement (what the UN calls ‘multi-functional peacekeeping’). Fourth, peacebuilding, when various actors (including the parties, the mediator, international institutions and/or national institutions) undertake long-term efforts to consolidate the peace and, especially, to address the root causes of the conflict — which may have been only superficially addressed in the settlement.

Overture is a phase when confidentiality is particularly important, especially in internal conflicts. As with preventive diplomacy, success is most likely if the media are not aware — or are only vaguely aware — that an effort is being made to persuade the parties to negotiate. The barriers to negotiation are usually immense. The government has been at war with what it typically perceives as a gang of armed criminals and is now being urged to enter into a negotiation with those criminals. Even worse, it has to accept that for the purposes of the negotiation, it and the ‘criminals’ will be treated as political equals. It will not be granted preference or privileges simply because it is internationally recognized as the country’s government. If the mediator is sufficiently skillful, the government will be persuaded to see that a negotiation on the basis of political equality is an inescapable pre-condition for peace. It is understandable that its leaders will insist that they need private time to convince core supporters that such negotiations are the right course. Premature revelation of the concessions made will not advance the cause of peace. While the mediator recognizes that confidentiality is a political necessity at this stage, he or she may nevertheless chafe at not being able to announce positive developments impartially before the parties put out their inevitably one-sided views.

Confidentiality also impairs the mediator’s ability to engage with civil society as a source of information about the nature of the conflict and its underlying causes. In recalling the UN peacemaking and peacekeeping enterprises in which I was involved, I am often shocked to realize how little we actually knew at the outset about the conflicts into which we were about to insert ourselves. But consultation with in-country experts is usually precluded during overture. At that stage the overriding objective is to convince the parties to accept mediation and that requires a high level of confidentiality.

Confidentiality remains an important factor in the negotiation phase but is a less absolute one. Because the negotiations are known, both civil society institutions and the general public want to be informed and to contribute their ideas to the negotiators. This can be of value to the mediator, especially if civil society is well organized and there is strong public support for compromise and reconciliation.

Constraints nevertheless remain. One is that the international mediators may not be interested in contributions from civil society. Another is that the parties may not want their negotiating positions revealed to their own supporters or to the other side — let alone to the public at large — until they are ready to disclose them. The mediator must therefore be very discreet. Another can be the need to protect what Alvaro de Soto, the former Personal Representative of UN Secretary-General to the Central American Peace Process, calls ‘the integrity of the mediation’: there should be only one mediator; the mediator must have overall control of the negotiation; the mediator can enlist others, whose help can be of great value, but they must never take an initiative without the knowledge and approval of the mediator. A free flow of information about the negotiation increases the risk of unwanted initiatives and the confusion that they can cause. A desire to control the negotiation process can thus lead the mediator to insist on confidentiality.

There are, however, powerful factors that can incline the mediator towards openness and public participation. One is the need for information. The mediator is a stranger in a foreign land and may need to test ideas with local people in order to judge how they will be received. Another factor is that civil society institutions can help create the climate for successful peacemaking. If they are to play this role, however, the mediator may have to take them into her or his confidence about the kind of agreement that seems likely to emerge. In so doing, the mediator risks incurring the ire of the parties for violating confidentiality of the negotiation.

International mediators often find it necessary, however, to violate confidentiality on a lesser scale. They may, for instance, find that their mediation is being damaged by excessive secrecy. At one point in the El Salvador negotiations, we learned that some Frente Marti Liberacion Nacional (FMLN) field commanders were suspicious that their political demands were not being promoted with sufficient vigour by the FMLN negotiators in Mexico City. Because this occurred at a time when the negotiators were making significant progress, both the FMLN leadership and the government saw the need to reassure these field commanders. The UN was allowed to bring several commanders from the field (where fighting continued) to Mexico City to witness the negotiations for themselves.

The mediator faces a similar dilemma when an important social sector aligned with one of the parties is misled — often deliberately — about the likely contents of the emerging settlement. In Guatemala, when it became clear that the business community was alarmed by an impending agreement, the mediator was able to assure the employers’ organization that they had been misinformed. He thus opened himself to the charge of breaching confidentiality but judged it to be a necessary
risk. Such are the judgments that international mediators must make. A similar risk is justified if a mediator concludes that an important sector of society has to be brought into the process, either because its involvement will help the mediator or because it is capable of undermining an eventual settlement if it is excluded from the negotiation.

**Whose peace process is it?**

Another important factor in favour of openness is the need for citizens to feel a sense of ownership of the settlement. Given sensitivities about sovereignty, the impression must be avoided that it is being imposed on them by foreigners. They should be encouraged to feel that it contains elements that they have contributed. Civil society institutions can help the mediator meet this need. In Guatemala a procedural agreement between the parties established a Civil Society Assembly (ASC), whose primary functions were to put proposals to the negotiators and to debate and endorse the successive agreements that were negotiated between the parties. The ASC brought the negotiation much further into the public domain than had been the case in El Salvador. The negotiators were under a brighter spotlight. This sometimes deterred the parties from conceding points, for fear of offending their supporters, and may have made the process longer than it would otherwise have been. Yet there is power in the argument that this was a price worth paying to enable Guatemalans to feel that they were playing as large a role as the foreign mediator in moulding the settlement. Public debate about its contents also enhanced the transparency and accountability of the process. In short, 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.

In internationally-led peace processes, civil society comes into its own in the third phase, implementation, and even more so in the fourth phase, peacebuilding. The settlement has been negotiated and accepted by the parties; the international community has endorsed it; the fighting has ended; hope and optimism prevail; national reconciliation and reconstruction can begin. In reality, the picture is rarely so rosy. Usually, significant elements in society – and sometimes even one of the primary parties – are opposed to the settlement or doubt that it can be made to work. Diehards are ready to use violence to interrupt its implementation. Sometimes there are ambiguities or unaddressed elements in the settlement that generate tension between the parties and necessitate re-negotiation.

By the time the implementation phase is reached, there has usually been more foreign involvement than local society wants; the time has come for it to assert ownership of the peace process. One of the lessons the UN learned in the 1990s is that the shelf-life of its political presence shortens with remarkable speed once a settlement has been signed. The UN mediator may be a local hero on signature day but the message comes very soon thereafter that it is time to go home. That message will almost always come from the government; it will probably come too from the general public, which is tired of the presence of well-paid and sometimes arrogant foreigners. It will not necessarily come, however, from all segments of organized civil society. Some may recognize an ongoing need for an impartial mediator to help resolve differences between the parties on how to implement the settlement.

In these situations, public participation becomes critically important. Popular support is needed to ensure that the process can withstand post-settlement squabbling and the assaults of its opponents. The questions then are how, and by whom, can the public be mobilized. The ideal conveners are long-standing, non-aligned local institutions. Often, however, in war-torn countries these institutions do not exist and have to be created. The creation can be done as part of the settlement. In El Salvador the agreements included the establishment of a ‘National Commission for the Consolidation of Peace’. But it was a very official institution and did not have the advantage of being perceived as an independent arbiter of peace – distant from the negotiation but supportive of its outcome – in contrast to, for example, the churches in the Namibian process.

In both the implementation and peacebuilding phases, therefore, external support may be necessary to develop civil society institutions to consolidate peace. But this is not a function for foreign governments or intergovernmental organizations. Instead international NGOs can play an important role in helping local people to build and strengthen their own NGOs and other civil society institutions. Though they may be foreigners, they too are representatives of civil society. This may make them less threatening and more acceptable as agents of peace in a country beginning to re-establish its own national identity and pride after years of civil war.

The conclusion to be drawn is perhaps that peacemaking is yet another field in today’s world where there is a need for more positive exploration of the advantages to be gained from partnership in the pursuit of common objectives shared by governments and their peoples. But, as in other such fields, the mechanisms of this partnership have to be very carefully designed. Whoever the peacemakers may be, there will remain the need to strike the right balance between confidentiality and the engagement of civil society in what will always be a delicate process.