

GUESTS OVERSTAYING THEIR WELCOME: THE DEMISE OF THE PEACE ACCORD STRUCTURES IN SOUTH AFRICA

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Abstract

Leaders of political parties and other organizations in South Africa signed a National Peace Accord in September 1991; one of its purposes being to create a climate for meaningful political transition to a post-apartheid era. That objective was achieved. Yet after the elections of 1994, the Peace Accord structures disappeared almost overnight, despite having gathered substantial expertise and resources for implementing the Accord's other goals. This article is an insider's reflection on the reasons for their demise.

Introduction

On September 14, 1991 leaders of political parties and other organizations in South Africa signed a National Peace Accord in which they agreed upon codes of conduct for political parties and security forces, guidelines for community reconstruction and development, and mechanisms for implementing the Accord. Their purpose was to improve relations within society and to create a climate for meaningful political transition. Most of the Peace Accord's provisions were later incorporated in legislation (The Internal Peace Institutions Act, 1992) and dispute resolution committees, which I will call "peace committees", were established throughout the country. The system generated much interest, and some excitement among conflict-resolution practitioners, primarily because of its potential to contribute to international understanding of grassroots involvement in resolving community conflict. The following quotation accurately reflects the mood at the time:

"The creation of a national lattice of dispute resolution committees represents the most comprehensive venture in community conflict resolution in South Africa, and is unprecedented in the realm of peace-building ventures worldwide. For these reasons, the Peace Accord initiative, and more particularly its community based arm, the DRCs

[dispute resolution committees], are an experiment whose results may yield important insights into prospects for the introduction of democracy at grass roots and into the nature of community conflict and community conflict resolution.” (Nossel and Shaer, 1992: 4)

Peace committees played a crucial part in South Africa’s transformation; yet, despite their success and their potential to contribute even further to building a harmonious society, they came to be regarded as a failed experiment (Shaw, 1994: 184). After the April 1994 elections, which ended apartheid rule, peace committees disappeared from the scene. The immediate cause of their demise was a political decision by government to discontinue funding the Peace Accord structures. This article, an insider’s reflection, discusses some of the reasons which led to this decision.

Apparent Lack of Success: Continuing Violence

Peace committees were called upon to perform three different functions. As peace keepers they monitored the activities of the police and of political role players; as peace makers they provided forums for political negotiations and mediated agreements between disputing parties; and as peace builders they had to attempt transforming societal conditions as well as attitudes to resolving conflict (Nossel and Shaer, 1992: 2). They were involved in a number of issues, including “taxi disputes, hostel-township tensions, police community relations, inter-party rivalries, train violence, schooling disputes, development-related conflicts, industrial violence, and gang strife” (Nossel and Shaer, 1992: 8) and they provided conflict resolution skills training to community leaders in many areas.

The peace committees’ role as instruments which would actively strive to prevent violence and intimidation attracted most attention. For of the three functions, this was the most urgent and the most ambitious. Most commentators held the view that the peace committees failed to meet this challenge and this collective opinion was perhaps the most significant reason for the Accord’s demise. Successes were in the main limited to areas of low-intensity conflict and the Accord failed to end the violence which ravaged areas like KwaZulu-Natal and parts of the former Transvaal:

“The stark reality was, that two years after the signing of the NPA [National Peace Accord], political violence was the cause of even more deaths than before, political intolerance remained a serious obstacle to stability, and poverty and deprivation had not been alleviated.” (Gastrow, 1995: 57; 77ff.)

It was, of course, unrealistic to expect political violence to dissipate at a time when political activity became more frenetic and intense. And it is most certainly unfair to hold the peace structures responsible for the escalation of violence before the elections. Nonetheless, the

facts show that violence and intimidation continued, and even escalated, in the areas where it mattered most and that the peace structures were, in the main, ineffective.

Shaw explains this failure by pointing out that the Accord was a means to an end, a structure designed “to fill the vacuum created by the absence of state authority” (Shaw, 1994: 184-185). The drafters of the Accord clearly recognised the inability of existing structures to deal with political violence and intimidation, and they believed, as was stated in paragraph 1.10 of the Accord, that peace committees would “assist in this regard”. Their task was not to assume responsibility for ending the violence: government could not abrogate that duty. Shaw believed, correctly, in my opinion, that order could not be restored unless the state performed its task. Peace structures were none the less burdened with such expectations and, naively, or perhaps out of a sense of patriotic duty, accepted the responsibility.

There is also another aspect to consider: In my view, expectations were unrealistic and there was insufficient appreciation at the time of the deep-rooted hurt and resentment which apartheid had caused – not only by those who benefited from the system, but also by those who suffered under it. Common sense and expediency dictated that everyone should seek peaceful political transition, but as Spies and Odendaal remark, distrust, anger and fear manifested themselves continuously and were internalised by those affected (Spies and Odendaal, 1995: 12). They believe that the peace process had some success in this regard, but concede that internalised attitudes of the past were not eradicated. My view is slightly different: I believe that peace committees succeeded at a superficial level, establishing ground rules for social behaviour and political expression, but were not designed to confront, and never confronted, the internalised views of any of the parties. The need to do so manifested itself later, and that healing process subsequently fell to the Truth and Reconciliation Commission. The failure to deal with this aspect, though, contributed to the overall impression that the peace structures were unsuccessful. To those on the ground, peace was superficial; in their minds the reality was something very different.

The Accord’s failure to end violence was the most significant cause of its demise. The upshot was that attention had to be focused on structures which could be successful. A credible assistant did not make the necessary difference: a way also had to be found to render the principal effective. So the focus shifted away from the mainly non-partisan peace structures to the negotiations at Kempton Park, where political parties had a more active role (Shaw, 1994: 187). In the end, the elections created the credible state authority, whose task it would be to deal with the violence.

Insufficient Institutional Credibility

An intermediary’s training, experience, organizational association, and handling of previous disputes are common factors that parties take into account when selecting an intermediary. This often provides the intervenor with necessary credibility. As individuals, peace committee members had little or no personal credibility to intervene in community

disputes, but, armed with the provisions of the Peace Accord, the same people became acceptable intermediaries. This did not create trust, however: peace committees were considered merely to be convenient negotiation forums – “the right place with the right conditions, the right convenor, the right setting, the appropriate relationship to the outside media, a clear view of how parties shall relate to their constituencies, etc” (Laue, 1987: 25). Ordinary people in South Africa were very wary of participating in structures which appeared to soften their resistance to apartheid and to give the impression of collaboration with government structures. At a theoretical or formal level, at least, the Peace Accord appeared to overcome this obstacle. The Accord had been sponsored, in a joint initiative, by the church and business sectors. All the major political parties negotiated and endorsed the Accord (Gastrow, 1995: 33). In Parliament, the legislation was hailed as the first product of multilateral negotiations to be enacted as law and the first to reflect the considered opinion of a substantial portion of disenfranchised South Africans.

The content of the provisions was also significant. The Accord advocated a move away from violence as a dispute resolution option and resorted to judicial processes as the primary method of resolving disputes peacefully. Instead, peace committees, as representatives of the community in an area, were to deal with disputes through negotiation as well as “proven methods of mediation, arbitration and adjudication”. African values emphasize community involvement in social ordering and the ethos which the Accord promoted was therefore compatible with tradition of the majority of South Africans (Midgley, 1995: 18).

There were also negative aspects, however. While the Accord did indeed reflect the views of disenfranchised citizens, it was not a document that was owned by ordinary people. Because of the delicate nature of the negotiations, the Accord was drafted in secret by political leaders (Gastrow, 1995: 69). Members of the public did not contribute to the end product. Spies and Odendaal (1995: 10) point out that, to be successful, national programmes have to be implemented at local level by local leaders. Local leaders did not always share the same orientation, depth of insight or commitment as their national leaders. They were at the coal face of the political struggle and had difficulty in working together with individuals whom they distrusted or who had been responsible for unhappy past experiences. This often resulted in a lack of commitment, either in attending meetings, or in implementing consensual decisions. Peace committees were often manipulated at a local level to suit individual agendas and power struggles and participants never really managed to develop close-knit working relationships and common loyalty to the organization. Local activists often lacked the motivation to make a success of the Accord.

Unfortunately, the process by which it came into being also reflected the process through which the Accord was implemented. The most consistent criticism of the structure, especially from those who worked at local levels, was that its top-down approach did not take into account the needs and sentiments of the wider public (Gastrow, 1995: 69). Also, partly out of necessity, but no doubt also by design, peace structures were quite closely connected to government, despite attempts to guarantee independence. Government provided

most of the funding (R41.175 million or \$12.2 million) in the 1993/94 financial year (Gastrow, 1995: 53). The paid staff were Department of Justice employees and the Peace Secretariat reported to two government departments. The government of the day, it was alleged, was made “the guardian and guarantor of the Peace Accord” (Gastrow, 1995: 53; Lamola, 1992).

Day-to-day involvement in the activities of the peace committees also varied. The absence of active involvement by major political parties at local level (the Democratic Party, a middle-of-the-road, predominantly white, liberal party, was the notable exception) proved to be frustrating for some peace committee members. In some areas, anti-government organizations gave symbolic support to the peace committees, but instead of participating in the structures, preferred to use the system as clients. This provided some space for political manoeuvring: on a formal level the political parties supported the system, yet the absence of any physical presence indicated to grassroots constituents that the leaders had not been co-opted into the system. At regional and national level, however, political party support was more visible.

In retrospect, such a position was entirely natural and ought to have been expected, given our political history. It is not uncommon for activists to use intervenors for their own ends. In fact, peace committees might have owed much of their success in assisting free political expression to the activist stance adopted by some political party representatives. Most situations requiring peace committee intervention involved extra-parliamentary activity by political parties and the police’s response thereto. The hands-off attitude of the political parties created sufficient distance between them and the peace committees to avoid serious allegations from the police that some parties to the dispute also acted as peace committee referees.

It can be seen, therefore, that while peace committees were not discredited, they were not whole-heartedly endorsed by all role players. After the elections, when the future of the peace structures came to be debated, those in power were at best neutral towards the structures, having never really owed full allegiance to them in the first place.

Post-Election Euphoria

After the elections, peacekeeping functions passed on to the new democratic government. The need for peace making and peace building similarly did not disappear after the elections, but political parties appeared no longer to regard these as major priorities. South Africans seem to regard peace making and peace building as constituting events, and tend to ignore the importance of the underlying processes. After all, the evil of apartheid had been destroyed: to the surprise of many, the elections were peaceful and “substantially free and fair”: the government of national unity appeared to be working and, combined with the gaudy multi-coloured flag, gave credence to Archbishop Tutu’s vision of a rainbow nation. The pot of gold was obviously not far away. If the country was not considered to be

peaceful, it was simply a matter of time before that state of affairs would be reached. Incidents similar to those which had occupied peace committees' attention would no longer occur and, if they did occur, the new, credible, government would assume responsibility and deal with the problem. Similarly, the government, not peace committees, ought to be responsible for transforming societal conditions and laying the foundations for peace. South Africa was experiencing the perfect honeymoon, which did not require any peace committee chaperone.

Unsung Successes

Although peace committee members dealt with many crises around the country, the crises, not the effort made to resolve them, usually constituted the newsworthy events. Reports on the resolution of a conflict seldom received the same prominence as those describing the conflict. Somehow the excellent work done by the Wits-Vaal Regional Peace Committee, especially after the assassination of Chris Hani, never endured in the minds of people generally, and politicians in particular. And in some instances the public was none the wiser. Gastrow, for example, describes a successful intervention in a small town called Warmbad and comments:

“A crisis had been defused, no violence had taken place, and nothing was reported in the media. As far as the South African public was concerned, it had been a non-event.”(Gastrow, 1995: 56)

I can recall comparable events occurring in the Eastern Cape, with similar non-recognition. Peace committees therefore received little acknowledgement for the work that they had done and when it came to evaluating their performance, the credit side of the balance sheet looked rather thin.

Withdrawal of Funding

Peace structures relied heavily on government funding, but they also received large amounts of money from business and foreign governments, particularly for developmental, peace-building projects. As mentioned earlier, government priorities changed after the elections, and funds were redirected. Surprisingly, the same happened with non-government funds. Whereas in the past foreign funders supported the non-governmental organization (NGO) sector, they now preferred to support the Government's Reconstruction and Development Programme (RDP) initiatives. Many NGOs collapsed through lack of funding, and the same happened to the peace structures. However, the Border Peace Committee tried to prolong its life by converting itself into a section 21 company, a non-profit organization,

and attracted some funding for its work in rural Transkei. Eighteen months later it, too, ceased to exist.

The Demise of Voluntarism

People generally participated in peace committee activities either as part of their civic duty or as representatives of their political organizations. In some instances their expenses were met, but they were not remunerated (except the permanent staff and those who provided professional services such as conflict-resolution training). The April 1994 elections changed all that. Harold Tessorf, formally the Provincial Director of the East Cape Regional Peace Committee, once commented to me that the elections marked the end of an era of voluntarism in South Africa. The Independent Electoral Commission (IEC), the commission which conducted the elections, paid large amounts of money to election monitors and other workers to do the same work as that which peace committee members had previously done voluntarily. In fact, many of the IEC staff were recruited from peace committee volunteers. The upshot was that people began to expect remuneration for their time and effort: political transformation was worthless if not accompanied by some economic incentive. After years of voluntary struggle and sacrifice, many expected to see some rewards. And these rewards were not to be limited to those with professional training and skill: they had to extend to everyone involved.

Incompatible Missions

A further dimension, not as obvious as those discussed above and never articulated in public, also played a role. For many of those involved in the peace structures the Peace Accord was not just a means to an end: it also provided vision for people to rally around. Many peace committee workers had a different vision to those in the political mainstream, although there was also some overlap. Their concern was to reduce the levels of violence, to promote political expression and political competition, to build a societal culture of tolerance and to ensure that these benefits extended to all sectors and organizations of society. People who were active in the peace committees acted as neutrals and had to shed any activist mantles which they might have worn before. They had to abandon any form of sectarianism in favour of an inclusive approach.

Regrettably, political parties do not share a similar mission. Politicians pursue and compete for power, which, once attained, is utilised primarily for the benefit of themselves or their constituencies. Political parties are steeped in a culture of adversarialism and generally resent coalitions or collaborative effort with their opponents – unless, of course, there is some political advantage to be gained. Political parties in South Africa wanted

peace, but that was not their ultimate goal. There were also other aspects to their party platforms. Gastrow (1995: 47) offers additional insight:

“Political parties presumably exist for the purpose of pursuing political power that enables them to implement their policy programs. The same applies to the political groups that signed the NPA [National Peace Accord]. During the period leading to the signing of the NPA, the political groups and other participants showed a keen interest and were intensely involved in the process. Once the accord was signed, however, the interest and involvement from political leaders was largely diverted to the new item on the national agenda, the coming multiparty negotiations for a new constitution. The National Peace Convention on September 14 had been a historic occasion, but many political leaders regarded it as a major event – the concluding act of a process – rather than the start of the implementation process for the NPA.”

I was struck, however, not so much by how quickly the peace structures disappeared from the scene after the elections, but by the extremely negative attitude which local politicians evidenced towards peace committees. I got the distinct impression that the Alliance of the African National Congress, the South African Communist Party and the Congress of South African Trade Unions viewed peace committees as opponents. At first I attributed it to the fact that political leaders had lost interest in the Peace Accord: once signed they moved on to the next step in the transition process. There was also the fact that the visible role players in the peace committees were mainly white, and many were associated with the Democratic Party which had been campaigning actively for a share of the black vote.

On reflection, a third reason should be added: after the elections, the Alliance no longer needed to be tolerant of peace structures in order to attain their political goals. Having attained political power, there was no purpose in supporting a structure which could erode its political power by promoting concern and understanding for the needs and interests of all parties – and even more so when a reconstruction and development initiative was to become a major governmental focus, with a cabinet member assigned to oversee the programme. Nation building continued to be a political goal, but it had to occur within the Alliance umbrella, not outside it. And any credit had to accrue to the politicians. In Grahamstown, for example, the peace committee offered to reconstitute itself as a sub-committee of the Grahamstown Community Police Forum (CPF). The CPF rejected this offer. The overriding view, repeatedly expressed during CPF meetings which discussed this issue, was that the peace committee was a structure of the past, which, despite its good work, did not reflect the aspirations of our new society. The idea was that any conflict-resolution work would be conducted by the CPF or the South African National Civic Organization’s street and area committees. These structures were hoping to gain more say in local township civic affairs and already had substantial influence in this area. The peace committee’s

mission was incompatible with the practical interests of those who were in power. Sadly, politics of expediency and adversarialism would prevail over collaborative initiatives.

Role Integrity and Conflict of Interest

After the elections the context within which peace committees operated changed, and they struggled for survival. Peace committees no longer needed to monitor mass action and they were seldom, if ever, called upon to mediate disputes. They were structures of the past, which, despite their good work, did not reflect the aspirations of our new society. Concern was expressed however that with their demise, valuable resources would be lost to society, for example, the training and expertise in conflict resolution, and the extensive monitoring network and data bases which had been established. A number of peace committees attempted to become involved in other areas and tried to carve a different niche for themselves in society. Instead of performing conflict resolution functions originally assigned to them, they were struggling for their own survival.

Those involved found the apparent lack of recognition of the peace committees' past contribution and the rejection of any potential future role particularly disillusioning. The reality, however, was that the new political elite simply did not share the pride that they had in their achievements. On reflection, one reason for this seems obvious: the prominent role that the peace committees had played in civic affairs and the intention to continue to pursue the nation building and reconciliation missions placed them in competition with government and civic organizations. Having become competitors, peace committees lost their status as independent intermediaries.

This feature of the peace committee experience evidences an important reality that arises every time a third party intervenes, but which seldom gets the attention it deserves: whether they realize it or not, third parties, by intervening and engaging with disputants, temporarily become part of that conflict situation. It is generally acknowledged that intervenors bring their own preconceived values to a dispute, including the perception of their role and any personal (or organizational) mission and value system. This "baggage" has an important impact upon the manner in which the dispute is managed, for it influences the pace, direction, and even the outcome of an intervention. The influence may be positive or negative. The secret is to prevent the latter, and this requires constant effort on the part of intervenors to maintain role integrity. As Arnold points out, it may be necessary to adopt a variety of roles in order to sustain a particular process. Intermediaries who have multiple roles have specific challenges in ensuring that they assume roles that are appropriate to the occasion and that their roles do not have conflicting principles and objectives. In particular, a facilitator must be impartial, and if a facilitator is also an advocate of a particular cause relevant to the conflict, others might feel that the process is biased (Arnold, 1998: 15-17).

Most mediation training manuals emphasize the low-key nature of a mediator's role and point to the fact that mediators ought to maintain some distance from the content of the

dispute. They stress that the outcome belongs to the parties, not the mediator. Acland (1990: 17), for example, states:

“Once a mediator, consciously or unconsciously, has an investment in the process, then it no longer belongs totally to the protagonists and it deserves to fail. So the first point for you to grasp as a mediator is that: *you are a guest at the mediation.*”

Peace committee personnel and volunteers saw themselves in a mediator’s role, but they were not entirely distanced from the conflict situation: in reality they were advocating the values of the National Peace Accord. What the drafters of the Peace Accord did not appreciate was that there was an inherent conflict between the Accord’s mission to build peace and its other function, to mediate disputes. Each required the peace structures to play a different interventionist role. In retrospect, the only reason for peace committees retaining their credibility for so long was that other role-players considered their advocacy role to be important and useful to the overall political process. Their mission and that of the political parties still coincided and it was in everyone’s interests to adhere to the Peace Accord. But the Peace Accord became a burden after the elections. It was out of date and a fundamental change of mission would be needed for it to meet the requirements of the new environment.

But there is also another aspect: I now believe that in their missionary zeal, peace committee members never fully appreciated the significant impact that an intervenor’s baggage has on a situation. On the one hand, primary because the Peace Accord’s mission was so important to South African society, they misinterpreted their role and its significance within the overall political context. People within the peace structures made certain background assumptions about their role in society and never examined or tested whether their assumptions reflected reality, or whether they needed to evolve. Like all stereotypes, the assumptions carried with them a high degree of sentiment and emotion, and, like most prejudices, they tended to be resistant to contrary evidence. Members assumed that their values were acceptable to all and simply did not consider that they could be open to question. Perhaps more importantly, peace structures failed to pay attention to the nature of an intervenor’s relationship with other participants in the process. They never realised to what extent who or what one *is* can be as important as what one *does*. As Kolb (1983: 24-25), writing in a different context, puts it,

“The mediator’s thoughts, values, and assumptions about his work are revealed in the perspective or point of view through which the process is seen and interpreted. A given perspective, developed from experience, guides the choices mediators make about what tactics to use and the meaning of these actions for the achievement of a settlement.”

As intervenors, peace committee members needed to manage their own values and beliefs in the same way as they would manage a process. (For a similar, more detailed,

consideration of this aspect, see Midgley, 2000.) This would have prevented their subjective views from overshadowing the process. No-one is really to blame for this insensitivity which was primarily a product of the circumstances in which members found themselves. No-one had formal background in conflict analysis, nor extensive experience in conflict resolution. Skills were being learnt “on the run” and, by force of circumstance, had to be superficial in nature. As a result people were not sensitive to the issue, nor equipped to deal with it. The training which intervenors had received concentrated on process skills and glossed over the need for self-awareness and how to manage their own personalities and beliefs. If lessons are to be learnt from the peace-committee experiment, proper training for intermediaries in contextual analysis, in addition to skills training, is one of them.

Mission Accomplished

Peace structures might not have met public expectations, but there is sufficient reason to suggest that they did serve their intended purpose. So there was also a positive, but unacknowledged, reason for closing a chapter in South Africa’s history: their mission had been accomplished. The Peace Accord had three main objectives: to eliminate political violence, to promote democratisation and to facilitate reconstruction and development (Gastrow, 1995: 57). It represented “a brave and historic attempt to build new sources of legitimacy and to begin to restructure society by getting political parties and organizations to agree on basic principles of democracy, codes of conduct for political parties and security forces, and procedures and mechanisms for resolving conflicts peacefully” (Gastrow, 1995: 94-95). More often than not the political parties were at least prepared to use the communication channels which were made available to them. So, even when constitutional talks broke down at national level, peace committees continued to provide a bridge, both nationally and at local levels, for continuing contact (Gastrow, 1995: 65). They provided forums for familiar strangers to meet and engage in debate, to discover common interests as well as ways of accepting and dealing with differences.

The peace structures were designed to provide channels of communication and forums for political expression at a time when no such structures existed. They were charged with the tasks of reducing political violence and creating a climate for political activity, tasks which no other structure, governmental or otherwise, could undertake at the time. The structures were therefore the forerunners, at national level, to the Conference for a Democratic South Africa (CODESA), the multi-party conference, the IEC and the government of national unity, and at local levels, to Transitional Local Authorities and Local Authorities.

Within the framework of a third party intervention model, the demise of the peace structures was a logical result. The intermediary’s work had been concluded. The conflicting parties had reached a stage where they were able to devise non-violent ways of dealing with their future disagreements; democratic structures were in place to deal with the

structural aspects with which the peace committees had been concerned; and the government had established a reconstruction and development programme. There was no longer a need for third party intervention. The time had arrived for peace committees to withdraw and let the parties assume responsibility for their relationships. The Peace Accord's mission to facilitate transition had been accomplished.

Conclusion

It is said that three conditions must be met if a third-party intervention is to be effective: a willingness to negotiate; the proper forum – “literally the right place with the right conditions, the right convenor, the right setting, the appropriate relationship to the outside media, a clear view of how parties shall relate to their constituencies, etc”; and a credible intervenor (Laue, 1987: 25). In the early 1990s the climate in South Africa was ripe for negotiation and, with the signing of the National Peace Accord, the other two conditions were fulfilled. After the elections, however, peace committees no longer provided the appropriate forum for dialogue, nor were the structures seen to be credible intervenors in civic issues.

There is also no doubt in my mind that the credibility of the peace structures was detrimentally affected by their attempts to find a new societal niche after the elections. As noted earlier, peace committees were never fully accepted as credible structures and the position remained unchanged when members later became activists for peace committee survival. They began to emphasize the peace building aspects of the Peace Accord, which, frankly, represented the least successful area of peace committee activity. It was also in competition with the government's RDP policy. Peace committees had come to be seen as vehicles for effecting reconciliation – neutral and protected settings in which people could establish relationships and explore ideas without being constrained too much by party agendas – and not as nation building structures. This shift in emphasis from that of intermediary to peace activist created a clash of missions, for peace committees wished to assume a role which was not supported by the political parties who had sponsored the Accord in the first place. Peace committees had fallen into the classic trap set for third party intervenors: by investing directly in the civic affairs of the country, they could no longer be regarded as guests to the process.

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