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Contents

Ahmed Humed ABDELLA, Ediga VENKATESU

Ethiopia:
**Customary Justice in the Afar *Makaabanna* System. Restorative Practices,
Contemporary Adaptation, and Legal Pluralism 3**

Pınar Buket KILINÇ PALA

Romania and Türkiye:
Black Sea Conflict Management 22

Adriana MIDKIFF

Kosovo-Serbia:
Frozen by Design. The Precondition Trap 43

Erdem ÖZLÜK

Mozambique:
**Rethinking Conflict Management in Cabo Delgado. From Military Containment
to Sustainable Conflict Management 58**

Adrian-Grigore POP

Community Mediation Around the World:
A Comparative Analysis and Typology of Institutional Models 78

Li YANG, Long TING

Taiwan Strait Conflict Management:
Informal Deterrence (2022–2026) 109

Ethiopia: Customary Justice in the Afar *Makaabanna* System. Restorative Practices, Contemporary Adaptation, and Legal Pluralism

Ahmed Humed ABDELLA, Ediga VENKATESU

Abstract: The *Makaabanna* is an Indigenous customary justice institution through which Afar elders interpret *Mad'a*, mediate disputes, negotiate responsibility, and restore relationships through compensation and reconciliation. This article examines how the *Makaabanna* classifies harm, applies restorative remedies, adapts to contemporary disputes, and operates alongside Ethiopia's formal legal institutions. It draws on fieldwork conducted from August 2024 to January 2025, comprising 57 key-informant interviews, six focus group discussions with 36 participants, six non-participant observations across six zones, and documentary and archival analysis. Method-specific figures are reported separately because the study did not document potential overlap across methods. We analyzed qualitative materials thematically through iterative coding, comparison, and triangulation. Findings show a structured approach to homicide, bodily injury, defamation, unlawful restraint, sexual and family-related harm, property disputes, road accidents, and mobile-money fraud. The strengths of the *Makaabanna* include accessibility, negotiated responsibility, retaliation prevention, and relationship restoration. Its limitations include variable compensation, incomplete documentation, uncertain jurisdiction in serious criminal matters, uneven coordination with courts and police, and limited technical capacity to address modern offenses. The *Makaabanna* functions as a semi-autonomous normative order whose social recognition exceeds its procedural integration with state institutions. Sustainable

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reform requires referral arrangements, documentation, participation by affected persons, and cooperation that preserves its restorative strengths while maintaining state responsibility for public law offenses.

Keywords: Customary justice, Ethiopia, indigenous law, legal pluralism, Makaabanna, restorative justice.

Introduction

Customary justice systems remain central in Indigenous and rural societies where state institutions are distant, unfamiliar, or unable to repair damaged relationships. In Ethiopia's Afar National Regional State, the *Makaabanna* is a customary forum in which respected elders interpret *Mad'a* and mediate disputes among individuals, families, and clans. Its procedures emphasize dialogue, responsibility, compensation, reconciliation, and the prevention of retaliation rather than punishment alone. These features are consistent with restorative justice, which evaluates justice partly in terms of repairing harm and relationships (Braithwaite, 2002; Pankhurst & Assefa, 2008).

The *Makaabanna* operates within Ethiopia's legally pluralistic environment. Courts, police, religious forums, and customary authorities may become involved in the same dispute, although they apply different concepts of responsibility and remedies. Formal criminal law defines offenses and penalties, while criminal procedure and prosecution rules govern investigations and public proceedings. The *Makaabanna* treats harm as both individual and relational and permits family and clan participation in settlements. Such coexistence can expand access to justice, but it also creates uncertainty regarding jurisdiction, enforcement, parallel proceedings, referral mechanisms, and the legal effect of customary outcomes (Aneme, 2015; Epplé & Assefa, 2020; Halefom, 2022).

The institution is also adapting to social and economic change. Elders continue to address homicide, bodily injury, honor-related disputes, livestock, land, and family matters while confronting road accidents, monetized compensation, mobile money fraud, and other harms that require technical evidence or involve changing forms of valuation. This adaptation demonstrates institutional resilience, but it may also produce inconsistent outcomes where oral rules, local variation, and limited investigative capacity intersect.

Existing studies have established the accessibility, restorative orientation, and conflict-prevention role of Ethiopian customary justice, including among Afar communities (Macfarlane, 2007; Reda, 2011; Enyew, 2014; Gebre-Egziabher, 2014; Yazew & Kassa, 2023). However, they have paid less empirical attention to how a specific Afar institution classifies diverse forms of harm, applies compensation without a uniform written tariff, adapts to digital and transport-related disputes, and navigates the practical boundary between socially legitimate settlement and the state's public-law responsibilities. This

article addresses that gap by connecting offense classification and restorative practices to the institutional problem of customary–formal coordination.

Broadly, the article has three objectives: to examine the role of the *Makaabanna* in classifying and resolving major categories of harm, to analyze its restorative compensation practices and adaptation to contemporary changes, and to assess its interaction with formal legal institutions. It asks *two questions: How does the Afar Makaabanna classify and resolve contemporary disputes, and what institutional challenges arise from its operation alongside Ethiopia's formal legal system?* The central argument is that the *Makaabanna* is a semi-autonomous normative order with strong social recognition but weak procedural integration. Its resilience depends on adaptive interpretation, while its principal risks arise from undocumented variability, technical evidentiary limitations, and unclear regulatory boundaries. The rest of the article develops the analytical framework, explains the research design, presents the findings, and discusses their implications for restorative justice and legal pluralism.

Literature Review and Analytical Framework

Legal anthropology treats law as a social practice rather than merely as a body of state-made rules (Nader, 1969). Customary institutions derive their authority from shared norms, moral standing, participation, and community recognition, while remaining shaped by broader political and legal structures. Moore's (1973) concept of the semi-autonomous social field is useful because it explains how a social arena can generate rules and induce compliance while remaining embedded within a larger legal order. Broader legal pluralism scholarship similarly rejects an exclusively state-centered view of law and emphasizes the coexistence and interaction of multiple normative orders within the same social field (Griffiths, 1986; Merry, 1988). In the Ethiopian context, Yntiso (2020) examines customary laws within their social and legally pluralistic setting, while Assefa (2020) considers the scope for broader constitutional accommodation of customary justice systems. These perspectives connect the *Makaabanna's* internal customary authority to the wider legal and social conditions that shape it, including state institutions, changing livelihoods, mobility, and new forms of evidence. They therefore provide a basis for examining both how the *Makaabanna* generates and enforces norms and how its scope is reshaped by the surrounding legal environment.

Restorative justice provides a second analytical orientation, emphasizing the identification of harm, responsibility, repair, and renewed relationships rather than centering punishment alone. Ethiopian customary institutions commonly use mediation, apology, compensation, ritual, and guarantees against retaliation (Pankhurst & Assefa, 2008). In Afar settings, reconciliation has particular significance because unresolved harm can destabilize families and clans (Ahmad, 2017; Yazew & Kassa, 2023). Earlier studies emphasize accessibility, collective responsibility, and conflict prevention (Macfarlane, 2007; Reda, 2011; Enyew,

2014; Gebre-Egziabher, 2014). Gutu (2020) similarly examines customary reconciliation in the context of homicide in the Gamo highlands, showing that customary and state institutions can cooperate even when they conceptualize wrongdoing and remedies differently.

At the same time, restorative justice should not be romanticized as automatically victim-centered or as the simple opposite of punitive justice (Daly, 2002). Restorative effectiveness must therefore also be evaluated in relation to the safety, autonomy, and procedural voice of directly affected persons. This safeguard perspective is especially relevant where affected persons do not themselves hold customary authority, including women and younger community members whose procedural voice depends on how participation is organized.

Legal pluralism explains the coexistence of state, customary, and religious normative orders. Articles 34(5) and 78(5) of Ethiopia's Constitution recognize consensual adjudication of personal and family matters under religious or customary law and permit the establishment or official recognition of religious and customary courts (Federal Democratic Republic of Ethiopia, 1995). The Criminal Code defines offenses and penalties, while public investigations, prosecutions, and adjudication are governed by separate procedural and institutional rules (Federal Democratic Republic of Ethiopia, 2004). In practice, customary institutions address a wider range of disputes than the constitutionally specified personal and family domain, producing social authority alongside incomplete state incorporation (Epple & Assefa, 2020; Halefom, 2022). Ethiopian case studies show that relations between customary and formal institutions may take cooperative, competitive, and hybrid forms. Abera (2020) documents the interplay of customary and formal legal systems among the Tulama Oromo, while Baker (2013) identifies police diversion to traditional leaders and mixed formal–informal practices within Ethiopia's plural justice system. Cecchi and Melesse (2016), through a lab-in-the-field experiment with customary judges in rural Ethiopia, further show that the availability of formal law can influence customary arbitration outcomes. Conversely, Amsalu (2022) shows that state involvement may also narrow customary jurisdiction, underscoring that cooperation, regulation, and institutional intrusion are analytically distinct.

The literature identifies recurring tensions: context-specific decisions may improve responsiveness but vary across localities, compensation may repair relational harm without satisfying public obligations in serious criminal cases, and compliance may weaken when parties move beyond enduring clan ties.

Modern disputes may require digital evidence, medical assessments, road-accident expertise, or standardized valuation that an oral process cannot always provide. Taken together, the literature suggests that customary institutions are neither static survivals nor simple substitutes for courts. Rather, they can change in response to social pressures and interaction with state law, while the terms of that interaction may strengthen, reshape, or constrain customary authority (Cecchi & Melesse, 2016; Amsalu, 2022).

The study therefore uses three interconnected analytical lenses. Restorative justice assesses repair and the prevention of retaliation; the semi-autonomous social-field perspective explains internal norm production and social enforcement; and legal pluralism analyzes overlap, referral, recognition, and the status of customary settlements.

Research Design and Methods

Design, setting, and sampling

This article reports a focused analysis of data generated within a broader doctoral study of contemporary challenges affecting mediation by Afar elders. The broader project generated a shared qualitative dataset, while this article has a distinct research question, evidence selection, theoretical orientation, findings, and conclusion. It focuses on offense classification, compensation, restorative practices, contemporary adaptation, and customary–formal institutional relations.

Fieldwork was conducted from August 2024 to January 2025 in pastoral, agro-pastoral, and semi-urban settings across six administrative zones of the Afar National Regional State. The seven field locations were Samara-Logya and Aysaita in Awsi Rasu; Aba'ala in Kilbati Rasu; Golina in Fanti Rasu; Dalefage in Hari Rasu; Yangudi in Mahi Rasu; and Awash in Gabi Rasu. Interviews, focus groups, and documentary work were distributed across these sites, and one naturally occurring traditional mediation session was observed in each zone. The locations were selected to capture variation in livelihoods, mobility, and proximity to formal institutions.

Participants were selected purposively based on their knowledge of, experience with, or institutional relationship to the *Makaabanna*. Community nomination identified elders actively involved in mediation. Judges, police officers, and government officials were included because their duties involved customary dispute resolution or customary–formal relations. Women and youth participants were selected based on their experience with community dispute-resolution practices rather than their holding formal *Makaabanna* offices. The qualitative sample was not intended to estimate regional prevalence, and inferential statistics were not used.

Participants and data collection

The research included 57 key-informant interviews: 16 *Makaabanna* elders, 10 judges, 11 police officers, 10 government officials, and 10 participants contributing women's and youth perspectives. This latter group comprised three adult women, two young women, and five young men. The two young women were analytically relevant to both the gender and youth categories but were counted only once in the total of 10 interview participants.

The six focus group discussions (FGDs) were conducted across the six zones, with six participants in each group, for a total of 36 FGD participants. No participant took part in more than one FGD. The six non-participant observations of naturally occurring traditional mediation sessions were conducted, one per zone. Attendance across the six sessions was 12, 9, 8, 10, 11, and 10 persons, producing 60 session-based attendances. Attendees included elders, clan or community leaders, religious leaders, women, and youth representatives. The researcher observed the proceedings without participating in or influencing them. The observation figures describe attendance, not a verified sample of 60 unique individuals. Interview, FGD, and observation figures are therefore reported separately because the study did not document possible overlap across methods.

Table 1. Summary of Data Sources and Analytical Uses

Data source	Scope	Main analytical use
Key-informant interviews	57 interviews: 16 <i>Makaabanna</i> elders, 10 judges, 11 police officers, 10 government officials, and 10 participants contributing women's and youth perspectives (3 adult women, 2 young women, and 5 young men).	Offense classification, compensation, customary authority, institutional interaction, and adaptation.
Focus group discussions	Six FGDs across six zones, with six different participants in each group (36 participants).	Shared understandings, disagreement, local variation, legitimacy, and responses to social and economic change.
Non-participant observations	Six naturally occurring mediation sessions, one per zone; attendance of 12, 9, 8, 10, 11, and 10 persons (60 session-based attendances).	Procedure, attendance and speaking roles, reasoning, negotiation, compensation, and movement from complaint to settlement.
Documentary and archival analysis	Written accounts of Afar <i>Mad'a</i> ; the Constitution and Criminal Code of the Federal Democratic Republic of Ethiopia; relevant policy materials; and archival or scholarly records selected for direct relevance and source authority.	Customary principles, historical context, legal comparison, and interpretation of institutional practice.

Source. Field research, Afar National Regional State, August 2024–January 2025.1

Procedures, translation, and analysis

Semi-structured interviews examined procedures, offense categories, compensation, enforcement, emerging disputes, and relations with courts and police. Focus groups explored accepted rules, local variation, restorative outcomes, and institutional change. The research team conducted most interviews and focus groups in Afaraf. With permission, we audio-

recorded discussions; otherwise, we prepared detailed notes. Quotations were translated directly into English by the first author and checked against the available recordings or notes. No independent back-translation is claimed, and culturally specific Afar concepts were retained where exact English equivalents were unavailable.

The six observations were strictly nonparticipatory. Local leaders convened the meetings as part of their usual conflict-resolution practices; the researcher did not organize the sessions. After elders informed the researcher when meetings would occur, the researcher attended without questioning participants, directing the discussion, facilitating, or intervening. Notes recorded attendance, speaking roles, procedural sequence, customary and religious reasoning, disagreement, negotiation, compensation, and reconciliation. Documentary and archival materials included written accounts of Afar *Mad'a*, the Constitution and Criminal Code of the Federal Democratic Republic of Ethiopia, relevant policy materials, and scholarly or archival records. These materials were selected for their direct relevance and source authority and were compared with interview and observation evidence to distinguish legal rules, reported customary norms, and observed practices.

The qualitative material was analyzed thematically through repeated reading, an evolving coding matrix, comparison, and category refinement (Braun & Clarke, 2006). Coding combined deductive categories derived from restorative justice and legal pluralism with inductive codes emerging from the data. Codes concerning offense, intention, severity, responsibility, compensation, reconciliation, enforcement, jurisdiction, and adaptation were organized into themes of procedure, classification, restorative compensation, adaptation, evidentiary limitations, and customary–formal interaction. Comparisons across interviews, focus groups, observations, and documents tested reported rules against observed practices while retaining contradictory or locality-specific accounts.

Frequencies are reported only when an identified subgroup answered the same item, and denominators are stated. Compensation amounts, by contrast, emerged from open-ended accounts. Where the field records did not preserve a claim-specific denominator for an exact amount, the figure is presented only as an illustrative oral reference, not as a majority view, a universal *Mad'a* rule, or a regional tariff. The interpretation therefore rests on convergence, divergence, context, and the distinction between reported norms and observed practices rather than on numerical prevalence.

Ethics, positionality, and limitations

The researcher's familiarity with Afaraf, local institutions, and social relations facilitated access and interpretation but also required reflexivity because insider knowledge can influence access, questioning, and the interpretation of meaning. Field notes, comparisons across participant categories, and attention to contradictory accounts reduced reliance on a single viewpoint.

The research supervisor at the University of Hyderabad reviewed the research proposal and data-collection materials, and permission to conduct the fieldwork was communicated by email in August 2024. Participation was voluntary, informed consent was obtained, and permission was sought before audio recording. When recording permission was not provided, detailed field notes were prepared. Identifying information was removed or generalized, and sensitive cases were discussed without identifying individuals, families, or exact case locations.

Purposive sampling does not support statistical generalization, and small subgroups should not be treated as population estimates. Oral accounts may be affected by recall, respect for elders, or reluctance to disclose sensitive matters. Compensation varies by locality and circumstance, and several figures were based on participant reports rather than standardized tariffs. The cross-sectional design cannot demonstrate change over time. Possible overlap among interview, focus group, and observation participants was not documented; therefore, the 57 interviews, 36 focus group participants, and 60 session-based attendances cannot be added together to produce a unique-participant total. The absence of claim-specific denominators for some compensation figures also limits conclusions about how widely particular amounts were accepted.

Results

Institutional structure and procedure

The *Makaabanna*'s authority was described as operating across interconnected family, clan, district, and supra-local levels. Minor household disputes were usually addressed close to the parties, whereas disputes involving larger compensation, multiple families, or inter-clan relations were referred to more senior leaders. The Sultanate represented the highest customary authority in the institutional accounts collected, although day-to-day mediation was decentralized and locally managed. Terminology and the precise hierarchy varied across locations; *Fe'ima*, for example, was used in some accounts to denote clan-level leadership and should not be treated as a uniform title throughout Afar.

Across offense categories, the procedure followed a recognizable but flexible sequence: receipt of a complaint; immediate peacekeeping to prevent retaliation; collection of accounts; possible oath-taking when facts remained disputed; negotiation of responsibility and compensation; and a public agreement or reconciliation. The observed sessions likewise showed elders managing disagreement, applying Mad'a, and guiding the parties toward a remedy, although the sequence and duration varied according to the seriousness of the case and the relationships involved.

Table 2. Institutional and Procedural Organization of *Makaabanna*

Institutional or procedural element	Function
Family and extended family	Addresses minor household, family, and low-level compensation disputes.
Clan-level leadership	Handles inter-family disputes and larger compensation matters; locally described in some sites as Fe'ima.
District-level leadership	Addresses serious inter-clan disputes and cases requiring wider authority.
Sultanate	Highest customary authority in the institutional accounts; may address homicide and other matters referred to the highest customary level.
Complaint and peacekeeping	Receives the case and acts to prevent immediate revenge or escalation.
Investigation and deliberation	Collects accounts, testimony, and contextual information and applies Mad'a; oath-taking may be used where facts remain uncertain.
Negotiation, agreement, and reconciliation	Determines responsibility, restitution, guarantees, and contributions and confirms an accepted settlement intended to restore relations.

Source. Field interviews, focus group discussions, observation notes, and documentary material, 2024–2025.2

Homicide classification and restorative compensation

Homicide was classified principally according to intention. Intentional killing (*Baatili*) was distinguished from unintentional killing (*Garci*), and both were interpreted within a restorative framework centered on life compensation (*Biilu*), the prevention of revenge, and negotiated reconciliation. Elders explained that distinguishing between intentional and unintentional killing enabled responsibility and remedies to be adjusted according to intention and the circumstances of the harm.

Some elder accounts referred to 100 camels as an oral reference for intentional homicide and 125 camels for the killing of a pregnant woman. Unintentional killing was described more flexibly: some accounts reported no compensation in particular circumstances, whereas others referred to approximately 50 camels when compensation was claimed by the victim's family. These figures were not elicited through an identical closed-ended question posed to all 16 elders, and the field records did not preserve claim-specific denominators. They are therefore treated as illustrative, locality-sensitive reference points rather than universal rules.

Following a homicide, elders first sought to prevent retaliation and create space for inquiry and negotiation. Oath-taking on the Qur'an could be used when facts remained uncertain.

A settlement could combine compensation, apology, guarantees, collective contributions, and public reconciliation. Enslavement and revenge were described as historical practices rather than acceptable contemporary remedies; the banishment of repeat offenders was exceptional.

Bodily injury, defamation, restraint, and family-related harm

The *Makaabanna* classified bodily injury, insult, and restraint through culturally specific categories. Assault included beating (*Ugra*), choking (*Quxus*), nail injuries (*Lifiq*), fainting (*Awlusiyya*), forced submersion (*Leet kummussiyya*), and physical throwing (*Nikso*). Elders considered the method, instrument, location, and consequences of the injury, as well as intention and the surrounding circumstances. The practice permitted proportional adjustments, although the absence of a uniform written schedule produced local variation.

Defamation was treated as an injury to dignity and social relations. Some interview accounts referred to 10 goats for ordinary defamation and 20 goats for a serious insult directed at a clan chief. The higher amount reflected customary hierarchy but also raised concerns about equality because the same form of verbal harm could be valued differently according to social position. Unlawful restraint was assessed according to duration, intention, treatment during confinement, and resulting harm; no consistent single amount was identified.

Sexual and family-related offenses were described as serious harms affecting the directly affected person, family relations, honor, safety, and social order. Participants described differentiated customary responses according to age, marital status, circumstances, and perceived consequences. The available records did not provide adequate claim-specific corroboration or denominators to support presenting exact compensation figures as reliable numerical rules; exact amounts are therefore omitted. This omission does not minimize the seriousness of the conduct. Customary settlement may mobilize family support and prevent retaliation. Nevertheless, it cannot substitute for trauma-informed support, immediate protection, medical care, or the state's responsibility to investigate serious sexual violence and marriage-related coercion.

The accounts of the 10 participants who contributed women's and youth perspectives were analyzed in relation to family-related harm, participation, and procedural safeguards. Because this subgroup was small and internally heterogeneous, the study does not present a single gendered or generational position or treat these accounts as estimates of subgroup prevalence.

Property disputes and contemporary adaptation

Property disputes revealed the close relationship between customary law and pastoral livelihoods. Livestock theft was treated as both material loss and damage to trust. Some

elders' accounts referred to 90 goats as compensation for the theft of one camel, together with restitution where associated losses had not been recovered. Distinctions among slaughtering stolen livestock (*Qidiyya*), selling it (*Kaliyya*), and killing newborn animals to extract milk (*Nargo*) reflected the economic and cultural importance of livestock.

Damage to irrigation property was described in some accounts through a reference of 60 goats, while land disputes were more commonly resolved through restitution, boundary clarification, and agreements intended to prevent renewed conflict. These amounts were open-ended oral reports and were not presented as standardized regional tariffs. Their analytical value lies in demonstrating the use of livestock equivalents and proportional reasoning, rather than in establishing a uniform schedule.

Contemporary disputes demonstrated both adaptability and technical limitations. Road accidents were addressed through negotiated monetary compensation based on damage, injury, responsibility, and circumstances. In the medical-negligence cases discussed, participants reported that the cases considered had not resulted in customary compensation. Mobile-money and cyber-fraud cases were sometimes addressed through triple repayment. Such innovation shows that elders extend familiar principles of restitution and responsibility to new forms of harm. However, limited capacity to authenticate digital evidence, assess technical causation, and standardize valuation can weaken the accuracy and enforceability of these outcomes.

Table 3. Illustrative Customary Responses and Their Evidentiary Status

Dispute or offense	Reported customary response	Evidentiary status
Intentional homicide (<i>Baatili</i>)	Some elder accounts referred to 100 camels, combined with reconciliation and guarantees.	Illustrative oral reference; no claim-specific denominator preserved.
Unintentional homicide (<i>Garci</i>)	Some accounts described no compensation in particular circumstances; others referred to about 50 camels where compensation was claimed.	Variable and negotiated; not a uniform rule.
Killing of a pregnant woman	Some elder accounts referred to 125 camels.	Illustrative oral reference; no claim-specific denominator preserved.
Assault	Some accounts referred to 5 goats, adjusted for injury, instrument, intention, and circumstances.	Illustrative oral reference; adjustment was central.
Defamation	Some accounts referred to 10 goats, and 20 goats for a serious insult to a clan chief.	Illustrative oral references; the status-based difference raises an equality concern.
Sexual violence and forced marriage	Participants described differentiated compensation and reconciliation practices; exact figures are omitted.	Exact amounts were not retained because adequate claim-specific corroboration and denominators were unavailable.

Dispute or offense	Reported customary response	Evidentiary status
Livestock theft: one camel	Some accounts referred to 90 goats, with restitution for unrecovered associated loss.	Illustrative oral reference; local variation applies.
Destruction of irrigation property	Some accounts referred to 60 goats.	Illustrative oral reference; local variation applies.
Road accidents	Negotiated monetary compensation based on damage, injury, responsibility, and circumstances.	No universal amount verified.
Mobile-money or digital fraud	Some accounts reported triple repayment of the stolen amount.	Adaptive response; technical verification and enforcement remain limited.
Land disputes	Restitution, boundary clarification, and land-use agreements.	Negotiated remedy rather than a fixed tariff.

Source. Interviews with Makaabanna elders, focus group discussions, and field records, 2024–2025.3

Interaction with formal legal institutions

The findings indicated that the *Makaabanna* has strong social recognition but weak procedural integration. Elders regarded it as capable of maintaining peace without formal courts, and judges and police officers rated traditional mediation highly. These assessments, however, did not translate into consistent referral procedures, formal recording of outcomes, or a shared understanding of how customary settlements should affect public proceedings.

All 16 interviewed elders answered the same item concerning the challenges of customary–formal integration. Eleven rated integration as highly or extremely challenging, citing different normative purposes, uncertain jurisdiction, inconsistent enforcement, and concerns that formal intervention could disregard culturally legitimate settlements. Judges and police officers answered differently worded legitimacy items, so their responses are reported separately rather than combined.

A second item asked judges and police officers only about cases encountered through their official work: how often those cases had first been addressed through traditional mediation. It did not ask whether community disputes generally begin with the *Makaabanna*. Most of the cases encountered through formal institutions had not first been addressed through traditional mediation. This finding does not demonstrate low community use; rather, it reveals a weak institutional interface in which customary settlements may occur outside formal referral, documentation, or case-tracking systems.

Table 4. Institutional Perceptions and Formal Case Pathways

Participant group and item	Response	N	%
Elders: challenge of customary–formal integration (N=16)	Not challenging	2	12.5
	Somewhat challenging	1	6.3
	Moderately challenging	2	12.5
	Highly challenging	8	50.0
	Extremely challenging	3	18.8
Judges: legitimacy of traditional mediation (N=10)	High legitimacy	1	10.0
	Very high legitimacy	9	90.0
Police officers: credibility of traditional mediation (N=11)	High credibility	6	54.5
	Extremely high credibility	5	45.5
Judges: formally encountered cases first addressed through traditional mediation (N=10)	Never	10	100.0
	Rarely	0	0.0
Police officers: formally encountered cases first addressed through traditional mediation (N=11)	Never	10	90.9
	Rarely	1	9.1

Source. Interviews with 16 Makaabanna elders, 10 judges, and 11 police officers.⁴

Discussion

Restorative capacity and semi-autonomous authority

The evidence indicates that the *Makaabanna* is more than an informal compromise mechanism. It has recognizable levels of authority, a recurrent procedural sequence, differentiated categories of harm, proportional reasoning, and established forms of compensation and reconciliation. Its effectiveness is strongest where parties remain embedded in continuing social relations and where preventing retaliation is as important as resolving the immediate claim. Compensation is therefore not simply a payment. It acknowledges harm, distributes responsibility across relevant social units, creates guarantees against renewed violence, and supports the public restoration of relationships.

These findings extend Moore's (1973) concept of the semi-autonomous social field in two respects. First, the *Makaabanna* generates operative norms and induces compliance through elder authority, kinship obligations, and the social costs of rejecting a settlement. Second, its autonomy is selective rather than insulated: the institution depends on continuing social relations and becomes less effective where mobility, technical evidence, or public-law duties exceed the reach of clan enforcement. This pattern is consistent with legal pluralism scholarship that treats nonstate normative orders as socially embedded and interacting with state law rather than as isolated systems (Griffiths, 1986; Merry, 1988; Yntiso, 2020). The study therefore demonstrates not only internal rule-making but also the

conditions under which semi-autonomous authority becomes fragile. This qualification is important because customary legitimacy should not be confused with unlimited jurisdiction.

Adaptive restorative justice and evidentiary limits

The handling of road accidents, monetized harm, and mobile-money fraud extends earlier descriptions of Afar customary justice beyond livestock, family, and interpersonal disputes. Consistent with earlier studies of Afar customary justice (Gebre-Egziabher, 2014; Reda, 2011; Yazew & Kassa, 2023), the findings confirm that Afar customary practice is oriented toward restitution, reconciliation, and conflict prevention. They also show that tradition is maintained through interpretation rather than mechanical repetition. Elders translate established principles of responsibility, restitution, and restored relationships into emerging social and economic contexts. This adaptive quality parallels Cecchi and Melesse's (2016) finding that customary adjudication can adjust when formal-law alternatives enter the dispute environment, although the present study concerns different disputes and a different institutional setting.

Adaptation, however, exposes an evidentiary boundary. Oral flexibility is valuable when intention, relationships, and circumstances must be weighed, but it is less dependable where electronic records, medical causation, vehicle assessments, or rapidly changing prices are central. The same problem appears in compensation reporting. Precise figures can look like universal tariffs when detached from locality, source count, date, and case circumstances. Consolidating the compensation evidence and identifying its status prevents oral reference points from being misrepresented as fixed law. Future documentation should record the dispute category, locality, relevant facts, evidence considered, date, agreed remedy, and reasoning without freezing *Mad'a* into an inflexible code.

The recognition-referral paradox

One of the strongest findings is the contrast between the high recognition of customary legitimacy among judges and police officers and the rarity with which cases encountered through their official work had first been addressed through traditional mediation. This is not necessarily a contradiction in community behavior. It is better understood as a recognition-referral paradox: formal actors can acknowledge the *Makaabanna's* cultural credibility and peacebuilding value while operating within institutions that lack routine referral, notification, recording, or feedback mechanisms.

This interpretation extends Macfarlane's (2007) argument for constructive interaction and supports Epple and Assefa's (2020) and Halefom's (2022) emphasis on the institutional difficulties of Ethiopian legal pluralism. Comparable Ethiopian studies show a spectrum ranging from cooperation and hybrid practice to competition and state intrusion (Abera,

2020; Baker, 2013; Amsalu, 2022). The present evidence adds an operational dimension. The central problem is not simply whether the state recognizes custom in principle, but whether a case can move between systems without disappearing from one, being duplicated in both, or producing incompatible expectations. Formal case statistics may therefore understate prior customary engagement when settlements are unrecorded, while customary actors may not know when public proceedings must continue despite reconciliation.

Legal pluralism, safeguards, and regulatory boundaries

The *Makaabanna*'s relationship with state law is characterized by coexistence rather than full integration. Constitutional recognition is clearest in consensual personal and family adjudication, while community practice extends to conduct treated as public crime. Gutu (2020) shows, in another Ethiopian setting, that customary and state actors can cooperate in handling homicide while retaining different understandings of wrongdoing and remedies. Customary reconciliation may be socially necessary after homicide, sexual violence, or serious bodily harm, yet it cannot alone determine whether public investigation, protection, or prosecution should occur. The relationship between the restorative value of a settlement and the state's public-law responsibilities raises distinct questions.

A workable plural arrangement should combine cultural legitimacy with procedural protection. Courts and police can recognize customary peacebuilding without treating settlement as a substitute for mandatory public duties. Elders can refer cases requiring immediate protection, medical or technical investigation, or continuing state action. Referral protocols should outline the conditions under which customary mediation may take place, the information that accompanies a referral, the individual responsible for documenting the outcome, the measures in place to prevent double handling, and the circumstances under which formal proceedings must continue despite reconciliation. Directly affected persons should be able to present their accounts, understand proposed remedies, and influence decisions concerning their safety, dignity, or property.

These safeguards do not guarantee that institutional problems will disappear. Documentation can improve transparency but may also reduce flexibility; state recognition can support coordination but may subordinate customary authority; and referral rules can protect vulnerable individuals while creating delays or competition between forums. This balance is relevant to Assefa's (2020) examination of the broader constitutional space for customary justice and to Daly's (2002) caution against treating restorative justice as a simple substitute for other forms of justice. Reform should therefore be iterative and locally tested. The objective is not to absorb the *Makaabanna* into the state system or to exempt it from legal scrutiny, but to create accountable coordination that preserves its restorative strengths while clarifying the boundaries of public responsibility.

Conclusion and Recommendations

This study examined how the Afar *Makaabanna* classifies and resolves contemporary disputes and what institutional challenges arise from its coexistence with Ethiopia's formal legal system. The findings show that the *Makaabanna* is an adaptive restorative institution that applies differentiated customary categories of responsibility, negotiates remedies, and seeks to prevent retaliation while restoring social relationships. Its central institutional challenge is that social legitimacy remains stronger than procedural integration with the formal justice system. This gap becomes most consequential where serious offenses, technical evidence, uncertain jurisdiction, or public-law duties require customary peacebuilding to coexist with continuing state responsibility.

Empirically, the study demonstrates the existence of a coherent restorative institution with recognizable levels of authority, procedures for peacekeeping and inquiry, differentiated categories of harm, and remedies intended to restore relationships. Its strongest contribution lies in culturally intelligible reconciliation among parties connected through family, clan, locality, and livelihood. The findings also identify a recognition-referral paradox: judges and police officers accord high legitimacy to traditional mediation even though cases encountered through their official work had rarely first been addressed through it. This paradox explains how customary authority can remain socially strong while formal case pathways remain weak. The institution's limits become most visible where compensation varies without documented reasoning, modern disputes require technical evidence, directly affected persons require stronger procedural safeguards, and serious offenses engage public responsibilities beyond family or clan agreement.

Four evidence-based recommendations follow. First, customary councils and formal institutions should develop referral protocols distinguishing disputes suitable for customary settlement from matters requiring public investigation, protection, or prosecution. Second, compensation decisions should record the dispute, locality, circumstances, evidence, agreed remedy, date, and whether the value is a negotiated contemporary amount or a historical reference. Third, training should support customary and formal justice actors in documentation, road-accident assessment, digital-evidence awareness, victim-sensitive procedures, and the legal limits of settlement. Fourth, directly affected persons should be able to speak, understand the process, and influence remedies, particularly in family, sexual, and bodily-harm cases. For example, homicide or serious sexual-violence cases could require immediate police notification. Customary reconciliation could then proceed only where it does not displace formal investigation, protection, or the rights of directly affected persons. These measures should be locally tested so that improved accountability does not freeze Mad'a into an inflexible code.

The principal contribution is to show that the *Makaabanna's* contemporary resilience rests not on unchanged tradition but on adaptive interpretation. The study contributes to restorative-justice and legal-pluralism scholarship by demonstrating that customary legitimacy and institutional integration can diverge: a system may remain socially authoritative

while lacking reliable mechanisms for referral, documentation, and coordination with the state. The same flexibility that enables elders to address emerging disputes also creates evidentiary and regulatory risks when compensation principles, technical evidence, and institutional boundaries are insufficiently documented. The central policy challenge is therefore not to choose between customary and formal justice, but to create an accountable relationship in which culturally legitimate reconciliation remains possible while public-law duties, technical investigation, and individual procedural protections are not displaced. The future of the *Makaabanna* depends on preserving its restorative strengths while clarifying referral, documenting adaptive practice, and protecting access to formal remedies. Future research should examine how the *Makaabanna*'s handling of digital-evidence disputes and formal referral evolves, including whether women, youth, and directly affected persons gain meaningful procedural voice.

Declarations

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Ethics approval and consent to participate: The research supervisor at the University of Hyderabad reviewed the research proposal and data-collection materials. Permission to proceed with the fieldwork was communicated by email in August 2024; no formal approval reference number was issued. Participation was voluntary, informed consent was obtained, and permission was sought before audio recording. Identifying information was removed or generalized.

Author contributions: Ahmed Humed ABDELLA designed the study, conducted the fieldwork, collected and analyzed the data, and drafted the manuscript. Prof. E. Venkatesu provided academic supervision and contributed to the review and revision of the manuscript.

Endnotes

- 1 Interview, FGD, and observation figures are reported separately because possible cross-method overlap was not documented. Observation figures refer to session-based attendances, not verified unique participants.
- 2 Titles and the precise hierarchy varied by locality; the table summarizes the recurring structure rather than asserting a uniform regional organization.
- 3 The figures are reported as oral references, not statutory tariffs or universal Mad'a rules. Fixed monetary conversions are omitted because no valuation date, livestock-price source, exchange rate, or calculation method was documented.

- 4 The judges' and police officers' legitimacy questions used different response wording and are therefore not combined. The formal-case item referred only to cases encountered through official roles, not to all disputes in the community. Percentages describe only these interviewed subgroups and are not population estimates; totals may vary slightly because of rounding.

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Romania and Türkiye: Black Sea Conflict Management

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Abstract: This study examines the management of conflict spillovers in the Black Sea region by Romania and Türkiye, with a particular focus on energy governance as a domain in which distinct conflict management strategies are evident and analytically comparable. The Black Sea has emerged as a zone of complex, multilevel conflict characterized by geopolitical confrontation, territorial disputes, and infrastructural vulnerability, generating cascading spillovers that affect the governance systems of coastal states. This article posits that state responses to these pressures represent significant instances of conflict management, mediation, and adaptive governance rather than merely technical adjustments. Understanding these responses necessitates analytical frameworks derived from conflict analysis, mediation theory, and alternative dispute resolution (ADR) literature. This study develops a three-dimensional analytical framework encompassing conflict spillover management, institutional filtering, and adaptive conflict response. It contrasts Romania, whose conflict management is deeply embedded in EU and NATO multilateral frameworks, with Türkiye, which operates as a strategically autonomous actor and, importantly, as a third-party mediator between the conflicting parties.

Türkiye's brokering of the Black Sea Grain Initiative is examined in depth as a case study of interest mediation and issue-specific functional dispute management, including both its operational achievements and the governance lessons learned from its eventual collapse. The comparison illustrates that institutional embeddedness is a key variable shaping not only the form but also the effectiveness and limitations of state conflict management strategies in protracted regional conflict environments. The study employs a qualitative comparative case study design and contributes to the conflict analysis and management literature by offering a replicable framework applicable to other strategically sensitive regions.

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1. Introduction

Addressing the spillover effects of conflicts is a critical yet underexplored issue for countries situated in regions affected by ongoing disputes. When violence breaks out or escalates in a strategically important area, its impact seldom remains confined to the immediate conflict zone; instead, it spreads across borders, sectors, and governance frameworks. This situation forces neighboring and nearby states to devise strategies that extend beyond mere military deterrence or diplomatic objections (Gleditsch, 2007, 2017; Salehyan & Gleditsch, 2006). The ways in which states perceive these spillovers, the institutional resources they utilize to manage them, and the evolution of their governance strategies over time are pivotal questions that intersect with conflict analysis, mediation theory, and comparative governance.

Despite their importance, these dynamics in the Black Sea region have not been systematically explored in the existing literature. This article aims to address this gap by conducting a comparative analysis of Romania and Türkiye, two Black Sea states that face structurally similar conflict pressures yet employ distinctly different conflict management strategies (Çelikpala, 2010; Ivan, 2025; Wódka, 2023; Sýkora, 2024). Romania has responded to the conflict environment by further integrating into EU and NATO multilateral frameworks, channeling conflict risks through collective institutional mechanisms, and aligning national responses with alliance-wide priorities. In contrast, Türkiye has adopted a model of strategic autonomy coupled with active third-party engagement, positioning itself as a mediator between Russia and Ukraine and formulating issue-specific functional arrangements—most notably the Black Sea Grain Initiative of 2022–2023—to manage specific conflict spillovers without necessitating a comprehensive political settlement.

Rather than focusing solely on energy security, this study employs energy governance as a domain in which conflict management strategies are observable, measurable, and comparable (Yergin, 2011; Novikau & Muhasilović, 2023; Çelikpala, 2025). Decisions regarding infrastructure investment, alliance alignment, supply diversification, and transit diplomacy are not merely technical choices; under conditions of sustained regional conflict, they represent the practical substance of how states manage uncertainty, contain spillovers, and build adaptive capacity (Ansell & Trondal, 2018; Folke et al., 2010). Furthermore, the analysis extends beyond the energy domain to encompass a broader range of conflict management challenges, including the governance of mass displacement, multilateral dispute management, and third-party mediation generated by the Black Sea conflict environment.

This study develops an analytical framework to capture these dynamics, organized around three interrelated dimensions derived from the conflict analysis and management literature: conflict spillover management, institutional filtering, and adaptive conflict response (Boin et al., 2005; Gleditsch, 2007; Salehyan & Gleditsch, 2006). When applied to Romania and Türkiye, this framework not only reveals the divergence in their conflict management approaches but also elucidates the deeper institutional and geopolitical logics

that produce and sustain these divergences. This comparison contributes in two primary ways. Conceptually, it bridges the conflict management, mediation, and institutional embeddedness literatures by demonstrating how patterns of multilateral integration and strategic autonomy shape state responses to conflict spillovers. Empirically, it provides a structured comparison that illustrates how similar structural pressures can generate distinct conflict management logics—and, in Türkiye’s case, distinct third-party mediation strategies—when filtered through different institutional configurations and geopolitical traditions.

The remainder of this paper is organized as follows. Section 2 reviews the relevant literature and develops an analytical framework. Section 3 characterizes the Black Sea as a conflict environment, with particular attention to conflict spillover dynamics, mediation activity, and governance challenges (Çelikpala, 2010; Chiriac, 2021; Khyenko, 2023; Fişă & Obretenova, 2024). Sections 4 and 5 present the empirical cases of Romania and Türkiye. Section 6 presents a comparative analysis. Section 7 concludes with the theoretical and policy implications.

2. Analytical Framework: Conflict Management Under Uncertainty

2.1 Conflict Spillover and Governance

Spillover is a key concept in conflict analysis, referring to how conflict in one area, region, or sector can create destabilizing impacts in nearby areas, regions, or sectors (Gleditsch, 2007; Salehyan & Gleditsch, 2006). In the Black Sea region, conflict spillovers manifest in various ways, including the disruption of shipping routes, threats to or attacks on vital infrastructure, displacement of market participants, mass refugee flows, and shifts in alliance dynamics amid intense geopolitical pressure (Çelikpala, 2010, 2025; Chiriac, 2021). Spillover extends beyond the geographical spread of violence; it is a complex, multisectoral phenomenon in which military conflicts, energy dependencies, trade, maritime transport, and food security become intricately linked (Yergin, 2011; Cong et al., 2024; International Food Policy Research Institute [IFPRI], 2024).

Governance responses to conflict spillovers have been analyzed from several perspectives. Crisis management theory emphasizes the organizational and decisional dimensions of state responses to acute instability, highlighting issues of leadership, coordination, and agenda control under conditions of time pressure and uncertainty (Boin et al., 2005). Resilience frameworks focus on the capacity of institutions and systems to absorb shocks and reorganize under pressure without losing their core functions or identity (Folke et al., 2010). More recent work on governance under uncertainty highlights the conditions under which states can develop learning-oriented, adaptive responses to chronic instability, as opposed to reactive, crisis-driven responses (Sørensen & Torfing, 2025; Ansell & Trondal, 2018). Mediation theory and alternative dispute resolution (ADR) scholarship add a further dimension: they attend to the conditions under which third-party actors can

design functional arrangements that manage specific conflict spillovers without requiring a comprehensive political settlement, as well as to the structural factors that enable or constrain such interventions (Blake et al., 2018; Bercovitch & Houston, 1996; Touval & Zartman, 1985; Ury et al., 1988).

This article draws on all these traditions while situating them within the broader literature on conflict management and institutional design. Rather than treating crisis management, resilience, adaptive governance, and mediation as competing paradigms, the framework integrates them as complementary lenses that help explain how states confronted with sustained regional conflict attempt to contain spillovers, reconfigure their institutional architectures, and, in some cases, actively intervene as third parties to manage the consequences of conflict for regional governance.

2.2 Three Dimensions of Conflict Management

The proposed analytical framework identifies three dimensions that capture the key mechanisms through which states manage conflict-induced instability in governance-sensitive areas.

The first dimension is conflict spillover management, defined as the set of institutional, operational, and diplomatic measures that states deploy to contain the cascading effects of regional hostilities on critical systems and strategic assets (Welz, 2021; Gleditsch, 2007; Salehyan & Gleditsch, 2006). This dimension encompasses both preventive measures, such as the diversification of energy supplies, the hardening of critical infrastructure, and preemptive alliance signaling, and reactive measures designed to limit damage and restore functionality after spillover effects have materialized, including emergency rerouting of trade flows, crisis diplomacy, refugee governance, and temporary regulatory derogations (Boin et al., 2005; Yergin, 2011). Spillover management also includes third-party arrangements that address specific consequences of conflict without resolving the underlying conflict itself, such as the negotiation of the Black Sea Grain Initiative to mitigate global food security risks (IFPRI, 2024; UN News, 2023).

The second dimension is institutional filtering, understood as the process by which domestic regulatory frameworks and multilateral institutional arrangements translate diffuse conflict risks into actionable governance priorities (Ansell & Trondal, 2018; Noutcheva, 2009). Institutions do not merely respond to conflict; they shape what constitutes a conflict risk, which actors have the authority to respond, and what range of responses is considered legitimate (Buzan et al., 1998). The degree to which a state is embedded in multilateral institutions significantly influences this filtering process by channeling conflict risks through collective mechanisms and constraining unilateral responses (Ivan, 2025; European Institute of Romania [EIR], 2025). At the same time, fragmented multilateralism and the proliferation of ad hoc coalitions mean that institutional filtering increasingly occurs across partially overlapping venues—formal organizations, regional initiatives, and issue-

specific arrangements—rather than within a single, coherent governance structure (United Nations University [UNU], 2025).

The third dimension is adaptive conflict response, which refers to the incremental, iterative, and learning-oriented mechanisms through which states recalibrate their governance approaches in response to evolving conflict dynamics (Folke et al., 2010; Ansell & Trondal, 2018). Unlike crisis management, which is primarily event-driven, adaptive response is processual: it involves the ongoing revision of threat assessments, the reallocation of institutional resources, and the development of new governance instruments as the conflict environment changes. States that develop strong adaptive conflict response capacities—whether through collective institutional learning or through the maintenance of flexible autonomous relationships—are better positioned to manage chronic instability than those that rely on fixed, reactive postures.

2.3 Institutional Embeddedness and Conflict Management Variation

The three dimensions outlined above do not operate uniformly across states. A key variable shaping how states manage conflict spillovers is their degree of institutional embeddedness—the extent to which their governance systems are integrated into multilateral frameworks that provide rules, resources, and legitimacy for conflict management responses (Noutcheva, 2009; Ivan, 2025). Highly embedded states benefit from collective burden sharing, coordinated threat assessment, and access to multilateral conflict management instruments. However, they may also face constraints on strategic autonomy and respond more slowly to rapidly evolving conflict dynamics (Snyder, 1984; Buzan et al., 1998; EIR, 2025). Less embedded states retain greater flexibility to pursue autonomous conflict management strategies, including third-party mediation roles that more fully aligned states may be less able to credibly occupy. At the same time, they bear greater individual burdens and may face credibility challenges in conflict-sensitive diplomacy (Wódka, 2023; Balta & Bal, 2025).

This variation in institutional embeddedness constitutes the central analytical axis of this study. Romania and Türkiye occupy distinct positions along this axis. Romania's conflict management is deeply embedded within EU and NATO frameworks, which provide dense institutional filtering and robust collective instruments for managing spillovers but also constrain the scope for unilateral or autonomous action (Ivan, 2025; EIR, 2025). Türkiye combines NATO membership with a pronounced emphasis on strategic autonomy and multidirectional diplomacy, relying more heavily on bilateral relationships, issue-specific coalitions, and its control of critical chokepoints to manage conflict spillovers. This configuration also enables Türkiye to position itself as a third-party mediator in a conflict in which some of its alliance partners have adopted adversarial postures (Çelikpala, 2010; Çelikpala & Tatlıoğlu, 2023; Wódka, 2023; Balta & Bal, 2025). Through this lens, the framework links macro-level variation in institutional embeddedness to meso-level

governance practices and micro-level policy instruments, providing a basis for systematic comparative analysis.

3. The Black Sea as a Conflict Environment

The Black Sea region constitutes a distinctive conflict environment, defined not merely by the presence of military hostility but also by the complex ways in which conflict dynamics permeate governance systems, disrupt institutional arrangements, and generate spillovers that cross sectoral and national boundaries. Understanding this environment requires attention to three interrelated levels at which conflict pressures operate: the macro-level dynamics that structure the regional conflict landscape; the meso-level competitions that embed conflict into institutional and infrastructural arrangements; and the micro-level spillovers that translate abstract conflict dynamics into concrete governance challenges for coastal states (Gleditsch, 2007; Salehyan & Gleditsch, 2006).

At the macro level, the region has become a site of protracted, multi-actor conflict that resists conventional resolution through bilateral negotiations or unilateral containment. Russia's full-scale invasion of Ukraine in February 2022 transformed what had been a zone of managed tensions and frozen disputes into an active conflict with cascading cross-border consequences. Crucially, the war has not remained contained within its primary theater; it has generated conflict spillovers affecting regional food systems, energy supply chains, maritime commerce, and the political stability of neighboring states, compelling regional actors to develop governance responses that go far beyond military deterrence (Cong et al., 2024; IFPRI, 2024; FAO, 2023). Thus, macro-level conflict functions as a persistent source of governance pressure that renders conventional crisis management insufficient and demands more sustained, adaptive forms of conflict management.

At the meso level, the Black Sea conflict environment is structured by overlapping disputes and rivalries that predate the 2022 escalation but have since intensified. These include contestation over energy transit arrangements that entangle economic interdependence with conflict dynamics, disputes over maritime delimitation and exclusive economic zones, and tensions over the political orientation of buffer states whose governance trajectories have become objects of regional rivalry (Frappi & Garibov, 2014; Khylyko, 2023). Energy infrastructure—pipelines, LNG terminals, and offshore platforms—has become a site where conflict and governance intersect most visibly, as states simultaneously depend on and contest the same resources and corridors (Çelikkpala & Tatlıoğlu, 2023; Novikau & Muhasilović, 2023; Tsereteli, 2008). At this level, conflict management requires not simply diplomatic engagement between state actors but also the governance of contested institutional arrangements and shared infrastructure under conditions of sustained hostility.

Crucially, the meso-level conflict environment has also generated significant mediation activity and alternative governance arrangements that sit alongside and partially compensate

for the absence of formal conflict resolution. The Black Sea Grain Initiative (BSGI), brokered by Türkiye and the United Nations in July 2022, exemplifies how issue-specific functional arrangements can mitigate conflict spillovers without resolving the underlying conflict (IFPRI, 2024; UN News, 2023). The Initiative created a temporary institutional framework—the Joint Coordination Center (JCC) in Istanbul—that brought together belligerent and third-party actors in a structured operational arrangement, managing one of the most consequential conflict spillovers of the war: the disruption of global grain markets affecting food security in vulnerable regions worldwide (FAO, 2023). Its eventual collapse in July 2023 following Russia’s withdrawal illustrates the fragility of issue-specific conflict management arrangements when they lack broader institutional anchoring and political agreement (IFPRI, 2024), providing an instructive case study for the conflict management literature on the limits of partial dispute resolution.

At the micro level, regional states face specific conflict spillovers that manifest as concrete governance problems: mass displacement and refugee flows requiring rapid institutional adaptation, market volatility affecting regulatory frameworks, disruption of cross-border infrastructure cooperation, and the reorientation of bilateral relationships previously managed through established diplomatic routines (Gleditsch, 2007; Salehyan & Gleditsch, 2006). Romania has had to absorb one of the largest refugee flows in Europe since 2022, managing the social and institutional dimensions of displacement within EU frameworks (Ivan, 2025; EIR, 2025). Türkiye has had to navigate the competing demands of alliance commitments, bilateral energy dependencies, and its self-assigned mediation role, a configuration that requires continuous adjustment of conflict management instruments (Çelikkpala & Tatlıoğlu, 2023; Wódka, 2023).

It is at this micro level that the comparative divergence between the two states becomes most analytically productive. Both face the same conflict environment and are exposed to comparable categories of spillover. However, the institutional configurations through which they interpret and respond to these spillovers differ fundamentally, producing distinct conflict management logics that the following sections trace in detail.

4. Romania: Institutional Conflict Management Through Multilateral Embedding

4.1 Institutional Architecture and Conflict Filtering

Romania’s approach to conflict management in the Black Sea region is fundamentally shaped by its deep institutional embedding in the European Union and NATO. This embedding functions as a conflict management architecture in its own right: it provides Romania with access to collective threat-assessment mechanisms, shared intelligence frameworks, coordinated response instruments, and multilateral legitimation of its governance choices (Noutcheva, 2009; Ivan, 2025). In the context of the Black Sea conflict environment, Romania’s EU and NATO membership means that conflict risks are not managed unilaterally but are instead filtered through institutional frameworks that set

priorities, allocate responsibilities, and coordinate responses across member states (Hodges et al., 2020; EIR, 2025).

This institutional filtering extends beyond the military and energy domains to the broader management of conflict-induced social and political pressures. Following the 2022 escalation, Romania activated conflict management mechanisms across multiple levels of governance simultaneously—not as an autonomous actor, but as a node within overlapping multilateral structures that shape both the priorities and the permissible repertoires of national responses. Thus, the multilateral institutional framework functions not merely as a resource for conflict management but also as a constraint that channels national responses into collectively legitimated forms, distinguishing Romania's approach from more autonomous models (Ansell & Trondal, 2018; Buzan et al., 1998).

At the NATO level, the adaptation of the deterrence and defense posture on the Eastern Flank brought additional Allied forces, command infrastructure, and pre-positioned capabilities to Romanian territory, embedding the country's conflict management response within a collective deterrence framework (Ivan, 2025; Sýkora, 2024; Hodges, Bugajski, & Doran, 2020). At the EU level, Romania participated in the development and implementation of successive measures targeting Russian energy imports, coordinating its supply-diversification efforts with broader European strategies to reduce dependence on Russian hydrocarbons and strengthen critical infrastructure protection (Novikau & Muhasilović, 2023; EIR, 2025).

4.2 Conflict Spillover Management: Operational Responses

Romania's operational conflict management responses span several interconnected domains. In the energy sector, the primary spillover risk was supply disruption following the progressive reduction in Russian gas flows to European markets. Romania's response was shaped by its relatively favorable structural position as a significant domestic gas producer and by the EU institutional frameworks through which its response was coordinated (Roman, 2012; Fiță & Obretenova, 2024). The acceleration of the Neptun Deep offshore gas project, the expansion of interconnector capacity with neighboring states, and participation in EU-level joint purchasing and storage coordination mechanisms together constitute a layered spillover-management strategy that combines national structural adjustment with collective institutional responses (Chiriac, 2021; EIR, 2025; Global Academy, 2025).

However, Romania's conflict spillover management extends significantly beyond the energy domain, a dimension that is underappreciated in the existing literature. Mass-displacement management has been one of Romania's most consequential conflict management challenges since 2022. As a frontline state bordering Ukraine, Romania received and facilitated the transit of millions of displaced persons, requiring rapid institutional adaptation across border management, social services, housing, and legal frameworks (Ivan, 2025; EIR, 2025).

This refugee-governance challenge is not merely a humanitarian matter; it represents a direct conflict spillover—the social and institutional cascade of large-scale forced displacement—that demanded coordinated responses across national ministries, EU institutions, and international organizations, including UNHCR and IOM. Romania’s management of this spillover illustrates the breadth of institutional conflict management: the same multilateral frameworks that coordinate military deterrence and energy governance also provide the normative and operational resources for managing human displacement as a consequence of conflict.

A further dimension of Romania’s spillover management is the governance of shared infrastructure under conflict conditions. Romania’s participation in Danube River Commission mechanisms, which bring together riparian states, including conflict-affected Ukraine and Moldova, to manage waterway governance, exemplifies how multilateral institutional frameworks can sustain functional cooperation and dispute management even amid active regional conflict (EIR, 2025). The maintenance of Danube navigation and port cooperation under wartime conditions required continuous negotiation and adaptation of established governance routines, constituting a form of institutionalized conflict management that operates below the threshold of high-level diplomacy but is nonetheless consequential for regional stability.

Taken together, Romania’s spillover management can be understood as a strategy of structural adjustment through institutional coordination. The country leverages its embeddedness in EU energy governance and NATO’s Eastern Flank posture to reduce exposure, pool risks, and mobilize external resources, while simultaneously upgrading its own infrastructure and regulatory capacities to better withstand and absorb conflict-induced shocks (Fiță & Obretenova, 2024; Sýkora, 2024; EIR, 2025).

4.3 Adaptive Conflict Response and Institutional Learning

Romania’s adaptive conflict response capacity has been strengthened by its integration into EU and NATO monitoring and assessment frameworks, which provide continuous streams of information about evolving conflict dynamics and policy innovations elsewhere within the alliance (Ansell & Trondal, 2018; Boin et al., 2005). This institutional learning infrastructure has contributed to a gradual recalibration of Romania’s role perception in the region—from a peripheral security consumer to a frontline contributor on NATO’s Eastern Flank and a potential energy and connectivity hub within the EU (Roman, 2012; Hodges, Bugajski, & Doran, 2020). Adaptive responses have included revisions to national security and energy strategies, investments in dual-use infrastructure that simultaneously serve defense and economic purposes, and the refinement of national positions in EU and NATO debates on Black Sea security (Khylyko, 2023; Fiță & Obretenova, 2024; Atlantic Council, 2024).

Importantly, Romania's adaptive responses have included the development of new conflict management instruments at the interface between national and EU governance. The country's experience managing refugee flows has generated institutional learning—new administrative procedures, interagency coordination mechanisms, and EU-funded support frameworks—that represents genuine adaptive-capacity development rather than mere crisis response (Ivan, 2025; EIR, 2025). Similarly, Romania's evolving engagement in EU discussions on Ukraine's reconstruction and post-conflict governance frameworks positions it as an emerging actor in the longer-term conflict management dimension, contributing national expertise in managing conflict-induced displacement and infrastructure disruption to broader European deliberations.

Simultaneously, Romania's institutional embedding has constrained its adaptive flexibility in certain respects. EU regulatory frameworks and the requirement for coordination with partner states can slow decision-making in rapidly evolving situations, while NATO's collective procedures condition the scope for unilateral doctrinal changes, even when regional dynamics appear to demand rapid recalibration (Noutcheva, 2009; Ivan, 2025; CEPA, 2020). Thus, Romania's conflict management model is one of constrained adaptivity: highly effective within the parameters set by its institutional environment, capable of managing diverse conflict spillovers through established multilateral channels, but less capable of the rapid autonomous recalibration available to more loosely embedded states. This configuration stands in marked contrast to the more autonomous and leadership-driven conflict management approach pursued by Türkiye, which is examined in the following section.

5. Türkiye: Autonomous Conflict Management and Strategic Pragmatism

5.1 Strategic Autonomy as a Conflict Management Resource

Türkiye's conflict management approach in the Black Sea region is organized around a fundamentally different institutional logic from that of deeply embedded EU member states. As a NATO member that has increasingly pursued a foreign policy characterized by strategic autonomy and multidirectional diplomacy, Türkiye has developed conflict management capacities that depend less on multilateral institutional filtering and more on its structural positioning, bilateral relationships, and capacity to operate as an intermediary between conflicting parties (Çelikpala & Erşen, 2018; Wódka, 2023; Balta & Bal, 2025).

From the perspective of conflict management theory, Türkiye's structural position in the Black Sea conflict is distinctive in ways that directly affect its capacity for third-party intervention. Classical mediation theory holds that effective intermediaries require a combination of leverage over the parties, acceptability to both sides, and a degree of interest in the outcome sufficient to sustain engagement (Bercovitch & Houston, 1996; Touval & Zartman, 1985). Türkiye satisfies all three conditions in the Black Sea context, but in ways that diverge from the conventional image of a neutral mediator. As the controller of the

Turkish Straits under the Montreux Convention, it exercises structural leverage that both Russia and Ukraine, along with Western states, must consider. As a NATO member with sustained economic and diplomatic ties to Russia, it maintains a degree of acceptability to both parties that more fully aligned states have forfeited since 2022. As a state with significant economic interests in the management of conflict spillovers—particularly in grain markets, tourism, and energy transit—it possesses what Touval and Zartman (1985) call “interested mediation” characteristics: its engagement is driven not by disinterested humanitarianism but by a strategic calculus that makes sustained involvement rational and credible.

This configuration positions Türkiye as a paradigmatic case of what the mediation literature terms a “partial” or “interested” mediator—an actor that intervenes in conflicts not from a position of neutrality but from one of strategic stake (Touval, 1992; Svensson, 2007). Critically, the literature has established that interested mediators are not necessarily less effective than neutral ones; indeed, their leverage and sustained engagement can make them more capable of producing workable agreements in conflicts in which neutral parties lack traction (Touval & Zartman, 1985; Bercovitch & Gartner, 2006). Therefore, Türkiye’s conflict management in the Black Sea must be evaluated in terms of appropriate mediation—not against an idealized standard of neutrality that neither the conflict environment nor the theoretical literature requires.

Çelikpala and Erşen (2018) characterized Türkiye’s regional posture as a “Black Sea predicament”: a structural tension between challenging and accommodating Russia that forces Ankara into a continuous balancing act rather than a settled alignment. More recent analyses argue that this predicament has become a conflict management resource: precisely because Türkiye cannot fully align with either side without incurring substantial costs, it is structurally compelled toward mediation and functional arrangements that manage conflict spillovers without requiring resolution of the underlying political conflict (Çelikpala & Tatlıoğlu, 2023; Wódka, 2023; Balta & Bal, 2025). In terms of the analytical framework, Türkiye’s strategic autonomy modifies all three dimensions of conflict management, enabling distinctive approaches to spillover management, institutional filtering, and adaptive conflict response, which are examined in the following subsections.

5.2 The Black Sea Grain Initiative as a Mediation Case Study

Türkiye’s most consequential contribution to regional conflict management is its role in designing, brokering, and operationalizing the Black Sea Grain Initiative of 2022–2023. Analyzed through the lens of conflict management and alternative dispute resolution, the Initiative represents a significant and theoretically instructive case of issue-specific functional mediation in an active conflict environment, one whose eventual failure is analytically as informative as its temporary success.

– Conflict Context and Ripeness

The Initiative emerged from a specific conflict spillover: the disruption of Ukrainian grain exports following Russia’s naval blockade of Ukrainian Black Sea ports in early 2022. This disruption generated cascading effects on global food markets, disproportionately affecting import-dependent states in the Middle East, Africa, and South Asia, while creating political pressure on both Russia and Western states to address the humanitarian consequences of the conflict independently of its broader political resolution (IFPRI, 2024; FAO, 2023). In Zartman’s (1989) terms, a “mutually hurting stalemate” existed at the issue level: Russia faced reputational and diplomatic costs from the food crisis associated with the disruption, while Ukraine and its Western partners faced the humanitarian and political costs of the export restrictions. This issue-specific ripeness—the existence of a specific, bounded problem whose costs were sufficiently asymmetric to create incentives for a functional arrangement—created an opening for Türkiye’s mediation intervention (Zartman, 1989; Regan & Stam, 2000).

– Process and Mechanism Design

Türkiye’s mediation approach in the BSGI was process-centered rather than settlement-oriented, a distinction with important implications for conflict management theory and practice. Rather than seeking to broker a political agreement between Russia and Ukraine, Türkiye, working alongside the United Nations, focused on designing a bounded functional arrangement that addressed the specific conflict spillover without requiring broader political concessions from either party (IFPRI, 2024; UN News, 2023). This approach aligns with what the alternative dispute resolution literature identifies as “interest-based” rather than “rights-based” or “power-based” dispute resolution: the arrangement was designed around the shared interests of the parties in reducing the costs of the food crisis rather than around claims of rights or demonstrations of power (Ury, Brett, & Goldberg, 1988).

The resulting mechanism, the Joint Coordination Center (JCC), established in Istanbul in July 2022, was architecturally innovative as a conflict management instrument. It brought together representatives from Russia, Ukraine, Türkiye, and the United Nations in a single operational body responsible for coordinating vessel inspections, authorizing convoy movements, and monitoring compliance with the terms of the arrangement (UN News, 2023). The JCC thus constituted a form of institutionalized contact between belligerent parties mediated through a neutral operational structure—a design that avoided the political impossibility of direct Russian-Ukrainian negotiations while enabling functional cooperation in a specific domain. Between August 2022 and July 2023, the Initiative facilitated the export of over 32 million metric tons of grain and foodstuffs from Ukrainian ports, contributing to the stabilization of global food prices during its operational period (IFPRI, 2024; FAO, 2023).

– Collapse and Conflict Management Lessons

The collapse of the BSGI in July 2023, following Russia’s unilateral withdrawal, should be analyzed as an integral part of the conflict management case study rather than treated as a disconfirming anomaly. Russia’s stated rationale for withdrawal—that Western sanctions were preventing Russian agricultural exports and fertilizer shipments from reaching global markets despite commitments made alongside the Initiative—reveals a fundamental structural limitation of issue-specific functional mediation: arrangements that address one conflict spillover while leaving related grievances unresolved are inherently vulnerable to breakdown when parties reassess the balance of costs and benefits (IFPRI, 2024; UN News, 2023). The collapse illustrates what conflict management scholarship identifies as the “linkage problem” in partial agreements: when parties perceive that a bounded arrangement has become asymmetrically beneficial, they may withdraw to restore leverage in broader negotiations (Zartman, 1989; Bercovitch & Gartner, 2006).

Türkiye’s response to the collapse—sustained diplomatic engagement with both Russia and Ukraine, continued advocacy for the Initiative’s renewal, and maintenance of its mediating position despite the breakdown—constitutes an instance of adaptive conflict management. Rather than abandoning its intermediary role following the failure of the specific arrangement it had brokered, Ankara recalibrated its diplomatic engagement to preserve the relational capital and structural positioning that had made the Initiative possible, thereby sustaining conditions for future conflict management interventions (Wódka, 2023; Balta & Bal, 2025). This pattern reflects what the mediation literature identifies as “persistent mediation”—the maintenance of third-party engagement through successive rounds of conflict rather than withdrawal following a single failed intervention (Bercovitch & Houston, 1996).

5.3 Multidirectional Diplomacy as Systemic Conflict Management

Beyond the specific case of the BSGI, Türkiye’s conflict management in the Black Sea region operates through a broader architecture of multidirectional diplomacy that constitutes what recent scholarship has termed “hybrid mediation”: a combination of normative positioning, operational pragmatism, and context-specific leverage that operates in parallel with—but is not fully embedded in—formal multilateral structures (UNU, 2025). This hybrid quality distinguishes Türkiye’s approach from both traditional state mediation, which typically operates through established diplomatic channels, and formal international organization-led mediation, which operates through institutionalized procedures and mandates.

Türkiye’s hybrid mediation architecture is based on three interconnected pillars. First, its control of the Turkish Straits under the Montreux Convention provides structural leverage that functions simultaneously as a conflict management instrument and a source of recognized international authority. Türkiye’s invocation of the Montreux Convention

following the 2022 escalation—restricting the passage of warships belonging to non-Black Sea states—was both an exercise of legal authority and an act of conflict management: it reduced the risk of direct NATO-Russia naval confrontation in the Black Sea while preserving Türkiye’s position as an actor operating within international law rather than outside it (Erşen, 2023; Isachenko, 2023). Second, the maintenance of high-level diplomatic channels with Moscow, including sustained energy and trade relationships, provides informational and relational resources that are prerequisites for effective mediation (Touval & Zartman, 1985; Köstem, 2021). Third, Türkiye’s parallel engagement with Ukraine, including the supply of military equipment and sustained political support for Ukrainian sovereignty, has allowed it to maintain credibility with Kyiv that might otherwise be undermined by its refusal to join Western sanctions (Wódka, 2023; Öniş & Uluyol, 2025).

From an ADR perspective, this architecture constitutes a form of shuttle diplomacy operationalized through standing bilateral relationships rather than discrete negotiating sessions: Türkiye functions as a persistent channel between parties that cannot communicate directly, translating signals, managing expectations, and identifying spaces for functional agreement in the absence of a comprehensive political settlement (Ury, Brett, & Goldberg, 1988; Bercovitch & Houston, 1996). The Istanbul negotiations of March 2022, which produced a draft framework agreement that ultimately was not implemented, represent the most concentrated expression of this approach, demonstrating both the potential and the limits of Türkiye’s mediation capacity in the face of deep political incompatibilities between the parties (Wódka, 2023; Balta & Bal, 2025).

5.4 Adaptive Conflict Response: Flexibility and Structural Vulnerability

Türkiye’s adaptive conflict response capacity is substantial in absolute terms but qualitatively differs from Romania’s institutionally grounded adaptivity. Its strategic autonomy enables the rapid recalibration of diplomatic and economic relationships in response to shifts in the conflict environment, while the maintenance of relationships across the conflict divide provides informational resources that more tightly aligned states may lack (Çelikpala & Erşen, 2018; Erşen & Çelikpala, 2019). This flexibility has been demonstrated repeatedly since 2022: Ankara has simultaneously supplied military equipment to Ukraine, maintained energy and trade cooperation with Russia, engaged in intensive dialogue with NATO allies, and sustained its UN-backed mediation role, adjusting the balance among these vectors as circumstances have evolved (Öniş & Uluyol, 2025; Wódka, 2023).

However, Türkiye’s conflict management model generates specific structural vulnerabilities that partially offset its adaptive advantages. The model depends heavily on the personal authority and strategic vision of political leadership, making it susceptible to the consistency problems associated with personalized foreign policy and to the risks of overreliance on bilateral relationships that can shift rapidly in volatile conflict environments (Köstem,

2021; Balta & Bal, 2025). More fundamentally, the same multidirectional positioning that enables mediation creates recurrent credibility challenges: signals designed to preserve room for maneuver may be interpreted as ambiguous or unreliable by different audiences simultaneously, undermining the trust that effective mediation requires (Touval, 1992; Erşen, 2023).

Furthermore, Türkiye's conflict management model is institutionally thin, creating governance vulnerabilities that are less pronounced in Romania's more deeply embedded approach. Whereas Romania can draw on the EU and NATO's collective institutional infrastructure to manage conflict spillovers, Türkiye must construct functional arrangements largely through bilateral relationships and issue-specific coalitions that lack comparable institutional depth and durability (Wódka, 2023; UNU, 2025). The collapse of the BSGI illustrates this vulnerability: an arrangement that lacked robust institutional anchoring could not withstand the reassessment of interests by a key participant. This structural thinness is not simply a deficiency; it is also a correlate of strategic autonomy in a conflict environment that constrains deep multilateral integration. However, this means that Türkiye's conflict management, however innovative and contextually effective, remains more fragile and contingency-dependent than models embedded in denser institutional architectures. In terms of the analytical framework, Türkiye demonstrates substantial adaptive conflict response capacity and possesses significant unilateral spillover-management and mediation capabilities. However, its institutional filtering is more fragmented and politically contingent than that of more deeply embedded states, such as Romania.

6. Comparative Analysis: Two Models of Conflict Management

A comparison of Romania and Türkiye reveals two structurally distinct conflict management models operating within the same regional environment. Romania's model—institutional conflict management through multilateral embedding—derives its capacity from collective burden sharing, regulatory coordination, and access to shared institutional resources, but at the cost of constrained autonomy and potentially slower responses (Ivan, 2025; EIR, 2025). Türkiye's model—autonomous conflict management through strategic pragmatism—provides greater flexibility, mediation capacity, and informational access through strategic independence, but at the cost of heavier individual burdens, credibility-management challenges, and greater dependence on leadership-centered decision-making (Çelikpala & Erşen, 2018; Wódka, 2023; Balta & Bal, 2025).

These models are not simply different choices from a common menu of options; they reflect deep structural differences in the institutional environments and geopolitical traditions within which Romania and Türkiye operate. Romania's integration into EU and NATO governance frameworks has produced institutional path dependencies that make alternative models difficult to pursue, even if desired (Noutcheva, 2009; Ivan, 2025). Türkiye's

tradition of strategic autonomy, distinctive geographical position, and domestic political dynamics have similarly produced a path dependency toward an autonomous model in which regional ownership, control of the Turkish Straits, and energy interdependence with Russia are central to conflict management (Çelikpala, 2010; Erşen & Çelikpala, 2019; Novikau & Muhasilović, 2023; Wódka, 2023).

The comparison also reveals important dynamics across the three analytical dimensions. In terms of conflict spillover management, both states have developed operational responses through different mechanisms: Romania primarily through collective EU and NATO instruments, EU-backed energy-diversification schemes, and refugee-governance frameworks; and Türkiye through bilateral diplomacy, interested mediation, issue-specific coalitions such as the BSGI, and the exercise of structural leverage over maritime access and energy flows (Novikau & Muhasilović, 2023; Cong et al., 2024; IFPRI, 2024; UN News, 2023). In terms of institutional filtering, Romania's multilateral embeddedness provides a denser and more predictable filtering infrastructure but also imposes greater constraints, as national policy must be aligned with alliance-wide decisions and regulatory frameworks (Ansell & Trondal, 2018; Sykora, 2024; EIR, 2025). Türkiye's filtering is more centralized and responsive, driven by domestic political leadership and security bureaucracies, but is also more vulnerable to political volatility and shifts in bilateral relations (Köstem, 2021; Balta & Bal, 2025; Öniş & Uluyol, 2025). In terms of adaptive conflict response, the two models exhibit comparable forms of adaptivity but draw on different sources: Romania relies on collective institutional learning and peer comparison within the EU and NATO, while Türkiye draws on strategic flexibility, multidirectional diplomacy, and bilateral relationship management (Ivan, 2025; Erşen, 2023).

A further dimension of comparison concerns the role of mediation and third-party conflict management, which differentiates the two models most sharply. Romania's institutional embedding largely constrains the kind of intermediary role that Türkiye has played: a state whose governance is tightly coupled to alliance-wide positions may face difficulties in positioning itself as acceptable to both parties in a conflict in which its allies have adopted adversarial postures. Türkiye's strategic autonomy, precisely because it entails a departure from full alliance alignment, creates structural conditions for interested mediation that the literature identifies as potentially consequential in conflicts in which neutral parties lack sufficient leverage (Touval & Zartman, 1985; Bercovitch & Gartner, 2006). The BSGI illustrates both the reach and limits of Türkiye's mediation capacity: it demonstrated Türkiye's ability to construct functional dispute-management arrangements in active conflict environments, while its collapse underscored the fragility of issue-specific arrangements that lack robust institutional anchoring and broader political agreement.

Through the lens of emerging debates on fragmented multilateralism and ad hoc coalitions, Romania and Türkiye can be situated at different points along a spectrum of conflict management strategies, ranging from deeply institutionalized, rule-bound approaches to more ad hoc, coalition-based, and leadership-driven practices (UNU, 2025). Thus, the

Black Sea becomes a laboratory for observing how different models interact—sometimes complementing and sometimes complicating one another—in governing conflict spillovers in a strategically sensitive maritime region.

7. Conclusion

This article argues that the Black Sea conflict environment presents regional states with a set of conflict management challenges that cannot be adequately understood through the lens of energy security or geopolitics alone. By developing and applying an analytical framework centered on conflict spillover management, institutional filtering, and adaptive conflict response, and by integrating insights from mediation theory and alternative dispute resolution scholarship, this study shows how Romania and Türkiye—facing comparable structural pressures—have developed divergent conflict management strategies that reflect their distinct institutional configurations and geopolitical traditions (Çelikpala, 2010; Ivan, 2025; Wódka, 2023; Sýkora, 2024).

The theoretical contribution of this comparison lies in demonstrating that institutional embeddedness is a key variable shaping not only the form but also the effectiveness and limitations of state conflict management strategies. Multilateral embedding provides collective resources, information, and legitimacy for conflict management, but constrains strategic autonomy and can impede the kind of third-party mediation role that requires a degree of independence from the parties to a conflict. Strategic autonomy enables flexible, pragmatic, and potentially mediation-oriented conflict management, but generates individual burdens, coordination problems, and credibility vulnerabilities (Noutcheva, 2009; Ansell & Trondal, 2018; UNU, 2025). The relative advantages and limitations of each model depend on the specific characteristics of the conflict environment, the types of spillovers at stake, and the institutional and geopolitical constraints under which states operate (Global Academy, 2025; Atlantic Council, 2024).

For the conflict analysis and management literature, this study offers a replicable comparative framework for analyzing how states govern conflict spillovers in strategically sensitive regions. The three-dimensional framework of spillover management, institutional filtering, and adaptive response can be applied to other regional conflict environments, such as the Baltic Sea, Eastern Mediterranean, and Gulf regions. The BSGI case study, analyzed through the lenses of interest-based mediation, ripeness theory, and ADR mechanism design, offers an additional contribution to the mediation literature by highlighting the conditions under which issue-specific functional arrangements can mitigate conflict spillovers and the structural factors that affect their durability. Future research could explore how ad hoc coalitions, informal institutions, and regional organizations interact with formal multilateral structures to shape state responses to conflict spillovers, as well as how lessons from the Black Sea experience apply to other protracted conflicts in which energy and food governance intersect with active hostilities.

From a policy perspective, the study suggests that effective conflict management in complex regional environments requires both institutional depth and strategic flexibility—resources that individual states may struggle to combine on their own. The limitations of both the Romanian model, constrained by the pace of collective decision-making, and the Turkish model, dependent on the maintenance of a delicate diplomatic balance, point toward the potential value of institutional designs that combine the burden-sharing benefits of multilateral embedding with the advantages of strategic autonomy and mediation capacity (EIR, 2025; Wódka, 2023; Balta & Bal, 2025). Developing such designs—whether through more flexible EU and NATO instruments, regionally owned cooperation formats, or more robust integration of ad hoc mediation initiatives into broader multilateral frameworks—represents an important challenge for regional conflict management in the Black Sea and beyond (Atlantic Council, 2024; Khyloko, 2023; UNU, 2025).

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Kosovo-Serbia: Frozen by Design. The Precondition Trap

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Abstract: Since 2011, the EU has facilitated the Belgrade-Pristina dialogue, aiming to normalize relations between the two parties shaped by the 1998–1999 Kosovo War. In 2026, the framework remains active, with a new envoy, regular meetings, and a stated work plan, yet it has produced no tangible progress. The cause is neither instability nor waning attention. Both parties have adopted preconditions that neither can meet without undermining its own position, a dynamic this article terms a “precondition trap”. Kosovo will not return to leader-level talks without resolution of disputed prior commitments, while Serbia disputes the binding nature of those commitments. The Association of Serb Majority Municipalities illustrates the deadlock, as Serbia wants it to have executive powers that Pristina views as a threat to its sovereignty. Drawing on ripeness theory, the article develops a test for distinguishing preconditions that are genuinely unmeetable from those that are merely unwanted and argues that neither party shows genuine signs of a hurting stalemate over the preconditions that meet this test. The case is compared with Cyprus, suggesting that this is a recognizable pattern in mediated territorial disputes rather than a phenomenon specific to one region.

Keywords: Precondition trap, ripeness theory, Belgrade-Pristina dialogue, mediated negotiation, EU conditionality, Cyprus conflict.

Introduction

In 2026, the dialogue between Belgrade and Pristina remained procedurally active, with the European Union appointing a new Special Representative, Peter Sørensen, to oversee the established framework (Council of the European Union, 2025). This appointment can be understood as a diplomatic move aimed at sustaining the negotiation process. Further developments within

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the framework include the first trilateral meeting of the Joint Commission on Missing Persons, held on January 23, 2026, to implement the declaration on missing persons across both jurisdictions (European External Action Service, 2026b). Despite this activity, no tangible progress has been made.

The cause is not instability, since the framework remains fully operational, nor is it technical deadlock, given that the Joint Commission continues to convene. Neither the EU nor the wider international community has abandoned the negotiations, particularly following the appointment of a new envoy. The more decisive factor lies in the preconditions adopted by both negotiating parties. Neither side has been willing to meet the other's preconditions, and this article asks under what conditions such unwillingness reflects a genuine incompatibility of positions rather than an ordinary bargaining stance. For the purposes of analysis, this article defines the resulting condition as the "precondition trap" and develops, in the section below on the precondition mechanism, a two-part test for distinguishing preconditions that are trap-constitutive from those that are simply unwanted. The article begins by outlining the institutional history of the dialogue framework, followed by an analysis of the negotiation mechanism itself through the case of the Association of Serb Majority Municipalities (ASM). It then examines the theoretical framework of the arrangement through the lens of ripeness theory before concluding with a comparative analysis of the Cyprus case.

The article traces the sequence of preconditions, statements, and institutional responses within the Belgrade-Pristina dialogue between 2013 and 2026 in order to establish the mechanism through which stalling occurs. Evidence is drawn mainly from primary sources, including EU and European External Action Service (EEAS) statements and the framework's founding agreements, along with dated public remarks by named officials. Where primary documentation is unavailable, the article supplements these sources with reporting from established regional and international outlets. Cyprus is introduced as a focused comparison with the dialogue, with the purpose of testing whether the precondition trap identified here is specific to Belgrade-Pristina or whether it constitutes a recognizable pattern in EU- and UN-mediated territorial disputes more broadly. This design suits a mechanism-focused question because it establishes how a stalling dynamic reproduces itself over time. The trade-off is that it offers less generalizability than a larger comparative sample could provide.

Literature Review

Existing scholarship on the Belgrade-Pristina dialogue largely explains its stalling through EU conditionality, the mechanism by which the EU ties progress to enlargement criteria. Some scholars argue that this conditionality has simply failed to work, since rule transfer in the Western Balkans remains contested by veto players and longstanding legacies (Džankić et al., 2019). More than 240 meetings have been held and thirty-eight agreements concluded

since 2011, yet commitments have gone unimplemented. Recent analysis largely attributes this pattern to the EU's own ambiguity as the mediator of the dialogue (Pavković et al., 2026). This suggests that the framework underperforms regardless of how consistent the EU is. This ambiguity is not merely rhetorical. The 2023 Ohrid Implementation Annex itself states that both parties "agree not to block implementation of any of the Articles", an explicit attempt to preempt precisely the cross-conditioning examined in this article. The fact that the precondition trap emerged regardless suggests that the dynamic operates beneath the level of formal commitment and that the EU's continued facilitation may inadvertently sustain it rather than resolve it.

A second body of work examines noncooperation through the concept of the spoiler. Stedman (1997) defines spoilers as parties that see an emerging peace as a threat to their interests and act to undermine it, usually through violence, and distinguishes between inside spoilers, which sign an agreement and then fail to fulfill its terms, and outside spoilers, which are excluded from the process altogether. Later work relaxes the violence requirement, noting that parties can spoil simply by refusing to negotiate or dragging their feet on commitments already made (Zahar, 2003). Even the inside-spoiler variant, however, assumes a party that quietly reneges after signing. Belgrade-Pristina is different: both sides openly set conditions that the other cannot meet while remaining formally committed to the process throughout.

Zartman's ripeness theory more accurately outlines the constraints faced by the Serbia-Kosovo negotiations. It holds that negotiation requires two things simultaneously: a mutually hurting stalemate and a perceived way out (Zartman, 2001). A hurting stalemate is a deadlock that hurts both sides, even if not equally (Zartman, 2003b). Zartman himself points to the 1973 October War as a clarifying case: after the war, Israeli and Egyptian forces found themselves mutually encircled at Kilometer 101, with neither side able to dislodge the other, creating a deadlock painful enough for both sides to enable Kissinger's subsequent disengagement negotiations (Zartman, 2003a). The theory has been applied successfully elsewhere: Becker (2021) uses it to explain both the failure of earlier talks between the Ethiopian government and the Ogaden National Liberation Front and their eventual resolution in a 2018 peace agreement, once a genuine hurting stalemate and a perceived way out coincided. Zartman later added the idea of a mutually enticing opportunity as a positive counterpart to this negative push, and the theory has been criticized for being too static, with some scholars questioning whether a hurting stalemate can even be measured (Pruitt, 2005). The theory has also been criticized on more fundamental grounds: Schrodtt, Yilmaz, and Gerner (2003) argue that ripeness, as typically applied, reduces to a mere tautology, since a hurting stalemate is usually identified only retrospectively, once negotiations have already succeeded, making the theory difficult to falsify in advance. Zartman (2013) has himself pushed back against this charge, insisting that ripeness "is not identical to its results, nor is it tautological", although he concedes that the concept "cannot be measured except by the success of negotiations", a concession that leaves the critique only partially answered.

Ripeness Theory has not yet addressed a negotiation process like this dialogue. Belgrade-Pristina has continued for more than a decade, with meetings ongoing and neither side walking away. The theory does not distinguish between a conflict that simply has not reached ripeness and one that is deliberately prevented from reaching it. This article calls the second condition the “precondition trap”, in which both parties set conditions that the other cannot meet.

Background

The Belgrade-Pristina dialogue, initiated in 2011, was established for the purpose of moving Serbia and Kosovo toward a comprehensive normalization agreement. The dialogue was initially facilitated by EEAS Counsellor Robert Cooper until his replacement by EU High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission Catherine Ashton in 2012. It was subsequently passed to Federica Mogherini and followed a similar pattern of succession until the most recent appointment (European External Action Service, 2026a). The framework’s history of appointments demonstrates a sustained pattern of EU engagement with the objectives of the arrangement.

Three key documents underpin the framework’s current operation. The first is the 2013 Brussels Agreement, which governs the normalization framework between the two parties. The first six points establish an Association of Serb municipalities in Kosovo, the creation of new political institutions to accommodate this association, power-sharing arrangements both in the legislative sphere and with respect to territorial governance, the integration of judicial authorities into the Kosovo legal framework, and the socioeconomic integration of the Serbian community within Kosovo. Importantly, the agreement also establishes a judicial framework for the northern Serbian municipalities, including the appointment of a Kosovo Serb to the position of “Police Regional Commander” (Government of the Republic of Serbia, 2013). This individual is to be nominated by the Kosovo Ministry of Internal Affairs from a list of candidates selected by the four mayors of the region. The mechanism is designed to ensure that law enforcement in the region remains within the ethnic Serbian community. This document set a precedent for ethnic separation during the mediation process.

This arrangement was followed by the Agreement on the Path to Normalization in February 2023. The agreement outlined eleven articles requiring the two parties to participate in mediation and avoid the international escalation of regional political disputes, beginning with a commitment to develop “normal, good-neighbourly relations with each other on the basis of equal rights” (EEAS Press Team, 2023a). Importantly, it also stipulated that neither side would attempt to block the other’s “respective EU path”. The wording of the arrangement established the framework as a structure based heavily on EU norms and processes. This sets up the dilemma examined later in this article.

Finally, the latest development in the normalization framework was the Implementation Annex, agreed upon in Ohrid, North Macedonia, in March 2023 (EEAS Press Team,

2023b). The agreement was accepted by Kosovo, while Serbia only verbally committed to its terms, with Serbian President Aleksandar Vučić representing one party and Kosovan Prime Minister Albin Kurti the other. The annex serves as a binding document within the negotiation pathway toward normalization and includes a commitment to ratify the declaration on missing persons. Notably, the parties explicitly agreed that all articles would be implemented independently of one another and committed not to block the implementation of any article—an attempt to preempt precisely the kind of cross-conditioning that this article goes on to examine. Importantly, the annex also provided for EU financial assistance following successful ratification by both parties.

Each milestone within the Belgrade-Pristina dialogue has represented an attempt to achieve comprehensive normalization of relations between Serbia and Kosovo. Utilizing a series of mediation efforts formalized through documents such as the Brussels Agreement, the EU attempted to moderate the ethnic and territorial tensions between the two parties, with the promise of EU financial assistance and the potential for EU membership. Despite this sustained institutional architecture and repeated diplomatic investment, the dialogue has struggled to produce durable outcomes on its core disputes.

The Precondition Mechanism

This article argues that, within the Belgrade-Pristina dialogue, preconditions function as a strategy for avoiding engagement with the framework while preserving the appearance of cooperation on the part of both state actors. For this reason, at least some of the preconditions in play are deliberately established to be unmeetable rather than merely unmet. This is demonstrated through an analysis of Kosovo's and Serbia's positions relative to the framework, using a test developed below to distinguish trap-constitutive preconditions from ordinary bargaining positions and to highlight the nature of these preconditions. The article then shows how these preconditions have kept the Association of Serb Majority Municipalities as an ongoing dispute, contrasting this with the EU's 2023 sanctions on Kosovo and their lifting by 2026 to show that narrower disputes tied to the same unrest were resolvable once no comparable preconditions stood in the way.

On June 26, 2024, High Representative Josep Borrell concluded a high-level meeting between Prime Minister Kurti and President Vučić. He presented Kurti's three conditions for moving forward with the normalization process between the two parties, making the resumption of leader-level dialogue conditional on specific Serbian actions. The first condition demanded the formalization of the Basic Agreement through signatures from the respective heads of the Serbian state and government. The second entailed the "withdrawal of the reservation letter officially deposited with the [European] External Action Service by former Prime Minister of Serbia, [Ana] Brnabić, dated 13 December 2023" (EEAS Press Team, 2024). The final condition demanded the extradition of Milan Radojčić to Kosovo's judicial authorities. Radojčić publicly admitted organizing the September 2023 armed

attack in Banjska, in which a Kosovo police officer and three of the attackers were killed, but he remains free in Serbia and has never faced trial. Of this three co-participants, Blagoje Spasojević and Vladimir Tolić, received life sentences, while Dušan Maksimović received a thirty-year sentence from the Basic Court in Pristina on April 24, 2026 (European Western Balkans, 2026). These three conditions established Kosovo's framework of preconditions within the wider dialogue.

At the same meeting, High Representative Josep Borrell confirmed Serbia's position on the preconditions. At this stage, Serbia was not ready to meet the conditions set by Kosovo, citing constitutional constraints as the primary reason. President Vučić indicated that he was ready to explore options regarding the Brnabić letter and the formalization of the Agreement in line with past dialogue practices, framing these steps as a means of unblocking implementation (EEAS Press Team, 2024). However, Serbia has neither retracted the letter nor taken action against Radojčić. Kosovo's conditions at this stage of the negotiations were specific and actionable, while Serbia's resistance was framed less as a counter-condition and more as a legal limitation on the process itself. The two parties were therefore unable to fulfill each other's preconditions within the dialogue framework, halting implementation of the normalization agreement.

Not every unmet demand in this dynamic is equally diagnostic of a precondition trap, and the risk of treating any stalled demand as evidence of one is that the concept collapses into a description of ordinary hard bargaining. This article therefore proposes a two-part test for distinguishing trap-constitutive preconditions from preconditions that are simply unwanted. First, meeting the precondition would require the conceding side to abandon a position on which it has publicly and repeatedly staked its legitimacy, rather than merely incur a cost it would prefer to avoid. Second, the demanding side has never specified what partial or intermediate movement would count as sufficient, so that no visible zone of possible agreement exists short of full compliance. Ordinary hard bargaining typically fails the second criterion even when it satisfies the first, since a party using a costly demand as a bargaining chip usually signals, eventually, what a lesser concession would buy. The absence of any such signal is what marks a precondition as trap-constitutive under this account.

Applying this test to Kosovo's three conditions produces an uneven result, and the unevenness is itself informative. Radojčić's extradition passes both parts of the test: surrendering him would require Serbia to concede jurisdiction over a figure who, in Serb-nationalist framing within Serbia, occupies a position closer to that of a martyr than of a fugitive, and Kosovo has at no point proposed an intermediate step, such as a third-country venue or a trial in absentia, that might substitute for extradition itself. The Brnabić letter is a weaker case under the same test. Withdrawing it is administratively inexpensive and reversible, and Vučić himself signaled openness to withdrawing it during the same meeting at which the condition was set. This condition appears closer to something Serbia is unwilling to do first, for sequencing reasons, than something it is structurally

unable to do, and it should therefore be read with greater caution as evidence of the trap than the extradition condition. Serbia's own "constitutional constraints", meanwhile, are real in the narrow sense that Serbia's constitution treats Kosovo as its territory, but the constraint becomes a trap-constitutive precondition only once it is treated as fixed rather than as one input into a choice. Serbia has pursued neither constitutional reform nor any of the workaround mechanisms other states have used to manage comparable disputes over contested territory within their own constitutional frameworks, and it is this absence of any attempt to test the constraint, rather than the constraint's existence, that converts a structural limitation into a maintained precondition.

This same dynamic, in which preconditions block implementation rather than resolve substantive disagreement, is most visible in the dispute over the Association of Serb Majority Municipalities. The Association was first established under the 2013 Brussels Agreement and later reaffirmed as Article 7 of the 2023 Agreement on the Path to Normalization. Serbia's position is that the association should hold executive power across Serb-majority regions in Kosovo. Kosovo treats this demand as a direct attack on its sovereignty. During negotiations in 2023, Prime Minister Kurti's adviser, Jeton Zulfaj, confirmed that Kosovo had accepted the proposal for the association's creation. What remained unresolved was not the association itself but the broader Basic Agreement in which Article 7 sits. A statement from the Kosovo government that same year alleged that Vučić refused to sign this Agreement, instead requesting that an accompanying letter be accepted, which Kosovo said would "annul the principles of the Basic Agreement and the terms of other proposals" (RFE/RL's Balkan Service, 2023). The dispute over this arrangement therefore does not stem from disagreement over whether the association should exist but from Serbia's refusal to bind itself to the agreement that would make its creation enforceable.

It is worth being precise about what this means for the ASM as a case of the precondition trap specifically. The question of how much executive power the association should hold was, based on the evidence above, moving toward convergence by 2023: Zulfaj's confirmation suggests that the substantive design question was closer to resolution than the dispute's persistence would suggest. What remains genuinely unresolved is not that substantive question but whether either side will bind itself contractually to any version of the answer. That distinction matters because it is the ratification problem, not the underlying disagreement over executive power, that fits the trap-constitutive pattern set out above: Serbia's refusal to sign is not itself an unmeetable demand that it is placing on Kosovo, but it functions as one in practice, since it makes the substantive convergence already reached impossible to formalize. The ASM illustrates the precondition trap, in other words, precisely because the substantive dispute is not the obstacle; the refusal to ratify a substantively agreed outcome is.

However, this mistrust is not a permanent feature of the dialogue. A parallel case, the European Union's handling of sanctions imposed on Kosovo in the summer of 2023, shows that even entrenched disputes can be resolved once an achievable condition is

met. The sanctions followed Kosovo's installation of ethnic Albanian mayors in the Serb-majority northern municipalities, elected on low turnout after Kosovo Serbs boycotted the vote. Protests against the newly installed mayors escalated into violent clashes involving NATO-led KFOR troops in May 2023, underscoring the ethnic tensions underlying the dispute (Isufi, 2023).

In response, the EU froze funding to Kosovo, paused high-level visits to the state, and suspended the Stabilization and Association Council (Jozwiak, 2026). These sanctions began to be reversed after peaceful local elections were held in the same northern municipalities in October 2025, with the EU announcing at the December 17, 2025, EU-Western Balkans summit that the measures would be lifted entirely. The disbursement itself was carefully structured in two steps: roughly €216 million was released ahead of Kosovo's December 28 parliamentary elections, while the remaining €205 million was withheld until afterward, specifically so that incumbent Prime Minister Kurti would not benefit electorally from the full amount being released at once. This case shows how a dispute rooted in ethnic tension can be resolved once a specific, achievable condition—in this instance, the holding of peaceful elections—is identified and met. The dispute over the Association of Serb Majority Municipalities has no equivalent simple conditionality, making it harder to resolve. This contrast highlights a pattern: the EU proved willing to engineer a resolution once a clear condition was identified. This makes the continued paralysis over the Association appear less like an intractable dispute and more like an engineered stalemate lacking any clearly defined set of conditions for resolution.

Ripeness and the Manufactured Absence of a Hurting Stalemate

Ripeness theory states that a mutually hurting stalemate and a perceived way out are both necessary for a conflict to move into negotiation (Zartman, 2001). The Belgrade-Pristina framework does not fit this model cleanly. Negotiations have continued since 2011, and neither party has withdrawn. The dialogue has instead continued for more than a decade without producing the outcomes it was intended to deliver. The question, then, is whether this dialogue shows any sign of Zartman's mutually hurting stalemate and, if it does not, why it continues without one.

Within the dialogue, neither state actor appears to be suffering from the stalled negotiations. After the EU lifted its sanctions on Kosovo following the peaceful 2025 local elections, it structured the relief in two stages. Roughly €216 million was released before Kosovo's December 28 parliamentary elections, while the remaining €205 million was withheld until afterward, specifically so that Prime Minister Kurti would not benefit electorally from the full amount being released at once. The fact that the EU considered this precaution necessary suggests that resolution carried real political value for Kurti, at least where resolution was relatively inexpensive: the 2023 sanctions dispute required only that Kosovo hold peaceful elections, not make any substantive concession. This does not

explain why the larger dialogue remains unresolved, since the Basic Agreement and the Association require concessions that Kurti's domestic base treats as a sovereignty risk. Instead, it suggests that Kurti is not a leader desperate to escape stalemate at any price, since he accepted the less costly exit when one was available. This weakens the case that Kosovo is experiencing a genuine mutually hurting stalemate over the dialogue as a whole.

Serbia shows the same pattern from the other direction. Vučić has neither withdrawn the Brnabić letter nor taken action against Radojčić since the June 2024 Borrell meeting. Serbia's official position is that it cannot meet Kosovo's conditions because of "constitutional constraints", but, as the test above suggests, this is a position Serbia has chosen to maintain by declining to pursue reform or any comparable workaround, rather than one imposed on it from outside with no alternative available. Serbia's own path to EU accession remains distant enough that blocking the process currently costs it little. Neither side is therefore paying a meaningful price for the stalemate.

However, it is also worth considering the possibility that there is no trap mechanism within this framework. Kurti and Vučić may both benefit domestically from continued stalemate, with preconditions serving to justify this outcome rather than causing the negotiations to halt. This interpretation is consistent with the political position of both actors involved in the dialogue, neither of whom appears to be suffering any significant cost as a result of the impeded talks. The state actors still need a way to delay negotiations, even if this is the intended outcome. The mechanism that enables this is the imposition of preconditions, which, according to the test developed above, are calibrated to be unmeetable rather than merely costly. Domestic incentives may explain the motive for stalling, but not the mechanism. The precondition trap supplies the mechanism through which that motive is realized without either side formally walking away.

Ripeness theory, as it stands, treats unripeness as something that can simply be waited out or countered by a mediator through persuasion, raising the stakes, or manipulating the parties' perception of the stalemate (Zartman, 2003b). It does not account for a situation in which the negotiating parties themselves manufacture and sustain unripeness from within a framework in which they remain actively engaged. This is the gap that the precondition trap fills. On Zartman's account, unripeness is simply a conflict that has not yet reached the conditions necessary for negotiation. The precondition trap in the Belgrade-Pristina dialogue is something else: a situation in which the negotiating parties themselves work to ensure that the conflict never ripens.

The Cyprus Comparison

Cyprus has been territorially divided since Turkey's 1974 invasion, with the self-declared Turkish Republic of Northern Cyprus existing as a separately governed entity since 1983. This region, recognized only by Turkey, establishes a parallel ethno-territorial division to the one seen in present-day Kosovo. The first major attempt to resolve this dispute came

with the 2004 Annan Plan, a comprehensive UN reunification proposal whose goal was to replace the divided island with the United Cyprus Republic, a federation of two constituent states, Greek Cypriot and Turkish Cypriot. The plan failed when Greek Cypriots rejected it in a nationwide referendum, underscoring the prolonged nature of the dispute (Akritidou & Lindenstrauss, 2024). More recent attempts at unification included the Crans-Montana Conference in 2017, a series of reunification talks held in Switzerland. These talks also failed, breaking down specifically over security guarantees and the continued presence of more than 35,000 Turkish troops in the country (Gatopoulos, 2017). Greek Cypriots would not engage in unification talks without a guarantee of Turkish withdrawal, a demand that Turkey and the Turkish Cypriot leadership were unwilling to meet. Applying the test developed above, the security-guarantees dispute is Cyprus's clearest procedural precondition in the sense used throughout this article: a named, statable condition attached to entering serious negotiations, structurally equivalent to Kosovo's three conditions for resuming leader-level talks, and one that likewise offers no visible partial-compliance option between full withdrawal and the status quo.

Beneath the security-guarantees dispute lies a cluster of further disagreements, and it is worth being precise about which category they belong to. The first concerns the basic architecture of any future state. Turkish Cypriots have pushed for a state structure built on two politically equal founding states, joined in a loose federation with strong guarantees of parity between the communities. Greek Cypriots favor a different model entirely: a single state evolving from the existing, internationally recognized Republic of Cyprus, within which Turkish Cypriots would participate as a constituent community rather than as an equal co-founder with independent standing. This is not a semantic disagreement, and the two visions imply fundamentally different distributions of sovereignty. Unlike the security-guarantees dispute, however, this is a substantive disagreement over the shape of a future settlement rather than a named condition attached to entering talks in the first place, and it is therefore better understood as a standing disagreement that the precondition trap compounds than as a further precondition in the technical sense used here (Akritidou & Lindenstrauss, 2024).

A second, related dispute concerns how executive power would actually be shared once any settlement was reached, and it belongs in the same substantive category. The two sides disagree over the mechanics of a rotating presidency, with Greek Cypriots seeking longer terms in office for their own community, reflecting their larger population share, while Turkish Cypriots have historically pushed for something closer to strict parity regardless of demographic weight. This dispute extends to control over the foreign minister portfolio and the conduct of external relations more broadly, since whichever community controls these functions would have outsized influence over how a reunified Cyprus presents itself internationally and over its relations with Turkey, Greece, and the EU specifically (Akritidou & Lindenstrauss, 2024). Property rights add a third layer in the same category. Following the 1974 division, tens of thousands of Greek Cypriots and Turkish Cypriots were displaced from properties now located on the opposite side of the line. The Immovable

Property Commission was established specifically to compensate displaced Greek Cypriots for property left in the north, yet it remains controversial and underutilized among those it was intended to serve, since accepting compensation through a mechanism established by the Turkish Cypriot administration can itself be read as implicitly recognizing that administration's legitimacy, precisely the kind of concession neither side is willing to make lightly.

None of this is to say that the state-architecture, power-sharing, and property disputes are unimportant; they are real disagreements that would need to be resolved in any settlement, and their unresolved status independently blocks progress. But they differ from the security-guarantees dispute and from Kosovo's three conditions in a way the test above makes precise: none of them is a named, statable condition attached to entering or resuming negotiations, and each remains, at least in principle, open to the kind of graduated or partial movement that a genuine precondition forecloses. Distinguishing the two categories matters for the argument, since collapsing them together would stretch "precondition trap" to cover any unresolved substantive disagreement, which is a broader and less falsifiable claim than the one this article makes. What the two categories share is that they compound one another: no single resolved dispute, whether over troops, state structure, executive power-sharing, or property, would be sufficient to unlock the others, since each has hardened into either a precondition or a standing substantive disagreement rather than being treated as a negotiable term within a single, comprehensive settlement.

Diplomatic engagement on Cyprus has continued in the years since, though with little to show for it. Informal UN-backed contacts between the two sides resumed in March 2025, after the eight-year freeze that followed Crans-Montana, but these produced no movement on any of the substantive disputes outlined above. The most significant recent development came on July 28, 2026, when Secretary-General António Guterres made a personal visit to Cyprus, the first by a UN Secretary-General since 2010. During the visit, Guterres met separately with Greek Cypriot President Nikos Christodoulides and Turkish Cypriot leader Tufan Erhürman, and publicly described the talks as productive (Ward, 2026). The timing of this intervention invites some skepticism. Guterres is due to leave office at the end of 2026, and a high-profile personal visit so late in his tenure raises the question of whether it reflects genuine diplomatic momentum or whether it was simply a legacy-driven gesture intended to mark his time in office. Either way, the visit is symptomatic of the negotiation stalemate and builds on the more sustained procedural work already being carried out by his Personal Envoy, María Angela Holguín Cuéllar. Holguín, who has held the position since her appointment in January 2024, has continued to hold consultations with both sides in the years since (International Crisis Group, 2024).

The comparison with Belgrade-Pristina is not exact: Cyprus involves a different mediator, the UN rather than the EU; additional guarantor states with their own interests, namely Greece, Turkey, and the UK; and none of the EU-accession leverage present in Belgrade-Pristina, since Turkey's own EU path is separate and largely stalled. Even so, the

underlying pattern—formal diplomatic activity continuing while the security-guarantees precondition remains exactly where it was nearly a decade ago—holds across both cases. This suggests that the precondition trap, defined narrowly according to the test above, can emerge as a recognizable pattern in mediated territorial disputes generally rather than being specific to the Belgrade-Pristina case. As a focused test of generalizability rather than a second full case study, the comparison supports the conclusion that the precondition trap is not confined to a single dialogue or region.

Conclusion

The Belgrade-Pristina dialogue's failure to produce implementation is not a product of regional instability. The framework remains active, with continued meetings and the appointment of new envoys such as Sørensen. The reason for this stagnation is what this article has termed the precondition trap, a phenomenon in which both Kosovo and Serbia have adopted preconditions that the other cannot meet without conceding its core position, at least where those preconditions pass the two-part test developed above. The example of the dispute surrounding the Association of Serb Majority Municipalities shows this clearly once the substantive question of executive power is separated from the ratification question that actually blocks implementation: both parties had converged on the association's creation, yet neither will ratify the agreement that would make it enforceable. This is because doing so would require resolving the broader preconditions each side has attached to the process: Kosovo's insistence on formal signature, withdrawal of the Brnabić letter, and Radojčić's extradition, alongside Serbia's own constitutional objections. Of these, Radojčić's extradition and the constitutional objection most clearly meet the test for a trap-constitutive precondition; the Brnabić letter is a weaker case and reads more like a sequencing issue than genuine incompatibility.

By applying ripeness theory to this case, the article shows why the trap persists. Neither Kosovo nor Serbia shows clear signs of a mutually hurting stalemate over the core dialogue, nor is there a mutually enticing opportunity that either side finds sufficiently attractive to test. Kosovo's willingness to resolve the less costly 2023 sanctions dispute, contrasted with its refusal to move on the more consequential Basic Agreement and Association, suggests that Kurti is not desperate to escape stalemate generally but is unwilling to pay the specific price that this dialogue demands. Serbia shows a related pattern: its constitutional constraints reflect a position that it has chosen to maintain rather than one imposed upon it, in the specific sense that Serbia has not tested the constraint through reform or available workaround mechanisms. Domestic incentives may explain why both leaders tolerate the larger stalemate, but they do not explain how that toleration persists within a framework of which both remain visibly part. Preconditions supply that mechanism, calibrated to cost more than either side is currently willing to pay, and in doing so prevent the very conditions that ripeness theory identifies as necessary for negotiation from ever forming. The comparison with Cyprus suggests that this is not an artifact specific to the region or

to cases under EU mediation. Cyprus shows the same procedural-precondition structure in its security-guarantees dispute, compounded by separate substantive disagreements over state architecture, power-sharing, and property, despite a different mediator, a different set of guarantor states, and a wholly different geopolitical context. The fact that the trap reproduces itself with such fidelity across two cases so dissimilar in setting suggests that it reflects something structural about protracted, internationally mediated disputes rather than a coincidence of regional politics.

These findings suggest that continued EU facilitation in the Belgrade-Pristina dialogue will not be sufficient to break the deadlock between the two states. The EU can only engineer resolution once a clear, achievable condition exists, as it did with the 2023 sanctions. No comparable condition currently exists for the Association, and none has been proposed for Kosovo's three conditions. Nor is this a failure of drafting: the 2023 Ohrid Implementation Annex explicitly commits both parties not to block implementation of any article, an attempt to foreclose exactly the dynamic this article has documented. The fact that the trap emerged regardless indicates that it operates beneath the level of formal commitment and that continued facilitation without a comparable achievable condition may entrench the stalemate rather than resolve it.

What would a comparable achievable condition look like, given that this article has argued that both sides benefit from producing none? The test developed above suggests an answer: mediators should look for and explicitly ask for reversible partial steps rather than final concessions, since it is precisely the absence of any stated intermediate step, rather than the difficulty of the final one, that marks a precondition as trap-constitutive rather than merely costly. Concretely, this could mean Serbia opening a formal domestic investigation into Radojčić's role in the Banjska attack without extraditing him outright, or Kosovo publishing a detailed competency schedule for the Association's executive powers without treating this as equivalent to final ratification. Neither step resolves the underlying precondition, but each would be diagnostic: a party willing to take a reversible step toward a demand it calls unmeetable is signaling an ordinary bargaining position rather than a trap-constitutive one, while continued refusal even of low-cost, reversible movement is itself evidence for the trap. Mediators might therefore tie facilitation, and EU accession-track benchmarking specifically, not to full compliance with preconditions but to a demonstrated willingness to take some reversible step toward them, and treat the refusal to take even such a step, if sustained over time, as diagnostic in its own right rather than as a neutral feature of an ongoing process.

The precondition trap, as this article has defined it, offers something that existing frameworks do not. Spoiler theory assumes a party that quietly reneges after committing; ripeness theory assumes that a conflict is either ripe or not yet ripe, without asking whether that ripeness is being actively prevented. Belgrade-Pristina and Cyprus both suggest a third category: negotiations that remain formally open because neither side intends to test whether they can succeed. Recognizing this pattern matters beyond these two cases, since it identifies a specific point at which international mediators might intervene: not

by treating continued meetings as evidence of progress, but by testing, through reversible partial steps, whether a stated precondition is genuinely unmeetable or merely unwanted.

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Mozambique: Rethinking Conflict Management in Cabo Delgado. From Military Containment to Sustainable Conflict Management

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Abstract: The armed conflict that erupted in Mozambique's Cabo Delgado Province in 2017 and evolved into one of the most complex security crises in Southeast Africa has persisted despite sustained regional and international military interventions. Nearly 8,000 people have reportedly been killed, and over one million have been displaced since 2017. Despite military interventions by Mozambique, Rwanda, Tanzania, and the Southern African Development Community (SADC), alongside support from the European Union and the United States, the conflict has persisted and expanded geographically. The continued capacity of Ahl al-Sunna wal-Jama'a (ASWJ) to extend its operations into new areas, even following the withdrawal of the SADC Mission in Mozambique (SAMIM) in 2024 and amid the ongoing military presence of Rwanda and Tanzania, highlights the limitations of security-centered approaches. The crisis cannot be explained solely in terms of counterterrorism or radical ideology. Rather, it is rooted in structural dynamics associated with the legacy of Mozambique's

independence in 1975, FRELIMO's political policies, ethno-regional marginalization—including divisions between Makonde elites and Mwani and Makua communities—and the dispossession and relative deprivation generated by large-scale liquefied natural gas (LNG) and mining projects. Drawing on qualitative conflict analysis and a case study methodology, this article examines the Cabo Delgado crisis from a conflict management perspective. It argues that the persistence of the conflict reflects a critical gap between military containment and sustainable conflict management. While external military interventions have temporarily constrained insurgent territorial expansion, they have been insufficient on their own to transform

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the social, institutional, and socioeconomic dynamics underlying the crisis. The article contributes to the conflict management literature by demonstrating that sustainable stability in Cabo Delgado requires moving beyond short-term military containment toward an integrated approach that combines security measures with political dialogue, inclusive governance, meaningful local participation, equitable resource distribution, and socioeconomic development.

Keywords: Cabo Delgado, Mozambique, conflict management, structural causes of conflict, ASWJ.

Introduction

The United Nations Security Council's 2026 report on ISIL (Da'esh), Al-Qaida, and associated individuals and entities opens its section on Central and Southern Africa by noting that, in Cabo Delgado Province, Mozambique, despite ongoing multinational military operations, Ahl al-Sunna wal-Jama'a (ASWJ) has an estimated strength of 400–500 fighters. The report further notes that ASWJ continues to recruit new members and has expanded its activities southward into neighboring provinces (UN Security Council, 2026). When terrorism or armed conflict in Africa is discussed, Portuguese-speaking Mozambique may not be among the first cases that come to mind compared with Francophone or Anglophone African states. Nevertheless, the violence and conflict that have persisted in the country for nearly a decade—and which, as the Security Council report indicates, are unlikely to come to an end in the near future—have now emerged as one of the most significant security challenges in Southern Africa.

The conflict that emerged in Cabo Delgado in 2017, and which was initially neglected both by scholars and, particularly during its early years, by policymakers within the central government (Shurkin, 2021), has become too complex to be understood solely as a problem of terrorism. Over the past decade, the conflict has acquired an increasingly international character, involving a broad range of regional states, global actors, international organizations, NGOs, and even private military companies such as the Wagner Group and the Dyck Advisory Group, alongside actors ranging from Rwanda and Tanzania to the United States, the European Union, the Southern African Development Community (SADC), and the International Committee of the Red Cross (ICRC). As a result, the conflict has evolved into one of the most protracted armed conflicts in Southeast Africa. Since the first violent attack on October 5, 2017, nearly 8,000 people have reportedly lost their lives, thousands have been injured, and more than one million people have been displaced. Following ASWJ's pledge of allegiance to the Islamic State in 2019, the escalating cycle of violence has increasingly emerged as a concern at both the regional and global security levels (Kambela, 2025).

Although the armed conflict became manifest in 2017, this study argues that the underlying causes of violence in Cabo Delgado extend back to Mozambique's independence in 1975 and that the ensuing cycle of violence is too multidimensional to be understood merely as

a manifestation of terrorism. Understanding the conflict that emerged in 2017 requires an examination of both the structural conditions associated with Mozambique's "state capacity, governance, and security deficits" and the local dynamics specific to Cabo Delgado, particularly "non-inclusive economic growth and the natural resource problem" (Faria, 2021). The conflict, therefore, cannot be adequately explained without considering the interaction between broader structural weaknesses within the Mozambican state and the region-specific political, economic, and socioeconomic grievances that have shaped the trajectory of violence in Cabo Delgado.

Analyzing the Structural Roots of the Cycle of Violence in Mozambique

The centrality of the global fight against terrorism in world politics, Africa's emergence as an arena for global terrorist organizations, and the self-identification of actors involved in violent activities with terrorist organizations have contributed to the tendency to interpret the conflict in Cabo Delgado through the broad lens of Islamist terrorism and extremism. For instance, the Status of Forces Agreement concluded in July 2021 to facilitate the deployment of the Southern African Development Community Mission in Mozambique (SAMIM) explicitly defined the mission's objective as "combating actors of terrorism and violent extremism by neutralizing the threat and restoring security in order to create a secure environment" (ACLED, 2026). Similarly, the conflict in Mozambique has been widely framed as a manifestation of Islamist or jihadist terrorism. According to Bussotti and Torres (2020), for example, the Mozambican government's failure to perceive Islamist terrorism as a strategic risk from the early 2010s onward constituted a major factor behind the expansion of Islamist extremism in Cabo Delgado. They further argue that the authoritarian and fragile nature of the Mozambican state adversely affected the effectiveness of efforts to counter Islamist terrorism.

However, when the SAMIM mission, established specifically to combat "actors of terrorism and violent extremism", concluded its mandate in 2024, the conflict and violence in Cabo Delgado had not come to an end. This outcome suggests that the conflict cannot be adequately understood solely through the prism of Islamist terrorism (Sitoe, 2026). Indeed, in her widely cited comprehensive study of the Mozambican conflict, published in May 2017, Regalia makes no reference to Cabo Delgado, terrorism, or Islam. Instead, she identifies the ownership and governance of natural resources as fundamental issues underlying the country's post-independence political trajectory, particularly in the context of the long-standing dominance of the Mozambique Liberation Front (FRELIMO). She also emphasizes that Mozambique's economic growth since the end of the civil war has failed to generate broad-based benefits for the population (Regalia, 2017). From this perspective, the structural roots of the cycle of violence that emerged in Cabo Delgado in 2017 can be traced to Mozambique's independence in 1975 and the historical legacy of the state-building processes that followed.

Immediately after independence, the FRELIMO government established a one-party political system and implemented socialist policies that often failed to accommodate the sociocultural, ethnic, and religious characteristics of Cabo Delgado (Afriyie & Arkorful, 2021). Policies such as villagization, which forcibly relocated local populations to communal settlements, constituted some of the earliest structural processes contributing to the historical alienation between the state and northern communities (Blanes et al., 2023). This historical estrangement was subsequently intensified by the dominance of Maputo-centered political elites and the development of a natural-resource extraction model closely associated with politically influential sections of the Makonde community, particularly in the context of the region's substantial natural gas and ruby resources. The resulting processes of dispossession and exclusion contributed to a growing sense of relative deprivation among local communities (Mattioli, 2026).

Accordingly, interpreting the insurgency simply as an expression of religious fanaticism or as a manifestation of “global terrorism” risks obscuring the underlying political and socioeconomic conditions that have enabled violence to emerge and persist, while also reinforcing the limitations of predominantly security-oriented responses.

The armed conflict that began in 2017 has consequently evolved into a multidimensional phenomenon that cannot be adequately captured through the concepts of terrorism and violent extremism alone. Its persistence has been shaped not only by the activities of armed groups that have adopted violence as a means of pursuing their objectives, but also by structural factors, including political and economic exclusion, governance deficits, socioeconomic inequalities, competition over natural resources, and tensions between state institutions and local communities. The nature and persistence of the conflict should therefore be examined not merely as a military confrontation between security forces and armed groups, but through the interaction of the political, economic, institutional, and social dynamics that reproduce the conflict environment (Ozluk & Saide, 2025).

The persistence of the conflict since 2017 further raises questions about the effectiveness of predominantly military approaches to conflict management. Although military interventions have enabled the government to reestablish control in certain areas and, at particular points, contributed to a substantial reduction in the estimated number of militants, from approximately 4,000 to as few as 300, the violence concentrated in Cabo Delgado has not been brought to an end. This raises the central research question of this study: Why have these efforts, despite the contributions of regional states, the deployment of the SAMIM mission, and the military interventions of the Mozambican central government—which has prioritized military instruments since the beginning of the conflict and achieved a degree of short-term containment—failed to translate into sustainable conflict management after nearly a decade of violence?

This question points to the limitations of assessing the conflict solely in terms of military capacity and territorial control. The persistence of violence, its expansion into new areas, continued civilian displacement, tensions between local communities and security actors,

and difficulties surrounding political dialogue indicate that the Cabo Delgado conflict constitutes a conflict management problem that extends beyond its military dimension. Indeed, nearly 21,000 people were displaced by conflict-related violence in May and June 2026 alone, despite the various interventions undertaken over the preceding years (Zitamar News, 2026). The effectiveness of nearly a decade of conflict management should therefore not be measured solely by reductions in ASWJ's operational capacity or limitations on the territory under its control. Without understanding the historical, political, and socioeconomic dynamics upon which the conflict has developed, the persistence of violence in Mozambique cannot be adequately explained.

Building on this premise, this study seeks to reassess the Cabo Delgado conflict from a conflict management perspective. Its principal contribution to the conflict management literature is to demonstrate, through the Cabo Delgado case, the analytical distinction between containing a conflict and managing it sustainably. The study argues that military interventions may, to a certain extent, limit the geographical expansion and immediate intensity of the conflict but cannot, by themselves, produce sustainable conflict management or resolution. The Cabo Delgado case therefore raises the broader question of how security-centered interventions can be integrated with governance reform, political inclusion, local participation, and socioeconomic development policies. Such an approach requires moving beyond the immediate objective of containing armed violence toward addressing the structural conditions that continue to reproduce the conflict.

Structural Causes Leading to Conflict in Mozambique

Following its independence from Portuguese colonial rule in 1975, Mozambique faced prolonged political instability and armed conflict. The struggle between the new political order shaped under the leadership of FRELIMO in the post-independence period and RENAMO evolved into a devastating civil war that lasted until 1992 and was closely intertwined with the regional geopolitical competition of the Cold War (Emerson, 2014). The holding of multiparty elections in 1994, following the Rome Peace Accords that brought the civil war to an end, constituted an important milestone in the country's transition from conflict to peaceful political competition. However, the termination of the civil war did not entirely eliminate conflict dynamics in Mozambique. The continuation of FRELIMO's political dominance, debates surrounding the distribution of economic and political resources, and recurring tensions between RENAMO and the government led to low-intensity armed conflicts once again in the 2010s. Shortly before this conflict cycle largely came to an end through a comprehensive peace agreement in 2019, the country confronted a new security challenge of a distinct nature in the north (Santos, 2024).

The armed violence that erupted in Cabo Delgado in 2017 revealed a new form of conflict, distinct from Mozambique's previous civil war experience, in which local, regional, and international security dynamics became intertwined. Therefore, understanding the onset



Map 1. Cabo Delgado in Mozambique

Source. AciAfrica, 2021

of the conflict in Cabo Delgado necessitates taking into account the country's historical legacy of conflict, as well as the political, economic, and social vulnerabilities accumulated during the post-independence era (Ntaka, 2023). Explaining the emergence of conflict in Mozambique solely through the activities of armed groups or deficits in security capacity means ignoring the broader structural dynamics that generate conditions conducive to conflict in the country.

The primary dimension of these structural dynamics consists of low human development and widespread socioeconomic deprivation in Mozambique. Mozambique's 2023 Human Development Index (HDI) score stands at 0.493, ranking the country 182nd out of 193 countries and territories in the low human development category (UNDP, 2025). Although this indicator alone does not demonstrate that poverty leads directly to violence, it provides important evidence of how inequalities in the distribution of economic and social opportunities reinforce perceptions of political and social exclusion. Limited access to education, healthcare, employment, and basic public services narrows the channels of economic and social mobility, particularly for the youth population, while undermining expectations regarding the state's capacity to provide security and welfare to its citizens. This situation further widens the structural gap between state capacity and citizens' expectations. Despite Mozambique being rich in natural resources, the inability of broad segments of society to adequately benefit from the economic returns generated by these resources creates not only absolute poverty but also relative deprivation (African Development Bank Group, 2025).

These dynamics are particularly pronounced in Cabo Delgado. The long-standing perception of the region as a “forgotten area” (Cabo Esquecido), juxtaposed with the discovery of significant natural gas and other mineral reserves in recent years, has rendered the contradiction between the economic expectations of local communities and their actual living conditions more visible (Kudakwashe, 2024). The discovery of natural gas and oil reserves has further heightened the perception of relative deprivation among the youth population, who view themselves as historically excluded from economic opportunities (Sitoe, 2026). Consequently, rather than acting as a stabilizing factor in itself, the presence of natural resources has shifted questions of who has access to resources and how resource revenues are distributed to the center of conflict dynamics. Although the Mozambican economy relies significantly on natural resource sectors and external financing, substantial discrepancies exist between the benefits these economic activities generate for local communities and the costs they impose. In particular, while large-scale mining and energy projects are framed as instruments of development and economic growth, they can generate land loss, resettlement, disruption of livelihoods, and social inequalities at the local level.

Another dimension of Mozambique’s structural vulnerability consists of environmental and climate risks. The country’s extensive coastline and geographical position render it particularly susceptible to cyclones, floods, and other extreme weather events. Major cyclones that struck shortly after the onset of the conflict, disproportionately affecting Cabo Delgado and Sofala provinces, placed additional pressure on already fragile social and economic structures (Tivane, 2025). This is because the impacts of climate change are not confined strictly to physical destruction and displacement. Climate-induced displacement, reduced food production, and the depletion of natural resources can intensify resource competition between displaced populations and host communities (Mkuti & Tarusarira, 2025). Climate change thus functions not as a direct driver of conflict, but as a “risk multiplier” that exacerbates existing social vulnerabilities and resource competition.

The regional dimension of the conflict further compounds these structural vulnerabilities. Cabo Delgado’s border with Tanzania is not merely a security boundary but has historically been a space where economic and social relations intersect. Field research by Buchanan-Clarke, Moffat, and Feijó demonstrates that cross-border trade networks, access to healthcare and education services, and social ties suffered significant damage in the aftermath of the conflict. According to these authors, a notable “security paradox” emerges here: security measures aimed at preventing the spillover of conflict across borders can simultaneously weaken the informal cross-border networks that previously supported communities’ economic and social resilience (Buchanan-Clarke, Moffat, & Feijó, 2025). Consequently, while the securitization of borders may mitigate threats in the short term, it can produce outcomes that undermine communities’ resilience in the long run.

All these factors indicate that state fragility in Mozambique is not confined merely to deficits in governance capacity. Data from the Fragile States Index also point to the deepening of this fragility over time alongside the conflict. While Mozambique ranked 40th on the index in 2017, it deteriorated into a more fragile position during the intensification of violence in

Cabo Delgado, rising to 21st place in the 2022–2023 period, and currently stands at 25th out of 179 countries (The Fund for Peace, 2026). This suggests a bidirectional relationship between structural fragility and conflict. On the one hand, low state capacity, economic inequalities, and social exclusion reinforce the conditions under which conflict can emerge; on the other hand, conflict further degrades public services, economic activities, infrastructure, and state capacity, thereby reproducing fragility.

Therefore, the structural causes of the conflict in Mozambique cannot be explained by a single variable. Poverty, low human development, political exclusion, the unequal distribution of natural resources, displacement caused by mega-projects based on natural gas and other resources, youth unemployment, climate-induced vulnerability, and the erosion of cross-border social networks have intersected with deficiencies in state capacity to create a multilayered terrain of conflict (Tembe et al., 2025). Nevertheless, the presence of these structural conditions across Mozambique does not on its own answer why armed violence concentrated specifically in Cabo Delgado. Therefore, an analytical distinction must be drawn between the existence of structural conditions and the emergence of terrorism in a specific region. The following section will examine how structural vulnerabilities at the national level intersected with the unique historical, geographical, socioeconomic, and political conditions of Cabo Delgado to catalyze a violent insurgency environment. This distinction is critical for moving beyond reductionist approaches that explain conflict solely through “poverty and radicalization”, thereby demonstrating why the Cabo Delgado case constitutes a distinct conflict management problem.

Structural Causes Leading to Conflict in Cabo Delgado

While structural problems fueling conflict in Mozambique exist nationwide, the intersection of these issues with the specific historical, geographical, and socioeconomic conditions in Cabo Delgado has rendered the region particularly vulnerable to armed conflict. The first and most prominent dimension of this structure is that Cabo Delgado is a historically marginalized region. The concentration of economic and political resources primarily in the capital, Maputo, and the southern regions of Mozambique has contributed to the development of mistrust toward the central state in the northern provinces (Ozluk & Saide, 2025). Despite being one of the country’s richest regions in terms of natural resources, Cabo Delgado has lagged behind more developed regions in education, healthcare, infrastructure, and employment. Therefore, the fundamental contradiction in the region is not merely poverty but the coexistence of wealth and deprivation within the same geographic area. The World Bank also emphasizes that one of the significant drivers of the conflict in Cabo Delgado is systematic exclusion and associated grievances, noting that limited access to education, political representation, technical skills, and economic resources leaves youth, in particular, excluded from development processes (The World Bank, 2022).

One of the most significant consequences of this inequality is the economic and political exclusion of the youth population. In Cabo Delgado, particularly among young people, limited employment opportunities outside agriculture and fishing, combined with low education levels, have narrowed the avenues for economic mobility (Faria, 2021). Consequently, young people face not only unemployment but also prolonged economic and social exclusion. This situation has widened the gap between the opportunities offered by the state and the expectations of youth, thereby deepening dissatisfaction with the political system.

The second core dimension of structural conflict dynamics in Cabo Delgado is associated with ethnic and regional inequality (Stanyard et al., 2022). The region is home to diverse ethnic communities, most notably the Makua, Mwani, and Makonde. While the Makua group, which constitutes the largest share of the population in Cabo Delgado Province, and the Mwani group, concentrated along the coastal strip, are predominantly Muslim, the Makonde group, residing on the inland plateaus and comprising approximately 20% of the population, is predominantly Christian/Catholic. While 67% of the province's population speaks Emakhuwa, the most common language, Shimakonde is spoken by 22%, and the coastal Mwani language by only 6%. Portuguese, the official language, is spoken by only 22% of the total population across the province (Clear Global, 2026). This linguistic barrier creates a serious disconnect between the state apparatus, security forces, and the local population.

Regional and ethnic inequalities, along with disparities in socioeconomic indicators, are clearly reflected in the available figures. Cabo Delgado is the country's most vulnerable province, with youth unemployment rates exceeding 85% (IMF, 2024). The literacy rate in the region stands at approximately 60%. In terms of infrastructure deficits, only 12.1% of households in Cabo Delgado have access to electricity, while 56.1% of the population completely lacks access to clean water (Sibanda, 2026).

Ethnic groups' relationships with state institutions, political representation, and security institutions further deepen these disparities. The Makonde group, constituting a minority of the population, forms the backbone of the ruling FRELIMO party, which has governed the country since independence, and is dominant in military cadres, civil administrative positions, and commercial privileges. In contrast, the Muslim Mwani community, residing along the coastline and historically supporting the opposition RENAMO party, has been systematically excluded from political and economic power (Ozluk & Saide, 2025).

The third and perhaps most distinguishing element of the Cabo Delgado case is the paradox between natural resource wealth and social exclusion. The region is exceptionally rich in rubies, gold, graphite, and other minerals, in addition to natural gas (Semenova & Churrana, 2025). Particularly following 2010, the discovery of natural gas reserves transformed Cabo Delgado into one of Mozambique's most significant investment areas. However, this economic transformation failed to deliver the inclusive development anticipated by a significant segment of the local population (Ntaka, 2023). Land acquisitions

and resettlement processes carried out as part of large-scale liquefied natural gas (LNG) projects caused certain communities to lose their land and livelihoods while reinforcing perceptions that the local population was not adequately benefiting from new economic activities and employment opportunities (Guhad, 2025). Therefore, natural resources in the Cabo Delgado conflict should not be evaluated simply as a “cause of conflict”, but rather within a resource–grievance relationship that renders existing inequalities visible and politically mobilizable. Indeed, field research demonstrates that a significant portion of the local population views the discovery of natural gas and other natural resources as one of the primary causes of the conflict. In particular, the displacement of local communities from their lands, the damage to their livelihoods, and the perception that employment in the energy sector does not sufficiently reach the regional population have further widened the gap between economic expectations and reality (Wiegink, 2022). This situation highlights the conflict-generating capacity of injustice in resource governance and distribution, rather than a mere “resource curse”.

In conclusion, the structural foundation of the conflict in Cabo Delgado has formed at the intersection of marginalization, youth economic and political exclusion, ethnic and regional inequalities, unjust management of natural resources, displacement, and weak state–society relations. It is precisely at this junction that the emergence of ASWJ gains significance: the rise of the organization should be evaluated not as a direct and automatic outcome of existing structural problems, but rather as a process wherein these grievances were mobilized within a specific ideological framework and converted into organizational capacity.

The Rise of Terrorism in Cabo Delgado: The Anatomy of ASWJ

It is not possible to understand the conflict in Cabo Delgado without analyzing the origins, sociopolitical character, financial structure, recruitment strategies, and relationship with the Islamic State (ISIS) of the group locally referred to as “Al-Shabaab”¹ or “Mashababos”, recently known as Islamic State Mozambique (ISM), but officially named Ahl al-Sunna wal-Jama’a (ASWJ) (Cardoso, 2021). Although ASWJ first made its name known in Cabo Delgado through the 2017 attack on a police station, the foundations of the group trace back to the late 1990s and early 2000s, when individuals who received religious education through scholarships in countries such as Egypt, Sudan, and Saudi Arabia returned to the country (International Crisis Group, 2024). Upon returning to the country, these individuals encountered significant economic hardships in Cabo Delgado, one of the poorest of Mozambique’s 11 provinces (Vala, 2026). Figures belonging to the Makua ethnic group, such as Sheikh Sualehe Rafayel and Abdul Carimo, played a significant role in shaping the ideology of these youths who would later organize under the umbrella of

1 It has no direct link with Al-Shabaab, another terrorist organization in Somalia.

ASWJ. Emerging gradually during the decade preceding its resort to violence in 2017, the group began developing critiques of the central government's strict secular line and the interpretation of Islam endorsed by the government-backed Islamic Council of Mozambique (*Conselho Islâmico de Moçambique*: CISLAMMO) or other Islamic entities in the region, such as the Mahometan Community and the Islamic Humanitarian Association (Morier-Genoud, 2020).

Furthermore, attempting to establish an understanding of Islam closer to a Wahhabi-Salafi line rather than the prevailing Sufi interpretation of Islam in the region, members of the organization, gradually shifting toward an increasingly radical stance over time, called for the rejection of public schools and secular law, non-payment of taxes, non-participation in elections, and the withdrawal of their members' children from state schools to send them to madrasas and religious institutions established by the group itself (Sidumo et al., 2024). It is emphasized that the sermons of the Tanzanian cleric Abdul Chacur and the Kenyan cleric Aboud Rogo Mohammed, who was killed in 2012, played an important role in this ideological transformation of the group (Barnett, 2020). Starting in 2015, the closure of certain educational institutions and mosques belonging to ASWJ and the arrest or banishment of some group members, following the realization by CISLAMMO, which they viewed as the mouthpiece of the central government, and the entrenched local elites that ASWJ was radicalizing, constituted one of the most critical milestones on the path to the 2017 violent action (Morier-Genoud, 2020). Gradually arming itself over time, ASWJ carried out its first major organized violent attack on October 5, 2017, by raiding three police stations in Mocímboa da Praia, a strategic port town in Cabo Delgado, thereby initiating the country's plunge once again into a spiral of violence following the civil war (Matsinhe & Valoi, 2019).

How ASWJ's institutional mechanism operates and who constitutes its decision-making and military leadership cadres remain unclear. This is because the organization exhibits a more diffuse and flexible structure where top-level leadership coexists with local, partially autonomous operational cells rather than a publicly open and rigid hierarchical chain of command (Njelezi, 2022). Abu Yasir Hassan, a Tanzanian national, stands out as a senior leader of the organization and has been designated a Specially Designated Global Terrorist (SDGT) by the U.S. Department of State (Department of State, 2021). The most prominent figure in terms of commanding the organization's military operations was Bonomade Machude Omar, a Mozambican national who was killed in 2023 (ACLED, 2023a).

In the initial years of the violent activities, significant confusion existed in the literature regarding how ASWJ's activities and ideological identity should be defined. According to some accounts, ASWJ relies on Wahhabi-inspired religious thinking, which challenges the traditional and prevalent form of Islam in various respects and therefore positions the organization along a more radical line (ACLED, 2023b). According to Thomas Heyen-Dubé and Richard Rands, ASWJ does not align neatly with a global "Salafi-Jihadi" ideology in the classical sense. Rather than advocating for a global caliphate, the organization should be understood as a local challenger to the established order that emerged in response to

socioeconomic injustices and sought to increase the political and religious representation of Muslim and marginalized communities in Cabo Delgado (Heyen-Dubé & Rands, 2022). In other words, by producing religious arguments at the local level, the organization framed its mobilization around locally articulated grievances concerning social and political injustice.

The Maputo government, which refrained from defining the initial attacks as terrorism in 2017, sought assistance from the Russian-origin Wagner Group and the South African-origin Dyck Advisory Group to address the problem. However, these private military companies failed to achieve success in the conflict (Vala & Zbytovský, 2026). From this point onward, the government shifted its terminology, beginning in 2019, and portrayed the terrorist violence in Cabo Delgado as Mozambique's manifestation of external global jihadi terrorism. By leveraging the "global war on terror" narrative, which holds significant traction in global politics, this framing shifted policy attention toward transnational terrorism and facilitated the mobilization of regional and international security assistance, while potentially obscuring the conflict's local political and socioeconomic drivers.

Beginning in late 2017 and throughout 2018, the group carried out nearly 70 acts of political violence, almost all of which occurred in the Cabo Delgado region, targeting not only police officers and soldiers but also civilians. Nearly 500 people lost their lives in the conflict, including during the subsequent year, 2019 (ACLED, 2023a).

The organization, whose name was not even fully clear when it first emerged, subsequently began to make its presence more widely known and rapidly expanded its support base. In recruiting militants and establishing a suitable social base for its activities, the group turned the fact that socioeconomic conditions in Cabo Delgado were significantly worse than in the rest of the country into a major advantage (Morier-Genoud, 2020). Members of the organization asserted that they possessed an agenda aimed not only at defending their interpretation of religion but also at ending inequalities and injustices in the country. According to these claims, local political and economic elites in Cabo Delgado, predominantly Christian and ethnically Makonde and associated with the FRELIMO government, controlled the region's resources. In contrast, the group effectively assumed the role of spokesperson for the predominantly Muslim, ethnically Mwani and Makua communities living along the province's coastline, which had been largely marginalized from political and economic life (Barnett, 2020).

One of the most crucial reasons for the growth of its support base in the region was the perception that, despite the region's rich natural resources, local communities were unable to benefit adequately from this wealth (Bonate et al., 2024). The group effectively exploited for its own agenda the reality that local populations received no share of the natural gas discovered off the coast of Cabo Delgado, the associated liquefied natural gas (LNG) projects, or the ruby mines in Montepuez, alongside the forced displacement of predominantly Muslim Mwani and Makua communities as their agricultural and fishing grounds were seized (Alberdi & Barroso, 2021). The sense of relative deprivation generated

among the local population accelerated processes of radicalization among some individuals. By utilizing various economic incentives targeting unemployed youth, fishermen, and miners, ASWJ rapidly expanded its ranks of supporters and sympathizers (Faria, 2021).

In 2021, when the group conducted the highest number of attacks during its decade-long spiral of violence, the number of active fighters within its ranks reached as many as 4,000, according to some sources. From that point onward, the Maputo government began to combat ASWJ more effectively, initially with contributions from Rwanda and Tanzania and later through the SAMIM mission under SADC, reducing the number of militants to around 300 (Williams, 2025). However, as previously emphasized, the latest UN Security Council report indicates that the number of members has once again exceeded 500 (UN Security Council, 2026).

By constructing a self-sustaining criminal economy based on illegal ruby, sapphire, and gold mining around Montepuez, as well as timber trading, ivory trafficking, extortion, ransom, and bank robberies, the group attempts to increase its militant ranks by providing incentives to its supporters through this economy (Machele & Huo, 2025). Incentives such as monetary payments and even promises of marriage are reportedly provided to unemployed youth in exchange for joining the group.

The widespread sense of relative deprivation within Cabo Delgado society contributed to ASWJ's rapid expansion and to the subsequent internationalization of the conflict (Ntaka, 2023). A critical factor enabling this development was the group's pledge of allegiance to ISIS in 2019. Following this development, the organization became part of the so-called Islamic State Central Africa Province (ISCAP) (Cook, 2026). However, in 2022, terrorists affiliated with ASWJ began referring to themselves as the Islamic State Mozambique, thereby attempting to position themselves, in some sense, apart from ISCAP. The extent of operational, financial, and organizational coordination between ASWJ and ISIS remains difficult to establish, particularly with regard to military equipment and financing (Guijarro, 2025). Nevertheless, following an attack on a military post in May 2022, ISIS published a statement declaring that it now referred to ASWJ not as an affiliate of ISCAP but as a distinct Mozambican province of ISIS named "Mozambique Province" (Guijarro, 2025).

Following the elections in October 2024, the Mozambican government under the leadership of Daniel Chapo, who officially assumed the presidency in 2025, replacing Filipe Nyusi, has attempted to address the terrorism problem in the country by prioritizing military means, which had previously failed to resolve the conflict (Nhamirre, 2025).

International Interventions and the Limits of Conflict Management

The transformation of the conflict in Cabo Delgado into an increasingly international and regional security issue is a direct outcome of the Mozambican government's limited capacity to control the conflict independently. During the initial phase of the conflict, following the Mozambican military's inability to effectively counter asymmetric threats,

the Maputo government resorted to non-state private military companies rather than formal inter-state alliances. In this context, the Russian Wagner Group, deployed to the region in September 2019, suffered heavy losses due to its incompatibility with the local geographical conditions and intelligence vulnerabilities and was forced to withdraw within a relatively short period (Omerza, 2026). The South Africa-based Dyck Advisory Group, which subsequently intervened following Wagner to provide air support and training, achieved some military advances but was accused of severe human rights violations against civilian populations and failed to prevent the crisis from deepening (Hansen, 2025).

Following the failure of private military companies, the escalation of violence, and the stalling of LNG investments, official regional and bilateral military actors became involved as of July 2021. Initially deployed to the region under a bilateral agreement with Mozambique, the Rwandan military gradually increased its troop presence to more than 2,500 personnel, clearing terrorist elements from the Afungi Peninsula—where the LNG infrastructure is located—and the strategic port city of Mocímboa da Praia (Makonye & Makonye, 2026). Simultaneously, under the SAMIM mission launched within the framework of the SADC, troops from member states, primarily South Africa (approximately 1,500 soldiers), as well as Botswana, Lesotho, Tanzania, and Angola, were tasked with maintaining security in the interior regions (Arena, 2026). However, SAMIM completely withdrew from the region in July 2024 due to chronic logistical disruptions, operational coordination problems, and severe financing difficulties. Following SAMIM's withdrawal, Tanzania maintained its presence in the Nangade region with approximately 300 soldiers under a bilateral agreement aimed at protecting its own border security and energy facilities (Kum, 2026).

To strengthen the Mozambican military and support military operations financially, the EU trained rapid intervention units affiliated with the Mozambican military through the EU Training Mission in Mozambique (EUTM Mozambique), established in November 2021 and renamed the EU Military Assistance Mission (EUMAM) in September 2024. Through this mission, military expertise provided by Mozambique's former colonial power, Portugal, was consolidated under the EU framework (European Union External Action, 2026). The EU also provided €89 million in financial support to the Mozambican military, €15 million to SAMIM, and a total of €41.3 million to Rwanda's military operations through the European Peace Facility (EPF). Meanwhile, the United States designated ASWJ as a foreign terrorist organization in March 2021 and provided counterterrorism and first-aid training to the Mozambican marines.

However, these efforts and interventions have not generated sustainable stability in the country. In particular, the withdrawal of SAMIM from the region in 2024 raised significant questions regarding the sustainability of external military support and the Mozambican state's own security capacity (Opperman & Pigou, 2024). More importantly, despite increased military pressure, ASWJ's ability to expand into different regions and reorganize its activities demonstrates that the conflict is not merely a security problem that can be eliminated through military means alone. Understanding the conflict in Cabo Delgado requires taking into account factors such as poverty, social exclusion, weak state capacity,

inequality, and the political and economic marginalization of local communities. Therefore, while external military interventions serve as a necessary tool for short-term security, they cannot substitute for sustainable conflict management unless they are accompanied by efforts to address the structural conditions that reproduce the conflict (Lucey, 2026).

The Cabo Delgado experience points to the inadequacy of approaches that evaluate the success of international intervention solely on the basis of the “military degradation of armed groups”. While military interventions are vital for reestablishing state control over territory and mitigating immediate security threats to civilians, lasting stability requires that they be complemented by political dialogue, inclusive governance, local participation, socioeconomic development, and community-based conflict management mechanisms.

Conclusion:

From Military Containment to Sustainable and Inclusive Conflict Management

Although the conflict that began in Mozambique’s Cabo Delgado Province in 2017 was initially perceived as a limited local security problem, over time it transformed into a protracted and multilayered conflict with national, regional, and international dimensions. The persistence of the conflict for nearly a decade, alongside the inability to completely eradicate violence despite interventions by Mozambican security forces, as well as by Rwanda, Tanzania, the SADC, and various international actors at different periods, demonstrates that the Cabo Delgado conflict cannot be explained solely from the perspective of military capacity or counterterrorism (Chaza & Mataruse, 2025).

The emergence and continuation of the conflict in Cabo Delgado cannot be explained solely by the religious or ideological motivations of armed groups. Mozambique’s post-independence political and economic vulnerabilities, low human development, poverty, limited state capacity, and unequal distribution of resources have combined with Cabo Delgado’s historical marginalization. In addition, the economic and political exclusion of youth, the dispossession and relative deprivation experienced by local communities as a result of mega-projects based on natural resource extraction, the inadequacy of public services, and a crisis of trust between local communities and the state have strengthened the structural foundation upon which conflict could emerge. Consequently, rather than a security crisis that suddenly erupted in 2017, the conflict should be understood as the result of longer-term structural problems converging with armed mobilization at a specific juncture (Ozluk & Saide, 2025).

The presence of these structural conditions does not, of course, mean that armed violence was inevitable. What was decisive here was the mobilization of existing grievances by specific actors and their transformation into an armed struggle within an organizational and ideological framework. Therefore, an analysis of the conflict in Cabo Delgado must simultaneously consider structural conditions on the one hand and the actors mobilizing around these conditions on the other. The multidimensional approach presented in this

study leads to the conclusion that structural conditions provided fertile ground for conflict, but the nature and continuity of the conflict were shaped by the strategies of actors, state policies, and international interventions.

The analysis of international and regional interventions also supports this core argument. External intervention and other international support mechanisms curtailed ASWJ's military capacity during specific periods, contributed to the state regaining control over certain strategic areas, and prevented a broader security collapse. However, these outcomes should not be equated with sustainable conflict management. In other words, the most critical takeaway from the conflict in Cabo Delgado is that there is a significant distinction between reducing the military capabilities of an armed group and managing the conflict in a sustainable manner. Reducing an armed group's military capacity, expelling it from certain areas, or reestablishing state control over territory is insufficient to prevent the conflict from reproducing itself.

A forward-looking conflict management strategy in Cabo Delgado requires an integrated approach that does not exclude military security but situates it within a broader policy framework. First, security policies must be complemented by political inclusiveness and mechanisms for meaningful participation at the local level. Second, more inclusive mechanisms must be established for the management and distribution of natural resources that take into account the economic and political expectations of local communities. Third, policies aimed at education, employment, infrastructure, and local economic development must be viewed as complementary elements of security policy. Finally, the experiences and grievances of conflict-affected communities should be evaluated not merely as subjects of humanitarian aid policies but as primary inputs for conflict management.

Ultimately, in terms of the contemporary conflict management literature, Cabo Delgado demonstrates that military containment can be functional for short-term security, but sustainable stability requires a multidimensional approach that addresses security, governance, political inclusiveness, economic development, and the participation of local communities within the same framework. In the case of Cabo Delgado, ending the conflict will be possible not merely through the elimination of the armed group's military capacity but through the transformation of the conditions that reproduce the conflict.

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Community Mediation Around the World: A Comparative Analysis and Typology of Institutional Models

Adrian-Grigore POP

Abstract: Community mediation is one of the most widespread and, at the same time, one of the least standardized institutions for conflict resolution. Under a common label, charitable organizations without a legal basis, statutory commissions with binding authority, municipal social policy services, donor-funded networks, and customary forums coexist. This article compares these configurations through a multi-case documentary study, following the tradition of structured and focused comparison. Twenty-four models from nine regions are described according to eight criteria derived from five theoretical perspectives: the sociology of the movement's origins, Christie's thesis on conflict as property, the theory of co-optation, the critique of informal justice, and the cultural roots of the practice. The models converge on a narrow core (a third party without decision-making power, local delivery, legitimacy derived from the community, free access, justification that transcends the individual case, and dependence on institutional referral) and diverge on dimensions relevant to design: the source of funding, the mandatory nature of participation, the enforceability of the agreement, the mediator's status, the scope of the mandate, and the degree of state involvement. This yields a typology of six types, ordered according to the source of legitimacy and funding, with the degree

of legalization serving as a descriptive dimension. The evidence is mixed: agreement and satisfaction rates are high across the board; participation is low wherever it is voluntary; the effects on conflict recurrence are demonstrated in few studies; and the effects on community cohesion remain unproven. Sustainable implementations have re-anchored the imported model within a local institution already trusted by the community and have adapted the mediator's role to the population's expectations.

Keywords: Community mediation, comparative analysis, typology, informal justice, institutional transfer.

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1. Introduction

Over the past five decades, the idea that trained community members can help their neighbors resolve everyday conflicts without resorting to the courts has expanded from a few experimental programs in North American cities to national systems in Asia, municipal services in Western Europe, donor-funded networks in post-conflict states, and statutory forums at the village level in Africa. Shonholtz (2000), one of the movement's founders, described what had been a radical concept in the mid-1970s as something "taken for granted today" (p. 331).

However, behind the common name, the institutional arrangements are diverse. In Sri Lanka, mediation commissions are statutory bodies coordinated by the Ministry of Justice and represent a mandatory pre-litigation step for a list of offenses (Jayasundere, 2011). In the United Kingdom, community mediation has no legal basis and is provided by charitable organizations that compete for contracts with local authorities (Liebmann, 1998). In the Netherlands, neighborhood mediation is a municipal social welfare service run by volunteers. In France, social mediation is a paid, state-subsidized profession with a national standard. In China, people's mediation is a mass-based institution with approximately 700,000 committees and over three million mediators (Ministry of Justice of the People's Republic of China, 2023). Therefore, speaking of a "model" of community mediation is misleading: the models differ precisely on the aspects that are essential for anyone wishing to design such a system—who funds it, who mediates, how cases are referred, what legal effect the agreements have, and what the purpose of the institution is.

The literature reflects this asymmetry in several ways. American studies are incomparably more numerous than any others, and the existing typologies (Wahrhaftig, 1982; Shonholtz, 2000; Almeida, 2014; Natividad, 2023) each start from a single dimension and the assumptions of a single institutional context. What is lacking is a comparison that treats American, European, Asian, Latin American, and African cases according to the same criteria and derive a classification applicable to the entire family of institutions.

This article addresses this gap with three objectives: first, a descriptive objective—presenting the main configurations of community mediation based on verifiable sources; second, an analytical objective—systematically comparing them against an explicit set of criteria so that convergences and divergences are identified, not merely stated; and third, a synthetic objective—deriving a typology and identifying common, distinguishing, and specific elements of community mediation. The research question is twofold: in what ways do existing models resemble one another, and in what ways do they differ? What does the available evidence reveal about their effectiveness? Sections 2–4 present the theoretical framework, methodology, and origins of the institution; Sections 5–7 present the regional overview, comparative analysis, and typology; and Sections 8–11 present the evidence review, critical perspectives, implications for design, and conclusions.

2. Conceptual and Theoretical Framework

Five theoretical perspectives were used to structure the comparison. The first is the sociology of the origins of the movement. Harrington and Merry (1988) identified three competing ideological projects vying for “ownership” of community mediation: a project focused on providing dispute resolution services, driven by efficiency and Sander’s principle of adapting the forum to the problem; a project of social transformation, oriented toward community empowerment and neighborhood self-governance; and a project of personal development with a therapeutic orientation. The distinction between the path of court reform and community empowerment has become the standard historiography of the field (Bradley & Smith, 2000; Hedeén & Coy, 2000; Shonholtz, 2000), and this same tension reappears in nearly every national context.

Second, Christie (1977) argues that conflicts are a resource that professionals have “stolen” from their rightful owners, and that their management by laypeople at the local level is a value in itself. The essay is the recognized source of the Nordic preference for lay mediators (Mørland, 2000; Ervasti, 2018).

The third perspective is the theory of institutional co-optation. Coy and Hedeén (2005) developed a four-stage model: initiation, adoption of language, techniques, and participation; assimilation of leaders; transformation of objectives; followed by regulation. The model explains how a movement conceived as an alternative to the courts came to depend on them for cases, funding, and legitimacy; the slogan that “form follows funding” expresses the same dynamic (Hedeén & Coy, 2000). It complements Dukes’ (1996) distinction between managerial and transformative orientations.

The fourth perspective is the critical literature on informal justice. Abel (1982) argued that informalism extends state control even though it appears to reduce it; Nader (1990) analyzed the “ideology of harmony” as a pacification technique; Fiss (1984) opposed settlement by agreement on constitutional grounds, while Delgado et al. (1985) and Grillo (1991) demonstrated how the lack of formality exposes minorities and women to prejudice and power imbalances. Pavlich (1996) and Mulcahy (2000) reframed the debate in Foucauldian terms: community mediation is not merely an extension of state control, but a technique of government in which mediators serve as messengers between the state and residents. This literature provides the critical criteria (coercion, second-order justice, gender, and power) against which each model is evaluated.

The fifth perspective concerns the practice’s cultural roots. Merry (1982) established that in nonindustrial societies, effective mediators are insiders with social authority and a stake in the outcome, not neutral outsiders. Wehr and Lederach (1991) generalized this idea by contrasting the “external-neutral” mediator of the North American model with the “internal-biased” mediator, whom the parties trust precisely because of his or her connections. Studies by Wall and his collaborators show that the mediator’s behavior varies systematically with culture and institutional position (Wall & Blum, 1991; Wall & Callister, 1999; Wall et al., 2010).

The concept of social capital underlies all of these. The claim that community mediation “builds community,” enhancing collective efficacy and civic participation (Putnam, 2000), is the field’s most powerful and least tested assertion. Hedeén (2004) observed that the indicators currently in use do not capture the movement’s broader objectives, and the only rigorous test—the study of the San Francisco Community Councils—found that the program created a sense of community more for its volunteers than for its service users (Merry & Milner, 1993). Therefore, the comparison treats community building as a hypothesis to be tested, not as a defining attribute.

3. Methodology

3.1. Research Strategy and Case Selection

This study is a multi-case documentary comparison. The unit of analysis is the model: an institutional configuration identifiable at the national or regional level, characterized by a legal basis (or the absence thereof), a host institution, a funding mechanism, a mediator profile, a case intake process, and a stated purpose. Cases were selected based on three criteria: coverage of the main regions where the institution exists, so that the typology is not an extrapolation from the American experience; the availability of at least one substantial and verifiable source describing the institutional structure and, preferably, providing quantitative data; and theoretical relevance, in the sense that a case illustrates a distinct configuration or trajectory (co-optation, decline, hybridization).

Methodologically, the study applies a structured and focused comparison in the sense defined by George and Bennett (2005): structured because each case is described using the same set of eight criteria formulated as standardized questions; focused because only variables related to institutional design are considered. No formalized qualitative comparative analysis (QCA) was used, nor was a selection based on “most similar” or “most different” cases, since the objective is to inventory and typologize a family of institutions—which requires breadth—rather than to isolate a causal relationship. However, this comes at a cost, as the descriptions are based on secondary sources. In terms of policy transfer, this study follows Rose’s (1991) approach to drawing lessons.

The dataset includes 40 countries from nine regions. Twenty-four models are fully coded according to the eight criteria (Table 2); the cases described briefly (including Canada, Finland, Sweden, Italy, Greece, Cyprus, India, Indonesia, Argentina, South Africa, and New Zealand) are partially coded and used as illustrations, not as evidence. The selection based on the availability of sources favors well-documented cases, often those that are sustainable; the conclusions are therefore formulated for the cases analyzed, not for community mediation “in general.”

3.2. Sources

Three sets of materials were used: a corpus of approximately 90 primary and secondary sources; a proprietary bibliographic database with over 1,000 entries; and targeted searches in academic databases and on institutional websites (ministries of justice, national mediation networks) to update the descriptions to the most recent year available. The compilation of the corpus followed, in simplified terms, the PRISMA methodology: identification through keyword searches in the main languages of the field, supplemented by tracking citations from reference monographs (Merry & Milner, 1993; Liebmann, 1998); selection of sources describing the institutional structure of a model, excluding those dealing exclusively with judicial, family, or commercial mediation; and evaluation of quality based on four criteria (peer review or institutional accountability, transparency of the method, date, and independence from the organization managing the program). Sources that do not fully meet these criteria (two unpublished student papers, the most comprehensive descriptions for Oceania and South Africa, and several articles from less-established journals) are used solely for illustrative purposes, to provide descriptive facts verified, where possible, through institutional sources. No conclusion is based exclusively on them.

3.3. Comparison Criteria

Eight criteria structure the description of each model and the comparative analysis. They were derived inductively from the literature (the characteristics of the National Association for Community Mediation (NAFCM), the framework by Almeida et al., 2014, and the analysis by Natividad, 2023) and deductively from the five theoretical perspectives, to which social capital is added as a hypothesis to be tested (Table 1).

3.4. Limitations

Four limitations should be noted. Comparability: the cases vary enormously in scale—from a Swiss association handling 25 cases per year to a Chinese system handling over 10 million—and in terms of what “resolution” means, so the quantitative benchmarks are indicative. Temporal validity: some of the most detailed accounts (Liebmann, 1998; Merry & Milner, 1993; Peper & Spierings, 1999) describe institutions at a specific point in time; where possible, the description is updated, and where not, the date is specified. Asymmetry of sources: the American literature is incomparably richer; this risk is mitigated by structuring the comparison around criteria rather than the American case. The author’s role is that of a documentary researcher, not a field researcher. Added to this is a bias toward long-standing cases and the partial coding of cases described only briefly.

Table 1. Comparison Criteria

Criterion	Guiding Questions	Theoretical Basis
1. Legal Basis	Is there a law that establishes or recognizes the institution and defines the mediator's jurisdiction, procedures, or status?	Co-optation and juridification (Coy & Hedeem, 2005; Abel, 1982)
2. Relationship with the State and the Courts	Is the service independent, attached to the courts, or administered by a ministry or local authority? What proportion of cases are from the judicial system? Is mediation mandatory?	Co-optation (Coy & Hedeem, 2005); managerial vs. transformative (Dukes, 1996)
3. Host and Funding	Who sponsors and pays for it? How stable is funding?	"Form follows funding" (Hedeem & Coy, 2000)
4. Mediators	Volunteers, laypeople, paraprofessionals, or professionals? How much training? Do they belong to the community of the parties involved?	Christie (1977); "partially internal" vs. "external and neutral" (Merry, 1982; Wehr & Lederach, 1991)
5. Referral and Types of Cases	What disputes are eligible, and how do cases come in (self-referral, agencies, police, courts)?	Dependence on referrals (Coy & Hedeem, 2005); Abel (1982)
6. The Process and Enforceability	Facilitative, evaluative, mediation-arbitration, or customary deliberation? Are the agreements enforceable?	Coercion and power imbalance (Nader, 1990; Grillo, 1991)
7. Outcomes and Evaluation	What is known about volume, resolution, compliance with agreements, satisfaction, and broader effects?	Social capital as a hypothesis (Hedeem, 2004; Merry & Milner, 1993)
8. Socio-Political Context and Purpose	What problems does the institution need to solve?	Ideological projects (Harrington & Merry, 1988)

4. Historical Origins and International Spread

Organized community mediation was invented in the 1970s, but the practice on which it is based is ancient and nearly universal. Several of the models examined directly continue practices documented by Merry (1982): the village chief in Malaysia has been administering disputes for centuries (Wall & Callister, 1999); the *shalish* in Bangladesh was still handling 60–70% of rural disputes in 2009 (Natividad, 2023); and Chinese mediation has its roots in Confucian ideology (Ali, 2013). Europe experienced lay conciliation long before modern mediation: the conciliation commissions established by the Danish Crown in 1795 still operate today in Norway with lay members (Nylund et al., 2018; Ervasti, 2018). This historical background explains why the modern institution was often grafted onto an existing lay forum and why the imported "neutral and external" model so often underwent changes upon arrival.

The contemporary field emerged in the United States between 1969 and 1981 from two distinct origins. One root lies in the social movements of the 1960s, for which Danzig's (1973) proposal for a decentralized criminal justice system provided the intellectual foundation (Hedeen & Coy, 2000; Harrington & Merry, 1988). The other root lies in court reform: the first court-affiliated programs (Bradley & Smith, 2000) and the 1976 Pound Conference, at which Sander (1976) proposed the "multi-door court" (Coy & Hedeen, 2005). At the same time, the community movement created its own institutions, most notably the Community Councils in San Francisco, founded by Shonholtz in 1976–1977 based on Alinsky's model of neighborhood organization (Shonholtz, 2000). By 1998, there were approximately 650 programs (Hedeen & Coy, 2000).

The model spread in three waves. The first wave, in the early 1980s, reached the English-speaking world through personal visits and demonstration projects: New South Wales opened three centers in 1981 and made them permanent through the Community Justice Centres Act of 1983, the first legislative framework for community mediation in the Western world (Grange, 2014); in the United Kingdom, American and Australian visitors, along with Quaker courses in Philadelphia, laid the groundwork for the first services in 1984–1985 (Liebmann, 1998); the first Norwegian project (1981) and the Finnish experiment (1983) belong to the same wave (Ervasti, 2018). The second wave, beginning in the 1990s, reached Asia and continental Europe through legislation and study missions: In 1988, Sri Lanka established by law the first national system of mediation commissions in South Asia (Jayasundere, 2011); Singapore enacted legislation establishing community mediation centers in 1998 (Khan, 2013); the Netherlands explicitly adopted the San Francisco model in 1996 (Peper & Spierings, 1999); Colombia enshrined community conciliation in its constitution in 1991 (Pathfinders for Peaceful, Just and Inclusive Societies, 2023). The third wave, after 2000, was driven by development agencies and post-conflict reconstruction: The Asia Foundation in Nepal starting in 2002 (McGrew, 2013), USAID in Afghanistan, Uganda, and Colombia; the Madaripur model replicated in Malawi (Natividad, 2023); the *abunzi* committees legislated in Rwanda in 2006 (Mutisi, 2011); and European projects that resulted in the Coimbra manual (Almeida et al., 2014).

This spread did not entail a uniform replication. Three patterns were observed. Imported models were re-anchored within national structures: social services in the Netherlands, ministries of justice in Singapore and Sri Lanka, village committees in Nepal, and the administrative hierarchy in Rwanda. The premise of a neutral outsider was frequently abandoned in favor of authoritative figures within the community (local leaders in Singapore, appointed members in Sri Lanka, and elders and religious leaders in Uganda and Malaysia), consistent with the finding by Wall et al. (2010) that neutrality and confidentiality can be perceived as foreign and ineffective practices. The functions assigned to the institution varied by context: reducing court caseloads in Sri Lanka and Singapore, social cohesion in the United Kingdom and the Netherlands, integration of migrants in Italy, Portugal, and Ecuador, reconciliation in Nepal, Rwanda, and Cyprus, and "social harmony" in China.

5. Regional Overview of Models

5.1. *The United States*

The United States encompasses, within a single country, nearly the entire range of models found elsewhere. In 2011, the field included approximately 400 centers, 20,000 volunteer mediators, and 400,000 cases referred annually; three-quarters of the centers were independent nonprofit organizations with average budgets of approximately \$215,000, and only 0.9% are formally affiliated with the courts (Charkoudian & Bilick, 2015). There is no federal law; funding is organized in 16 states through surcharges on civil case filing fees or through allocations administered by the judicial system (Jeghelian et al., 2011). The defining feature of the model is its reliance on the courts: the share of court referrals rose from 44% in 1998 to 55% in 2014, with an additional 12% coming from the police and prosecutors' offices, so that only about 10% of cases come directly from the community, and neighborhood disputes account for only 4.3% of mediated cases (Hedeen & Coy, 2000; Charkoudian & Bilick, 2015). A program director's assessment has become the field's motto: "We didn't create an alternative to the courts. We have become an alternative to the courtroom" (Beer, 1986, p. 206). The volunteer corps is not representative: 85% are white and 72% have a college education, compared to 64% and 11% in the general population (Charkoudian & Bilick, 2015). The American trajectory can be interpreted as institutionalization through partial co-optation (Coy & Hedeen, 2005).

5.2. *The United Kingdom and Ireland*

The British model is the clearest example of community mediation focused on disputes between neighbors, carried out by the nonprofit sector without a legal basis. The first services were established in 1984–1985 by Anglican and Quaker clergy, and the coordinating body, Mediation UK, which had grown to 97 community services by 1997, went into liquidation in 2006–2007 (Liebmann, 1998). The economic rationale is clear: 823 pounds to evict a tenant, compared to 250–300 pounds for mediation. The predominant model is a charitable organization with a paid coordinator and volunteers; funding has shifted from grants to contracts for a predetermined number of cases (Liebmann, 1998; Simmonds, 2001). The national evaluation in Sheffield found that environmental protection departments referred less than 2% of noise complaints to mediation and that only 27% of accepted cases resulted in face-to-face mediation, while 40% resulted in shuttle mediation (Dignan, 1998). The British literature is characterized by sociological skepticism: Mulcahy (2000) showed that housing officials sent letters containing eviction clauses before referring the case to mediation, so that state coercion looms as a shadow over the sessions, and Liebmann (1998) concluded her book with an unresolved dilemma: if mediation is state-funded, does it become an agent of the state?

5.3. The Nordic Countries

The Nordic countries offer a model in which community-based mediation is provided by a public service established by law, staffed by lay volunteers, reflecting both the tradition of conciliation commissions and the direct influence of Christie (1977). The Norwegian Konfliktråd, established by law in 1991 and administered by the Ministry of Justice, is a free and voluntary service offered in all municipalities, handling approximately 7,500 cases per year, divided almost equally between civil and criminal matters; mediators are laypeople who receive modest compensation and often work in pairs (Rasmussen, 2018; Ervasti, 2018). Mørland (2000), however, warned that pressure to handle a high caseload could turn mediation into an additional court. Since 2007, Sweden has required municipalities to offer mediation to offenders under the age of 21, but the number of municipalities offering such services has fallen from 252 in 2008 to 181 in 2015–2016, and 70% of the offices employ professionals (Jacobsson et al., 2018). The Nordic example shows that a state-run service can maintain its secular, voluntary, and free nature while still being subject to professionalization and decline.

5.4. Western and Southern Continental Europe

Continental Europe has not adopted the model of the independent center but has integrated the mediation of everyday conflicts into municipal social policy, housing management, and the work of the public prosecutor's office. France illustrates two of the three profiles proposed by the Coimbra group (Almeida, 2014). *The Maisons de justice et du droit* (MJD), established in 1990 at the initiative of the public prosecutor's offices, increased criminal mediation from 10,000 to 40,000 cases between 1992 and 1996, but power remained in the hands of the public prosecutor's office, hence the nickname "les Maisons du Parquet" (Crawford, 2000). *Social mediation*, which emerged in public housing in the mid-1990s and was codified through an AFNOR standard, has 3,201 mediators, 70% of whom have state-subsidized contracts and only 22% of whom are certified in mediation (France Médiation, 2024).

The Dutch model of "*buurtbemiddeling*" is the closest European equivalent to the American volunteer-based center and the most socially integrated. The model, developed from experiments conducted in 1996 (Peper & Spierings, 1999), is standardized: the municipality and housing associations fund a program coordinated by a social services organization, with volunteers working in pairs, while a national center owns the methodology and certifies the programs. In 2015, 231 municipalities received over 12,000 cases, 70% of which were resolved (Binnenlands Bestuur, 2016); coverage reached 93% of municipalities (Center for Crime Prevention and Safety (CCPS), n.d.).

Germany does not have a community mediation movement. The functional equivalent is the lay conciliator of the municipal Schiedsamt, a 19th-century institution revived by § 15a EGZPO (1999), which allowed the states to make conciliation a prerequisite for resolving

neighborhood disputes. A federal assessment found that the number of cases in North Rhine-Westphalia rose from 1,628 in 1999 to 6,021 in 2002, and that the system kept less than 2% of local civil proceedings out of court (Röhl & Weiß, 2005). In Switzerland, the neighborhood center in Lausanne received no direct requests from neighbors who did not want others to know about their conflicts, and it closed in 2001 (Darbellay & Pinho, 2014). In Southern Europe, community mediation is more intercultural and social. In Italy, it consists of isolated municipal projects aimed at integrating immigrants, with mediators often reduced to the role of translators (Boldrini, 2014). In Spain, municipal services in Catalonia, the Basque Country, and Navarre are designed as public services of the local government in the name of a culture of coexistence (Pastor Seller, 2014; Carrera-Fossas & Brugué, 2025). In Portugal, the coordinator of the university office in Lordelo do Ouro acknowledges that the service practices “mediation for the community”, not community mediation, because the mediators are paid professionals (Neves, 2009, p. 490). The continental family is characterized by the host entity (municipality, housing agency, or public prosecutor’s office) and by the “European paradox”: settlement rates of approximately 75% coexist with the use of mediation in approximately 0.5% of court cases (Caser & Ramos, 2019).

5.5. Central and Eastern Europe

In Central and Eastern Europe, community mediation is a recent and fragmented phenomenon. Three configurations can be identified: community mediation as a participatory decision-making process at the municipal level, documented in Hungary, where crime prevention grants have funded the mediation of local conflicts and the training of residents (Németh & Szabó, 2021); the state-administered probation and mediation service in criminal matters, modeled after the Czech Service established by Law No. 257/2000 (Davronov, 2025); and administrative mediation between citizens and authorities, which has a legislative framework but limited practical application in Slovakia and Poland (Molitoris & Žofčinová, 2024; Włodyka & Kaczmarek, 2025). The region lacks an intermediate layer: a local, accessible, secular, or paraprofessional service for everyday conflicts.

5.6. Latin America

Latin American community mediation has two roots: reforms promoting access to justice championed by USAID and the Inter-American Development Bank, and an indigenous tradition of *justicia comunitaria*. The defining feature of the region is its legal framework: lay conciliators derive their authority from the constitution, and their agreements carry the force of court rulings. In Colombia, Article 116 of the 1991 Constitution and laws enacted between 1991 and 2001 established *the conciliador en equidad*—a person recognized by the

community and appointed by the judicial system who mediates pro bono in accordance with equity and whose settlement records have the same effect as a court ruling (Ramírez Torrado et al., 2012). The institutional vehicle is the Casas de Justicia program, launched with USAID in 1995, with 114 centers in 92 municipalities as of 2023 (Pathfinders for Peaceful, Just and Inclusive Societies, 2023); critical evaluations note 183,401 cases in 2013, but point to poor coordination and a lack of incentives for unpaid mediators (Villadiego Burbano & García Villegas, 2015). Brazil has moved from isolated programs—which trained residents of poor communities as community justice agents—to a national judicial policy through Resolution No. 125/2010 (Colombo & Passos de Freitas, 2016; Ferreira & Severo, 2021). Ecuador stipulates, under its 1997 law, that mediation agreements are as binding as a court ruling; state-run centers handled 6,683 cases in 2012, 86% of which were filed voluntarily (Pugh et al., 2017). The same authors’ study on Colombian refugees—32% of whom did not trust the police—found that having a nongovernmental organization accompany tenants to meet landlords, a “partial insider” practice, achieved agreement rates of about 80% where written invitations failed—one of the most direct empirical challenges to the premise of neutrality.

5.7. Asia

Asia is home to the largest systems and a wide variety of models. Chinese people’s mediation is the only system with national status, a mass-based organizational structure, and millions of cases. The committees, established in 1954, were codified by the 2010 Law, which declared mediation voluntary, made agreements binding, and required local governments to fund them (Congressional-Executive Commission on China, 2011). The literature is more subdued: the mediators’ repertoire is dominated by education and criticism (Wall & Blum, 1991), the practice is becoming more professional (Zhang, 2013; Song & Yu, 2025), and it remains unclear whether mediation serves the neutral resolution of disputes or “social harmony” (Congressional-Executive Commission on China, 2011).

Singapore serves as a benchmark for a ministerially administered system staffed by volunteers. The centers, established by law in 1998, are overseen by a unit within the Ministry of Law. Mediators are leaders of grassroots movements, appointed by the minister for a two-year term following a two-day workshop (Khan, 2013). Between 1998 and 2017, over 9,000 cases were mediated (Ministry of Law, Singapore, 2018). Recent data reveal a key weakness: of approximately 1,300 disputes registered in 2024–2025, in 50% of cases, one of the parties did not respond, and in 20%, they refused. This is why a unit was created to refer parties to mediation (Ministry of Law, Singapore, 2025), marking a shift from voluntary to state-directed dispute resolution (Quek Anderson, 2020).

Malaysia has two levels: the customary level, in which disputes are brought before the village chief or the imam (Wall & Callister, 1999), and the state program established by the 2012 Rukun Tetangga Act, which has no dedicated centers or specific regulations

(Khan, 2013). The Philippines has the oldest mandatory national community mediation system, the *Katarungang Pambarangay* (1978), in which disputes between residents of the same locality are referred to the *barangay* captain and a mediation committee before being brought to court. Sri Lanka has the most institutionalized legal system outside China. The commissions established under Law No. 72/1988—one per administrative division—are composed of appointed volunteers who have undergone 40 hours of training. In 2011, 302 commissions were in operation, handling approximately 100,000 disputes per year and resolving 60% of them (Jayasundere, 2011). Its defining features include mandatory mediation for disputes listed in the law, including minor assaults, the exclusion of lawyers, and lack of enforceability. Independent studies offer a more nuanced view: Welikala (2016) found widespread replication of formal procedures, while Jayasundere and Valters (2014) observed attitudes that do not promote gender equality, concluding that training and quotas would have only a modest effect because mediators are deeply rooted in local norms and practices.

Nepal represents the most developed form of the donor-supported network model. Community mediation was introduced by The Asia Foundation in 2002, alongside parallel programs from other donors; each village committee hosts a center with 27 volunteers, trained for eight days and selected to reflect caste, ethnicity, and gender; each party chooses its mediator from a photo display (McGrew, 2013; Suykens & Stein, 2014). By 2012, the foundation's network had registered 20,000 cases, 85% of which were resolved, through 4,800 mediators (McGrew, 2013). Suykens and Stein (2014) show that the centers operate in a "forum of choice" alongside politicized police officers and courts, and McGrew (2013) found that centers handed over to the government were operating less effectively, that half of the mediators were inactive, and that domestic violence, although prohibited, is often mediated. In Bangladesh, the Madaripur Association reformed the *shalish* in 1988 through training, the recruitment of women, and oversight, but the caseload dropped from 8,480 cases in 2006–2007 to 356 in 2019–2020, with no explanation provided in public data (Natividad, 2023).

5.8. The Middle East, Africa, and Oceania

Since 2003, Israel has built a network of over 75 municipal centers for mediation and community dialogue (the Gishurim program), with rabbis, sheikhs, and elders from the Ethiopian community serving as mediators (Sharaby, 2013; Li-On, 2009). In Turkey, there is no institutionalized community mediation; villagers turn to *muhtars*, imams, and elders, and written agreements are unnecessary where the presence of witnesses formalizes the understanding (Wall et al., 2010).

African community mediation has, in most cases, traditional origins, and the public policy issue is the extent to which the state should recognize, regulate, or replace it. At the statist extreme, Rwanda established, through Organic Law No. 31/2006, the *abunzi* committees,

with elected mediators and mandatory jurisdiction below a certain threshold (Mutisi, 2011); Doughty's ethnography (2014, 2016) describes them as top-down social engineering, in which mediation is a technique of governance involving coercion and resistance. South Africa stands at the opposite end of the spectrum, with a tradition of reconciliation based on *ubuntu*, but with no legislation and with underfunded services (Dheka, 2016). In Uganda, land disputes are referred to clan and religious leaders, with agreements frequently going unfulfilled; a legal aid consortium responded to this by launching a training program focused on written agreements (Avocats Sans Frontières et al., 2018).

The community justice centers in New South Wales, opened in 1981 and fully funded by the state and administered by the Attorney General's Department, were the first statutory service of their kind in the Western world (Grange, 2014). Recent history serves as a cautionary tale: in 2022–2023, 79% of mediated disputes were resolved, but the state government decided to close all centers in June 2025 (Local Government NSW, 2025). New Zealand adopted legislation in 1983, but the pilot program in Christchurch failed due to a lack of referrals (Grange, 2014).

Table 2. Comparative Matrix of the 24 Fully Coded Models

Model (country)	Legal Basis	Host / Funding	Mediators	Entry	Enforceable
U.S. – independent centers	None at the federal level; 16 states	NGOs; state, surcharges, foundations	Volunteers, 24–40 hours	55–67% court-referred; ~10% self-referred	No
U.S. – San Francisco	None	NGOs; foundations, then the city	Groups of 3–5 volunteers	~90% community	No
United Kingdom	None	Charitable organization; local contracts	Coordinator + volunteers, ~30 hours	Housing, police, self-referral	No
Norway – Konfliktråd	1991 Act	Ministry of Justice	Laypeople with modest compensation	Police/prosecutor's office; civilian	Criminal: alternative to prosecution
Netherlands – buurtbemiddeling	None	Social services; municipality + housing	Volunteers working in pairs	Housing, police, self-referral	No
France – social mediation	NF X60-600 standard	Associations; 70% grants	Salaried paraprofessionals	Presence in public spaces	Not applicable
France – MJD	1993 Law	Public Prosecutor's Office; state + municipalities	Associations, laypeople	Prosecutor's Office	Conditional dismissal
Germany – Schiedsamt	§ 15a EGZPO	Municipality; taxes, state	Elected lay conciliators	Mandatory (neighborhood)	Enforceable title
Spain/Portugal	Civil laws 2012/2013	Social services; EU funds	Professionals	Self-referral, social services	No
Hungary	Law LV/2002	Municipality + NGO; grants	Trained residents	Commissioned by the municipality	No

Model (country)	Legal Basis	Host / Funding	Mediators	Entry	Enforceable
Colombia	Constitution, Art. 116; laws 1991–2001	Ministry of Justice; USAID	Appointed, unpaid members	Self-referral	Acta = ruling
Brazil – CEJUSC (Judicial Centers for Conflict Resolution and Citizenship)	CNJ Resolution 125/2010	Courts	Trained residents	Court, community	Judicial recognition
Ecuador	1997 Law	Judicial Council; NGOs	Professionals	86% spontaneous	As a ruling
China	2010 Law	Residents' committees; local government	~3.2 million laypeople and employees	Committees; voluntary	Mandatory; confirmation
Singapore – CMC	1998 Act	Ministry of Law	Volunteer leaders, 2 days	Self-referral, agencies, magistrates	Unspecified
Malaysia – Rukun Tetangga	2012 Act	Department of National Unity	Committee volunteers	Self-referral	No
Philippines	PD 1508 (1978)	Barangay	Captain; lay committee	Mandatory preliminary	Enforceable
Sri Lanka	Law No. 72 of 1988	Ministry of Justice	Designated volunteers, 40 hours	Mandatory (statutory list)	No
Nepal	LSGA 1999; Law of 2011	Village committees + NGOs; donors	27 volunteers per village, 8 days	Self-referral, committee	No
Bangladesh – Madaripur	None	NGOs; donors	Committees, >25% women	Self-referral	Community pressure; mediation
Israel – Gishurim	Ministerial program	Municipalities; NGOs; ministry	Volunteers, rabbis, sheikhs	Self-referral, agencies	No
Rwanda – Abunzi	Organic Law 31/2006	Local government	Elected lay members	Mandatory below the threshold	Enforceable
Australia – NSW CJC (1981–2025)	Acts of 1980, 1983	Attorney General	Accredited, 54 hours	Police, courts, self-referral	Inadmissible in court
Malaysia/Turkey/ Uganda – customary	None	Chief, imam, elders	Insiders	All village disputes	Social pressure; witnesses

Source: Author's own compilation based on the sources cited in Section 5.

6. Comparative Analysis by Criteria

Legal basis. The models fall into three groups: no statutory framework (the United States at the federal level, the United Kingdom, the Netherlands, Switzerland, customary forums); legislation authorizing or funding the practice without regulating it (the 16 U.S. states, § 15a EGZPO, the Hungarian law, the Nepalese Local Self-Government Act); and enabling laws that create the institution, define its jurisdiction, and appoint mediators (NSW, Sri Lanka, Colombia, the Philippines, Singapore, Rwanda, China, Malaysia). However, an enabling law is neither necessary nor sufficient: the Netherlands achieved nearly universal coverage without a law; the Nepalese law remained unenforced for years while NGOs handled tens of thousands of cases; and the 1983 New Zealand law resulted in a failed pilot program (Grange, 2014). What laws ensure is enforceability and mandatory jurisdiction.

Relationship with the government and the courts. This criterion gives rise to the most profound divergence. The “independent but dependent” model (United States, United Kingdom) combines formal organizational autonomy with functional dependence on public agencies for caseloads and funding: referrals from the courts rose from 44% in 1998 to 67% in 2014 (Hedeen & Coy, 2000; Charkoudian & Bilick, 2015), and in British services, the funders and sources of cases are the same housing departments (Mulcahy, 2000). The administrative model places the service within a ministry, a court, or a local government (Norway, Singapore, Sri Lanka, Colombia, Rwanda, China); here, the issue of co-optation does not arise, because there was no “outside,” and the relevant questions become bureaucratization and the preservation of secularism (Mørland, 2000; Quek Anderson, 2020). The “outside” position (traditional forums, community councils, the Toronto service) is the purest expression of the ideal of empowerment and the least sustainable: the councils accepted funding from the city in 1984, and by 1989, half of their budget came from the state (Merry & Milner, 1993), while the Toronto service closed (Pincock, 2013). The mandatory element transcends these positions, and the data on its effects are mixed: in Germany, mandatory mediation quadrupled the volume of cases handled by mediation offices but kept fewer than 2% of civil cases out of court, and settlement rates declined (Röhl & Weiß, 2005); in Sri Lanka, mandatory mediation generates 100,000 cases per year but leads to the mediation of offenses that international standards would exclude (Jayasundere, 2011). Without external impetus, however, voluntary services handle few cases: in Maryland, only 15–40% of referred cases are actually mediated (Charkoudian & Wilson, 2006), and in Pennsylvania, about 19% (Beer, 1986).

Host and funding. The host determines the funding model, and this determines the program’s survival. Funding from the justice budget (Norway, Sri Lanka, Singapore, NSW, New York, Maryland) is the most stable and most subject to judicial priorities; the closure of centers in NSW in 2025 shows that even a statutory service that has been in place for forty years can be abolished by a budgetary decision. Municipal and housing funding has achieved 93% coverage in the Netherlands but leaves British charities vulnerable to the shift from grants to contracts, and social policy grants transform French mediation

into an employment program. Donor funding (Nepal, Bangladesh, Uganda, and the first Community Councils) leads to rapid expansion and equally rapid contraction: Madaripur dropped from 8,480 to 356 cases, Nepalese centers deteriorated after handover, and the Councils closed three of their six offices in 1984 (Natividad, 2023; McGrew, 2013; Merry & Milner, 1993). In American studies, the business model “seems to condemn the centers to a short-lived but idealistic existence” (Baron, 2004, p. 140). Only the models adopted by the state as a permanent public service, enshrined in law and the budget, have escaped this precariousness.

Mediators. The identity of the mediator is the criterion on which the models differ most significantly. The trained volunteer (U.S., United Kingdom, Netherlands, Singapore, Sri Lanka, Nepal) receives between two and eight days of training and mediates free of charge; the weaknesses are well documented everywhere: an unrepresentative profile, high turnover, and inactivity (Charkoudian & Bilick, 2015; Merry & Milner, 1993; McGrew, 2013). The paid layperson (Nordic services, *Schiedsamt*) combines layperson status with a public appointment and is the profile that Christie’s followers consider the best safeguard against professionalization (Ervasti, 2018). Paraprofessionals or professionals (France, Spain, Portugal, Italy, Ecuador) are salaried employees trained in social work, psychology, or law, and Neves (2009) acknowledged that such a service is “mediation for the community”. Insiders with authority (village chief, imam, elder, equity mediator) derive their legitimacy from social status, and data from Malaysia, Turkey, Uganda, and Ecuador show that, in these contexts, insiders are more accessible and perceived as more effective (Wall & Callister, 1999; Wall et al., 2010; Pugh et al., 2017)—a descriptive, not causal, finding. Gender follows the same pattern: women constitute the majority among American and British volunteers, are marginal in Sri Lanka, and are nearly absent from traditional forums (Jayasundere, 2011; Natividad, 2023).

Case intake and case types. The referral source defines the caseload.. Where the service is fed by the courts, the cases reflect court dockets, and neighborhood disputes account for only 4% of the cases (Charkoudian & Bilick, 2015). When fed by the housing sector, the cases are neighborhood disputes, half of which involve noise (Sacro/Scottish Community Mediation Centre, 2024; Binnenlands Bestuur, 2016). Where mediation is a mandatory step, the caseload is defined by law. In traditional systems, all cases, including domestic violence and homicides, are first sent to a mediator, and the outcome is often negotiated as compensation (Wall & Callister, 1999; Wall et al., 2010). Self-referral, the movement’s ideal, is the least common channel almost everywhere (7–10% in the United States; Charkoudian & Bilick, 2015).

The Process and enforceability. The facilitative, interest-based process has become the common language of the field, but has adapted in three ways: shuttle mediation is much more common than joint sessions in the United Kingdom and is rejected on principle by the inclusive school in Maryland (Dignan, 1998; Harmon-Darrow et al., 2020); traditional forums rely on deliberation, moral persuasion, and ritualistic closure, while Chinese

mediators educate and offer criticism (Wall et al., 2010; Wall & Blum, 1991); and many systems are in fact med-arb, ranging from *the shalish*, which relies on majority decision, to the Rwandan committees, which make decisions (Natividad, 2023). Enforceability distinguishes formalized models from informal ones: agreements are court rulings in Colombia and Ecuador, judicially enforceable in China and Brazil, enforceable titles in Germany, and mere contracts or nothing at all in the United States, the United Kingdom, Sri Lanka, and Nepal (Suykens & Stein, 2014; McGrew, 2013). The trade-off is clear: enforceability increases compliance with agreements and state investment, but pushes the institution toward adjudication.

Results and evaluation. Settlement rates of 60%–90% are reported almost everywhere, but they measure different metrics, different outcomes, and self-selected populations. More revealing figures are the conversion rates from referral to mediation: 15–46% in the United States, 27% in the United Kingdom, and at most 30% in Singapore. The key constraint for any voluntary model is not the mediator’s competence, but the parties’ willingness to participate. The few studies with comparison groups remain nearly the only causal evidence: Charkoudian (2005) found that mediation reduced police calls by approximately 8.5 per case over six months in Baltimore, and studies in Maryland indicate a reduction in return to court (Harmon-Darrow et al., 2020). Community-level outcomes remain unmeasured: the only rigorous trial found effects on volunteers, not on neighborhoods (Merry & Milner, 1993; Pincock, 2013).

Socio-political context and purpose. Models differ in terms of the problem they are designed to solve, and this difference explains many of the other variations. Where the problem is court backlogs (Sri Lanka, Singapore, Germany), the institution is designed to handle caseloads; however, the objective is rarely achieved, with the New York State network handling approximately 1.25% of court cases (Hedeen & Coy, 2000). Where the issue is quality of life (the United Kingdom, the Netherlands, French public housing estates), the institution serves as an early intervention service attached to housing authorities and the police. Where the issue is integration (Southern Europe, Israel, Ecuador), mediators are intercultural workers. Where the issue is post-conflict reconstruction (Nepal, Rwanda, Colombia), mediation is justified as a means of reconciliation and state-building, and is thus subject to politicization (Suykens & Stein, 2014; Doughty, 2014). Where the issue is political stability (China), the institution functions as a mass-based governing body. The same technique, in Bonafé-Schmitt’s (1992) words, “has no pure models” (p. 180): its purpose is determined by the political system that adopts it.

7. A Typology of Community Mediation Models

7.1. Classification Criteria

Existing typologies have been based on a single dimension: the sponsoring entity (Wahrhaftig, 1982), the source of cases (Shonholtz, 2000), the assimilative, synergistic, or autonomous relationship with the courts (Coy & Hedeén, 2005), mediation as dispute resolution, social regulation, or integrated intervention (Almeida, 2014), and the mandatory nature of participation and agreements (Natividad, 2023). Each has a limited perspective: American classifications assume an independent center, European classifications a social policy framework, and development-focused classifications a traditional basis. The comparison suggests that a classificatory dimension and a descriptive one, applied in sequence, best differentiate the set of cases. The first is the source of support and legitimacy: civil society, the judicial system, local social and administrative bodies, external donors, or custom and religion. The second is the degree of formalization: voluntary or mandatory participation, mandatory or non-mandatory outcomes, lay or professional mediators, and facilitative or adjudicative processes.

Two coding rules apply. First, the dominant source of legitimacy and funding determines the type; a case is assigned to the institution from which it derives its existence and budget, not the one that manages it operationally. Thus, the Norwegian Konfliktråd is Type II, even though half of its cases are civil, because its legitimacy and the primary referral channel stem from the criminal justice system; the Singaporean centers are Type III, even though participation is voluntary, because they are established by law and administered by a ministry; the Gishurim centers are Type IV, even though the program is run by a ministry, because the service is provided by municipalities as a social policy. Second, the degree of legalization is described within each type as a typical feature, not as an exclusionary criterion. The typology is, therefore, a classification ordered according to the source of legitimacy, with legalization as a secondary dimension, and does not claim the exhaustiveness of a taxonomy.

7.2. The Six Types

Type I, the civic-volunteer center: an independent nonprofit organization, led by a community council, with a paid coordinator and volunteer mediators, which offers free facilitative mediation for interpersonal and neighborhood disputes; civic sponsorship and a low level of legalization. Its weakness is its dependence on resources: unable to generate cases or revenue solely from the community, it becomes a hybrid of Type II or IV. Its strength is normative: it is the only type that fully embodies self-determination and serves as a benchmark against which all others are evaluated.

Type II, the service attached to the justice system: situated within the justice system or contracted by it, it uses volunteers or designated laypeople for cases referred by that system;

moderate legalization, with referrals that are voluntary in form but coercive in practice. This is the destination that the literature on co-optation describes for Type I, but it also appears in the Nordic and Australian models, as a deliberate public project. Its pathologies are coercion, “mass justice,” and evaluative deviation (Hedeen & Coy, 2000; Crawford, 2000), and its strength is its scale.

Type III, the community-based commission established by law: a national institution created by law, administered by a ministry or local government, with mediators appointed or elected from the community and defined jurisdiction under state administrative oversight, with a high degree of legal formalization. The characterization as “mandatory in most cases” reflects a trend: only Sri Lanka, the Philippines, and Rwanda have mandatory jurisdiction. This type predominates outside the North Atlantic. Its strengths include coverage, volume, and low cost, while its weaknesses include the replication of judicial procedures in a supposedly informal forum (Welikala, 2016), mediation of domestic violence (Jayasundere, 2011), and, in authoritarian states, the subordination of the parties’ autonomy to “harmony” (Doughty, 2014).

Type IV, the municipal social mediation service: organized by a municipality, public housing agency, or social welfare organization as an instrument of social policy; provided by volunteers (the Netherlands, Israel), paraprofessionals (France, Italy), or social workers (Spain, Portugal) who address neighborhood conflicts as part of a broader mandate; locally funded, with limited legal involvement. Its weaknesses include the dilution of dispute resolution into general social work (Neves, 2009), dependence on subsidized employment programs, and a drift toward “community policing”. Its strengths include integration into services that citizens already use and independence from the courts.

Type V, the donor-supported network: village- or neighborhood-level centers established by an international donor through national NGOs, with locally selected volunteers, brief training, non-binding agreements, and a plan for handover to the local government. This type has generated the highest volume of cases outside statutory systems and the most deliberate inclusion of women. Its shortcomings include sustainability, politicization, and forum selection based on self-interest (Suykens & Stein, 2014; McGrew, 2013; Natividad, 2023).

Type VI, the traditional and hybrid forum: dispute resolution by individuals whose authority derives from traditional, religious, or community positions, with or without state recognition. Legal recognition ranges from nonexistent (Malaysian and Turkish villages, Ugandan clans) to partial recognition (Indonesia, Israeli ethnic mediators) to full legal incorporation when the forum becomes a Type III institution (Rwanda, the Philippines). The process is deliberative, agreements are enforced through social pressure, and the mediator is an insider to the conflict. Its strengths are accessibility and legitimacy, while its weaknesses are co-optation by elites, gender exclusion, and the resolution of serious crimes outside the law. Hybrid forms (the reformed *shalish* and trained elders in Uganda) attempt to preserve the legitimacy of Type VI by incorporating the safeguards of Types I and V.

Table 3. Typology of Community Mediation Models

Type	Sponsorship / Legitimacy	Legalization	Mediators	Examples	Strength	Pathology
I. Civic-Volunteer Center	Civil Society	Low	Volunteers	U.S. (community-based); United Kingdom; Canada; Switzerland	Self-determination	Resource dependence, transition to II/IV
II. Service Attached to the Judiciary	Courts, prosecutors' offices, ministry	Moderate	Volunteers or paid laypeople	NJC,s NY, MD; NSW; Schiedsamt; CEJUSC; MJD; Norway	Scale, stable funding	Coercion, evaluative bias
III. Statutory Commission	State, by law	High	Appointed/elected lay members	Sri Lanka; Philippines; Rwanda; Singapore; Colombia; China	Wide coverage, high volume, low cost	Legalism, mandatory mediation of violence, control
IV. Municipal social mediation	Local government, housing	Low	Volunteers, paraprofessionals, professionals	Netherlands; France; Spain; Portugal; Italy; Israel; Hungary	Integration into local services	Dilution into social assistance, subsidies
V. Donor Network	Donors through NGOs	Low→medium	Local volunteers	Nepal; Bangladesh; Afghanistan; Uganda; DRC	Reach, inclusion, evaluation	Sustainability, politicization
VI. Traditional/hybrid forum	Tradition, religion, community	None→high	Insiders	Malaysia; Turkey; Uganda; Indonesia; sulha; shalish	Legitimacy, cultural appropriateness	Elites, gender exclusion

7.3. Common, Distinctive, and Specific Elements

Six elements are present in the vast majority of models and form the common core—as trends, not as invariants, since each has exceptions (committees make *most* decisions; Ecuador and Lausanne charge fees; Spain and Portugal use professionals): a third party with no decision-making power on the merits; local-level conduct; the secular or community-based legitimacy of the mediator, with the explicit exclusion of lawyers in Sri Lanka and the implicit exclusion within the American volunteer ethos; free access or access at a nominal cost; a rationale that extends beyond the individual case, in terms of cohesion, harmony, or reconciliation, which distinguishes community mediation from commercial or judicial mediation; and, less encouragingly, a reliance on referrals, since no volunteer model generates a sustainable caseload solely through self-referral.

The distinguishing elements, in descending order of their ability to differentiate between types, are as follows: the source of funding, which determines stability; the source of cases and the purpose; the mandatory nature of participation, which determines volume and the risk of coercion; enforceability, which determines compliance with agreements and legal formalism; the mediator's status, which determines the style of the process and

representativeness; the scope of the mandate, which predicts whether the institution is viewed as a justice service or as social policy; and the degree of state penetration, which predicts whether the critical issue is co-optation (Types I, II) or control (Types III, VI).

Certain features are specific to a single model and represent genuine institutional innovations: the Community Councils' refusal to accept cases referred by courts and their groups of three to five neighbors (Merry & Milner, 1993); inclusive mediation in Maryland, the only model that dispenses with separate sessions and ground rules (Harmon-Darrow et al., 2020); the Schiedsamt, the only European community institution whose agreements are directly enforceable, and the only European experiment in mandatory lay conciliation that has been evaluated at the national level (Röhl & Weiß, 2005); Dutch certification of programs, not mediators; selection of mediators via photographs in Nepal; and constitutional delegation of judicial power to unpaid conciliators in Colombia.

8. Effectiveness and Evaluation: What the Data Show

The title of Hedeén's (2004) paper—which states that limited research suggests unlimited progress—still describes the current state of knowledge. Four conclusions can be drawn. First, mediated cases are resolved at high rates, and participants report high satisfaction across all systems that measure it, regardless of type: 60–89% in U.S. programs, 70% in the Netherlands, 60% in Sri Lanka, 69–85% in Nepal, over 70% in Singapore, and 79% in NSW. Alberts et al. (2005) add that satisfaction and the perception of fairness are determined by the mediator's facilitative behavior, not by their legal qualifications, which validates the lay model on its own terms. Second, the conversion rate of referrals to mediation is low wherever the process is voluntary, and this—not the failure to reach an agreement—is the limiting constraint. Third, causal evidence regarding effects beyond the individual case is rare but not nonexistent. Charkoudian's (2005) study remains the best-designed: calls to the police decreased by about 0.33 per week for each mediated case, with the estimate increasing after adjusting for selection bias. Cases referred by the prosecutor in Maryland were nearly five times less likely to return to criminal court within a year (Harmon-Darrow et al., 2020), while the German evaluation showed that mandatory mediation does not significantly reduce court caseloads (Röhl & Weiß, 2005). Fourth, the effects at the community level remain unproven: the San Francisco study found that the impact on those who manage problems is greater than on those whose problems are managed (Merry & Milner, 1993), and Pincock (2013) concluded that claims regarding capacity building should be scaled back and reconceptualized, rather than abandoned. Claims regarding cost-effectiveness are plausible but are based on rarely tested counterfactual assumptions.

Methodological weaknesses are common to all systems: administrative and self-reported indicators, self-selected populations, virtually absent comparison groups, data reported by implementers, variable definitions of "case" (Gazley et al., 2006), and non-operationalized community-building objectives. The agenda proposed by Charkoudian and Bilick (2015)

—measuring outcomes beyond agreement, using comparison groups, and focusing on who is actually being served—applies to all countries. For a jurisdiction designing a new system, the implication is that evaluation must be integrated into the institution from the outset, with the definition of the case, outcomes, and comparison strategy established before the first mediation session.

9. Critical Perspectives

Based on this comparison, the critical literature proves to be largely justified in its diagnoses, if not in its recommendations. Five lines of criticism were identified across all models.

Co-optation and expansion of state control. Abel's thesis (1982), Harrington's demonstration (1985) that neighborhood justice centers resolved cases referred by the courts, and Coy and Hedeén's (2005) phased model are confirmed by U.S. referral statistics and the "shadow" role of British housing departments. The French MJD, which is less an alternative justice system than a rapid response where the public prosecutor's office would not have acted (Crawford, 2000), extends this analysis to Europe. The poststructuralist perspective is also confirmed: Mulcahy's (2000) mediators channeled collective grievances upward, and in Nepal, residents used state institutions against other state institutions (Suykens & Stein, 2014).

The ideology of harmony and second-order justice. The arguments of Nader (1990) and Fiss (1984) find their strongest confirmation not in the United States but in China and Rwanda, where calls for unity are linked to broader forms of cultural control (Doughty, 2014). The objection of "second-order justice" is acknowledged even by its proponents (Bonafé-Schmitt, 1992; Mackay & Moody, 1996). The comparison adds a nuance: where the alternative is not the court but the absence of any forum (rural Nepal, the Congolese land conflict, villages in Bangladesh), the objection loses much of its force, and the relevant question becomes the quality of the existing forum.

Power, gender, and violence. The warnings of Grillo (1991) and Delgado et al. (1985) are most clearly borne out outside the North Atlantic: mandatory mediation of assaults in Sri Lanka "trivializes issues related to domestic violence" (Jayasundere, 2011, p. 6), Nepalese mediators mediate domestic violence despite the ban (McGrew, 2013), and Afghan jirgas exclude women and accept the transfer of girls as compensation (Natividad, 2023). American and European models have responded with pre-mediation assessment (Gazley et al., 2006), exclusion (Singapore), and, in Europe, by prohibiting mandatory alternative dispute resolution procedures in cases of violence, pursuant to Article 48 of the Istanbul Convention.

Structural causes. European practitioners are the most candid about the limitations: mediation cannot change the parties' economic and political environments (Sacro/Scottish Community Mediation Centre, 2024); some problems are structural, and mediation of human consequences will always fail (Simmonds, 2001); "collective impact requires

collective goals” (Neves, 2009, p. 490). Type IV models have responded by expanding their mandate toward social intervention, with the risk of treating social problems as individual problems (Neves).

Cultural transfer and the premise of neutrality. The final criticism is the one most strongly supported by comparison: the model of the neutral, outside, facilitative, and confidential mediator is not universally appropriate. It failed in New York’s Chinatown, where the parties expected directive techniques from elders (Smith, 2000); it is perceived as foreign and ineffective by Kurdish villagers (Wall et al., 2010); it is superseded by insider accompaniment among refugees in Ecuador (Pugh et al., 2017) and is culturally reinterpreted by commissions in Sri Lanka (Welikala, 2016). The lesson is not to abandon the model but to recognize that neutrality, confidentiality, voluntariness, and facilitation are separable components, to be redefined in each context, as proposed by Lederach’s elicitive approach (1995).

10. Discussion: Implications for Institutional Design

This comparison supports four conclusions with implications for institutional design. First, community mediation is a family of institutions rather than a single model. The tendency in American literature to treat the civic center as the norm and the rest as deviations obscures the fact that, when measured by coverage and sustainability, the statutory commission and municipal service are the dominant forms in the cases analyzed, with the caveat that the share of Type III in terms of volume is accounted for almost entirely by China.

Second, every choice regarding the dimensions of differentiation incurs a documented cost. Judicial sponsorship brings scale and constraint; municipal sponsorship brings integration and dilution; mandatory participation brings volume and the mediation of unmediable cases; donor funding brings coverage and collapse; traditional legitimacy brings acceptance and exclusion; and civic independence brings integrity and poverty.

Third, the evidence base is uneven, and the strongest claims are poorly supported. A new system should justify itself based on the objectives supported by the evidence (accessible, rapid, and inexpensive resolution of everyday disputes, with measurable reductions in repeated calls to the police, housing authorities, and courts), while keeping transformative objectives as the long-term goal and developing the means to test them. This caution transforms the conceptual test of community mediation—the production of effects at the community level—from a criterion for initial justification to a criterion for evaluation.

Fourth, transfer implies adaptation to new contexts. If “success” is understood narrowly—as sustainability for at least a decade without dependence on a single project, a sustainable flow of cases, and the existence of an evaluation independent of the institution that administers or funds the service—only five of the coded models fully meet these criteria: American civic centers, Dutch neighborhood mediation, the Schiedsamt, the Colombian system, and, until 2025, the centers in NSW. The Nordic, British, and French models

partially meet these criteria; the Asian Type III models are sustainable and have a steady caseload but lack independent evaluation; and donor-supported models do not meet the sustainability criterion. This consequence is twofold. The common core identified in Section 7 remains a descriptive observation about the entire family of models, including unsuccessful cases, rather than a lesson drawn from successful models. The elements that a project designer can confidently adopt (co-mediation with volunteers, structured referrals from agencies that receive complaints, free services, integrated evaluation from the outset, and state anchoring with autonomous governance) come from the five models that meet the criterion, while the others serve as cautionary examples for the project designer.

Sustainable implementations have, almost without exception, re-anchored the imported model within a national institution already trusted by the public—one that was the first point of contact in the event of a conflict (the social assistance organization in the Netherlands, the Ministry of Law in Singapore, the village committee in Nepal, and the barangay in the Philippines)—and adapted the mediator’s profile to the type of person the population accepts as a legitimate intermediary. The failures (the New Zealand pilot, the center in Lausanne, and the Chinatown project) were failures of anchoring, not of technique. The rule has its limits: the closure of the centers in NSW after 44 years shows that anchoring is a condition for sustainability, not a guarantee against budgetary decisions. For a jurisdiction without a tradition of secular dispute resolution, the comparison points to a hybrid between Types III and IV: a service hosted by local authorities, with a clear legal basis and modest jurisdiction over neighborhood disputes, mediators recruited from the community and trained to a standard, free access, voluntary participation supported by a structured referral system, legal effect of the agreement at the parties’ discretion, explicit exclusion of violence, and evaluation designed from the outset. “Hosting” refers to providing the legal basis, funding, and referral channels, not managing the service. In the terminology of Dolowitz and Marsh (2000), these conditions are measures to prevent uninformed, incomplete, and inappropriate transfer.

11. Conclusions

This article described community mediation models from nine regions, compared them across eight criteria, and derived from this comparison a typology of six types, ordered according to the source of legitimacy and funding. Its contribution is threefold. Descriptively, it analyzes cases from all regions using the same criteria. Analytically, it shows that the models converge toward a narrow core and diverge precisely on the dimensions that matter for design, with each option having a documented cost. Evaluatively, it shows that the field’s most frequent claims—those regarding community building—are the least supported, while the effects on conflict recurrence benefit from limited but solid causal evidence.

The limitations stem from the documentary nature of the study: the descriptions rely on secondary sources with varying reference data, the quantitative indicators are not directly

comparable, and the selection favors well-documented and enduring cases. Three research directions emerge: systematically updating the case studies with recent institutional data, particularly for Asian and Latin American models, where independent evaluation is lacking; testing the typology on cases not included here, primarily from Central and Eastern Europe and Africa, where configurations not covered by the six types may arise; and, most importantly, designing evaluations with comparison groups to measure the effects on the recurrence of conflicts and, if possible, on community cohesion—the only way in which the movement’s founding assertion can move from hypothesis to fact.

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Taiwan Strait Conflict Management: Informal Deterrence (2022–2026)

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Abstract: This article examines how the United States maintained meaningful but conditional security support for Taiwan from 2022 through 22 April 2026 without a formal mutual-defense treaty. It develops informal deterrence as a middle-range framework organized around credibility signaling, ambiguity maintenance, and escalation management. Using theory-guided qualitative document analysis and structured, focused comparison of official US, Chinese, and Taiwan materials, the study traces presidential statements, policy clarifications, legislation, security assistance, force posture, and crisis communication across major policy episodes. The findings show that institutionalized security support was more durable than presidential rhetoric; as support became clearer and more institutionalized, policy uncertainty became concentrated in the conditions, scope, form, and timing of direct US military intervention; and escalation management remained relational and reversible because communication depended on reciprocal participation. Informal deterrence is therefore best understood not as a midpoint between strategic ambiguity and strategic clarity, but as an asymmetric and conditional policy configuration whose components differ in institutional durability and degree of unilateral control.

Keywords: Informal deterrence, Taiwan Strait, strategic ambiguity, conflict management, US-China relations.

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1. Introduction

The Taiwan Strait is one of the potential flashpoints in contemporary international politics with the greatest risk of escalation. The danger stems not only from US-China military competition, China's military pressure on Taiwan, or political developments in Taiwan in isolation, but also from the interaction of these factors in the absence of shared expectations about crisis boundaries. For the United States, the problem is especially complex: Washington must persuade Beijing that the use of force against Taiwan could carry higher costs while continuing to avoid an automatically applicable mutual-defense obligation (United States Congress, 1979; Ye, 2022). Taiwan Strait security is therefore not only a problem of deterrence, but also one of managing stronger security support without allowing commitments, misperception, and escalation risks to become uncontrolled (Huth, 1988; Harris & McKinney, 2024; Swaine, 2026).

Since 2022, this problem has become more pronounced. Changes in presidential statements on Taiwan, high-level political interactions, security assistance, regional military posture, and US-China crisis communication have renewed debate over whether the United States is moving from strategic ambiguity toward strategic clarity. Yet placing these developments on a simple ambiguity-clarity continuum obscures a more basic conflict-management problem: formal defense commitments are not the only way security support acquires political effect, and stronger deterrent signals do not necessarily produce more stable crisis relations. Existing research has shown that commitment clarity, military credibility, and crisis stability are not linked in a simple linear relationship (Ye, 2022; Wang et al., 2024; Chan, 2026).

This article therefore shifts attention from whether US policy toward Taiwan should be labeled "ambiguous" or "clear" to how security commitments operate without a formal alliance. It uses informal deterrence as a middle-range analytical concept. The aim is not to predict what the United States would necessarily do in a future war, but to explain how security support acquires a credible basis while direct military intervention remains conditional, and how such an arrangement confronts escalation pressures generated by multiple signals and crisis interactions.

This perspective makes two contributions. First, it separates the practical strength of support for Taiwan from the degree of formal legal commitment, avoiding the assumption that an explicit defense guarantee is the only meaningful measure of a security relationship. Second, it treats the Taiwan Strait as an interactive conflict-management environment rather than a policy space in which the United States alone designs and transmits deterrent signals. Signal effects depend on how different audiences interpret and respond to them, leaving an element between policy design and crisis outcomes that the sender cannot fully control (Jervis, 1976; Huth, 1988).

The article thus poses a narrower but more concrete question for Taiwan Strait conflict research: as security competition deepens in the absence of a formal alliance, how does the United States maintain meaningful but conditional third-party security support?

Addressing this question helps reinterpret US policy since 2022 and shows why deterrence credibility and conflict management cannot be treated as separate policy tasks in highly sensitive international disputes.

2. Literature Review

2.1 Strategic Ambiguity and Strategic Clarity

Debate over strategic ambiguity in the Taiwan Strait draws on broader theories of deterrence, coercive diplomacy, and crisis signaling. Schelling (1960, 1966) conceptualizes deterrence as a bargaining process in which threats, commitments, and the manipulation of risk shape an adversary's expectations. Military capability does not automatically generate a deterrent effect; it matters politically only when translated into a perceived possibility of intervention and expected costs. Nor must a deterring state fully specify its future actions. Some uncertainty can preserve policy flexibility while forcing an adversary to consider a wider range of risks. George and Smoke (1974) likewise argue that deterrence outcomes depend on the specific crisis context, political objectives, capabilities, and the adversary's interpretation of signals, rather than simply on whether threats are sufficiently explicit.

This tradition provides a foundation for understanding US strategic ambiguity toward Taiwan. Strategic ambiguity is commonly treated as a form of "dual deterrence" directed at both Beijing and Taipei. The United States does not rule out intervention in a Taiwan Strait conflict, leaving Beijing uncertain about whether the use of force would trigger a US response and at what cost. At the same time, Washington does not offer Taiwan an unconditional defense guarantee, reducing incentives for Taipei to alter the status quo on the assumption of automatic US support. Strategic ambiguity is therefore more than a refusal to state publicly whether the United States would defend Taiwan; it is a triadic security arrangement that combines deterrent and restraining signals (Ye, 2022; Wang et al., 2024).

Recent scholarship has moved beyond the question of whether the United States should simply retain strategic ambiguity. It increasingly asks whether ambiguity can still deter, restrain, and manage conflict amid shifts in the US-China balance of power, growing Chinese military pressure on Taiwan, and more complex crisis signaling. Ye (2022) argues that US Taiwan policy has not evolved along a single trajectory from ambiguity to clarity, but reflects changes in broader US China strategy, Taiwan's policy toward the United States, and the cross-Strait security environment. Wang et al. (2024) propose "dual clarity": clearer warnings to Beijing against the use of force combined with clearer opposition to unilateral changes by Taiwan. Ambiguity and clarity may therefore coexist in different forms rather than constitute mutually exclusive policy choices.

Arguments for greater strategic clarity focus primarily on declining deterrence credibility and changes in the military balance. Roi and Lyon (2024) emphasize capability,

commitment, and communication, arguing that deterring a large-scale Chinese attack requires more credible US capacity and political willingness to intervene. Cote (2022), however, distinguishes a full-scale invasion from limited coercion: the United States may be able to signal more clearly against a major attack than against blockades, gray-zone operations, or other coercion below the threshold of war. The effects of strategic clarity must therefore be assessed against specific crisis types.

This debate also intersects with extended-deterrence theory. Huth (1988) conceptualizes extended deterrence as a triadic relationship among the deterring state, the protected party, and a potential challenger. Its effectiveness depends not only on aggregate capabilities but also on the local military balance, prior crisis experience, diplomacy, and crisis communication. His analysis suggests that credible commitments need not be unconditional and that retaining room for adjustment may, under some conditions, help reconcile credibility with crisis stability. US commitments to Taiwan should therefore be evaluated not only by whether Washington explicitly promises to fight, but also by the capabilities, signals, and political boundaries relevant to different crisis scenarios.

2.2 Deterrence, Reassurance, and Escalation Management

A second body of research argues that clearer security commitments do not necessarily stabilize the Taiwan Strait and may instead intensify security dilemmas, misperception, and escalation. Jervis (1976) shows that states do not interpret threats and assurances mechanically according to the sender's intent; signals are filtered through prior beliefs, historical experience, and cognitive biases. His security-dilemma framework further explains how military measures intended to improve one state's security can be read by another as preparation for attack, producing mutually reinforcing hostility (Jervis, 1978). In the Taiwan Strait, US arms sales, deployments, or alliance coordination described in Washington as defensive may be interpreted in Beijing as evidence that the United States is changing the status quo or supporting permanent separation (Harris & McKinney, 2024; Bai & Yoder, 2026).

Harris and McKinney (2024) challenge the linear assumption that more capability, greater credibility, and faster action necessarily improve deterrence. Under power transition and deepening mutual suspicion, greater certainty, severity, and immediacy of threats may be interpreted as preparations for attack, increasing the risks of miscalculation and preventive action. Drawing on extended deterrence and historical cases, Chan (2026) similarly argues that neither strategic ambiguity nor strategic clarity automatically eliminates war risk; clarity can stabilize only under particular military, communicative, and political conditions. Wang (2025) likewise views strategic ambiguity as an important component of Taiwan Strait stability but calls for recalibration in response to changes in Chinese capabilities, intentions, and coercive methods. The central issue is therefore not whether commitments should simply become clearer, but what forms of clarity can strengthen deterrence without creating new escalation pressures.

This critique has encouraged a shift from deterrence alone toward conflict-management frameworks that combine deterrence with reassurance. Bai and Yoder (2026) argue that stronger US military deployments can improve denial capabilities while also encouraging Chinese leaders to conclude that the window for peaceful unification is closing, thereby increasing incentives for preventive action. They therefore advocate pairing military strengthening with reassurance and limited reintegration: dispersed and survivable denial capabilities should be accompanied by reaffirmation of the one-China policy and avoidance of language suggesting a permanent strategy to prevent unification. Swaine (2026) similarly emphasizes misperception control, crisis communication, and escalation-management mechanisms in assessing pathways to stability.

Fearon's (1997) distinction among costly signals provides a further tool for analyzing US policy. States can "tie hands" through public commitments, legislation, and domestic political statements that make later retreat costly, or incur sunk costs through deployments, arms transfers, and resource commitments. Applied to the Taiwan Strait, this suggests a cumulative interpretation: political statements, congressional support, arms transfers, and regional military presence may strengthen the observable basis of security support and potential intervention even without a formal defense treaty. Higher costs, however, do not necessarily produce greater stability, because the same signals may be interpreted by an adversary as evidence of a long-term strategic shift.

Lee (2022) further shows that Taiwan Strait security is shaped simultaneously by nuclear deterrence, conventional military power, and gray-zone coercion. Nuclear deterrence may constrain large-scale war without preventing conventional pressure, non-military coercion, or incremental action below the nuclear threshold. Taken together, this literature indicates that Taiwan Strait stability must be examined through deterrence, reassurance, and escalation restraint rather than reduced to whether the United States publicly promises to defend Taiwan.

2.3 Signaling and Triadic Audience Effects

Changes in military technology, the information environment, and coercive practices have made signaling in the Taiwan Strait increasingly complex. Classical signaling theory generally focuses on how states communicate capabilities and resolve to an adversary (Fearon, 1997; Jervis, 1976). In the Taiwan Strait, however, the same signal reaches Beijing, Taipei, and wider domestic and international audiences. Greater US military presence or more explicit political statements may deter Beijing while raising expectations in Taiwan about US intervention; Chinese military exercises may be intended to punish Taiwan's authorities and warn the United States while also heightening threat perceptions within Taiwan (Wu et al., 2023; Wang & Cheng, 2024).

Recent research shows that military actions can perform several functions at once, including punishment, mobilization, reassurance, and cognitive shaping. Lin and Chiu's (2026)

analysis of four large-scale People's Liberation Army (PLA) exercises from 2022 to 2024 finds that the exercises projected military capability while also targeting Taiwan's public, political elites, and social psychology. Chen and Tzeng's (2026) longitudinal analysis of nearly 2,000 People's Daily articles links Chinese security signaling toward Taiwan to nationalist narratives and assessments of shifts in international power, while showing that different narrative components do not produce uniform escalation effects. Deterrence in the Taiwan Strait therefore cannot be inferred from deployments, exercise frequency, or weapons quantities alone; it also requires attention to narrative context, audience structure, and divergent interpretations.

Public responses in Taiwan constitute another layer of the signaling process. Wu et al. (2023) find that Taiwan respondents reacted relatively little to information about Chinese military presence, but exposure to US military-aircraft activity increased expectations of US assistance and support for *de jure* independence. Stronger US security signals may therefore increase deterrent credibility toward Beijing while also changing risk perceptions in Taiwan and creating moral-hazard concerns. Wang and Cheng (2024) examine the relationship between strategic clarity and public confidence in US security commitments, while Son and Lee (2025) connect US foreign policy to public support for independence in Taiwan.

Strategic ambiguity should therefore be assessed not only by whether the United States deters China, but also by how the same signals affect Beijing and Taipei and thereby shape triadic interaction and crisis stability.

2.4 Research Gap

Classical deterrence theory explains how threats, commitments, bargaining, costly signals, and misperception shape crisis outcomes. Recent Taiwan Strait research has added debates over strategic ambiguity and clarity, US military capacity, Chinese coercive signaling, nuclear-conventional escalation, and public responses in Taiwan. Yet these theoretical traditions have not been systematically integrated with policy developments since 2022, leaving three problems insufficiently explained.

First, most studies still center on whether the United States should explicitly commit to defending Taiwan. Less attention has been paid to how security support acquires a durable credible basis in the absence of such a commitment. Political statements, arms transfers, deployments, and congressional support are often examined separately, but their cumulative effects across events and years—and which of these signals provide a stronger observable basis for potential US intervention—remain underexplored.

Second, scholarship increasingly recognizes that stronger deterrence must be combined with reassurance and escalation management, but offers less systematic empirical explanation of how these functions operate together without a formal defense treaty. It remains unclear when stronger security support and intervention signals narrow policy ambiguity, how

reassurance limits such spillover, and whether crisis communication can remain effective as deterrent signals intensify. The issue is therefore not whether these three dimensions exist separately, but how they complement, constrain, or unbalance one another in specific policy episodes.

Third, although existing studies recognize the triadic audience effects of Taiwan Strait signaling, few systematically compare how the same policy episode is transmitted, publicly interpreted, and answered across the United States, mainland China, and Taiwan. The conflict-management effects of US policy depend not only on Washington's design but also on how Beijing and Taipei publicly define those signals and what actions follow.

Accordingly, this article shifts the research question from whether the United States has abandoned strategic ambiguity to the following: between 2022 and 2026, how did the United States maintain credible security support and signal potential intervention without a formal mutual-defense treaty, while preserving the boundaries of conditional commitment and managing escalation risks in the Taiwan Strait? The next section conceptualizes informal deterrence as a conflict-management arrangement that simultaneously addresses credibility, commitment boundaries, and escalation risk.

3. Theory and Analytical Framework: Informal Deterrence

3.1 Theoretical Synthesis and Analytical Logic

Under non-treaty conditions, deterrence requires credible third-party support without converting that support into a predetermined defense obligation, while stronger signals must be accompanied by measures that limit misperception and escalation risk (Huth, 1988; Jervis, 1978; Fearon, 1997; Swaine, 2026).

This article therefore uses informal deterrence as a middle-range analytical concept and organizes non-allied security relationships around three interrelated dimensions: credibility signaling, ambiguity maintenance, and escalation management. The framework starts from the premise that stronger security support and intervention signals can narrow policy ambiguity, while reassurance and crisis management can in turn constrain deterrent signaling. It therefore examines how the three dimensions complement, strain, or displace one another in specific episodes rather than assuming that they naturally align.

3.2 Conceptualizing Informal Deterrence

This article defines informal deterrence as a condition in which, absent a formal mutual-defense treaty or an explicit institutionalized defense commitment, a state uses conditional political support, demonstrations of military capability, institutional investment, and strategic communication to raise the expected costs of force for a potential challenger while retaining policy flexibility over the conditions, scope, form, and timing of intervention.

The phrase “informal deterrence” has appeared in other security contexts, but the purpose here is not to introduce a wholly new term. It is to systematize the concept as a middle-range framework for explaining non-treaty third-party security support and to distinguish three dimensions: credibility signaling, ambiguity maintenance, and escalation management (Kapur, 2013).

Conceptually, informal deterrence is not a substitute for extended deterrence. It can instead be understood as a non-treaty form through which extended deterrence may operate when formal alliance commitments are absent. Extended deterrence describes the basic function of a third party seeking to prevent a potential challenger from harming another political entity; a formal alliance is one institutional form through which that function may be performed. Informal deterrence focuses on how cumulative policy signals sustain conditional security support when an explicit defense treaty, pre-agreed mutual-defense obligation, and institutionalized alliance arrangement are absent (Huth, 1988).

Informal deterrence is also not interchangeable with strategic ambiguity. Strategic ambiguity describes a commitment strategy in which the United States does not specify in advance whether or how it would intervene in a Taiwan Strait conflict. Informal deterrence instead explains how observable security support and potential intervention signals operate within that environment of conditional commitment. In US Taiwan policy, the former preserves uncertainty while the latter captures how that uncertainty coexists with observable political, military, and institutional support (Ye, 2022; Wang et al., 2024).

Nor is informal deterrence equivalent to strategic clarity. Strategic clarity reduces uncertainty by specifying intervention conditions more explicitly. Informal deterrence does not seek to eliminate uncertainty. Instead, political, military, and institutional support makes security support and potential intervention more observable without converting those actions into an explicit treaty-based defense obligation. Its defining feature is therefore the coexistence of more observable security support and retained formal commitment boundaries (Chan, 2026; Wang, 2025).

Informal deterrence is thus treated as a middle-range analytical concept rather than a general theory that has already been broadly validated.

3.3 Analytical Dimensions

The framework operationalizes informal deterrence through three theoretically derived dimensions: credibility signaling, ambiguity maintenance, and escalation management. These dimensions guide source selection, evidence presentation, and cross-period comparison. They are not mutually exclusive, because a single policy may simultaneously deter, constrain, and manage escalation.

The dimensions may overlap within the same policy action. Their analytical significance therefore lies in the functions they perform and the tensions among them rather than in mutually exclusive classification.

3.3.1 Credibility signaling

Credibility signaling refers to observable political, military, and institutional actions that bear on expectations of sustained US support or possible intervention. The analysis distinguishes two related but separate forms of credibility. Support credibility refers to the observable basis for expecting the United States to continue providing security support over time. Intervention credibility concerns signals of US capability and willingness to conduct its own military action. Both are assessed through the persistence, material cost, specificity, institutional support, and mutual reinforcement of relevant signals.

Evidence includes presidential and senior-official statements, arms transfers and military assistance, Taiwan-related legislation and budgetary support, Indo-Pacific force posture, allied security coordination, and institutional support for Taiwan's defense capacity. Public commitments may raise the domestic political cost of retreat, while deployments and resource commitments can indicate more direct material preparation (Fearon, 1997).

3.3.2 Ambiguity maintenance

Ambiguity maintenance refers to the preservation of policy discretion over the extent and implications of US security commitments even as security support and potential intervention signals become stronger. A central indicator is whether the conditions, scope, form, and timing of direct US military intervention remain unspecified.

The analysis examines whether the United States continues to uphold the one-China policy, reiterate that it does not support Taiwan independence, oppose unilateral changes to the status quo, and avoid an explicit defense commitment applicable to all crisis scenarios. It also considers whether the administration clarifies unusually explicit presidential statements, continues to distinguish support for Taiwan's self-defense from recognition of Taiwan as a state, and avoids converting military and institutional support into a formal alliance.

3.3.3 Escalation management

Escalation management refers to reassurance, policy clarification, and crisis contacts used alongside stronger deterrent signals to preserve communication and de-escalation while limiting the risk that US actions are publicly interpreted in China as preparation for attack or a permanent change to the status quo. Indicators include reassurance that the United States does not seek Taiwan independence or a formal change in Taiwan's political status, continued diplomatic and military communication, policy clarification, and restraining signals toward Taipei.

Reassurance, policy clarification, and crisis contacts are not the opposite of deterrence; they are mechanisms for limiting its spillover risks (Harris & McKinney, 2024; Bai & Yoder, 2026; Swaine, 2026).

The three dimensions contain inherent tensions. Weak credibility may undermine deterrence; insufficient ambiguity may raise expectations of US support in Taiwan and increase the risk that China interprets US policy as changing the status quo; weak escalation management may make defensive measures easier to read as preparation for attack. Conversely, excessive ambiguity, reassurance, or restraint may reduce the visibility of support and intervention signals. Informal deterrence is therefore not the simple sum of three dimensions, but a configuration that requires continuing adjustment.

The empirical analysis examines how these dimensions complemented or conflicted with one another from 2022 to 2026 without presuming that the arrangement necessarily produced stability.

4. Research Design and Methods

4.1 Research Design

The study combines qualitative document analysis (Bowen, 2009) with structured, focused comparison across policy episodes (George & Bennett, 2005). The framework developed in Section 3 guides evidence organization and interpretation. The analysis focuses on observable US policy behavior and public interpretations in the United States, China, and Taiwan.

The principal unit of analysis is not the individual document but the strategically significant policy signal or crisis episode. An analytical unit may consist of presidential or senior-official statements, policy clarifications, legislation, arms transfers, security assistance, military deployments, or diplomatic communication. In major crises, it may also include the US action, China's public response, and Taiwan's official interpretation. Grouping related materials within the same policy or crisis context makes it possible to assess how signals reinforce, delimit, or strain one another.

4.2 Documentary Corpus and Selection Principles

The study relies primarily on policy and legal documents, official statements, military and security-assistance materials, and records of crisis communication issued by governments and public institutions in the United States, mainland China, and Taiwan. Where necessary, authoritative media sources are used when they directly record public statements by senior political leaders or official policy clarifications. The study covers 2022 through 22 April 2026, a period encompassing more explicit senior US statements on Taiwan, continued security assistance and regional military adjustments, the crisis following Nancy Pelosi's Taiwan visit, US-China presidential meetings, the restoration of military communication, and a change of US administration.

Earlier documents are used only to establish the policy baseline, including the three Joint Communiqués between the United States and the People's Republic of China (PRC),

the Taiwan Relations Act, and the Six Assurances. They are not treated as independent observations of policy change during 2022–2026, but as benchmarks for judging whether later signals represented continuity, recalibration, or substantive change.

Documents were selected purposively according to policy relevance, source authority, signal diversity, and the inclusion of counterexamples and contradictory evidence. The resulting corpus consists of authoritative node documents that reveal continuity, adjustment, and internal tension. Policy clarifications, commitment limitations, communication breakdowns, strong Chinese countermeasures, and other evidence of escalation pressure were retained to avoid assuming that the three dimensions of informal deterrence were necessarily well coordinated. Appendix A lists the full core corpus and item-level inclusion rationales; Appendix B provides the detailed selection criteria.

Additional official statements, arms-transfer notifications, legislative materials, and military-communication records were consulted to verify policy continuity, but entered the core analysis only when they changed the interpretation of a major policy signal or crisis episode.

4.3 Analytical Procedure

The analysis follows the three theoretically derived dimensions specified in Section 3.3: credibility signaling, ambiguity maintenance, and escalation management. Their operational indicators follow the definitions already established there and are not repeated as separate coding rules. The dimensions organize, compare, and interpret evidence rather than serving as mutually exclusive line-by-line codes; a single policy action may contribute to more than one dimension.

Each major policy signal or crisis episode is examined through the same five-step procedure. First, the relevant US action and its political, military, or institutional character are identified and located against the existing policy baseline. Second, the analysis asks whether the action primarily strengthens support credibility or the observable capability and willingness basis of potential US intervention. Third, it assesses whether the conditions, scope, form, and timing of intervention remain limited and whether the action avoids conversion into a formal defense obligation, thereby preserving ambiguity. Fourth, it identifies reassurance, policy clarification, crisis contacts, or other measures that retain space for de-escalation. Fifth, where evidence permits, official Chinese and Taiwan responses are incorporated into the same analytical unit to compare public interpretations and the tensions generated by the signal.

The procedure emphasizes combinations of evidence rather than treating any single statement, arms transfer, or deployment as sufficient proof of an analytical dimension. High-level political statements are interpreted alongside later clarification, institutional investment, or capability development; stronger military or institutional support is likewise assessed together with contemporaneous commitment boundaries and crisis

communication. The empirical analysis therefore asks how the three dimensions operate jointly and when they complement, shift away from, or conflict with one another.

4.4 Cross-Episode Comparison and Source Triangulation

After each policy signal or crisis episode is analyzed, the same five-step procedure is applied in the same order across episodes and periods. This structured comparison identifies changes in the configuration of credibility signaling, ambiguity maintenance, and escalation management.

Source triangulation is used to strengthen interpretive robustness. US official materials establish policy content, institutional arrangements, and publicly stated positions; Chinese official materials identify how Beijing publicly interprets US actions and defines political red lines; Taiwan official materials show how the protected party publicly understands US support and Chinese coercion. For major interactions such as US-China presidential meetings, the analysis compares both governments' official accounts wherever possible to identify convergence, divergence, and persistent disagreement rather than relying on a single narrative.

Triangulation compares publicly stated policy boundaries and signal interpretations to show how the same policy action enters the interaction among credibility signaling, ambiguity maintenance, and escalation management.

4.5 Scope and Limitations

The research design has three main limitations.

First, because the study relies on public policy documents and official statements, it can analyze observable signals, institutional behavior, and public interpretations but not the private beliefs or internal decision-making of US, Chinese, or Taiwan leaders. Public statements are therefore not used to infer private psychological states.

Second, purposive sampling is appropriate for identifying high-salience policy nodes but cannot support claims about the overall frequency or quantitative distribution of US Taiwan-policy statements. Because data collection ends on 22 April 2026, the 2026 material represents only a partial year and is not treated as a complete annual basis for frequency or volume comparisons.

Third, the article analyzes how informal deterrence operates as a policy arrangement rather than testing deterrence success through counterfactual causal inference. The absence of large-scale war during the observation period does not by itself demonstrate successful US deterrence, because Chinese decisions may also reflect military capabilities, economic costs, domestic politics, and other international factors. The inferences are therefore limited to identifying how the three dimensions operate, complement one another, and generate tension across policy signals and crisis episodes.

5. Informal Deterrence in Practice: US Taiwan Strait Policy, 2022–2026

5.1 Policy Baseline: Conditional Security Support under Strategic Ambiguity

The three US-PRC Joint Communiqués, the Taiwan Relations Act, and the Six Assurances provide the historical and institutional baseline for assessing post-2022 change. The Communiqués established the diplomatic framework for the Taiwan issue; the Taiwan Relations Act provided a domestic legal basis for supporting Taiwan's self-defense without restoring a treaty-based defense obligation; and the Six Assurances constrained unilateral US concessions to Beijing on arms sales and cross-Strait negotiations (People's Republic of China & United States of America, 1972, 1978, 1982; United States Congress, 1979; United States Government, 1982). The study period therefore began without a formal defense obligation but with an established security relationship.

The central feature of this arrangement was relatively clear security support alongside unspecified terms of direct US intervention. The 2022 Indo-Pacific Strategy situated Taiwan Strait stability within wider regional security and alliance coordination, while the 2022 National Security Strategy reaffirmed the one-China policy, opposition to Taiwan independence and unilateral changes to the status quo, and support for Taiwan's self-defense under the Taiwan Relations Act (White House, 2022a, 2022b). The baseline was therefore a two-level structure: institutional and material support for Taiwan's self-defense alongside continuing uncertainty over direct US military intervention.

This structure also operated within a broader military-strategic environment. The 2022 National Defense Strategy identified China as the pacing challenge for US defense planning and emphasized integrated deterrence, campaigning, and building enduring advantages. Its significance was not to create a new treaty guarantee for Taiwan, but to improve the visibility and availability of US capabilities in Indo-Pacific crises (U.S. Department of Defense, 2022). At the same time, China's 2022 white paper on Taiwan continued to identify external interference as a central security concern and did not renounce the use of force under specified conditions. The study period thus began within an interactive structure in which US security support persisted alongside Beijing's continuing opposition to external intervention (Taiwan Affairs Office of the State Council & State Council Information Office, 2022).

5.2 Presidential Signaling in 2022:

Strengthening Credibility without Ending Ambiguity

The US-Japan joint press conference in Tokyo on 23 May 2022 produced the first presidential signal in the study period that clearly departed from the administration's normally cautious wording. Asked directly whether the United States would be willing to become militarily involved to defend Taiwan, President Biden answered affirmatively and linked that response to opposition to changing Taiwan's status quo by force. The signal

mattered because of its source and specificity: it was a public presidential response directly addressing the possibility of US military intervention, not a general statement of support by a legislator or mid-level official (White House, 2022c). Its presidential level, publicity, and specificity increased the observability of possible intervention, but did not create an automatic defense obligation.

The next day, the Department of State stated that policy had “not changed,” reaffirming the one-China policy, the Taiwan Relations Act, the three Joint Communiqués, and the Six Assurances and emphasizing support for Taiwan’s self-defense rather than a new mutual-defense arrangement (U.S. Department of State, 2022a). The clarification did not erase the president’s public signal, but limited its formal policy meaning. The May episode therefore paired a more salient intervention signal with continued policy discretion.

The September 60 Minutes interview reproduced the same pattern. Biden again said US forces would defend Taiwan in an “unprecedented attack,” including when asked specifically about US personnel, while reaffirming the one-China policy and stating that the United States did not encourage Taiwan independence. White House officials again said that policy had not changed and did not predetermine whether US forces would defend Taiwan (Biden, 2022; CBS News, 2022).

Taken together, the repeated statements are difficult to dismiss as a single verbal lapse, yet each was followed by policy clarification and neither produced a mutual-defense treaty, automatic intervention clause, or commitment covering all crisis scenarios. The political salience of potential intervention increased while its terms remained uncertain.

Official Chinese and Taiwan responses also show divergent public audience effects. On 23 May, China’s Ministry of Foreign Affairs expressed “strong dissatisfaction and firm opposition,” urged the United States to handle the Taiwan issue prudently, and warned against sending the wrong signal to “Taiwan independence” forces. Beijing thus publicly treated the presidential statement as relevant to whether Washington was crossing established policy boundaries rather than as inconsequential rhetoric (Ministry of Foreign Affairs of the People’s Republic of China, 2022a). Taiwan’s Ministry of Foreign Affairs, by contrast, welcomed and thanked Biden and the US government for reiterating a security commitment to Taiwan, linking the statement to stronger self-defense and closer cooperation with the United States and Japan (Ministry of Foreign Affairs of the Republic of China (Taiwan), 2022a).

These responses do not reveal private expectations in Beijing or Taipei, but they show divergent public interpretations: Beijing emphasized policy transgression and risks to cross-strait stability, while Taipei framed the statement as evidence of stronger US support.

5.3 The Pelosi Visit Crisis:

Political Signaling and the Limits of Escalation Management

Nancy Pelosi's August 2022 visit differed institutionally from presidential signaling. As a congressional rather than executive action, it did not constitute a new defense commitment, but its senior level and publicity made it a highly visible signal of political support. Pelosi described the visit as demonstrating that the United States stood with Taiwan, while Taiwan's Ministry of Foreign Affairs characterized it as evidence of "firm support" (Pelosi, 2022; Ministry of Foreign Affairs of the Republic of China (Taiwan), 2022b). The Department of State stressed that congressional travel reflected an independent, coequal branch and reaffirmed the one-China policy, opposition to unilateral changes to the status quo, and non-support for Taiwan independence, thereby separating congressional interaction from formal US policy boundaries (U.S. Department of State, 2022b).

That distinction did not prevent Beijing from assigning the visit broader strategic meaning. On 2 August, China's Ministry of Foreign Affairs described the visit as seriously undermining the political foundation of US-China relations, damaging Chinese sovereignty and Taiwan Strait stability, and sending a wrong signal to "Taiwan independence" forces (Ministry of Foreign Affairs of the People's Republic of China, 2022b). Chinese countermeasures went beyond diplomatic protest and included the suspension or cancellation of selected bilateral communication and cooperation mechanisms (Ministry of Foreign Affairs of the People's Republic of China, 2022c). For escalation management, the most important observable change was the weakening of channels that could otherwise clarify intentions and limit crisis spillover.

The Pelosi crisis shows that formal policy continuity does not guarantee continuity in crisis management. US clarification could delimit Washington's official interpretation of the visit, but it could neither ensure Beijing's acceptance nor unilaterally preserve communication channels. Political-support visibility increased as parts of US-China communication were weakened, making their later restoration an issue for high-level diplomacy.

5.4 From Rhetoric to Institutionalized Support Credibility:

Legislation, Security Assistance, and Denial Capacity

Legislation, appropriations, security assistance, and capability development from 2022 to 2024 moved US support beyond presidential rhetoric into more durable institutional and resource commitments. The Taiwan Enhanced Resilience Act within the fiscal year 2023 National Defense Authorization Act placed defense modernization, military education and training, multiyear planning, arms-delivery issues, and other support within a more durable congressional authorization framework (United States Congress, 2022).

Institutionalization was then implemented through several resource channels. In July 2023, the president authorized up to \$345 million in defense articles, services, and military

education and training for Taiwan from US stocks under Section 506(a)(3) of the Foreign Assistance Act. Unlike conventional arms sales, this mechanism allowed the United States to commit existing national resources directly rather than relying solely on Taiwan's purchases (White House, 2023a). The 2024 Indo-Pacific Security Supplemental Appropriations Act further placed Taiwan security within a wider regional allocation of security resources, linking congressional authorization, funding, and executive implementation in a more continuous institutional chain (United States Congress, 2024).

Weapons and capability support also broadened across defense functions. Harpoon Block II strengthened maritime denial; the 2024 Switchblade 300 package added mobile, dispersed strike capacity together with training and logistics; and command, control, communications, and computers (C4) modernization extended support to tactical data links, communications, and multiplatform integration (U.S. Defense Security Cooperation Agency, 2022, 2024a, 2024b). Together with military education and direct drawdown assistance, these measures show a shift from individual weapons transfers toward a broader portfolio of denial, sustainment, networking, training, and institutional capacity, giving support credibility greater material cost and bureaucratic continuity than a single political statement.

Regional US force posture added another layer. In 2024 congressional testimony, US Indo-Pacific Command (INDOPACOM) Commander Admiral John Aquilino identified persistent forward presence, distributed force posture, and operations with allies and partners as important components of deterrence, stressing survivability, responsiveness, and presidential options in crisis (Aquilino, 2024). On Taiwan, the same testimony linked support for self-defense under the Taiwan Relations Act with the three Joint Communiqués and Six Assurances within the established one-China policy framework (Aquilino, 2024).

By the end of 2024, legislation, resource commitments, arms transfers, and regional force posture had given support for Taiwan's self-defense a more durable institutional and material basis than presidential rhetoric and made capabilities relevant to potential intervention more visible. These measures did not predetermine direct US military action: sustained security support, not an automatic obligation to fight, was what became most clearly institutionalized.

5.5 Reassurance and the Restoration of Communication after Crisis: Bali, Woodside, and Lima

The Bali (2022), Woodside (2023), and Lima (2024) meetings trace the restoration and maintenance of US-China communication after the August 2022 crisis despite persistent disagreement over Taiwan.

At Bali, leader-level contact resumed. The US readout paired continued competition with a commitment to prevent competition from becoming conflict and keep communication open; Biden also reaffirmed the one-China policy and opposition to unilateral changes

while criticizing Chinese coercion (White House, 2022d). China's account called Taiwan the "core of China's core interests" and the "first red line that must not be crossed," while urging Washington to translate its opposition to Taiwan independence into action (Ministry of Foreign Affairs of the People's Republic of China, 2022d). The meeting restored direct high-level communication without narrowing the underlying disagreement over Taiwan.

Woodside extended restoration to more operational channels, including senior military dialogue, defense policy coordination, maritime military-security consultations, and theater-command contacts; both governments confirmed the resumption while maintaining their positions on Taiwan (White House, 2023b; Ministry of Foreign Affairs of the People's Republic of China, 2023b). Lima then reviewed the restored channels and affirmed their continuation. China likewise acknowledged the reestablished mechanisms while political differences over Taiwan remained (White House, 2024; Ministry of Foreign Affairs of the People's Republic of China, 2024). The sequence was therefore one of leader-level contact restoration, operational military-channel restoration, and subsequent institutional persistence, without corresponding convergence over Taiwan.

5.6 Triadic Signaling under Pressure: Political Interaction and Coercive Responses, 2023–2024

Tsai Ing-wen's 2023 transit through the United States and meeting with House Speaker Kevin McCarthy and bipartisan members of Congress again demonstrated that political-support signals toward Taiwan do not originate only in the executive branch. Taiwan's Presidential Office placed the meeting within the long-standing relationship shaped by the Taiwan Relations Act and Six Assurances and stated that bipartisan congressional support made people in Taiwan feel that they were "not isolated." Tsai also emphasized preserving the peaceful status quo and treated stronger self-defense as a condition for maintaining peace (Office of the President, Republic of China (Taiwan), 2023).

Beijing publicly assigned a different meaning to the interaction. China's Ministry of Foreign Affairs described Tsai's transit and McCarthy meeting as an effort to upgrade substantive relations and conduct official contacts, arguing that it violated the one-China principle and the Joint Communiqués (Ministry of Foreign Affairs of the People's Republic of China, 2023a). As during the Pelosi crisis, Taipei framed the event as continuity in an established partnership and congressional support, whereas Beijing framed it as further erosion of existing political boundaries.

Events in 2024 further increased the importance of Taiwan's own political signaling. In his 20 May inaugural address, Lai Ching-te stated that the new administration would maintain the status quo without submission or provocation and called for dialogue rather than confrontation and exchange rather than containment. He also urged China to end political and military intimidation of Taiwan and emphasized defense, economic security,

and cooperation with democratic partners. The address cited the recently enacted 2024 Indo-Pacific Security Supplemental Appropriations Act as part of external support for peace and stability across the Taiwan Strait (Office of the President, Republic of China (Taiwan), 2024).

Three days later, the PLA Eastern Theater Command launched Joint Sword-2024A, announcing sea-air combat-readiness patrols, seizure of comprehensive battlefield control, and joint precision strikes against key targets. It described the exercise as both punishment for “Taiwan independence” activities and a warning against external interference (People’s Liberation Army Eastern Theater Command, 2024). Taiwan’s Ministry of National Defense monitored and publicly responded to the operation as coercive pressure on the security environment (Ministry of National Defense of the Republic of China (Taiwan), 2024).

These materials do not establish a single causal chain in which Lai’s speech or US support directly caused the exercise. What can be identified more securely is divergent public interpretation of the same political environment: Taipei emphasized the status quo, stronger self-defense, and wider international cooperation, whereas Beijing publicly framed Joint Sword-2024A as punishment and warning directed at “Taiwan independence” and external interference. Even stable US policy boundaries cannot determine the specific political language used in Taiwan or Beijing’s military response. These episodes show that political signaling from Taiwan and coercive responses from Beijing continually reshape the environment the United States seeks to manage.

5.7 Cross-Administration Continuity and Recalibration, 2025–2026

The 2025 National Security Strategy discussed Taiwan more explicitly than its 2022 predecessor in terms of military balance and the First Island Chain. It treated deterring conflict over Taiwan as a priority, emphasized a favorable conventional military balance and denial capabilities along the First Island Chain, and called on allies and partners to increase defense spending and support US regional access. At the same time, it stated that the United States would maintain its long-standing declaratory policy on Taiwan and oppose unilateral changes to the status quo (White House, 2025). The clearest shift from 2022 was therefore greater emphasis on denial, military advantage, allied burden sharing, and access rather than an automatic intervention commitment.

Material support also continued after the change of administration. In November 2025, the Department of State approved an estimated \$330 million package of non-standard spare and repair parts covering F-16s, C-130s, and other existing aircraft; in December it approved a major M109A7 self-propelled howitzer package (U.S. Defense Security Cooperation Agency, 2025a, 2025b). The first measure focused on long-term availability, maintenance, and sustainment of existing systems, while the second added conventional ground firepower and supporting equipment. Compared with Harpoon, Switchblade, C4

modernization, and direct drawdown assistance in 2022–2024, the 2025 cases show that the material basis of security support did not disappear with the transition.

Admiral Samuel Paparo’s 2026 congressional testimony likewise placed security assistance alongside established policy boundaries. Paparo situated US-Taiwan relations within the framework of the Taiwan Relations Act, the three Joint Communiqués, and the Six Assurances while stating that INDOPACOM continued to support a “credible, resilient, asymmetric, distributed, and cost-effective” self-defense capability for Taiwan (Paparo, 2026). This closely resembled Aquilino’s 2024 testimony: capability development continued while the documents defining the established US policy framework were reaffirmed.

Alliance coordination also displayed continuity and strengthening. A March 2026 US-Japan alliance fact sheet announced further deployment of advanced US capabilities in Japan to support a stronger denial-oriented defense posture and expanded bilateral defense cooperation. The two governments again described peace and stability across the Taiwan Strait as important to regional security, supported peaceful resolution of cross-Strait issues, and opposed unilateral changes through force or coercion (White House, 2026). Regional denial and alliance coordination therefore gained prominence after the transition without producing a formal mutual-defense obligation toward Taiwan.

Taken together, the cross-administration evidence supports continuity of architecture with recalibration of emphasis rather than institutional rupture. Security assistance and regional denial capabilities continued, established commitment boundaries remained, and the principal change lay in the greater rhetorical weight placed on military advantage, denial, burden sharing, and regional access.

6. Discussion: How Informal Deterrence Works

6.1 Institutionalized Security Support Is More Durable than Rhetorical Signaling

Across the episodes examined, institutionalized security support proved more persistent than presidential signaling, including across the observed change of administration. Presidential statements were highly visible but episodic and bounded by clarification, whereas institutionalized measures showed greater bureaucratic continuity, resource commitment, and cross-year persistence.

This difference parallels Fearon’s (1997) distinction between public commitments and sunk costs. Public statements can raise the political cost of later retreat, whereas investments embedded in legislation, budgets, military planning, and capability development create costs that are harder to reverse quickly. The distinction supports separating support credibility from intervention credibility. Between 2022 and 2026, the former acquired clearer institutional backing, while the latter continued to depend on presidential signals, regional military capabilities, and the specific crisis context. The capabilities and

commitments emphasized in extended-deterrence research therefore cannot be inferred from a single statement (Huth, 1988). Institutionalization primarily strengthened the durability of security support, not the predictability of direct US intervention. The latter remained conditional and constitutes the continuing locus of strategic ambiguity.

6.2 The Changing Location of Strategic Ambiguity

The second finding is not that strategic ambiguity simply persisted or disappeared. As security support became more institutionalized, the relative center of policy uncertainty shifted further toward direct US military intervention. Support for Taiwan's self-defense already had a clear legal and policy basis at the beginning of the period; legislation, security assistance, capability development, and regional denial investments from 2022 to 2026 made that support more observable and durable. Whether the United States would continue supporting Taiwan's self-defense therefore became less central to policy uncertainty.

What remained open were the conditions, scope, form, and timing of direct US military intervention. Neither the 2022 presidential statements nor subsequent military and institutional investments converted stronger support into predetermined responses across crisis scenarios.

This pattern is consistent with Ye's (2022) argument that US policy has not moved along a single path from ambiguity to clarity, and it extends discussions of "dual clarity" (Wang et al., 2024) and recalibrated strategic ambiguity (Wang, 2025). The period did not produce a uniform increase in clarity across all policy domains. Instead, greater certainty on the support side concentrated ambiguity more heavily around direct military intervention and political-status commitments. In the US-Taiwan policy examined here, strategic ambiguity is therefore better understood as layered uncertainty whose relative location can change, rather than as a uniform property of the entire policy.

6.3 Escalation Management as a Relational and Reversible Mechanism

The breakdown and later restoration of US-China communication show that escalation management was more context-dependent and reversible than institutionalized support or declaratory policy boundaries. The difference is not simply that escalation management is weaker, but that it has a different institutional character and degree of unilateral control. Legislation, budgets, security assistance, and military planning can largely be advanced by the United States, while formal policy boundaries are primarily defined by Washington itself. Crisis communication requires the other side to remain engaged. Even if the United States continues reassurance and policy clarification, whether the channels function depends on reciprocal participation. Security support and institutional investment are therefore more susceptible to unilateral US control; escalation management is inherently relational.

This relational character also explains its greater reversibility. Policy boundaries can remain in place during a crisis while communication may be interrupted rapidly after a major political event; communication can likewise be restored when political conditions permit. Escalation management is therefore not a fixed arrangement that, once established, persists automatically, but an interactive process requiring repeated maintenance.

This finding reinforces the qualifications raised by Harris and McKinney (2024), Bai and Yoder (2026), and Swaine (2026) to strategies centered on stronger deterrence alone. Greater military capability and stronger political signals do not automatically generate matching mechanisms of crisis stability. Reassurance, clarification, and crisis communication depend on specific interactive conditions; continuity in long-term commitment boundaries cannot be assumed to produce equally stable short-term crisis management.

6.4 Informal Deterrence as an Asymmetric and Conditional Policy Configuration

Taken together, the three findings show that informal deterrence is neither a midpoint between strategic ambiguity and strategic clarity nor a stable equilibrium among its dimensions. It is a policy configuration whose components differ in institutional durability and degree of unilateral control. These are cross-episode properties of the three existing dimensions, not additional dimensions.

Triadic interaction adds a further constraint: signals generated in Washington or Taipei can acquire meanings in Beijing that differ from those intended or publicly assigned by their senders. Extended deterrence is inherently triadic, and signal meaning is not fully controlled by the sender (Huth, 1988; Jervis, 1976). Public and official interpretations in Taiwan can also produce independent political effects (Wu et al., 2023; Wang & Cheng, 2024).

The operation of informal deterrence therefore depends not only on Washington's signals but also on public interpretation and subsequent action in Beijing and Taipei. US clarification can delimit the formal meaning of its own actions but cannot ensure that other actors accept that interpretation, while restored communication can expand space for de-escalation without resolving the underlying political dispute.

Informal deterrence therefore depends not on maximizing any single dimension, but on coordinating components that differ in institutional durability, unilateral control, and audience effects. This asymmetry, rather than the simple juxtaposition of three dimensions, constitutes the article's principal theoretical contribution beyond the binary debate over strategic ambiguity and strategic clarity.

7. Conclusion

This article examined how the United States maintained security support for Taiwan and signaled potential intervention from 2022 to 2026 without a formal mutual-defense treaty while managing escalation risk. The evidence points not to a linear shift from strategic ambiguity to strategic clarity, but to an asymmetric configuration: institutionalized support proved more persistent than presidential signaling and continued across the observed change of administration; as support became clearer, uncertainty concentrated in the conditions, scope, form, and timing of direct US military intervention; and escalation management remained relational and reversible because effective communication required reciprocal participation.

Informal deterrence therefore redirects analysis from whether a commitment is “ambiguous” or “clear” toward how security support, intervention boundaries, and escalation management differ in institutional durability and degree of unilateral control. The absence of a treaty obligation need not imply weak or short-lived support, but durable support does not by itself establish crisis stability.

These conclusions are limited to public policy signals, institutional behavior, and public interpretations by government actors; they do not identify private decision-making beliefs or establish deterrence success through counterfactual causal inference. Future research should test the framework over longer periods and in other non-treaty security relationships, using evidence on internal decision-making to compare public signals, policy choices, and crisis behavior.

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