Structures, Processes, and Strategies

# Peaceful

for the Constructive Regulation of Ethnopolitical Conflicts

# Intervention

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# Contents

# 1 Introduction

The hopes for a more peaceful world following the end of the East–West conflict have evaporated. Between 1988 and 1990, the number of wars seemed to decline. After that, however, the trend that had existed since 1960 towards a virtually continuous increase in the number of military conflicts resumed.[1] In 1993, the Netherlands-based PIOOM research group recorded a total of twenty-two wars involving over 1,000 deaths, and eighty-four wars involving a lesser number of victims.[2]

The overwhelming majority of these wars are not conflicts between different states, but intra-state disputes between rival political groups, or between these groups and the particular state concerned. A key role in identifying the warring groups is played by ethnic criteria, with the result that these disputes are often also described as ethnic conflicts. This kind of description should not, of course, be regarded as tantamount to an explanation—as if membership of a particular ethnic group automatically produced a situation conducive to conflict. In most cases, it is possible to point to a host of causes and material factors that have little to do with the ethnic features of the parties in dispute. It therefore makes more sense to talk about *ethnopolitical conflicts*, given that, as a rule, it is only when ethnic features are politicized that they acquire a key role in the conflict process.[3]

As far as the ending of these wars and the peaceful resolution of the conflicts that underlie them is concerned, the fact that the disputes involved are predomi-

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1. See the statistical summary in Tobias Debiel, 'Kriege', in Ingomar Hauchler (ed.), Global Trends 1995/96 (Frankfurt/M., forthcoming).

2. Albert J. Jongman and Alex P. Schmidt, 'Contemporary Armed Conflicts: A Global Inventory', PIOOM Report, 6/1 (Summer 1994), 17–21.

3. On the definition of, and terminology associated with, ethnicity, see Friedrich Heckmann, Ethnische Minderheiten, Volk und Nation: Soziologie inter-ethnischer Beziehungen (Stuttgart, 1992), 30 ff.; also Christian Scherrer, Ethnonationalismus als globales Phänomen (INEF-Report, 6; INEF: Duisburg, 1994), 7 ff.

nantly intra-state ones is of considerable significance. The classic range of instruments used for resolving conflicts in the international system, imperfect as it is, was developed primarily to cope with inter-state quarrels. But the (old and) new ethnopolitical tensions call for *intervention* by the international community in the internal affairs of states.[4] How can this intervention be organized in a peaceful way? What kinds of actors are appropriate for peaceful intervention: What structures and processes are crucial to the success of the intervention? What strategies, if any, are available for dealing with ethnopolitical conflicts?

To supply answers to these questions is the aim of this report.[5] In doing so, it will focus on the problems and perspectives of conflict regulation in the narrower sense. Hence, in contrast to the overwhelming mass of academic literature and journalistic coverage, it will not deal with the military and security-related aspects of the attempt to contain violence, with achieving and maintaining cease-fires, with 'peace keeping' and 'peace enforcement'.[6] Nor will it be concerned with the equally important issue of 'humanitarian intervention'—that is to say, the use of military means to ensure aid to populaces in distress in conflict zones.[7] Instead, the report aims to discover what the possibilities and limits are in regard to directly influencing ethnopolitical conflicts, and what options for action are available, in particular to third parties.

What we here define as *conflict* is a difference of interests as perceived by at least one party in an area of joint social interaction, resulting in a situation where

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4. See Volker Matthies (ed.), Frieden durch Einmischung? Der Schrecken des Krieges und die (Ohn)Macht der internationalen Gemeinschaft (Bonn, 1993).

5. On the general question of the promotion of peace, see Dieter Senghaas, Wohin driftet die Welt? Über die Zukunft friedlicher Koexistenz (Frankfurt/M., 1994); id. (ed.), Den Frieden denken (Frankfurt/M., 1995).

6. On this, see the account in Winrich Kühne (ed.), Blauhelme in einer turbulenten Welt: Beiträge internationaler Experten zur Fortentwicklung des Völkerrechts und der Vereinten Nationen (Baden-Baden, 1993); also the detailed discussion in Lothar Brock and Tillmann Elliesen, Zivilisierung und Gewalt: Zur Problematik militärischer Eingriffe in innerstaatliche Konflikte (HSFK-Report, 9; Frankfurt/M., 1993).

7. See Franz Nuscheler and Tobias Debiel (eds.), Humanitäre Intervention (SEF: Bonn, forthcoming).

the aspirations of the various parties cannot be realized to an equal extent.[8] The question of objective differences of interest between ethnopolitical groups—for example, on the basis of criteria of fairness—will not be examined here. Given that the focus is on social interventions in physically violent/potentially violent conflicts, it seems reasonable to concentrate on the *perceived* divergences—as perceived, that is, by at least one side in the dispute. The notion of interests here is, moreover, defined in such a way that it embraces other fundamental human aspirations (such as needs and values).

The study starts by attempting to draw up a list of the special characteristics of ethnopolitical conflicts. The list is intended to be such as to facilitate strategic reflection about whether it is possible to influence the dynamics of a conflict from outside, and if so, how (Section 2). The next section gives a schematic account of the structures of conflict regulation, embracing not only the realm of states but also the various fields of operation of the realm of societies, and also the necessity of developing initiatives at different social levels. The fourth section proceeds from the assumption that the involvement of third parties is of considerable importance in dealing with acute ethnopolitical conflicts, and this section also contains a systematized account of the functions and strategies that may be adopted by these third parties. Based on this, five process-oriented approaches to conflict regulation are presented. All of these display distinct programmatic and analytic features, though in practice they often figure in various combinations (Section 5).

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8. See the similar definition in Jeffrey Z. Rubin, Dean G. Pruitt, and Sung Hee Kim, Social Conflict: Escalation, Stalemate, and Settlement (New York et al., 1994), 5: 'Conflict means perceived divergence of interest, or a belief that the parties' current aspirations cannot be achieved simultaneously'. Also Friedrich Glasl, Konfliktmanagement: Ein Handbuch für Führungskräfte und Berater, 4th edn. (Bern and Stuttgart, 1994), 14–15: 'Social conflict is an interaction between actors...in which at least one actor experiences differences in thinking/conception/perception and/or feeling and/or desire in relation to the other actor (actors), such that realization is hampered by another actor (the other actors).' On the cognitive interest and definition of conflicts, see Ulrike C. Wasmuth, 'Wozu und zu welchem Ende untersuchen wir Konflikte?', in ead. (ed.), Konfliktverwaltung: Ein Zerrbild unserer Demokratie? Analyse zu fünf innenpolitischen Streitfällen (Berlin, 1992), 18–62.

# 2   The Dynamics of Ethnopolitical Conflict

## 2.1   The Dimensions of Ethnopolitical Conflict-Constellations

The simplest calculation of ethnopolitical conflict-potential compares the number of (nation-)states with the number of ethnically distinguishable groups. The starting-point here is the European notion that a nation-state should be built as far as possible on a homogeneous ethnonational base.[9] However, only a minority of the 190 or so states which currently exist match this 'ideal', and most states take the form of multi-ethnic constructs. Figures for the number of ethnic groups now in existence in the world vary considerably. They range from ethnographic lists detailing between 3,000 and 5,000 ethnic groups,[10] through the calculations of Gunnar P. Nielsson, who, at the start of the 1980s, recorded a total of 589 groups (including those that have formed states),[11] to the documentation of the Minority Rights Group, which in 1990 listed a total of 170 ethnic groups not having their own states.[12]

　　The problem with this approach is that there are quite a number of multi-ethnic states—some of them framed as such by their constitutions—and that many single-nation states have succeeded in organizing inter-ethnic relations in a peaceful way. It therefore probably makes more sense to calculate ethnopolitical conflict-potential by examining the overtly violent conflicts that have taken place since the Second World War, to see whether ethnicity has played an important role

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9.   See Peter Alter, Nationalismus (Frankfurt/M., 1985).

10.   Bernard Nietschmann, 'The Third World War', Cultural Survival Quarterly, 11/3 (1987), 1–16.

11.   Gunnar P. Nielsson, 'States and "Nation-Groups": A Global Taxonomy', in Edward A. Tiryakian and Ronald Rogowski (eds.), New Nationalisms of the Developed West: Toward Explanation (Boston, 1985), 27–56, this ref. 33.

12.   Minority Rights Group (ed.), World Directory of Minorities (Chicago and London, 1990).

in them. This is the approach underlying the University of Maryland's 'Minorities at Risk' project.[13]

In trying to establish ethnic membership, the 'Minorities at Risk' approach rejects the kind of primordial view that sees ethnicity as a quasi-biological pre-existent entity. Instead, ethnicity is understood as a social construct, albeit one which may be rooted deep in the 'historical memory' of the respective groups. It follows, according to this approach, that what is decisive in constituting a particular ethnic identity is not shared historical experiences, myths and religious beliefs, language, a particular life-style, or other such features *per se*; these only become decisive when there is a shared perception that they distinguish members of that group from those of other groups in some significant way.[14] Two factors that can foster this kind of shared perception are: experiences of negative (or in some cases positive) discrimination as compared with other groups; and deliberate political mobilization in defence of the real or supposed interests of the particular groups concerned.

Taking these criteria as the basis for a list of ethnopolitical groups involved in overtly violent conflicts, the 'Minorities at Risk' project identifies a total of 233 such groups between 1945 and 1989.[15] Contrary to widespread belief, the increase in the number of ethnopolitical conflicts did not begin recently, following the end of the East–West conflict. According to the Maryland project, this trend has been observable since the end of the 1960s. As Table 1 shows, there had already been a considerable increase in the numbers of ethnopolitical conflicts in the Third World during the 1970s and 1980s. The fragmentation of Yugoslavia and the Soviet Union reinforced this trend and caused it to spread to Europe, but it did not create it.

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13. See Ted Robert Gurr, Minorities at Risk: A Global View of Ethnopolitical Conflicts (Washington, 1993). However, Gurr uses the term 'communal groups' rather than 'ethnic groups' to distinguish the different manifestations of ethnopolitical mobilization. See the classification in the next section.

14. Ibid. 3 ff.

15. Ibid. 19.

***Table 1.*** ***Ethnopolitical groups involved in violent conflicts 1945–1994, by region[16]***

| *Period* | *Europe[17] North America* | *Middle East[18]* | *Asia* | *Africa[19]* | *Latin America* | *Total* |
|---|---|---|---|---|---|---|
| *1945–1949* | 7 | 6 | 12 | 1 | 0 | 26 |
| *1950–1959* | 2 | 15 | 13 | 6 | 0 | 36 |
| *1960–1969* | 3 | 4 | 15 | 17 | 0 | 36 |
| *1970–1979* | 1 | 16 | 18 | 19 | 1 | 55 |
| *1980–1989* | 7 | 13 | 20 | 17 | 5 | 62 |
| *1993–1994* | 10 | 6 | 28 | 23 | 3 | 70 |

*Source: Ted Robert Gurr, 'People against States: Ethnopolitical Conflict and the Changing World System' (unpub. manuscript; Maryland, 1994).*

One well-founded objection to this method of calculating ethnopolitical conflict-potential at the close of the twentieth century concerns its one-sided focus on the political mobilization and political aspirations of the particular minorities involved. In many recent cases, it has not been the initiatives of the minorities, but the repressive measures of the majorities, the ethnic groups that form the states, that have led to the outbreak of violent conflicts.[20] Moreover, a glance at the lists of conflicts drawn up by Gurr and his colleagues shows that new conflictual constellations have emerged only recently in certain crisis regions. Nevertheless,

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16. Based on the analysis of 233 such groups carried out by the Minorities at Risk project. The groups are listed according to the period of time during which they were involved in serious and extensive political troubles, local revolts, guerrilla activities, civil war, or inter-ethnic wars. Groups involved in more than one type of conflict during one period are listed only once.

17. Including the USSR and its successor states.

18. Including North Africa, Israel, Afghanistan, Pakistan, and Turkey.

19. Excluding the Maghreb states, Libya, and Egypt; including South Africa.

20. For the former Soviet Union, see Valery Tishkov, '"Don't Kill Me, I'm a Kyrgyz!": An Anthropological Analysis of Violence in the Osh Ethnic Conflict', Journal of Peace Research, 32/2 (1995), 133.

the compilations of Gurr and his colleagues provide the most comprehensive survey of ethnopolitical conflict-potential currently available.

## 2.2    Five Aspects of the Dynamics of Ethnopolitical Conflict

Taking up an idea mooted by the conflict researcher Friedrich Glasl, it is possible to distinguish five features of conflict diagnosis which also provide starting-points for conflict regulation: the parties to the conflict; the relations between the parties; the matters in dispute; the way the conflict unfolds; and the basic attitudes of the parties towards the conflict concerned.[21] In what follows here, these features will be used to highlight the special characteristics of ethnopolitical conflicts.

### 2.2.1  *The Parties to the Conflict: How Political Influence and Collective Experience Foster the Notion of a 'Common Destiny'*

In his standard work on ethnic conflict, Donald L. Horowitz rightly remarks that many misunderstandings about the concept of ethnicity can be eliminated by ridding oneself of the notion that there is such a thing as the 'essence' of ethnicity.[22] Ethnic membership is better depicted as being on a continuum representing people's own categorizations of themselves. At one end lies voluntary membership, and at the other, membership by birth. Ethnic groups are distinguished by the fact that the origin-related element is indeed a prominent one, but that there are at the same time a great variety of combinations with acquired social traits. It is probably precisely because of this flexibility that ethnicity not only played a key role in the organization of social relations in pre-modern times, but seems also—contrary to

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21. Friedrich Glasl, Konfliktmanagement: Ein Hanbuch für Führungskräfte und Berater, 4th edn. (Bern and Stuttgart, 1994), 94 ff.

the predictions of many theoreticians of modernization—to have some chance of survival in the (post)modern age.[23]

Taking as a basis a common definition of ethnic groups, six constituent elements may be identified:[24]

- *A shared name*, although in certain circumstances this may only emerge at the end of a formative process (as in the case of the Bosnian 'Muslims', who only adopted this name in the course of the intra-Yugoslavian dissension, long after the religious association had faded into the background).

- *The myth of a shared origin*, as expressed in legends, symbols, and other manifestations of a more or less heroic 'primeval history'.

- *A shared history*, or, more precisely, a historiography that interprets collective experiences from the point of view of their impact in shaping a community.

- *A shared culture*, as expressed first and foremost in a shared language but which may also embrace factors such as religion, life-style, customs, norms, and institutions, as well as physical characteristics.

- *Links with a particular territory*, which does not have to be actually occupied by the group, but which at least provides some justification for a historical 'claim' to this territory.

- *An awareness of community*, which may, in certain circumstances, crystallize out only at a late stage, but which represents the decisive step in the constitution of an ethnic identity.

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22. Donald Horowitz, Ethnic Groups in Conflict (Berkeley et al., 1985), 55.

23. See the comparison of ethnic groups in pre-modern and postmodern times in Anthony D. Smith, The Ethnic Origin of Nations (Oxford and Cambridge, 1986).

24. Ibid. 22 ff. Also Scherrer, op. cit. (n. 3), 4 ff.

The shaping of these features generally takes place in a conflictual inter-change with other ethnic groups, in the course of which the boundaries and composition of the groups themselves can change. Ethnogenesis is thus a continual process of assimilation and differentiation which can lead to the formation of larger or smaller entities. In recent times, this process has been significantly influenced by the formation of nations and by nationalism. The main effect of the 'Invention of the Nation'[25] has been to put all ethnic groups under great pressure to constitute themselves as 'nations'—that is to say, to demand the right to political autonomy and self-determination.

The difficulties that result from this have to do in particular with the two separate roots of nation-state formation. On the one hand there is the Western—particularly English and French—tradition of the *Staatsnation*, in which political mobilization and the forging of a sense of unity is based on *territoriality*. On the other hand there is the German and eastern European tradition of the *Kulturnation*, in which the formation of the political community is geared primarily to *ethnic* categories. This dualism continues, even today, to influence the way most states see themselves, given that they have combined both these strands of tradition, albeit in very varying ways. Since there are only very few cases where *one* ethnic group is identical with the nation-state, in the majority of cases the question arises as to how to satisfy the political claims and interests of those ethnic groups that are not part of the ethnic group that forms the state.

In order to answer this question, we have first of all to call to mind the most important constellations as far as the formation of ethnopolitical groups is concerned. In the Minorities at Risk project, Ted Robert Gurr proposes the following distinctions:[26]

1. *National peoples*, who seek the right to ethnonational self-determination:

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25. Benedikt Anderson, Die Erfindung der Nation: Zur Karriere eines erfolgreichen Konzepts (Frankfurt/M., 1988).

26. Gurr, op. cit. (n. 13), 18.

- *Ethnonationalists:* The peoples involved here are larger-sized groupings that form important foci of regional settlement and already have a history of political autonomy.

- *Indigenous peoples*: The descendants of the original inhabitants of what is generally a peripheral region; they have subsistence economies and manifestly distinct cultures from those of the groups who form the state.

2. *Minority peoples*, who strive for a better political, social, and economic status within existing states:

- *Ethnoclasses*: Socio-cultural groups which in general have a low social status and which display ethnic characteristics that mark them out as immigrants/descendants of immigrants.

- *Militant sects*, which find themselves in a position of having to assert themselves against the dominant religion. In many cases, these groups also find themselves in a position of ethnopolitical minority.

- *Communal contenders*. This term describes those groups that have developed a relatively clear ethnic/socio-cultural identity within a heterogeneous society and are competing for the chance to exert influence on government. They may occupy both a privileged and a disadvantaged position. This type is particularly widespread in Africa and Asia.

Like all classifications, this one also has its weak points and grey areas. One particular problem arises from the fact that, because of the dynamics of social movements, ethnopolitical groups in particular may undergo a change of status. For example, the developments in the Caucasus show how quickly indigenous peoples can become ethnonationalists. It is also difficult to distinguish between ethno-classes (e.g. the Southern European and Turkish immigrants to Germany) and communal contenders (e.g. the Chinese in Malaysia). Nevertheless, this scheme

seems a useful one as far as the overall context in which conflict regulation takes place, particularly in the realm of states.

Of considerable importance in determining the self-image of ethnopolitical groups are their experiences within the framework of their interaction with the particular state concerned, or with competing groups. Ted Robert Gurr has compiled a complex causal model of motivating factors, particularly those that lead to attitudes of political opposition.[27] In addition to the possibilities for political articulation and the overall international conditions, Gurr distinguishes two major factors: the extent of collectively experienced disadvantages, discrimination, and repressive measures; and the extent of group cohesion and group identity. These two factors will now be examined more closely, with a view to understanding how they lead to ethnopolitical mobilization.

The first aspect—that of collective negative experiences—is especially important in ethnopolitical conflicts that have reached a high degree of escalation. Such experiences include, in particular, events in which a large number of members of a group become victims of arbitrary rule, expulsion, a military defeat, or some other form of violence perpetrated by members of another group. The direst example here is genocide.[28] These drastic experiences often have a traumatizing effect that extends beyond the generation directly affected by them. In the same way as injuries suffered by individuals may be transferred as key experiences to children and grandchildren, so serious collective injuries can be passed on to succeeding generations and become a part of the shared destiny that binds an ethnic group together.

The psychoanalyst Vamik Volkan terms these mental imprints 'chosen traumas', in order to highlight the fact that the way in which these injuries are impressed on the collective consciousness is influenced, amongst other things, by

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27. Ibid. 123 ff.

28. The horrifying proportions which this form of violence has assumed during the twentieth century is demonstrated by Rudolph J. Rummel: 'Power, Genocide and Mass Murder', Journal of Peace Reearch, 31/1 (1994), 1–10. According to Rummel's figures, between 1900 and 1987, the number of victims of genocide and other politically motivated forms of mass murder (169 million) was several times that of victims of war during the same period (39 million).

the various processes of deliberate mythologization.[29] Of course, one has to be very careful here to establish how strongly conveyed these impressions are. As far as further research is concerned, therefore, an additional task will be to define more precisely the conceptual fields of individual and collective traumas.

The collective consciousness of ethnic groups with shared destinies not infrequently contains several of these kinds of 'chosen traumas'. An example is the history of the Chechen people of the northern Caucasus. Only after lengthy and bloody struggles were they finally incorporated, in the mid-nineteenth century, into Tsarist Russia. Their chief 'chosen trauma' undoubtedly continues to be their expulsion to Central Asia in 1944 on the orders of Stalin, in response to their alleged collaboration with Hitler's Germany. This led to a huge loss of life and culminated in the attempt to extinguish all memory of this people in its region of origin.[30] The next 'chosen trauma' will probably be the military intervention in Chechnia ordered by President Yeltsin in 1994–5.

This example also shows that the opposite of this, namely 'chosen glories', can also be a part of the collective consciousness. Thus the memory of the 'heroic opposition' to the Russian colonial campaigns of the eighteenth and nineteenth centuries, and the 'transfiguration' of prominent resistance fighters of this period, also form part of the collective consciousness of many Chechens. 'Chosen glories' play an especially important part in bolstering feelings of self-worth at those times when the group perceives itself as being in a precarious or threatened situation.

On the one hand, 'chosen traumas' and 'chosen glories' are founded on real events and experiences; on the other hand, they cannot be understood in isolation from the social and political circumstances under which the memories concerned are rooted into the collective consciousness, kept alive, revived, or modified. One of the factors at work here is the coherence of the ethnic group or, conversely, the

29. Vamik Volkan, The Need to Have Enemies and Allies: From Clinical Practice to International Relationships (Northwale, NJ, and London, 1994), p. xxv ff.

30. See Abderrazak Essaied et al., Report of an International Alert Fact-Finding Mission (International Alert: London, 1992).

extent of non-ethnic integration (e.g. in social classes, educational and professional circles, regional units, age-groups, subcultures, ethnically mixed families, etc.). The more important the ethnic links, the greater the influence the ideas and impressions associated with such links are likely to have. If this link is relativized, however, the 'chosen traumas' and 'chosen glories' probably also lose some of their impact. One crucial factor in ethnopolitical mobilization is the behaviour of the political élites, who, as 'ethnic entrepreneurs', may deliberately use shared historical features and other ethnic affinities for their own purposes.[31] This danger is especially prevalent where the social and economic basis for non-ethnic links is only rudimentary or when that basis comes under especial strain in crisis situations.

Using the example of the societies undergoing transformation in eastern Europe and the former Soviet Union, much investigation has recently been carried out into why the decision of the old and new élites in these countries systematically to ethnicize politics may be a thoroughly rational strategy.[32] The relevant factors, to name but a few, include: the fact that such ethnicization is an inexpensive way of distancing oneself from the old situation and can at the same time be used to provide a comforting distraction from the dire economic conditions; in the absence of other, socio-economically defined interest-groups, it provides a base for mobilization in party competition; it furnishes an allegedly stable and natural framework such as the weak ruling powers can no longer provide. The price for such ethnicization is high. It consists in an escalation of the risk of inter-ethnic conflict. As is shown by the wars in former Yugoslavia, however, this is regarded by many élites—however cynical this may sound—as nevertheless being advantageous, because it then becomes all the more easy to conceal the power-related interests of the respective élites behind the allegedly natural ethnic conflicts.[33] A further piece of evidence in support of the instrumentalization thesis is the fact that escalation to

31. See e.g. the case of Russia in Valery Tishkov, 'What is Russia? Prospects for Nation-Building', Millennium 26/1 (1995), 41–54.
32. See e.g. Claus Offe, Der Tunnel am Ende des Lichts (Frankfurt/M. and New York, 1993), 146 ff.
33. On this, see the analysis of Serbian and Croatian policy in regard to Bosnia-Herzogovina in Harry Bauer and Thomas Kimmig, 'Frieden um jeden Preis?', in Nenad Stefanow and Michael Werz (eds.), Bosnien und Europa: Die Ethnisierung der Gesellschaft (Frankfurt/M., 1994), 42–59.

a violent level is in many cases initiated by the ethnic groups that form the state (or their élites) and *not* by the underprivileged groups.

Up to now less research has been done into the question of how the ethnicization of politics as between élites and population actually proceeds in individual cases. How far do political leaders act primarily as active 'mis-leaders', making systematic and deliberate use of the ethnic card; and how far are they reacting to hidden needs, and falling in with a crisis-induced demand for ethnopolitical figures with which to identify? From a psychoanalytical point of view, there is the thesis that in situations of crisis, the 'charismatic leader' type, with marked narcissistic personality traits, finds special favour with the people because his phantasies of omnipotence and power provide a good surface onto which to project, and thus overcome, the collective resentments of his followers.[34] According to this thesis, the two factors are mutually dependent on one another—which does not make the regulation of conflict any easier, but at the same time militates against any simple 'either–or' solutions. As far as practical conflict-regulation is concerned, at any rate, the question of whether/to what extent the particular group concerned has functional representatives available to it, and what relationship exists between these representatives and their grass-roots, is a crucial one.[35]

As far as conflict regulation is concerned, the effect of this historical and psychosocial below-surface dimension of ethnopolitical disputes is that it is extremely difficult to approach such disputes exclusively as *factual conflicts*. The deeper the historical roots of such conflicts, the more necessary it is likely to be to view them as *relational conflicts*, and to deal with them accordingly.

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34. Volkan, op. cit. (n. 29), 183 ff.

35. Friedrich Glasl here distinguishes between three basic figures: tribunes, senators, and kings in exile. 'Senators' are the best suited to producing effective conflict-resolution, but in cases of highly charged enthnopolitical conflict, it is tribunes who often play the decisive role: op. cit. (n. 21), 162 ff.

### 2.2.2 *The Relations between the Parties to the Conflict: The Asymmetry between the Actors and the Asymmetry between the Dynamism of the Realm of Societies and the Static Nature of the Realm of States*

One basic feature common to the overwhelming majority of ethnopolitical conflicts is their asymmetry. This applies not only to the size of the groups involved in the conflict (in terms of numbers of people involved) and the resources available to them, but also to the overall conditions that structure the situation and from which legitimacy is derived. The majority–minority constellation, a widespread phenomenon, leads to a situation in which the traditional mechanisms of majority democracy cannot offer any satisfactory prospect for regulating acute ethnopolitical conflicts. But the effects of the structural asymmetry are at least as grave: whereas one party acts in the name of a particular status quo that is justified in most cases in terms relating to the *state*, the other party demands changes to this status quo on behalf of itself, and in doing so points to injustices of a *social* kind.

Behind this antithesis lies a fundamental tension that is a typical feature of international relations at the close of the twentieth century, namely the highly disparate developments in the realm of states and in the increasingly important realm of societies.[36] There is no doubt that states continue to be important actors on the international stage; but alongside them, at least in the OECD world, a network of thousands of non-state actors has now appeared, made up of businesses, media empires, professional associations, political pressure-groups, and many others. As a result, socio-economic and cultural events, and also political events, can only be influenced to a limited extent via the activities of states and governments.

The realm of societies has increasingly developed its own momentum— although this varies a great deal between regions and sectors.[37] This momentum is

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36. On this structural change and on the concepts involved, see James N. Roseneau, Turbulence in World Politics: A Theory of Change and Continuity (Princeton, 1990); Ernst-Otto Czempiel, Weltpolitik im Umbruch: Das internationale System nach dem Ende des Ost-West-Konflikts (Munich, 1991); Norbert Ropers, 'Weltordnung', in Infomar Hauchler (ed.), Globale Trends 93/94 (Frankfurt/M., 1993), 25–47.

37. See Gustaaf Geeraerts and Anne Mellentin, Analyzing Non-State Actors in World Politics: A Conceptual Approach (POLE-Papers, 4; Centrum voor Polemologie, Vrije Universiteit: Brussels, 1994).

leading to a situation where the political order of the realm of states is repeatedly subjected to new challenges, notably ethno*national* aspirations affecting not only the internal constitution of states but in some cases also their external, territorial integrity. But in other ethnopolitical relations too, it is above all trans-border processes of social change that contribute to the escalation of conflict. In this connection, Dieter Senghaas has proposed a distinction between three ethnopolitical conflict constellations:[38]

- *Conflicts Relating to the Safeguarding of Assets*
  The salient feature here is that a particular group comes to the conclusion that its investment in the maintenance of the state is greater than the benefit it could derive from joining with other ethnonational groups. This applies in particular to economically more advantaged groups.

- *Conflicts Relating to Resistance to Submersion by Foreigners*
  This refers to efforts which a group that at least previously constituted, or still constitutes, the majority population in a particular region, makes to counter a real or supposed threat to its dominance or integrity. This impulse is directed in particular against immigrants, with the claim to a prior 'right of abode'.

- *Conflicts Relating to Resistance to Assimilation*
  This constellation represents the classic form of protection of a minority. A numerically inferior group seeks to assert its identity *vis-à-vis* the majority.

In reality, there are many different combinations of these basic types. This is particularly true of longer-lasting ethnopolitical conflicts that have passed through various state orders and in which several ethnoterritorial constellations exist alongside one another. Thus, in the political discourse of today's Hungarian minority in Transylvania (Romania), all three basic types figure. Resistance to assimilation occupies centre-stage, given that the Hungarians in Transylvania

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38. Dieter Senghaas, Friedensprojekt Europa (Frankfurt/M., 1992), 117–21.

constitute a minority of just over 20 per cent of the population, and given that, since their incorporation into the Romanian state after the First World War, they have had to face considerable pressure to conform.[39] In some districts, however, they constitute the majority of the population, and, following decades of systematic settlement by Romanians under Ceaucescu, they now find themselves in a position of resistance to foreign submersion. Given their traditionally privileged social position and their links with their economically more developed neighbour, Hungary, they also see the situation ultimately as one of the safeguarding of assets.

The example of Hungary makes it clear that conflict constellations can be additionally influenced by the ethnopolitical links and constellations within and between the surrounding states. In this connection, a significant role is played by those states which—like Hungary in the present case—see themselves expressly as protector-powers of their particular nationalities.[40] The most important protector-power of this kind at present is probably the Russian Federation, given that, since the dissolution of the Soviet Union, about 25 million Russians are living in other CIS countries and in the Baltic states, and their status is often the subject of fierce political debate. But even above and beyond direct ethnic affinities, cross-border (i.e. state border) ethnopolitical constellations can play a considerable role, as is demonstrated by the relationship of the Confederation of Mountain Peoples of the Caucasus, created in 1989, with the Russian Federation. Of course, if such features are combined with aspirations motivated by power politics, this may lead to a situation where, in acute conflicts, all that ultimately counts is the bald formula: 'My enemy's enemy is my friend.'

The asymmetry of many ethnopolitical conflicts creates some fundamental challenges as far as finding a peaceful way of regulating them is concerned. A fair and lasting solution to conflict is normally only considered likely where the relations between the parties are more or less symmetrical, or are not extremely disparate. As far as the constructive regulation of ethnopolitical conflict is concerned, this would in practice mean bolstering the weaker side; in other words, viewed from the

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39. See The Democratic Alliance of Hungarians in Romania (DAHR) Documents 1 (DAHR: Cluj, 1994).

outside, assuring its *empowerment*. But would such a strategy not rather provoke conflict, or at any rate lead to its escalation?[41]

### *2.2.3 The Matters in Dispute: Identities and Interests*

The asymmetrical nature of many ethnopolitical conflicts between state bodies on the one hand and ethnosocial movements on the other is also reflected in the fact that the descriptions which the respective parties give of the matters in dispute vary greatly in their emphases. Jointly tackling the question 'What is really at issue in this conflict?' can thus in itself be a first step towards regulation, if each side's point of view can be communicated to the other side.

The commonest case is that in which the demands of the ethnosocial groups for recognition of their special rights (which often merely express a desire for non-discriminatory treatment) are confronted with the tendency of states to deny or relativize these special features, or to attempt to achieve this object through assimilation or, in the worst case, repression or expulsion.

One typical feature of the issues that come up in the case of ethnopolitical conflicts is therefore the argument about whether the demand that certain special ethnic characteristics be recognized is at all justified, and if so, to what extent. In the academic and journalistic debate, stress is here laid on the distinction between *conflicts of interest* and *conflicts of identity*.[42] Whereas conflicts of interest can in principle be dealt with by evening up the interests, achieving a 'more-or-less' outcome through a series of mutual compromises, conflicts of identity, it is said, are about an 'all-or-nothing outcome.'. The demand for recognition of a particular ethnic identity is therefore, so it is claimed, non-negotiable.

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40. Other descriptive labels for this relationship, each with varying emphases, are: kin state, patronage state, titular nation.

41. See John Paul Lederach, Building Peace: Sustainable Reconciliation in Divided Societies (Eastern Mennonite University: Harrisonburg, 1994), 32 ff.

42. See e.g. Senghaas, op. cit. (n. 38), 134 ff.

In reality, the 'interest' and 'identity' components cannot readily be separated. Furthermore, there are hardly any long-term conflicts that do not become saddled with extra 'issues': socio-structural tensions, fraught relations between representatives, differences of opinion about what happened when, etc. None the less, the distinction between, on the one hand, conflicts of identity, which relate to the more deeply rooted shared features of ethnic membership and to 'chosen traumas' and 'chosen glories', and, on the other hand, conflicts of interest dealt with at the political level, is a useful one from more than just the analytical point of view. From it there springs, as will be shown below, a dual strategy of conflict resolution.

The notion of conflict of identity, which relates to the perception of existential threat, is, moreover, the most apt to account for the way in which ethnopolitical conflicts are often fought out so uncompromisingly. A systematic explanation is to be found in 'basic human needs theory'.[43] According to this, almost all deeply rooted social conflicts have their origin in the frustration of basic human needs for security, identity, and participation, in relation to which ethnic affinity-groups play an important role. These basic needs are, it is claimed, universal and not subject to compromise. Constructive conflict-regulation must therefore aim to transform the disputed issues in such a way that the underlying basic needs emerge, because only when those needs are satisfied is there be any prospect of a lasting solution. The concept of basic needs is open to criticism on various counts—for example, for its cultural shortcomings and its simplistic transposition of models of physical need to the psychological and social spheres.[44] Another difficulty is the assumption that in ethnopolitical conflicts some kind of denial of basic needs is in principle the most likely explanation, which means that other possible accounts immediately recede into the background.[45] None the less, this approach does rightly draw attention to

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43. See John Burton (ed.), Conflict: Human Needs Theory (Houndsmills and London, 1990). And for a basic treatment of this paradigm of conflict resolution, see id. and Frank Dukes (eds.), Conflict: Readings in Management and Resolution (Houndsmills and London, 1990).

44. See Mark Hoffman, 'Third-Party Mediation and Conflict-Resolution in the Post-Cold War World', in John Baylis and N. J. Rennger (ed.), Dilemmas of World Politics (Oxford, 1992), 261–86.

45. See Tishkov, op. cit. (n. 20), 133–49.

the fact that the matters in dispute are located on various levels, and that in ethnopolitical conflicts in particular, the more deeply sited motives of the conflictual behaviour should be brought out and discussed.

Another characteristic feature of ethnopolitical disputes, besides the question of the recognition of other ethnic identities, is the issue of 'historical truth': Who was the first to settle this territory? Who was 'to blame' for aggravating the conflict? Who did what to whom in the course of the conflict? It is commonly supposed that if one could convince the opposing side, and possible also the third party, of one's own 'historical truth', it would then be easy to settle the conflict peacefully. This line is not infrequently pursued with such doggedness that it often actually fuels the conflict. It is probably true that a lasting reconciliation is only possible if the historical injuries are worked on—and this is not possible if the parties concerned will not own their shared history. But the decisive factor here is attitude: Is the aim vindication as a strategy of conflict, or illumination as a means of problem-solving?

As far as conflict resolution is concerned, these considerations about the objects of the dispute point to a further differentiation in the above-mentioned relational aspect of ethnopolitical conflicts: How is it possible to satisfy the manifest and deeply felt need for *recognition* of the respective collective identities in such a way that that recognition does not appear as a threat to the other party? Moreover: How can the causes and effects of the reciprocal injuries and insults be worked through in such a way that what results in not further escalation but insight into the mutual entanglements?

### 2.2.4 *The Dynamics of Escalation: The Consequences of Personalization, Simplification, Threat, and Violence*

Ethnopolitical conflicts generally develop over a very long period, perhaps extending over decades, centuries even. The process involves a variety of subjective and objective factors all influencing one another. This means that on the one hand the conflict is more or less consciously staged, but on the other it is also experienced as the result of 'objective' factors such as settlement patterns, shifts of population, governmental regime, cultural differences of outlook, social injustices, and so on. That is why the question of what each particular conflict is *really* about is often so hard to answer.

Up to now there has been little or no systematic or comparative investigation into the long-term development of ethnopolitical conflicts. Historical experience would seem to support the thesis that they display a particular propensity to escalation in the direction of violent resolution. However, against this it may be said that this is due primarily to the lack of options for peaceful conflict-regulation at the international level.

Friedrich Glasl has suggested that social conflicts will generally contain an escalatory momentum if the actors involved in them do not take conscious steps to avert an intensification of the conflict.[46] He ascribes this to a series of basic mechanisms: the inclination to project everything negative onto the opposing side; the tendency simultaneously to extend the range of issues in dispute and to simplify the structure of the arguments, as well as to personalize the dispute. At high levels of escalation, he also identifies the fatal tendency of parties to hope that by increasing the threat of violence they will succeed in getting the other side to give in. In fact the opposite is achieved ('more brakes, more speed').

If one makes use of this model to throw light on the escalatory dynamic in ethnopolitical conflicts, the basic mechanisms take on concrete shape. Thus the *inclination to projection* in ethnopolitical actors is a particularly likely one, since their formation is accompanied by considerable internal debate, competition,

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46. Glasl, op. cit. (n. 21), 181 ff.

and tension. But the internal contradictions and problems do not fit in with the grandiose self-image which the élites use to mobilize their followers. The obvious move is therefore to project the unwanted/unacknowledged features onto the opponent.

*Extending the range of issues in dispute* seems a good move because the ethnopolitical groups, in their struggle for recognition, have a tendency to emphasize their distinctive features in as many areas as possible. At the same time, their allegedly natural ethnic membership makes it possible to offer a *simple explanation* for all complex conflict-constellations. This 'natural' explanation of conflict also encourages *personalization* of the arguments. Instead of concerning oneself with the concrete issues involved in regulating multi-ethnic relations, it is much easier to blame the personal traits of the members of the other groups for the 'real' conflict. Lastly, one of the salient features of lengthy ethnopolitical disputes is the emergence, alongside the original conflict, of a sometimes even more acute 'conflict about solving the conflict'.

Of crucial significance is the escalatory threshold beyond which lies settlement by violent means. Once it has been crossed, there is—literally at one blow—a host of new reasons for using more and more violence.[47] The circle of people with lost or injured members to lament grows ever greater. Regardless of the attitude they originally adopted to the conflict, many of them will now increasingly tend to advocate revenge and counter-violence. In addition, once the dispute takes on a military form, the whole infrastructure of ethnopolitical relations changes. In the place of, or alongside, political leaders there now appear military leaders; power and influence is increasingly measured in terms of military strength; a culture of violence permeates every area of society.

The most important effect of the escalatory dynamic, as far as conflict resolution is concerned, is the paramount significance it lends to *preventive diplomacy*. This applies in particular to preventing matters escalating to the level of violence. But even below this level, there is quite a spectrum of step-by-step

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47. A further aspect not included here is the role played by the military in the conflict—e.g. on account of the ethnic composition of the officer corps and the ranks. See Horowitz, op. cit. (n. 22), 443 ff.

intensification of conflict the individual stages of which have so far not been used to a sufficient extent as starting-points for preventive measures. This aspect also highlights the fact that different forms of intervention and conflict regulation are required depending on the particular stage of escalation reached (see Section 5.5).

### 2.2.5 The Parties' Attitudes to Conflict between Polarization and Transformation

One last aspect that is of importance as far as the method of tackling the conflict is concerned is the attitude which the disputants have towards conflict itself. Do they, for example, regard tough political and social clashes as natural and as an unavoidable feature of a pluralistic and democratic world? Or do intense conflicts of this kind appear to them as symptoms of crisis which must overcome as soon as possible by establishing a harmonious political and social order?

In this connection, a typical feature of ethnopolitical disputes is, as has already been mentioned several times, asymmetry: whilst one side sees what it perceives to be a conflict about a change of system, the other side sees at most a need to make minor adjustments within the framework of the existing system. In addition, it must be said that the parties are often united in their scepticism about, if not rejection of, models of conflict regulation of a general, as well as a particular, kind. Even for the weaker side, achieving an improvement in its own position is the main focus. The disputants are seldom concerned with structural reforms that might make a general contribution to organizing multi-ethnic co-existence in a peaceful way. This attitude is exemplified in many of the new states that have recently emerged in eastern Europe: scarcely had they achieved independence when they became entangled in conflicts with their new minorities.

However, if one takes a closer look at the *actors* involved in ethnopolitical conflicts, the attitudinal dimension can be broken down even further. Three aspects are particularly noteworthy here: first, the location of the actors in the social hierarchies of the parties involved; second, the extent of polarization between these actors; third, changes to their attitudes over a longish time-scale.

Most ethnopolitical conflicts involve highly complex social relations that operate at several social levels and embrace a host of different actors. The complexity becomes all the more marked, the more diffuse the power structures are and the more disputed the claims of the ethnopolitical leaderships. But even where the hierarchy of the actors is relatively clear, conflict regulation is not simply a matter for the top echelon of leadership. Because of the prominence of the relational level in ethnopolitical conflicts, attitudes at the middle level of leadership, amongst the regional and functional élites, and amongst the disseminators at the grass roots, play an important role.[48]

The extent to which the attitudes within the conflict are polarized depends very much on the degree of escalation. But even in the case of conflicts that have reached a high level of escalation, attitudes—at least at the middle and lower levels of leadership—will not be equally polarized. Differing strategies of conflict regulation ensue from this: one can bolster those actors at the middle and lower levels who represent a more moderate, mediating position in regard to the conflict concerned; or else intervention can be directed primarily at the representatives of extreme positions at these levels, since they constitute the social basis of the hardliners at the uppermost level.

Finally, the complex social dynamics of ethnopolitical conflicts also point to the fact that attitudes to conflict regulation vary in fixedness from one level to another, and that, at least in the longer term, a change in the way interests and identities are defined is possible. Seen from this perspective, conflict regulation means first and foremost the *transformation* of the society/societies concerned, with a view to strengthening non-ethnic affinities and loyalties.

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48. It has become common practice, in the literature on conflict regulation, to draw a distinction between these three levels: top leadership, middle range leaders, and grassroots leaders. See Lederach, op. cit. (n. 41), 16 ff.

## 2.3 Interim Summary: The Special Challenges which Ethnopolitical Conflicts Pose for Peaceful Intervention

Why is it that ethnopolitical conflicts in particular are so difficult to resolve, and why do they unleash so much destructive energy?[49] We shall answer this question by offering an interim summary of the special challenges of this type of conflict as we have described them so far.

1. Ethnic groups come together as 'communities with a shared destiny' in the course of a long historical process. They do so in a *process of alternation between subjective and objective factors*, between individual needs for membership, security, and participation in definable groups, cultural and socio-economic processes of inclusion and exclusion, political mobilization and instrumentalization, and 'traumatic' and 'heroic' variants of the sense of community. In almost all acute disputes, there is *therefore a factual and a relational level*. However, the predominant form of political conflict-regulation is mostly confined to the factual level. But if the relational level is not integrated into the conflict regulation, it is very likely that it will make itself felt as 'resistance' in the course of the attempts at regulation. This applies in particular to the exclusion of the historical and psychosocial below-surface dimension of inter-ethnic relations.

2. Most ethnopolitical conflicts are *asymmetrical* and, as a result, the side that is (apparently) the stronger one at the outset tends to put off any open/comprehensive treatment of the conflict as long as it can—often with counter-productive effects. Intervention for the sake of a fair and lasting resolution of conflict can thus also imply *empowerment*. Apart from the fact that this means the intervening party necessarily also has to take sides, the question arises as to how empowerment can be organized in such a way as

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49. In the Anglo-Saxon literature, they are most often described as 'protracted conflicts'. See Ronald J. Fisher, The Social Psychology of Intergroup and International Conflict Resolution (New York et al., 1989).

not to contribute to a destructive escalation of the conflict? In other words: Can there be such a thing as a constructive escalation of ethnopolitical conflicts?

3. Ethnopolitical disputes generally involve *conflicts of identity and conflicts of interest*. At the relational level, ways and means have to be found to satisfy the need for *recognition* of the specific collective identities of the parties involved in such a way that recognition of the one side does not appear as a threat to the other. Furthermore, thought must be given as to how this recognition can be linked in with aspects of multi-ethnic and trans-ethnic identity-formation.

4. The *danger of escalation* in the case of ethnopolitical tensions, and the difficulties involved in attempting peaceful intervention at high levels of intensity—particularly in the case of conflicts being conducted by violent means—underline the need for *preventive diplomacy*. The escalation aspect also highlights the fact that different models and strategies of conflict regulation are appropriate depending on the level of intensity.

5. Even in the case of disputes that have reached a high level of escalation, the parties involved have *different attitudes* to the conflict between the various actors. This results, on the one hand, from the particular level of leadership concerned, and on the other hand from the closeness/distance of the poles of the conflict. This complexity should be made use of in the conflict resolution, in order to bring about a *transformation* of the society/societies concerned in a way that strengthens non-ethnic affinities and loyalties.

Are the tools currently available for conflict regulation adequate to cope with the ethnopolitical conflict-constellation thus described? This question will now be answered in two stages: first, a survey of the structures and framework conditions of conflict regulation in general, and second, a closer examination of the contribution that can be made by third parties in this context.

# 3 Structures of Ethnopolitical Conflict-Regulation in the Realm of States and the Realm of Societies

There are various typological schemes for classifying conflict regulation—for example, according to the extent and depth of intervention ('conflict management' versus 'conflict resolution'[50]) or according to its aims (eliminating ethnic differences as against managing them[51]). A scheme will be proposed here which is geared chiefly to the institutional context in which the actors are located, and to the level of intervention; it will take into account only those forms of regulation that may be regarded, in the widest sense, as being 'constructive'.[52] The first dimension relates to the division that has already been mentioned between the realm of states and the realm of societies. Within the second dimension, the different approaches to ethnopolitical conflict-regulation are distinguished according to whether they are located at the micro- or the macro-level. *Figure 1* combines these two divisions in a four-field arrangement.

Before the four fields are discussed in detail, some brief remarks will be made about the distinction between the micro- and macro-level. Measures clearly located at the macro-level may be taken to mean all those interventions which, either in intention or in effect, are directed at the *structures* and institutions of society as a whole—e.g. constitutional changes that promote federal structures, or social strategies aimed at strengthening trans-ethnic loyalties. In contrast, measures

50. Stephen Ryan, Ethnic Conflict and International Relations (Aldershot et al., 1990), 94 ff.

51. John McGarry and Brendan O'Leary (eds.), The Politics of Ethnic Conflict Regulation (London and New York, 1993), introd. 4 ff.

52. See Susan K. Boardman and Sandra V. Horowitz, 'Constructive Conflict Management and Social Problems: An Introduction', Journal of Social Issues, 50/1 (1994), 1–12.

clearly located at the micro-level are of only limited temporal and geographical import. They are *process*-oriented—e.g. a conciliatory gesture by a government as a way of coping with an acute ethnopolitical crisis. As these examples show, a number of interim stages between the two are conceivable.

*Figure 1.* *Approaches to the Constructive Regulation of Ethnopolitical Conflicts in the Realm of States and the Realm of Societies*

|  | Realm of states | Realm of societies |
|---|---|---|
| *Micro-level* <br><br> *(process related)* | • Crisis intervention <br> • Ad hoc programmes to improve the situation of disadvantaged groups <br> • Minority representation with mainly symbolic rights <br> • Minority rights of individual relevance <br> • OSCE Long-Term Missions | • Empowerment of dis advantaged groups <br> • Improvement of multi- ethnic conditions of life <br> • Exchange and encounter programmes <br> • Fostering of multiple identities <br> • Transnational networks of human-rights NGOs <br> • Problem-Solving-Workshops |
| *Macro-level* <br><br> *(structure-related)* | • More democracy and rule of law <br> • Minority rights of collective relevance <br> • Non-territorial autonomy <br> • Territorial autonomy <br> • Other schemes of power sharing (grand coalitions, proportionality, minority veto, condominiums, etc.) <br> • Secession | • Professional codes of conduct for groups and institutions having to do with con-flict(journalists, teachers) <br> • Institutionalization of conflict culture <br> • Mobilization of social actors to form peace constituencies <br> • Strengthening of multi- and trans-ethnic identities |

This being the case, the scheme is intended only for heuristic purposes, and to highlight ideal-type differences. Thus, in several multi-ethnic states in eastern Europe, advisory bodies have recently been set up which are concerned with the political representation of minorities. The respective governments are trumpeting these moves as a macro-political concession; quite a few minorities, however, regard these bodies merely as a piece of symbolic politics, since they have, so they claim, no real rights—which means they are at best a form of micro-politics. None

the less, the division seems a useful one, since it facilitates discussion of the the various approaches to conflict regulation and their reciprocal effects.

Why this should be so becomes clearer if we turn to another view of the micro-level, according to which this level is the location of all political interactions that occur within the framework of direct personal encounters (generally described in the Anglo-Saxon literature as 'face-to-face' interaction). According to this view, even direct negotiations between the leading figures in ethnopolitical groups/state institutions belong to the micro-level. Only when these negotiations lead to agreements that affect society as a whole is the macro-level touched upon. It is obvious that scarcely any kind of macro-political arrangement is possible without such agreement at the micro-level. Conversely, because of the fundamental challenges which ethnonationalism poses, activities at the micro-level are not in themselves sufficient to bring about peace. This, at least, is what the weaker side believes, and this means that the asymmetrical pattern is repeated in the strategies adopted for regulating the conflict: whereas the one side considers macro-political changes of structure indispensable, the other side sees the answer as lying in micro-political adjustments.

This division is not the same as a classification by actor and process, according to which leading figures operate at the macro-level, whilst all the members of the particular society/societies undergo the effects at the micro-level. This division is also useful in regard to conflict regulation, because it highlights the different conditions affecting action at these levels. In addition, it has helped people realize that the intermediate level of leadership, also known as the meso-social level, is particularly important in this type of conflict.[53] The distinction here drawn between the process-oriented micro-level and the structure-oriented macro-level is intended, in contrast, to emphasize the fact that the lasting settlement of ethnopolitical conflicts also requires a readiness to engage in structural reforms.

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53. Lederach, op. cit. (n. 41), 16 ff.

## 3.1    Micro-activities in the Realm of States

It is in this field that the majority of relevant activities are currently located. They include every kind of negotiation between the affected state/ethnopolitical leaderships, also agreements in which the interests of majorities and minorities are newly balanced against one another, the creation of special advisory bodies to watch over the interests of minorities, measures for implementing human rights, the rule of law, and regulations banning discrimination and ensuring equality, etc. These activities emanate primarily from the parties concerned. But the activities of third parties can also come under this rubric. Examples would be instances of intervention by multilateral bodies such as the United Nations, the OCSE, the Council of Europe, the EU, great and medium-sized powers, and the 'Contact Group for Bosnia-Herzegovina' (consisting of representatives of the USA, Russia, France, Britain, and Germany).

The predominant method in use in all these activities is that of crisis man-agement—that is to say, initiatives are usually only undertaken when conflicts have become so acute that there is immediate pressure for action. The sometimes fatal effect is that, as a consequence, the side that is interested mainly in bringing about some change/(new) settlement endeavours to create this pressure for action, by, for example, stepping up escalation. Examples here are the declarations of independence made in the former Soviet Union, the main purpose of which was to bring the Russian government to the negotiating table in order to obtain a more favourable federal arrangement. The case of the Tatar Republic shows that this kind of policy can be successful;[54] the case of Chechnia, on the other hand, demonstrates what happens when crisis management fails.

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54. In Feb. 1994 the Tatar and Russian governments agreed to an arrangement whereby the Tatar Republic is 'united'/'associated' with the Russian Federation on a basis of reciprocally delegated state sovereignty. (The terminology continues to be disputed.) In addition, a number of individual agreements were concluded which regulate the delegation of competences between the two levels. Thus, for example, strategic security issues come within the jurisdiction of the central government, whereas most matters relating to internal administration are the responsibility of the Tatar government alone. See Network on Ethnological Monitoring and Early Warning of Conflict: Bulletin II/1 (Conflict Management Group; Cambridge, Feb. 1995).

A second characteristic of micro-political conflict-regulation in the realm of states is that, by definition, modes of regulation are sought which fit in with the existing (inter)state structures. This is also true of almost all multilateral initiatives. Since they ultimately derive their legitimacy from the state-status-quo, as a rule they cannot play the role of a neutral third party—between, for example, an existing state and a national group seeking secession. Their efforts at mediation are thus aimed primarily at finding compromises and modus-vivendi-style solutions within the existing system.

Closely related to this is a third structural feature, of great consequence as far as the ethnocultural dimension is concerned. This is, namely, that conflict regulation in this field can only relate to politically negotiable issues. As explained above, however, these conflicts, more than any other, are frequently characterized by deep historical and psychosocial roots. Any treatment that deals solely with the contemporary political superstructure of the conflict is therefore always in danger of being repeatedly confronted with unexpected objections and defensive reactions, or else of producing a settlement that is not robust or lasting enough. To achieve this kind of conflict regulation, the psycho-historical substructure must also be taken into account. What matters first and foremost is that there be some kind of acknowledgement that this substructure actually exists, and that suitable forums and mechanisms for dealing with it be developed.

## 3.2 Macro-activities in the Realm of States

The most radical macro-political measure used to regulate ethnonational conflicts is secession by the particular group that regarded itself as disadvantaged within the former state grouping. Up to now, however, there have been only very few cases— Czechoslovakia is one example—in which it has proved possible to arrive at this kind of solution in a mutually agreeable and peaceful way. This does not imply that such a solution is in principle impossible; in some cases it is probably the most

promising option in terms of sustained peace and development.[55] However, it is desirable that its preconditions and effects be regulated multilaterally.

In the majority of cases, the models of macro-political regulation discussed here operate far below this threshold. In most of the societies undergoing transformation, the concern, in the first instance, is primarily to secure institutional reforms that will produce more democratic structures, and structures embodying the rule of law, and to secure the implementation of rights relating to political participation in general. The core demands of ethnonational movements in particular aim at collective minority rights and various forms of autonomy.[56] Finally, there are a number of different federal arrangements and models of power sharing which grant ethnopolitical groups additional rights as regards institutional involvement.[57]

Far too little notice has so far been taken, by most ethnopolitical actors, of the variety of possible federal arrangements, based not only on territorial but also on non-territorial principles. Only in about 30 per cent of a total of around 170 multi-ethnically composed states are there currently any kind of federal or autonomous elements.[58] In many cases it is sheer ignorance and the narrowing of perspective which occurs at high levels of escalation that prevent this constructive approach to conflict regulation being used to a greater extent. There are, however, two factual points of criticism: first, there is the argument that even modest concessions in regard to autonomy will tend to reinforce rather than reduce the pressure for complete secession; and secondly, there is the thesis that such an approach will encourage/perpetuate the ethnicization of politics.

The first argument has not so far been very systematically investigated. Those cases that have been analysed more closely from a historical point of view would

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55. See Norbert Ropers and Peter Schlotter, 'Minderheitenschutz und Staatszerfall: Normbildungen im KSZE-Prozeß', Blätter für deutsche und internationale Politik, 38/7 (1993), 859–71.

56. See Dieter Bricke, Minderheiten im östlichen Mitteleuropa: Deutsche und europäische Optionen (Baden-Baden, 1995).

57. See Joseph V. Montville (ed.), Conflict and Peacemaking in Multiethnic Societies (Lexington and Toronto, 1990); Daniel J. Elazar et al. (eds.), Federal Systems of the World: A Handbook of Federal, Confederal and Autonomy Arrangements (Harlow, 1994), p. XI.

58. Elazar, op. cit. (n. 57), p. xi.

seem to indicate that the crucial factor is timing, given that actors of varying extremeness dominate at different stages of escalation.[59] Where settlements based on autonomy are agreed at an early stage, there is a high degree of probability that these will bolster the moderate actors and work against further escalation. If, on the other hand, centralized state bodies agree to such settlements only under the pressure of a crisis that has already become highly acute, such a move can also be interpreted as weakness, which then acts as an incentive for more far-reaching demands.

There has as yet been far too little research on the second thesis. Donald Horowitz has investigated the impact of different electoral systems on ethnopolitical conflict-regulation.[60] According to his research, care must be taken, when creating independent/special structures for the representation of ethnopolitical interests, to ensure that these do not encourage further polarization in the electorate, or, conversely, that they contain as many incentives as possible for the formation of coalitions across ethnic boundaries. Horowitz's recommendations make it clear that macro-political approaches to regulation should also be inspected from the point of view of whether they contribute to a long-term, constructive transformation of the conflict, or whether they entrench the form originally chosen for conducting the conflict.

### 3.3  Micro-activities in the Realm of Societies

There are essentially two arguments for involving the realm of societies in ethnopolitical conflict-regulation: first, the observation that ethnopolitical conflicts are not conducted only at the leadership level, but are interwoven with social structures in many diverse ways and thus affect the most disparate kinds of social

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59. Horowitz, op. cit. (n. 22), 622 ff.

60. Ibid. 628 ff.

actors; and secondly, the thesis that the successful handling of such conflicts calls for concepts and strategies which state actors cannot either develop or implement on their own. This last argument rests in large part on the asymmetrical framework-conditions described above, on the psychosocial and historical below-surface dimensions determining the conduct of the conflict, and on the effects of disputes that have reached a high degree of escalation, with the autistic structures of communication and interaction that implies.

A commonly used terminology draws a distinction here between 'peace-making' and 'peace-building'.[61] In this connection, 'peace-making' is understood to mean the attempt to tackle some concrete problem in a process that generally begins with a difference of interests, proceeds in the form of negotiations, and in the end—if successfully dealt with—leads to an agreement concerning the *conduct* of both sides. Peace-building, on the other hand, covers a wider area and, in most cases, a longer time-scale. Its aim is a change in the social structures underlying the conflict, and a change in the *attitudes* of the parties to the conflict. No doubt it is true that peace-making in collective, politically moulded conflicts is primarily a job for the realm of states, whereas that realm, though able to provide impetus for peace-building, has to leave actual implementation to the realm of societies. And yet peace-making and peace-building cannot be equated with the fields of operation of the realm of states and the realm of societies. Thus, for example, the federalist macro-constructions previously mentioned do also at least contribute to peace-building to the extent that their peace-bringing effects only become evident in a lengthy process of implementation.

In the micro-domain of the realm of societies, many initiatives automatically operate at the peace-building level solely by virtue of the fact that their representatives have no direct access to the relevant leadership-level. The recent growth of interest in using professional methods of conflict regulation has, however, now led to the emergence of peace-making projects by and with ethnopolitical groups below the leadership level. As 'pre-negotiations', they have sometimes formed part of the preparations for official negotiations; in addition, there is now, in the form of the

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61. Ryan, op. cit. (n. 50), 50 ff.

'facilitated problem-solving workshop' method, an approach especially devoted to dealing with ethnopolitical conflicts (see Section 5.4).[62]

In many other micro-cases, the actors often have no choice but to engage, as is done in the realm of states, in crisis management. In conflicts that are being conducted militarily, the aim is to help ensure basic survival, to care for refugees, to organize humanitarian aid. In less acute conflicts, societal actors undertake fact-finding tasks related to human rights, or early-warning work on explosive ethnopolitical situations. In both areas, they attempt their own mediating or de-escalating approaches on the spot, or endeavour to mobilize public opinion. Classic areas of peace-building are programmes of meetings and exchanges, and measures relating to peace education, the elimination of enemy stereotypes, reflection about prejudices, and similar activities. Lastly, many NGOs also see it as their task to bolster the weaker side and to link all these activities up into a transnational network.[63]

The nature of the activities in this field is as diverse as the realm of societies itself, and it is therefore difficult to give a systematic account of them. Louise Diamond and John McDonald have proposed refining the division between official diplomacy ('track 1') and societal conflict-regulation ('track 2') even further, to make a total of nine 'tracks'.[64] They thus define as 'track 2' only those projects run by professional conflict-regulators. 'Tracks' 3 to 9 are filled as follows: business; private individuals; research, training and education; single-issue movements; religions; charitable foundations and sponsors; public opinion. Although this account reflects a number of characteristics peculiar to US civil society, it nevertheless highlights those capacities in the realm of societies which previous initiatives have scarcely exploited .

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62. See Herbert C. Kelman, 'Informal Mediation by the Scholar/Practitioner', in Jacob Bercovitch and Jeffrey Z. Rubin (ed.), Mediation in International Relations (Houndsmills and Londn, 1992), 64–96.

63. See Christine M. Merkel, 'Methoden ziviler Konfliktbewältigung: Fragen an eine krisengeschüttelte Welt', in Hanne Birckenbach et al. (eds.), Jahrbuch Frieden 1994 (Munich, 1993), 35–48.

64. Louise Diamond and John McDonald, Multi-Track Diplomacy: A Systems Approach to Peace (Institute of Multitrack Diplomacy: Washington, 1993).

### 3.4 Macro-activities in the Realm of Societies

Up to now, this field has played the least significant role in conflict regulation. One of the reasons for this is that NGO activities of this kind can only rarely have an impact on the whole of society, because they mostly remain confined to groups that have little influence, or to groups that are actually marginalized in conflict process. Another reason is probably the prevailing view that peace-initiatives of a structural and institutional kind are the preserve of state bodies or leadership groups. But this fails to appreciate the nature and extent of the task with which ethnopolitical conflict-regulation is confronted. The way in which, with every further stage of escalation, ethnopolitical conflicts increasingly permeate virtually every area of society, makes it essential that mobilization of the realm of societies, for the purposes of peaceful conflict-transformation, should take place at macro-political levels also.

The first thing one has to do here is to ask to what extent, in the particular society concerned, there are any other social identities, besides the ethnic ones, which help, or could help, to relativize and transform the conflict. The challenges to core social paradigms which are associated with this have been the subject of intense debate in the Western countries, under the catchphrase 'multicultural society'.[65] In the societies undergoing transformation in the South and East, these challenges generally pose themselves in an even more acute form, because the socio-economic base from which non-ethnic identities might evolve is less developed. However, even here, empirical studies show that the trend towards the development of multiple identities is more advanced than many ethnonational propagandists would like to admit.[66] As far as constructive conflict-regulation is concerned, therefore, simply revealing the real extent of multi-ethnic interconnec-

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65. See the basic discussion in Amy Gutmann (ed.), *Multiculturalism: Examining the Politics of Recognition* (Princeton, 1994).

tions and loyalties, and encouraging those who represent them to make more active use of their options for bridge-building, should in itself already be helpful. One example is the great number of multi-ethnic cultural initiatives that have been launched in India to counter the ethnopolitical fragmentation of the country.

Secondly, one should identify those areas of society that are particularly relevant to the course of the conflict, or which have available to them the resources needed for regulating the conflict. These certainly include the media, the churches, and educational and cultural establishments, since they play an important part in forming opinion and in producing and altering attitudes to the conflict. The resultant co-responsibility of these bodies has so far been reflected in only a few macro-politically effective initiatives.

Conceivable measures include, for example, professional 'codes of conduct' for journalists, teachers, and other disseminators involved in/reporting on ethnopolitical conflicts. These kinds of rules of behaviour do, it is true, raise a series of practical questions and questions of principle. The chief one concerns the fact that these professional groups also act as influential representatives of the parties to the conflict, and these kinds of ideas can therefore only apply to circles around those actually involved. Of a more fundamental nature is the strained relationship which would result *vis-à-vis* the principles of freedom of opinion and freedom from censorship, as constituted by democratic means and in accordance with the rule of law. However, the debate about political correctness shows that this strain can be relieved by means other than an 'either–or' solution. Thus, for example, the creation of press councils, in which the ethical responsibility of journalists in coverage from ethnopolitical crisis-areas would be discussed on an individual basis, could play a clarificatory role. In addition, there are a number of proposals and individual measures concerning the setting-up of externally based electronic media for crisis regions, as a means of countering disinformation campaigns by one or more of the parties in conflict.[67]

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66. On this, see the examples for the Russian Federation in Tishkov, op. cit. (n. 31), 49.

67. Peter Glotz, 'Medien und Außenpolitik: Die Rolle der Medien bei der Entwicklung der Beziehungen Südosteuropa und EU', lecture given to the Südosteuropa-Gesellschaft, Bonn, 17–18 Feb. 1995.

Kumar Rupesinghe, the Secretary-General of International Alert, which works in the area of preventive diplomacy, argues for a more active involvement of business circles in conflict regulation.[68] In addition, he believes as many civil actors as possible should be recruited into a wide-ranging alliance which could then form 'peace constituencies'. With regard to macro-political measures in the realm of states, one might also ask what action could be taken in the realm of societies to bolster such measures. There could, for example, be forums and Round Tables devoted to disseminating information on, and pursuing the debate about, federalist and other models of power-sharing. Other bodies directly called upon in this connection are all the large-scale social organizations such as the trade unions. They are confronted with the task not only of ensuring that representatives of the ethnic groups in dispute enjoy fair participation within their own ranks, but also of strengthening trans-ethnic links and loyalties.

This account of the four fields has made it clear that, because of the wide-ranging challenges which ethnopolitical conflicts pose in all areas, some carefully targeted initiatives are required. Up to now, the focus has been on the first field, and even here the spectrum of effective and proven measures is on the modest side. Micro-political initiatives by societal actors do exist in very varied forms; overall, however, they appear too short-term, too sporadic, and much too poorly resourced in relation to the intensity and scope of the conflict. The shortcomings in the macro-political area are, it has to be admitted, even greater. However, since most macro-political projects have initially to be prepared at the micro-political level, the prime question is how the micro-political approaches can be improved.

In order to answer this question, it is advisable to start by taking a brief look at the traditional way in which conflicts between groups are constructively dealt with. The basic form used is that of negotiation, and the most common strategy for

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68. International Alert, *Towards a Common Agenda for Conflict Prevention: Report of the Conference Held at Sormarka Conference Centre, Norway, 15–16.5.1995* (International Alert: London, 1995).

overcoming differences of opinion is the 'concession-convergence model'.[69] By this is meant a procedure in which the parties involved in the conflict move closer to one another by means of reciprocal concessions. In the case of ethnopolitical conflicts, this model, as is well known, rapidly arrives at the limits of its capacity, because those involved in the conflict believe that 'everything is at stake' for them, that their fundamental interests and their identities are under threat. What is needed, therefore, is a model of negotiation in which both sides can 'win' (win–win constellation).[70] Given the deep-rooted nature of these conflicts, however, and their degree of escalation, this is often only possible if a third party is also present, at least for some of the time. In the next section, the possible functions and the possible methods of intervention of third parties will therefore be examined in greater detail.

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69. See Jeffrey Z. Rubin, 'Models of Conflict Management', Journal of Social Issues, 50/1 (1994), 33–45; also the survey by Dean G. Pruitt and Peter J. Carnevale (eds.), Negotiation in Social Conflict (Buckingham, 1993).

70. The best-known work in which this model is put forward is by Roger Fisher and William Ury: Getting to Yes: Negotiating Agreement without Giving in (New York et al., 1991).

# 4   Functions and Strategies of Third Parties in Ethnopolitical Conflicts

## 4.1   On the Role of Third Parties

Up to now, the starting-point for the involvement of third parties in ethnopolitical conflicts has generally been the threat of imminent escalation to the military level, or the actual occurrence of this. But this is an extremely narrow view. Comparison with other, purely intra-societal conflicts shows that third parties can be of help at any stage where parties in dispute have become so entangled in their differences that they are no longer able to find any constructive way out on their own.

The roles and functions of third parties may vary considerably depending on the constellation of the conflict and the approachability and nature of the actors involved.[71] In the initiatory phase, however, the following functions are of particular importance:

- The third party can find out whether there is any willingness, on the part of the disputants, to come to some mutually agreeable settlement of the conflict, and if so, how great it is. Under certain circumstances, it can also foster this willingness by pointing to the consequences of non-amicable developments, or even by holding out the prospect of negative/positive sanctions.

- It can also test out whether the power relations between the parties will admit of a mutually agreeable settlement of the conflict, and if so, to what

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71. See the overview in James A. Wall, 'Mediation: An Analysis, Review, and Proposed Research', Journal of Conflict Resolution, 25/1 (1981), 157–80; also David W. Augsburger, Pathways and Patterns (Louisville, Ky., 1992), 143 ff.

extent. Where there is an extreme imbalance, it is the job of the third party to ensure at least a procedural symmetry, in order to create the preconditions for a win–win solution. In certain circumstances, it is also its job to bolster the weaker side.

- A decisive factor as far as any successful intervention by a third party is concerned is the question of whether it proves possible to facilitate direct communication, open exchange, and processes of understanding and problem-solving between the parties involved in the conflict. Some approach has to be found here which allows the third party to play a very active, channelling role at the beginning, but then gradually to draw back as the process unfolds.

- It is commonly held that one of the crucial factors as far as the success of the third party is concerned is its *neutrality*. Only when it is accepted as impartial can it truly plays its role as a bridge-builder and mediator. This assumption seems a plausible one. However, a closer inspection of the many different kinds of third-party intervention shows that it needs to be qualified.

    1. In those cases where the third party also brings/is able to bring power factors into play, the importance of neutrality is, as it were, diminished by other forms of 'acceptance'.[72] Of course, in these cases too, non-partiality is not irrelevant, since the third party's resources are limited (see Section 5.1).

    2. In principle, the impartiality of third parties that do not bring power factors into play should not be interpreted as neutrality in regard to values underlying the conflict resolution—e.g. adherence to the principle of non-violence/reduction of violence, or adherence to human rights. However, these kinds of values can lead the third party into considerable conflicts if

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72. See James D. D. Smith, 'Mediator Impartiality: Banishing the Chimera', Journal of Peace Research, 31/4 (1994), 445–50.

it is dealing with actors who have almost total disregard for them—as was brought home very forcefully by the example of the conflicts in former Yugoslavia.

3. Research into the role and functions of third parties in traditional and non-Western societies has shown that in many cases 'insiders' are more likely to be accepted than 'outsiders', even though they do not display equidistance to the disputants.[73] The decisive factor here, therefore, is not neutrality but confidence that the third party, despite its proximity to one of the parties in dispute, will none the less strive to find a solution that is in the interest of all the parties involved.

4. In most social conflicts, but particularly in those of an ethnopolitical kind, third parties assume a multitude of different roles. These vary according to the level of intervention and the phase of regulation. It is almost part of the logic of conflict regulation that the disputants are wont repeatedly to try to draw the third party into the argument, to challenge its neutrality, and to provoke it into declaring itself. Neutrality in ethnopolitical conflicts can therefore not be viewed as static. It can only deploy its constructive effect as something dynamic.

The main method used by third parties to try to de-escalate, settle, or solve ethnopolitical conflicts is now generally termed 'mediation'. In line with Jacob Bercovitch, this definition excludes all third-party interventions that rely on physical force or the authority of laws.[74]

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73. See Paul Wehr and John Paul Lederach, 'Mediating Conflict in Central America', Journal of Peace Research, 28/1 (1991), 95–98.

74. Jacob Bercovitch, 'The Structure and Diversity of Mediation in Internaional Relations', in id. and Rubin, op. cit. (n. 62), 1–29.

An important factor, as far as mediation is concerned, is that the ultimate decision as to whether an outcome arrived at with the help of the third party is actually adopted should lie with the parties in dispute. In the case of 'power mediation', however, where the third party uses power factors and other resources to lend force to its proposals, the distinction may become fluid.

There are a number of models and methods of classification by which mediation processes are distinguished.[75] In describing the various approaches to ethno-political mediation, we propose an ideal-type distinction between three strategies: directive mediation, non-directive mediation, and facilitation.[76] The various functions that may form part of these strategies can, in their turn, be broken down into three phases within the overall time-span of the actual negotiations (pre-negotiations, negotiations, and implementation). These strategies can, in addition, be viewed from the long-term perspective of conflict transformation. Both dimensions—strategy type and time axis—are represented in conjunction in Figure 2.

In reality, elements of all three strategy-types are often combined. In the realm of states, the most frequent combination is one of directive and non-directive mediation, whereas in the realm of societies it is the combination of non-directive mediation and facilitation which predominates. Nevertheless, the division into three ideal types seems reasonable as a means of finding out which methods are best used to treat which aspects of ethnopolitical conflicts.

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75. See e.g. ibid.; Jeffrey Z. Rubin et al., Social Conflict: Escalation, Stalemate and Settlement (New York et al., 1994), 199 ff.

76. This division is based on an idea put forward by Kenneth Kressel in Labour Mediation: An Exploratory Survey (New York, 1972).

*Figure 2.*        ***Functions of Third Parties in Conflict Regulation***

| Conflict regulation strategy | *Phase of Conflict Regulation* | |
|---|---|---|
| | *Pre-negotiations* | *Negotiations* |
| *Directive Mediation* | • Empowerment (helping reduce asymmetry)<br>• Raising the costs of failure of deescalation<br>• Putting pressure on the parties to be flexible<br>• Altering the parties' expectations | • Introduction of substantial suggestions and proposals<br>• Creating awareness of the costs of non-agreement<br>• Assuming responsibility for concessions<br>• Inputting and filter ing information<br>• Rewarding con cessions<br>• Developing a frame work for an acceptable outcome |
| *Non-directive mediation* | • Selecting and identifying the parties<br>• Selecting and identifying points of contention<br>• Selecting conference venues and overseeing surroundings<br>• Reducing tension and highlighting shared interests | • Structuring the agenda<br>• Making suggestions as to procedure<br>• Controlling timing<br>• Regulating interaction<br>• Ensuring parties remain around table<br>• Identifying interests/ basic needs behind positions adopted |
| *Facilitation* | • Making contact with all the parties in a strictly neutral way<br>• Making good offices available and enabling interaction to take place<br>• Presenting and communicat-ing the views of all the parties<br>• Confidence-building for third parties | • Clarifying the situation: conflict mapping<br>• Attempting to ensure that the interests of all the parties are discussed<br>• Encouraging empathy<br>• Encouraging communication<br>• Building up confidence and credibility/reliability between the parties |

|  | *Conflict Transformation* |
|---|---|
| *Implementation* | |
| • Providing legitimation and help in implementing agreements<br>• Ensuring adherence to agreements<br>• Providing the resources needed for implementation<br>Peace-keeping | • Empowerment<br>• Creation of international regimes enshrining minority rights, power-sharing, etc.<br>• Promoting the internal institutionalization of conflict cultures |
| • Evaluating agreements | • Training insiders in mediation and peace building<br>• Monitoring human rights<br>• Development co-operation<br>• Promoting structures for transnational civil society |
| • Monitoring agreements | • Training insiders in facilitation<br>• Promoting measures designed to bring about reconciliation |

## 4.2 Facilitation

The strategy of *facilitation* shifts the subject-related sphere of the conflict into the foreground—in other words, its main concern is to help the persons involved in the dispute to come together in direct encounters, and to work with them on their respective perceptions of the conflict. In order for this to happen, the third party has first to win the trust of those involved in the conflict, and it must be in a position to create the preconditions for the transmission of information or for direct encounters. In the case of long-established or acute ethnopolitical disputes, in which the two sides have cut themselves off completely from one another—as in Cyprus, for example—these requirements can in themselves take up a great deal of time and energy. Thus, it may at first be necessary to meet up with the parties separately over quite a long period, in order to build up the necessary trust in the facilitators, and in order to increase each party's willingness and ability to meet directly with the other side.[77]

A broader interpretation of facilitation might include 'good offices', provided what was involved was not simply the provision of a suitable infrastructure for direct talks between the disputants, but also a two-way sounding-out of the willingness to communicate, or the improvement of the overall social conditions in which direct talks take place. An example here is the series of meetings between Israel and the PLO initiated by Norway in 1993.[78]

An important factor, as far as the facilitation approach is concerned, is that the parties to the conflict should be moved to produce their own initiatives and that as little responsibility as possible should be assumed for dealing with the material matters in dispute. The main object is to work on mutually distorted perceptions

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77. See the account of the various approaches in this field in Vamik D. Volkan, Joseph V. Montville, and Demetrios A. Juilus (eds.), The Psychodynamics of International Relationships, ii: Unofficial Diplomacy at Work (Lexington and Toronto, 1991).

78. However, the success of these negotiations cannot be fully appreciated without taking into account their links with a host of other, long-established facilitation projects. See Herbert C. Kelman, 'Contributions of an Unofficial Conflict Resolution Effort to the Israeli-Palestinian Breakthrough', Negotiation Journal (Jan. 1995), 19–27.

and blocks to learning, to foster empathy for the opposing side, and to encourage a more comprehensive understanding of the conflict. An extremely helpful method here is that of 'active listening'. Facilitation aims to get the disputants to engage in a learning process. As a rule, this takes time. Therefore, facilitation is not a quick-acting strategy. For thoroughgoing conflict-transformation, this method is indispensable. In this respect, it has much in common with attempts to bring about 'reconciliation' between ethnopolitical groups that have been through a period of violence.

## 4.3   Non-directive Mediation

The strategy of *non-directive mediation* embraces both the subject-related and the object-related sphere. As a concept, it comes closest to the intra-societal understanding of mediation as it has developed over the last twenty years in the USA and a number of other Anglo-Saxon countries.[79] Most prominent here are the efforts of the third—as far as possible neutral—party to create favourable conditions, processes, and methods to enable the disputants to engage in a constructive exchange about the points at issue between them, without itself taking any view about the material matters in dispute. Improving relations through facilitation is a precondition for this approach. But non-directive mediation also involves, as part of the preliminaries, the precise identification of the responsible actors, the circumscription of the issues in dispute, and the establishment of a contract binding the parties to respect certain rules of the game.

In the actual phase of negotiation/mediation, the third party endeavours to direct interaction in such a way that the different interpretations of the conflict emerge more clearly to each side, and the conflicting positions concerning the interests, values, and identity-related needs which underlie the conflict are

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79. See the detailed account of this approach in Section 5.2: 'Mediation as Win–Win Problem-Solving'.

reflected. The idea behind this is that by formulating the well-known, the established, and the more deeply rooted interests, it will become easier to transform perceptions of the conflict into a single problem requiring a joint solution. The approach of the 'problem-solving workshop' assumes that an analogous transformation is also possible in the case of identity-related conflicts, if one can identify the respective basic needs that lie behind the surface issues.[80]

In directive mediation, great importance is generally attached to third-party neutrality. This can, it is said, best be achieved by having the mediators come from outside. What does this imply as far as ethnopolitical conflicts are concerned? Can the third party in such a case only be composed of members of other ethnic groups? The American 'community-mediation' movement thinks, on the contrary, that as many people as possible within the disputant communities should be qualified to assume a mediating role. By analogy, in the case of the transformation of ethnonational conflicts, there are good reasons for investing one's hopes in having 'insiders' trained in the methods of mediation.

## 4.4    Directive Mediation

The strategy of *directive mediation* belongs primarily to the object-related sphere. The third party is interested in achieving a material settlement of the conflict. It not only undertakes to ensure an effective mediation-process; it also exerts pressure to persuade the disputants to show more flexibility. It may, moreover, make suggestions concerning the material matters in dispute, and it may create incentives or hold out the prospect of rewards for the adoption of these suggestions. These negative or positive influences do not necessarily have to consist of the direct use of power factors or other resources, as is the case in power-mediation. Other way of exerting influence are: to point to the costs of non-

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80.  See Kelman, op. cit. (n. 62).

regulation; to report on positive experiences with agreements in similar conflicts; or to change the context in which the conflict is being played out. A notable example of this change of context is the way in which the protection of minorities has been extended over recent years.

Deliberate advocacy of specific negotiating outcomes has immediate consequences as far as the implementation of any agreements that are ultimately concluded is concerned. Accordingly, the third party has to assume more responsibility. This has a bearing both on its legitimation and on any practical help with implementation, up to and including peace-keeping. From the point of view of conflict transformation, the strategy of directive mediation directs attention primarily to the creation of international preventive regimes and on the institutionalization of internal mechanisms of conflict regulation.

## 4.5    Transformation

Despite all the effort that goes into the acute treatment of ethnopolitical conflicts, the results are often quite modest. As a result, there has recently been increased emphasis on the notion that the involvement of third parties should, in principle, also be seen in a longer-term perspective. Since ethnopolitical conflicts develop over a longish period, it is claimed, and since the same sequential patterns of escalation and de-escalation are repeated, all types of intervention ought to be viewed from the standpoint of constructive conflict-*transformation*.[81]

This view tallies with the idea, set out in the previous section, that a settlement of ethnopolitical conflict that is to have any prospect of preserving peace for any length of time is dependent on structural reforms of a macro-political and a macro-social kind. It also highlights the fact that short-, medium-, and long-term forms of intervention should not be developed separately from one another, and

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81.  See Kumar Rupesinghe (ed.), Conflict Transformation (forthcoming).

that successful conflict-transformation depends on the complementarity of these measures.

In trying to define more specifically the nature of the types of intervention required, John Paul Lederach has developed an ideal-type model of conflict *progression*.[82] According to this, in the early phases, which are characterized by the latency of the conflict and an imbalance of power, the third party's function is primarily to mobilize and to encourage articulation of the conflict. Only when the conflictual relations reach the precarious stage of negotiation and confrontation should the third party act as mediator and facilitator in the narrower sense. In the concluding phase, which is concerned with consolidating the peace-agreement arrived at, the third party, says Lederach, is needed chiefly in order to support peace-keeping, reconciliation, reconstruction, etc.

A different emphasis occurs in the description of the role of the third party in relation to conflict transformation as given by Kumar Rupesinghe.[83] He believes that—particularly in societies disrupted by years of civil war—there is a need to form broadly based 'peace alliances' to counter the widespread 'culture of violence' and the militarization of the system of rule. Although these ought primarily be founded on a linking-up of domestic interest-groups, third parties could play a crucial role in helping them come into being and maintaining them.

In practice, the contributions which third parties make to conflict transformation currently focus, in the realm of states, on extending the protection of minorities, and, in the realm of societies, on organizing training sessions in the methods and techniques of constructive conflict-regulation. Those targeted by these training sessions are mostly individuals who, in the view of the external NGOs organizing the sessions, either already exert some influence on the behaviour of the disputants or could do so as a result of the sessions, given that they occupy positions as leaders or advisers.[84]

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82. Lederach, op. cit. (n. 41), 32 ff.

83. Rupesinghe, op. cit. (n. 81).

84. An (admittedly USA-centred) survey of the NGOs active in this area is given in Conflict Resoution Program, International Guide to NGO Activities in Conflict Prevention and Resolution (Atlanta, 1994).

The premises underlying this transformation strategy are: first, that these individuals will actually use their newly acquired qualifications in the cause of constructive conflict-resolution; secondly, that the knowledge and skills imparted are appropriate to the particular conflict-constellations concerned; and thirdly, that this circle of individuals can act as a 'critical mass' and have a noticeable influence on the course of the conflict. How far these premises will stand up to empirical scrutiny is a question that has not yet been systematically investigated. All in all, the conflict-training movement still finds itself at a highly experimental stage as far as implementation in this area is concerned.

One of the experiments concerned is the combining of mediation/facilitation initiatives with training schemes. In these kinds of cases, there is direct work on the particular conflict; but the conflict also serves as a practice-ground for generally improving the ability of the participants to deal with conflict in a constructive way. This combination is not a uncontroversial one, since the two forms of intervention present different challenges to the third, external party, and confront the partici-pants with fundamentally different roles. One thing that militates in its favour, however, is the fact that the success of the training element ultimately evidences itself in the way the conflict—which directly affects the participants—is regulated. Finally, the compatibility of direct third-party interventions and training schemes is also dependent on the particular conceptual/methodological approach underlying the conflict regulation. Five such approaches will be presented in the next section.

# 5 Process-Oriented Approaches to Conflict Regulation by Third Parties

The following differentiation between five approaches is intended primarily to clarify conceptual and methodological differences. The approaches do not necessarily represent real strategies of intervention: these often consist of a combination of approaches. Nor do they reflect the frequency with which they are actually used; two approaches predominate in this connection—that of power-based mediation and that of mediation as win–win problem-solving. The main concern here is rather to clarify the basic convictions underlying these approaches, and their recommendations for action, and to discuss their applicability to ethnopolitical conflicts. Empirical/analytical investigation into their effectiveness is still—except in the case of power mediation—very much in its infancy.[85] This aspect will therefore be dealt with in later publications.

## 5.1 Power-Based Mediation

Power-based mediation is a traditional instrument of national and international politics. Of crucial importance here, as far as intervention by a third party is concerned, is generally the latter's own interest in a particular form of conflict regulation and the resources which it has available to it. Neutrality/impartiality are

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85. On the current state of research, see the surveys in: Kenneth Kressel and Dean G. Pruitt et al., Mediation Research: The Process and Effectiveness of Third-Party Intervention (San Francisco and London, 1989); Dennis J. D. Sandole and Hugo van der Merwe (eds.), Conflict Resolution: Theory and Practice. Integration and Application (Manchester and New York, 1993).

therefore less important aspects. Power-based mediation falls within the tradition of the 'Realist School' of international politics, which assumes that states function as rational actors, that they act solely on the basis of their own interests, and that their prime goals are security, power, and greater influence.[86]

In recent decades, however, the traditional concept of power mediation has been subjected to increasing pressure to justify itself. The reasons for this lie, firstly, in the way mediation initiatives have increasingly shifted to multilateral institutions (which have no/only limited instruments of power), and, secondly, in the increasing influence which social models of mediation—particularly the 'mediation as problem-solving' model (see next section)—have had on international politics.

In the realm of states, these two trends have bolstered the neutrality model and promoted combinations of directive and non-directive mediation. At the level of mediation between the leading politicians representing parties in dispute, the concept of facilitation has, in any case, always played an important role, even though, up to now, this aspect has been perceived primarily in terms of the 'personal chemistry' between the individuals involved. Which of these elements crucially determines the effectiveness of third-party interventions in particular cases is a disputed issue. In view of the highly complex and varied preconditions in the studies that have been presented to date, this is not surprising.[87]

The New Zealand mediation researcher Jacob Bercovitch carried out a large-scale study into the conditions under which mediation in the realm of states is

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86. See I. William Zartman and Saadia Touval, 'International Mediation: Conflict Resolution and Power Politics', Journal of Social Issues, 41/2 (19485), 27–45; also the collection of articles in Jacob Bercovitch and Jeffrey Z. Rubin (eds.), Mediation in International Relations: Multiple Approaches to Conflict Management (Houndsmills and London, 1992).

87. See e.g. the studies by Brian S. Mandell and Brian W. Tomlin, 'Mediation in the Development of Norms to Manage Conflict: Kissinger in the Middle East', Journal of Peace Research 28/1 (1991), 43–56; Tom Princen, 'Camp David: Problem Solving or Power Politics as Usual?', ibid. 57–70; Efraim Inbar, 'Great Power Mediation: The USA and the May 1983 Israeli-Lebanese Agreement', ibid. 71–84; Kjell Skjelsbaik, 'The UN Secretary - General and the Mediation of International Disputes', ibid. 99–116.

successful.[88] He bases his research on a comparative analysis of 241 conflicts conducted with military means between 1945 and 1990. In the case of 137 of these, indications of one or more attempts at mediation are identifiable from press coverage. On this basis, Bercovitch and his colleagues draw the following general conclusion: attempts at mediation in the realm of states have some prospect of success if

- the actors involved display a low degree of internal fragmentation

- there are only minor differences of power between the parties in dispute

- their former relations have not been marked by serious conflicts

- there has already been some kind of power-related trial of strength that has shown them what their prospects are if they do not come to a mutually agreeable settlement

- the military hostilities have not produced too many victims

- the dispute centres on ideological issues rather than on security and sovereignty

According to Bercovitch's study, the factors that determine the success of mediation are not the straightforward neutrality of the third party and the fact that it confines itself to improving communications, but rather the intensity of its

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88. His findings have been presented in a series of publications. See e.g. Jacob Bercovitch, J. Theodore Anagnoson, and Donnette L. Wille,'Some Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations', Journal of Peace Research 28/1 (1991), 7–18; Jacob Bercovitch, 'Mediation in der Staatenwelt: Bedingungen für Erfolg oder Scheitern internationaler Vermittlungsbemühungen', in Norbert Ropers and Tobias Debiel (eds.), Friedliche Konfliktvearbeitung in der Staaten- und Gesellschaftswelt (Bonn, 1995), 89–111.

commitment, its legitimation and cultural-cum-political proximity to the parties in dispute, and the resources which it has available to it.

In the debate about the effectiveness of various approaches to third-party interventions, the findings of the Bercovitch research group play an important role in bolstering the notion of the superiority of an approach to mediation that is based on power and *Realpolitik*. There is no doubt that they have contributed a great deal to qualifying the debate about the importance of various preconditions and structural factors, and about the appropriateness of particular mediation strategies in the realm of states. None the less, their relevance to the regulation of ethnopolitical conflicts is limited (this is apart from the problem of their limited empirical significance, given that only interventions that received press coverage were taken into consideration).

This limited relevance results mainly from the characteristic features of this conflictual constellation, namely: the high degree of fragmentation of the parties (at least at lower levels of escalation); the marked asymmetry; the historically more deeply rooted character of such situations of tensions; and the central importance of conflictual issues such as security and sovereignty. In other words, ethnopolitical conflicts are particularly strongly marked by traits which, according to Bercovitch, make power-based mediation extremely difficult. Thus, although under certain circumstances it is possible to contain the violent expression of the conflict using instruments of power, this is not sufficient to achieve a lasting peaceful settlement.

## 5.2    Mediation as Win–Win Problem-Solving

Outside the domain of international politics, the 'mediation' process is often equated with the 'alternative dispute resolution' (ADR) movement, which established itself in the USA during the 1960s and has since been adopted in many

Anglo-Saxon countries.[89] This movement aims to develop alternatives both to the purely power-based and to the purely judicial regulation of conflicts, whether these occur as part of industrial action and other internal organizational conflicts, as part of disputes relating to neighbourhoods, schools, or ecological issues, or as part of the dissension surrounding divorce proceedings. The movement originated in criticism of traditional, authoritarian and bureaucratic forms of intra-societal conflict-regulation. It was inspired by the civil-rights campaigns and other social movements which aimed at the elimination of social injustices and a reduction in imbalances of power. Its methodological roots lie in humanistic psychology and the human-relations training movement.

There are now many permutations of this kind of mediation, resulting either from the particular field of application concerned or else from the formation of various schools within highly professionalized areas of work. The best known is the 'Harvard Negotiation Project', which has its origins in the analysis of negotiating processes in which it is possible for both parties to 'win'.[90] The greatest degree of institutionalization of mediation has occurred in the practical fields of employer–worker relations, school and family conflicts, and local disputes.[91]

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89. See Joseph A. Scimecca, 'Conflict Resolution in the United States: The Emergence of a Profession?', in Kevin Avruch, Peter W. Black, and Joseph A. Scimecca (eds.), Conflict Resolution: Cross-Cultural Perspectives (Westport, Conn., and London, 1991), 19–39.

90. See Roger Fisher, William Ury, and Bruce Patton, Getting to Yes: Negotiating Agreement without Giving in (New York et al., 1991) (German edn.: eid., Das Harvard-Konzept: Sachgerecht verhandeln—erfolgreich verhandeln (Frankfurt/M.. and New York, 1993); William L. Ury, Jeanne M. Brett, and Stephen Goldberg, Getting Disputes Resolved (San Francisco, 1988) (German edn.:, eid., Konfliktmanagement: Wirksame Strategien für den sachgerechten Interessenausgleich (Frankfurt/M. and New York, 1991); William Ury, Getting Past No: Negotiating your Way from Confrontation to Cooperation (New York et al., 1993); Roger Fisher, Elizabeth Kopelman, and Andrea Kupfer Schneider, Beyond Machiavelli: Tools for Coping with Conflict (Cambridge, Mass., and London, 1994).

91. As a result, there is a whole range of handbooks on mediation for these areas, and the summary that here follows is based on these. See e.g. Jay Folberg and Alison Taylor, Mediation: A Comprehensive Guide to Resolving Conflicts without Litigation (San Franciso, 1984); Christopher W. Moore, The Mediation Process: Practical Strategies for Resolving Conflict (San Francisco, 1986); and the first German-language introduction: Christoph Besemer, Mediation: Vermittlung in Konflikten (Baden, 1993).

One basic thesis in the ADR approach is that in most traditional processes of intra-societal conflict-regulation the weighting of the various factors is 'distorted' (see Figure 3). Accordingly, it is usually superior power or legal positions that decide the manner in which the conflict is regulated (Which party is strong enough to enforce its point of view? Or which is, or has, 'more right'/has the better lawyer?). The interests of those involved in the dispute, on the other hand, play only a secondary role. But in order to arrive at a settlement which those concerned will feel is fair, and which is therefore likely to last, the preponderance of power-based and legally based positions, as opposed to consideration of interests, is, claim ADR proponents, counterproductive. In mediation processes, the third party should therefore seek to reverse the weighting.

***Figure 3. From a Distorted to an Effective System of Conflict Resolution***
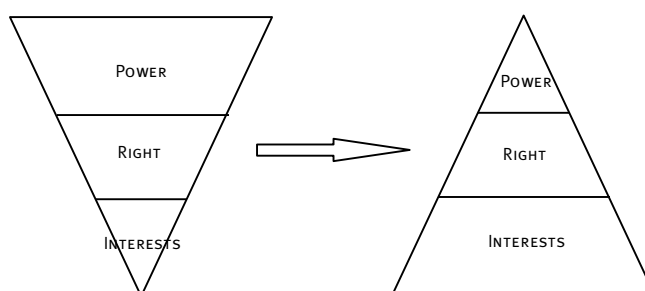


*Source: William L. Ury, Jeanne M. Brett, and Stephen Goldberg, op. cit. (n. 90), 37.*

According to the ADR movement—and as formulated by the Harvard School—an efficient system of conflict regulation must fulfil three main functions. It must: treat people and problems separately; concentrate on interests and not on positions; and develop options that benefit both sides.

1. In every treatment of social conflict there is a factual and a relational level. Constructive conflict-regulation is only possible if the relational level is taken seriously and scope is allowed for the expression of feelings, fears, desires, experiences, etc. However, this level, so says the ADR approach, must not be mixed up with the handling of the factual issues. On the contrary, making as

clean a division as possible between them is, say ADR adherents, a good precondition for working successfully on the factual issues.

2. Particularly in the case of conflicts that have continued for a long period or reached a high degree of escalation, the parties involved tend to exaggerate their differences by adopting positions that do not necessarily correspond to their interests. The third party should therefore help the disputants to move beyond differences of position and press on to more deeply seated interests. The assumption here is that it will be easier to find common ground at the level of interests, particularly as regards the longer-term interest which the parties involved have in achieving a co-operative relationship, given that this will ultimately be of benefit to all.

3. Lastly, a crucial factor as far as the success of mediation is concerned, is whether it proves possible to overcome the very common tendency to view conflicts as a form of interaction in which one side wins and the other side loses. Conflicts should be regarded as something normal, as an important part of social change and progress—and also as a chance of personal growth for the individuals involved. The challenge therefore consists in interpreting and dealing with conflicts in such a way that they become a shared exercise in problem-solving, with gains for all those involved.

Seen from the ADR perspective, conflict regulation is like a shared learning-process. The focus should be on the affected parties themselves: they are capable of producing what should, in principle, be better settlements than people outside the conflict, because it is, after all, their own lives and their own futures that are being decided on. Furthermore, the likelihood that an agreement that has been arrived at will actually be adhered to is greater if those involved are themselves responsible for it. The third party should therefore regard itself primarily as a facilitator and should try to ensure that the disputants actually do assume responsibility for their own interests and for the regulation of the conflict = solution of the problem.

Within the scheme of third-party interventions set out above, most ADR approaches would be confined to facilitation and non-directive mediation. Non-

partisanship is regarded as a key concept. The conflict-regulation process goes through specific phases, depending on the area of application and the 'school' of mediation concerned; and in each of these phases the third party has different tasks. The most compact scheme of progression for a case of mediation is that presented in the Harvard School's circle chart (*see Figure 4*).

According to this scheme, the conflict-regulation process should comprise four phases: first, a detailed clarification of what the conflict is about; secondly, an analysis of the causes of the conflict, the overall context, the underlying interests, etc.; thirdly, the joint development and consideration of possible modes of regulation; fourthly, the decision to adopt a particular mode of regulation, and agreement on the practical measures to be adopted to implement it. If the process is to be successful, it is crucial that a new phase is only begun when the previous phase has truly been completed.

*Figure 4.* ***The Mediation Circle-Chart***



**What Is Wrong?**   **What Might Be Done?**

**In Theory**

*2. Step: Analysis*

Diagnose the problem:
Sort symptons into categories.
Suggest causes.
Observe what is lacking.
Note barriers to resolving the problem.

*3. Step: Approaches*

What are possible strategies or prescriptions?
What are some theoretical cures?
Generate broad ideas about what might be done.

*1. Step: Problem*

What's wrong?
What are the current symptons?
What are disliked facts contrasted with a preferred situation?

*4. Step: Action Ideas*

What might be done?
What specific steps might be taken to deal with the problem?

**In the Real World**

*Source: Roger Fisher, William Ury, and Bruce Patton, op. cit. (n. 90), 104.*

Many attempts at mediation fail because the third party tries at much too early a stage to formulate possible solutions to the problem (= third phase). Even where regulation processes are successful, it has to be assumed that there will always be

set-backs in later phases, making it necessary to engage in renewed clarification of the conflict and its causes. Finally, the circular nature of the scheme is explained by the fact that the ADR movement always focuses on the treatment of specifically defined points of contention. Once agreement has been reached on these points, the process can be begun once again to deal with further disputed issues.

In many cases, the *first phase*, consisting of a detailed *description of the conflict*, proves in itself to be a major obstacle to a constructive treatment of the conflict. This is illustrated by the case of ethnopolitical conflicts between majorities and minorities in which representation of the minority has attained a high degree of mobilization. In such cases, the minority will usually present a long list of disadvantages, instances of discrimination, and injustices, which, in its opinion, are integral to any description of the conflict. From the point of view of the majority, the very length of the list of shortcomings is a provocation, creating as it does the impression that all these points have to be dealt with. The real conflict, it says, is rather that the minority is depicting the situation in a generally distorted way and is demanding unjustified advantages for itself, in violation of the principles of majority democracy.

The best that can be achieved in these kinds of conflictual constellations is therefore mutual empathy with, and understanding of, of the respective accounts of the conflict. The methods by which the third party can achieve this aim are: on the one hand, separate individual talks with the parties; and, on the other, joint sessions in which the third party supports interaction between the parties by means of techniques that encourage communication. These techniques include: active listening, the 'paraphrasing' and 'mirroring' of the person speaking, reinforcing 'I messages', putting statements into factual terms, and providing summaries that structure what is said.[92]

The aim in the *second phase*, which consists of an *analysis of the conflict*, is to clarify the previously identified areas of contention from a variety of points of view: the history of their emergence and the context in which they arose;

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92. See Christoph Thomann and Friedemann Schulz von Thun, Klärungshilfe: Handbuch für Therapeuten, Gesprächshelfer und Moderatoren in schwierigen Gesprächen. Theorien, Methoden, Beispiele (Reinbek, 1988).

the links between the issues and their detailed nature; the positions, interests, desires, expectations, and fears of the parties. In the case of very difficult conflictual constellations, the analysis of the conflict, and agreement on a suitable procedure for dealing with it, can initially occupy centre-stage. The important thing, at any rate, is that in the course of the second phase, the perspective on the conflict is extended to that of a problem-solving task that has some bearing on the interests of all those involved.[93]

As far as the third party is concerned, the challenge in this phase is mainly to counter the tendency of all those involved to engage in a purely argumentative exchange ('either–or').[94] Of use here are forms of intervention that do not polarize and do not point up negative aspects, but instead highlight shared features, stress the constructive aspects of the conflict, and tolerate ambivalences. Also to be recommended are methods and techniques that reach beyond simple comprehension of the other side and foster direct *rapprochement*—in other words, promote directness in what is said, reinforce and differentiate answers, encourage speakers to be specific, pick up on non-verbal messages, bring out ambivalences, 'duplicate' messages that are not understandable/not understood, etc.[95] Group-based interventions such as role-plays, group sculptures, and similar measures can also be appropriate where the representatives of the conflict are open to these kinds of approaches.[96] Finally, this phase is also concerned with articulating and channelling feelings which relate to the way in which the conflict has been dealt with up to that point.[97]

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93. See Moore, op. cit. (n. 91), 172 ff.

94. On this aspect of creative conflict-regulation, see esp. Edward DeBono, Konflikte: Neue Lösungsmodelle und Strategien (Düsseldorf, 1989).

95. See Thomann and Schulz von Thun, op. cit. (n. 92).

96. See Klaus W. Vopel, Handbuch für Gruppenleiter: Zur Theorie und Praxis der Interaktionsspiele (Hamburg, 1978); id., Interaktionsspiele (6 vols.; Hamburg, 1978).

97. The US handbooks on mediation do not, however, contain much in the way of a systematic account of this aspect. Thomas Fiutak has suggested expanding the Harvard circle chart by inserting a 'venting wedge' between phases 2 and 3, whch he considers would represent an emotional breakthrough in reflection about the conflict (Conflict and Change Center, Univ. of Minnesota, Minn., MS, 1995).

The *third phase* is devoted to the formulation of possible *options* for a joint regulation of the conflict = solution of the problem that is beneficial to all. The starting-point point here is that much more promising depending on how clearly the shared interests (and remaining differences of interest), the problems, and the relevant overall conditions have been defined during the previous phase. The important thing in this phase is to stimulate the creativity and imagination of those involved in such a way that innovative solutions also come into view. Suitable methods and techniques for achieving this include: discussing types of solution that have already been used in comparable conflicts, visual moderation techniques,[98] and the idea of 'future workshops'.[99] The exchanges about these regulatory options should be organized in as open a way as possible, so that the parties do not settle too quickly on 'their own' suggestion. For this reason, the Harvard School recommends the 'single-text' procedure for written agreements as well. According to this, the initial drafts should originate from one party only (ideally the third party).[100] This draft is then revised until it meets with the approval of all the parties.

Finally, the aim of the *fourth phase* is to compare and assess the options and to come to a *concrete agreement*. The role of the third party at this stage is mainly to lay stress on the binding nature, specificity, and verifiability of durable agreements. The Harvard authors here stress the importance of factual evaluation-criteria. The basis of the understanding should not primarily be the 'trust' of the negotiating partners in each other, but adherence to these factual, objectively verifiable evaluation-criteria.[101]

The win–win problem-solving concept of mediation has undoubtedly made a decisive contribution to the spread of a culture of constructive conflict-regulation in the Anglo-Saxon countries. During the Carter administration, it found its way into the treatment of conflicts in the international system. Many training programmes for diplomats and professional negotiators and mediators are now geared to the

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98. See Karin Klebert, Einhard Schrader, and Walter Straub, Moderations-Methode: Gestaltung der Meinungs- und Willensbildung in Gruppen, die miteinander lernen und leben, arbeiten und spielen (Hamburg, 1989).

99. See Robert Jungk and Norbert Müller, Future Workshops: How to Create Desirable Futures? (London, 1987).

100. Fisher, Ury, and Patton, op. cit. (n. 90), 112 ff.

101. Ibid. 81 ff.

concepts of the ADR movement. Thanks to this movement, and to a variety of NGOs engaged in conflict resolution, this approach has also become a common model for dealing with ethnopolitical conflicts.

It is undoubtedly too early to be able to judge how appropriate ADR concepts are for this area, especially since there have only been a very small number of relevant evaluation studies, most of which are, moreover, unpublished. However, if the experiences so far gathered are examined against the background of the distinctive features of ethnopolitical conflicts, it is possible to identify some weak points. A number of these points of criticism have, incidentally, now also begun to be discussed within the ADR movement in relation to its own intra-societal applications.[102]

1. The involvement of the third party can indeed have a relativizing influence on power-imbalances. However, in cases where the imbalance is extreme and the degree of fragmentation of the weaker party is great, there is a danger that the ADR apparatus will primarily benefit the better-organized élites, and will help these to keep the status quo in place. The possibility of this kind of effect is least excluded in those societies which are undergoing transformation, where other mechanisms for the political representation of interests and the legal control of the élites are still only rudimentary.[103] The preventive use of ADR concepts should therefore not be considered as a substitute for the whole spectrum of democratic and legal development and civilization of the societies undergoing transformation.

2. ADR efforts focus on the treatment of one narrowly defined conflict (= problem) which the parties have with one another in a specific situation. However, in many areas of social tension, and particularly in ethnopolitical

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102. See Robert A. Baruch Bush and Joseph P. Floger, The Promise of Mediation: Responding to Conflict through Empowerment and Recognition (San Francisco, 1994).

103. See the relevant critique of the ADR initiatives in Eastern Europe and the former Soviet Union in Richard E. Rubinstein, 'Dispute Resolution on the Eastern Fronier: Some Questions for Modern Missionaries', in Negotiation Journal, 8/3 (1992), 25–13.

ones, it is extraordinarily difficult to narrow down the conflict to this kind of concrete problem. Instead, it is often the whole constellation of relations between the parties that is at issue. Should evaluation of the success of intervention not therefore be shifted from win–win problem-solving to empowerment, mutual recognition, improvements in relations, and other such factors?[104]

3. The idea of dealing with conflict by, amongst other things, shifting the focus from differences of position to a balancing of interests is based on a stratification model of human endeavour: the more deeply reflection is rooted, the greater the likelihood of achieving understanding between people.[105] The reality of conflict often shows this assumption to be a highly optimistic one. In addition, the fundamental question arises as to how far this stratification model can be used to deal with conflicts of identity. In such cases, what is generally at issue is the basic question of the recognition of other identities. What does this imply as far as the chances of a mutually agreeable regulation of the conflict is concerned? On the one hand, there is the thesis that it is precisely the non-negotiability of conflicts of identity which makes them so difficult to deal with. On the other hand, many adherents of the interactive conflict resolution approach (see Section 5.4) claim that, in principle, satisfying the basic need for recognition is an easier task than ensuring the fair distribution of scarce material resources.

4. One fundamental criticism of the ADR approach concerns its cultural affinity with Western/North American values as embodied in the individual-cum-rationalist handling of conflicts, the separation of persons and problems, and the emphasis on external and strictly neutral attempts at mediation. This criticism has given rise to a new trend within the mediation movement.

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104. On empowerment and recognition as criteria of success, see Bush and Folger, op. cit. (n. 102), 84 ff; and on improvements in relations, see the section below on the 'Interactive Conflict Resolution' movement.

105. See Kevin Avruch and Peter W. Black, 'Ideas of Human Nature in Contemporary Conflict Resolution Theory', Negotiation Journal, 6/3 (1990), 221–8.

### 5.3    Culturally Specific and Intercultural Mediation

Conflicts are a universal phenomenon; but the way in which they are conducted and viewed varies to differing extents between cultures. Research into cultural specificity in the conduct of conflicts is still in its infancy,[106] but there have been a few comparative studies that have at least demonstrated the importance of a number of key aspects, particularly the way in which the collectivism–individualism aspect influences conflict culture.[107]

According to this, in individualistic cultures conflicts are viewed primarily as tension between individuals, to be solved, as a rule, by breaking the conflicts down into smaller units. Conflicts play an important role in the achievement of objectives. The way they are conducted tends to be direct, confrontational, and in the form of bilateral exchange between those directly affected. In collectivist cultures, on the other hand, conflicts are perceived mainly as disruptions of the social system concerned. The expressive function is at least as important as the instrumental function. In dealing with the conflict, indirect, non-confrontational, multilateral methods are preferred. The desirable aim is to preserve the existing social structure and not to impose loss of face on anyone.

Because of the spread of the ADR concept, the North American mediation movement itself began to be faced—as early as the 1980s, if not before—with difficulties stemming from the attempt to apply its concept of mediation to different cultural contexts, either within ethnic minority cultures or abroad. The experiences which ADR adherents gathered as a result of this have played a decisive role in

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106. See the summary in Augsburger, op. cit. (n. 71); Michelle LeBaron Duryea, Conflict and Culture: A Literature Review and Bibliography (UVic Institute for Dispute Resoltuion: Victoria, 1992).

107. On this aspect, see Geert Hofstede, Cultures and Organizations: Software of the Mind (London et al., 1991). Hofstede further distinguishes national cultures using the dimensions of 'power distance', masculinity–femininity', and 'uncertainty avoidance'. These too probably have a considerable influence on conflict culture, as the first empirical studies in the societal domain and the university context show.

producing a more precise definition of the cultural implications of 'mediation as win–win problem-solving'. One of the first American experts to reflect systematically on the cultural limits of this approach was John Paul Lederach.[108] He started from observations and analyses of third-party-based methods and techniques of regulating intra-societal conflict in several Central American countries. Since then, there have been a whole range of further studies on third-party interventions in non-Western/traditional societies.[109]

As a result of these studies, some of the basic assumptions underlying the ADR concept need to be examined, at least in relation to traditional cultures. One such is the axiom that persons and problems (= conflicts) should, as far as possible, be kept strictly apart from one another. In many traditional or collectivist societies this would be counterproductive, since in such groups, social integration, and with it the main potential for resolving conflict, is founded, precisely, on the close linkage between persons and problems. At least as much attention should, at any rate, be devoted to the improvement/restoration of relations as to problem solving. Other features of the ADR concept that are questionable from the point of view of its application to traditional cultures are: the stress on the open exchange of grievances, on the participation of all those affected, on the controlled use of time; and on the unequivocalness of statements.

In many traditional societies, third parties play an important role in dealing with situations of conflict, especially with a view to safeguarding or restoring traditional social structures. 'Traditional mediation' in this sense is therefore highly context-dependent and context-oriented, indirect, and 'polychrome' (several things going on at the same time); and the third parties are members of the social system concerned. 'Mediation as win–win problem-solving', on the other hand, is more formalized, highly structured, task- and result-oriented, and 'monochrome' (one thing after another); and the third party is situated, as far as possible, outside the social system concerned (*see Figure 5*).

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108. John Paul Lederach, Mediation in North America: An Examination of the Profession's Cultural Premises (Akron, Pa., 1985); id., 'Of Nets, Nails, and Problems: The Folk Language of Conflict Resolution in a Central American Setting', in Avruch, Black, and Scimecca, op. cit. (n. 89), 165–86.

109. See Augsburger, op. cit. (n. 71).

*Figure 5*        *North American and Traditional Models of Mediation*

| *North American Model* | *Traditional Culture Model* |
|---|---|
| 1. Mediation is a formal process with specialist roles. A crisp formal structure for discussing volatile issues provides a context of security and stability as well as channelling toward constructive goals and ends. Time and space (Schedule and setting) are clearly defined. | 1. Mediation is a communal process with involvement of trusted leadership. The normal structures for data flow and dispute management are trusted (contextualization). The pathways familiar to participants, the time frame preferred, and the settings of familiar social interaction will be utilized. |
| 2. Direct confrontation and communication are desirable to both mediator and participants. The mediator's opening monologue establishes "the rules of speaking" that will govern the session; the ongoing facilitation controls and directs communication flow. | 2. Indirect, triangular, third-party processes of a go-between are more desirable to save face, reduce threat, balance power differentials, and equalize verbal or argumentative abilities. So communication may be through others; demands may be carried by advocates; and agreements may be suggested my multiple participants. |
| 3. Time is linear ("one thing at a time") (monochronic), is controlled in discrete "sessions", and is managed by rapid schedule of self-disclosure and statement of demands and counterdemands. | 3. Time is relational (multiple relationships and issues are interwoven) (polychronic). Tasks and schedules are secondary to relationships, so self-disclosure follows social rituals, personal agendas, and communal concerns. |

4. Process is structured, task-oriented, and goal-directed toward "reaching agreement on issues". The autonomy and individualism of disputants' choices, goals, and satisfactions are central.

5. Mediator is presented as technical specialist, with professional, anonymous, and impersonal relationship to the disputants. A written contract is facilitated and the mediator is out of their lives.

4. Process is dynamic, rationally oriented, and directed toward resolving tension in network and community. The responsibility of the disputants to their wider context and the reconciliation of injured parties are central.

5. Mediators are recognized communal leaders or trusted go-betweens from the social context. They are personally embedded in the social networks and remain in relationship with parties in the dispute both during and after the resolution.
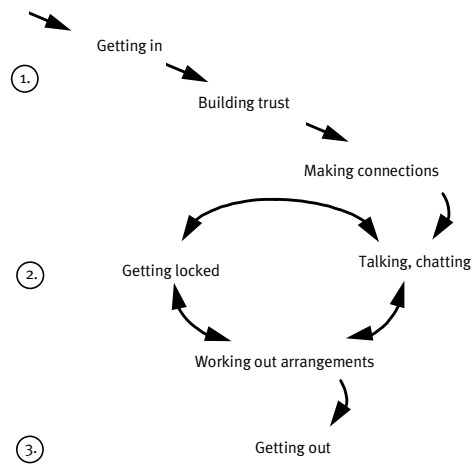
*Source: David W. Augsburger, op. cit. (n. 71), 204.*

Whether these characteristic features of traditional cultures are relevant to the regulation of ethnopolitical conflicts, and if so, to what extent, can only be judged on a case-by-case basis. Since the differences have been simplified into ideal types here, and since politicized conflict-cultures are probably subject to a strong pressure to modernize, these features cannot simply be transposed. Nevertheless, this aspect should not be neglected, particularly since in many ethnopolitical conflicts traditional connections can have an important influence on content. One example of this was the UN intervention in Somalia in 1992–3, which, according to the former UN Special Representative for this country, showed a criminal neglect for the traditional conflict-regulation structures and processes of Somalian society.[110]

Given this situation, Lederach has proposed a strategy of 'elicitive' mediation for intervention in these types of conflict constellations.

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110. See interview with Mohammed Sahnun in Der Spiegel, 26/1993, 141–2.

*Figure 6.* *The Polychrome Model of Conflict Regulation, according to Lederach*

According to this model, the main concerns, as far as the external third party is concerned, are to get to know the conflict-regulation patterns of the particular regional or local cultures in question, to integrate them into its own work, and possibly also to develop them further with on-the-spot actor, instead of importing concepts from outside, like patent remedies. From Lederach's point of view, therefore, it is also impermissible, in such cases, to use a monochrome scheme of mediation such as that depicted in the Harvard circle chart. Instead, he proposes a three-phase model in which only the entry into and the exit out of the process of conflict regulation show a linear progression (*see Figure 6*). The main aim in the entry phase is to win the trust of the parties to the conflict and to create as solid a network of social relations as possible on the spot. The intermediate phase is characterized by a flexible oscillation between fostering social relations, working on blocks, and working out agreements.

So much for the challenge of developing culturally appropriate procedures of mediation. It is even more difficult, of course, to take this factor into account when dealing with the regulation of conflicts *between* cultures. But this is precisely the

task in a great number of ethnopolitical disputes. In such cases, cultural differences can complicate conflict regulation in two ways:

1. They hamper comprehension and understanding between those involved, because, and to the extent that, they influence the manner of communication and interaction and contain specific norms and rules of play determining the nature of conflict regulation, fairness, and appropriateness—in short define normality. The other party is then not simply pursuing other aspirations: it also appears less 'normal' and 'incomprehensible' (*problem of ethnocentrism*).

2. The differences are interpreted as an expression of a deeply seated feeling of 'us' and 'them', of collective identities, and they are bound up with the question of whether 'we' are respected and recognized by 'them', and if so, to what extent. It is precisely this point that is at issue in many ethnopolitical conflicts, even though the controversies at the cultural level often express themselves much more subtly than at the level of the dispute about political self- or co-determination (*problem of recognition*).

The problem of ethnocentrism has not so far been overcome in the mediation movement. However, the systematic application of some of the basic principles of this movement (empowerment, relativization of power differences, procedural fairness) indicates that the process of *intercultural* mediation should itself be the object of a process of negotiation. In other words: the culturally specific ideas of the parties to the conflict should be incorporated into the actual design of the mediation process, before the real conflict-regulation begins. This is easier said than done, especially since the idea of a 'culturally neutral' third party can at best mean a 'third culture'. But is this a good solution, given that the chief feature required of the third party is intercultural sensitivity and competence?[111]

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111. These questions are currently being investigated by Petra Haumersen and Frank Liebe as part of a Berghof Center research project on 'Intercultural Mediation with a Pluri-cultural Team'.

Dealing successfully with the problem of ethnocentrism can in itself constitute a step towards overcoming the problem of recognition. That is to say: if those concerned manage to design the scheme of regulation in a mutually agreeable way, this in itself marks the achievement of a degree of mutual recognition. (This, incidentally, is an observation that applies to many processes of negotiation.) However, one has to ask whether the issue of recognition does not require that the focus of the conflict regulation undergo a fundamental shift to the relational level. This is one of the premises underlying the approach that will be described in the next section.

## 5.4    Interactive Conflict Resolution

Of a more or less distinct nature from primarily intra-societal approaches to mediation is a form of third-party intervention specifically conceived for use in ethnopolitical conflicts. This has been developed since the end of the 1960s by John Burton, Leonard Doob, Herbert C. Kelman, Anthony de Reuck, Edward Azar, and others.[112] As yet, there is no unified terminology for this approach. Its representatives have, *inter alia*, used the following terms: 'controlled communication', 'problem-solving workshops', 'third-party consultation', 'conflict resolution and provention'. Recently, the term 'interactive conflict-resolution' has become widely established.

The representatives of this approach have always been, and continue to be, unanimous in their scepticism *vis-à-vis* all efforts aimed at a style of conflict 'management' that is short-term and geared primarily to the material matters in dispute. Such attempts, it seems to them, are directed too much at the symptoms of

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112. See the survey by Barbara Hill, 'An Analysis of Conflict Resolution Techniques: From Problem Solving Workshops to Theory', Journal of Conflict Resolution, 26/1 (1982), 109–38; Ronald J. Fisher, 'Developing the Field of Interactive Conflict Resolution: Issues in Training, Funding and Institutionalization', Political Psychology, 14/1 (1993), 123–38.

the conflict. They prefer to work on the fundamental differences and relational problems between the parties, and they seek explicitly to 'resolve' the conflict. Their roots go back, like those of the adherents of the mediation approach, to the human relations movement, and in particular to so-called 'T-group techniques' and 'sensitivity training'. These were concerned with fostering awareness of self and others in a group situation, and with gaining insight into group dynamics.

Burton, Doob, Kelman, and others applied similar methods and techniques to the treatment of international and ethnopolitical conflicts in the Middle East, Africa, and Asia. The focal point of their projects was the workshop, lasting from one weekend to a fortnight, to which they invited influential representatives of the parties in conflict. What they wanted was, not to conduct official negotiations with these individuals, but to clarify the whole spectrum of the conflict in an atmosphere that fostered communication and learning, to encourage mutual understanding, to pass on general insights into processes of conflict, and to develop ideas that would open up vistas for alternative solutions. Those who did the inviting were generally academic institutions; the third parties consisted of teams of social scientists with complementary skills in social psychology, international relations, and other domains of knowledge relevant to conflict.

Reports now exist on a whole range of these kinds of 'consultation projects' (as opposed to 'mediation projects'). Thus, for example, in a list compiled in 1993, Ronald J. Fisher mentions a total of nineteen schemes.[113] For the overwhelming majority of these projects, however, there is only very meagre information. This is due partly to the confidentiality which is usually agreed on for these workshops, but also to the fact that up to now only very few systematic efforts have been made to carry out any kind of parallel research or evaluation in this area. It is therefore difficult to judge how effective these endeavours have been.[114]

In recent years, there have, in addition, been a number of initiatives, particularly in the domain of 'track 2' diplomacy, which have considerably extended the concept of interactive conflict resolution. These include combinations with fact-

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113. Fisher, op. cit. (n. 112).

finding missions, training measures, round tables, consultation and organizational development for the new NGOs in the societies undergoing transformation, public relations work in favour of conflict-regulation strategies. Theoretical development has taken place in the form of the integration of models from political education (e.g. tried and tested forms of multi-ethnic state systems), intercultural learning (i.e. the workshops were also organized as a forum for social learning between members of different cultures), and mediation in the narrower sense (the treatment of specific practical problems).[115] The research group around Vamik D. Volkan and Joseph V. Montville has also developed a workshop concept to deal chiefly with 'chosen traumas and glories,' as mentioned above.[116]

The basis upon which the original concept of consultation rests consists of two tenets.[117] The first is the 'basic human needs theory' discussed earlier (see Section 2.2.3). The second states that, by fostering mutual empathy and clarifying other possible modes of behaviour and the costs these entail, a mutually agreeable solution to the conflict may be found. In other words: through empathetic, rational discourse, the basic needs of all partners in the conflict in relation to security, identity, and participation can, in principle, be satisfied.

The practical aspects of the interactive conflict resolution approach may be summarized under five heads:[118]

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114. On the question of effectiveness and measurement of success in this approach, see Christopher R. Mitchell, 'Problem-Solving Exercises and Theories of Conflict Resolution', in Sandole and van der Merwe (n. 85), 78–94.

115. The German NGO 'KSZE Consult' carried out an interactive conflict resolution project on the majority–minority conflict between Romania and Hungary. This lasted several years and was based in Rumania. The results will be published in 1996.

116. See Vamik D. Volkan, Metholodogy for Reduction of Ethnic Tension and Promotion of Democratization and Institution Building (Univ. of Virginia Center for the Study of Mind and Human Interaction: Charlottesville, Va., 1995).

117. On this, see the theoretical texts in John Burton, Conflict (I): Resolution and Provention (Houndsmills and London, 1990); id. (ed.), Conflict (II): Human Needs Theory (Houndsmills and London, 1990); id. and Frank Dukes (eds.), Conflict (III): Readings in Management and Resolution (Houndsmills and London, 1990).

118. A systematic summary of the scheme developed by Burton and his colleagues may be found as an appendix, 'Facilitated Conflict Resolution Procedures', in John Burton and Frank Dukes, Conflict (IV): Practices in Management, Settlement and Resolution (Houndsmills and London, 1990), 189–209.

1. *Series of Workshops with Influential Representatives of the Parties to the Conflict*

One key variable—if not the key variable—as far as the coming into being of the workshops and the transfer of the results are concerned is the composition of the participant group. The intention is that the participants should represent as broad a spectrum as possible of attitudes to the conflict, that they should be highly motivated to participate, and that they should have some influence in the group to which they relate, without being in any danger of losing face by taking part in the project. Basically, a reasonable balance must be found between the goals of 'maximizing the learning effect' (which is probably more likely in the case of those who hold a moderate position) and of 'maximizing the probability of transfer' (which possibly applies more to those with extreme positions). Kelman's plea in favour of participants who have some influence as advisers, intellectuals, and independent consultants but are not subject to the pressures associated with political office, therefore seems a reasonable one.[119]

In addition to the choice of participants, there are a host of other variables that must be carefully calculated. These range from the socio-demographic composition of the participant group. through the number and location of the workshops, to the design of the seminar and the overall context in which the individual events take place. In many cases, what has initially to be done is to hold a series of separate meetings with parties involved. This is particularly important if at least one of the sides has a restricted scope for action or is socially fragmented, or if the situation has become acute and the aim is simply to find someone to participate. Whenever decisions are made, the contrast with official, political negotiations must be stressed. What is involved here is, as it were, a series of private experiences gathered in an academic-style setting that fosters learning.

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119. Kelman, op. cit. (n. 62), 64–96.

2. *The Third Party as Facilitator and Action Researcher*

   In the consultation approach, the third party restricts itself largely to a role of facilitation, supplemented with one or two instances of non-directive mediation in crisis situations and in the structuring of the workshops. In addition, in many schemes—particularly those strongly influenced by John Burton—there is a prominent academic function. According to this, the third party is meant constantly to examine the conflict constellation and the process of regulation at a theoretical level and make regular presentations of its findings to the participants. As in culturally specific approaches, it is important that a trusting relationship, designed for longer-term co-operation, be built up with the parties to the conflict. At the same time, neutrality should be preserved in all circumstances. The behaviour of the parties to the conflict and of the third party needs therefore to be regulated by ground rules which lay down what remains within the bounds of neutrality and what does not.

3. *Communication Skills, Conflict Mapping, Basic Needs*

   As in the mediation approaches, one of the prime tasks in the consultation workshops is to create the willingness and ability for direct communication between the parties to the conflict. Similar methods and techniques are used for this. However, unlike in mediation, the focus is not on 'mapping' the particular material issue, but on the real concerns of the parties. Thus, just as mediation, in its second phase, searches out the parties' interests behind their respective positions, so those engaging in consultation begin to look for indications of the participants' basic needs at the stage of conflict mapping.

4. *Conflict Analysis and the Redefinition of Relations*

   Emphasis on conflict analysis as part of conflict regulation implies both the communication of general insights as well as consideration of the specific conflict, with the aid of the third party. The ideal arrangement is when these two aspects can be linked. Particularly suitable opportunities for doing this are offered by misunderstandings and escalatory sequences springing from the differing but equally ethnocentric modes of being of the participants.

At what stage in the regulation process conflict analysis should intervene is, however, disputed. Another point at issue is whether the analysis of the *causes* of the conflict should be part of this, and, if so, to what extent. The majority of adherents of mediation and consultation are of the view that to tackle this aspect is counterproductive, since it merely leads, they say, to mutual recriminations and demands that injustices be made good. A different basic view, on the other hand, emerges from the psychoanalytical approach of Vamik Volkan and his colleagues. According to this, it is only the process of grieving over past collective injuries and involvements that creates the precondition for shaping relations in a new and more constructive way. The challenge therefore consists in developing methods of joint historical analysis that do not lead to new conflicts and score-settlings.

5. *Conflict Resolution as a Mutual Recognition of Basic Needs, as a Fostering of Creativity, and as Transfer*

The interactive conflict resolution approach aims at a 'solution' that is concerned not first and foremost with the permanent settlement of material disputes but with creating a new relational structure which makes it possible for the basic needs of all those involved to be satisfied. What is primarily required for this, in addition to a clarification of relations and an analysis of the conflict, is a creative approach to new options for action, and a comparative evaluation of the status quo as against these alternatives. In practice, however, it will probably only rarely be possible to arrive at a stage where the clarification of relations has been completely achieved, where basic needs have been mutually acknowledged, and where the consequences of the various options for action are sufficiently transparent. The third party is then faced with the question of whether it should continue to work on these preconditions or set about tackling at least those problems for which some prospect of resolution has begun to emerge.

Whereas mediation with decision-makers has immediate relevance to what happens in practice, the transfer of the results of consultation projects with influential persons faces essentially different challenges. Mediators have to attach importance to their settlements being worked out in as great detail as possible, and to these settlements ultimately being embodied in a contract. In the case of consultation projects, however, transfer takes place only indirectly: it may be that participants exert an influence in the groups to which they relate in such a way that the conflict is transformed in line with what has happened in the consultation; or the workshops may be viewed as a pre-negotiation phase for a treatment of the practical issues involved in the conflict.

A whole range of objections have been raised to the interactive conflict resolution approach. The most prominent of these comes from the ranks of the representatives of power-based mediation. They measure the success of third-party interventions primarily by the practical agreements reached in acute situations of conflict. In terms of this task, and of other temporarily effective strategies for reducing violence, it is indeed the case that consultation projects have little to offer. But that is not their aim: what they are concerned with is a thoroughgoing treatment of the more deeply rooted causes of the conflict. However, there are three further objections/considerations which strike at the central premises of this approach:

- How justified is the assumption that basic needs are universal and that it is ultimately possible to satisfy at least the non-material basic needs of all the participants to the conflict through empathetic and rational discourse?[120] Is one of the essential characteristics of ethnopolitical conflicts not that the hierarchy of needs is socially and culturally influenced and cannot be levelled out by a process of communication, however favourable? Moreover, what good is individual insight into similar basic needs, when the real problem is the superstructure of competing élites, institutions, and ideologies? To what

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120. See Mark Hoffman, 'Third-Party Mediation and Conflict Resolution in the Post-Cold War World', in John Baylis and N. J. Rengger (eds.), Dilemmas of World Politics (Oxford, 1992), 261–86.

extent is this concept applicable solely to Western-style societies, given that it ultimately measures 'human development' primarily with an individual yardstick? (See Section 2.2.3.)

- The consultation approach makes improvement in communication and a mutual opening-up to the basic concerns of the other side the core of the workshop activity. But does this not imply a grave neglect of the institutional and structural aspects of the conflict regulation? Is it not necessary to make transfer to the reality of the conflict itself an object of the interactions?

- Many consultation projects are faced with the fundamental dilemma of having to marry up two conflicting tendencies. On the one hand, the work that those involved seek to do on clarifying relationships can only work if the forces of social *integration* are strong enough to hold the parties to the conflict together in the project. On the other hand, the point of the exercise is only achieved if the central controversies and differences are actually brought out. But this also requires *confrontation*, which, in its turn, harbours the risk of *dis*-integration, of the project's failing.

## 5.5    Complementary and Integrative Approaches to Conflict Regulation

A great part of the specialist discussion about the methods and techniques of conflict regulation ironically follows a pattern which the adherents of win–win solutions like to criticize, namely the 'either–or' pattern of argument. This cognitive tool undoubtedly has its merits. In view of the immense complexity of ethnopolitical conflicts, however, some investigation of the 'both–and' paradigm might be just as promising.

Ronald J. Fisher and Loraleigh Keashly have, accordingly, argued for the development of a 'contingency model', in which the conditions dictating the appropriateness of various approaches for different phases, levels of actions, and actors in particular conflictual processes are more precisely defined.[121]

According to this, each conflict requires a specific combination of differing strategies. Following Friedrich Glasl, Fisher and Keasly regard one of the major factors determining the weighting of particular strategies in this combination to be the degree of escalation. The more acute the conflict, the more directive the intervention of the third party must be. In addition, they argue for close complementarity between efforts based on interactive conflict resolution in the pre-negotiation phases and directive mediation in the negotiations themselves.

Friedrich Glasl's conflict-management approach is even more differentiated and, in addition, more broadly based in this respect. In Glasl's view, the particular stage of escalation of a social conflict constitutes one of the initial variables for intervention in a global sense, since with it, the whole system by which the conflict is conducted is changed.[122] In his view, as the conflict becomes more intense, the third party is faced with the task, not only of intervening directively, but also of changing its whole interventional repertoire. His model is based on a scheme involving a total of nine stages of escalation. In contrast to most other theoreticians of escalation, he represents these as a downward movement, in order to emphasize the increasing influence of 'subhuman energies' (*see Table 3*).

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121. Ronald J. Fisher and Loraleigh Keashly, 'The Potential Complementarity of Mediation and Consultation within a Contingency Model of Third Party Intervention', Journal of Peace Research, 28/1 (1991), 29–42.

At levels 1 to 3 of escalation, Glasl considers the model of roles and strategies offered by moderation appropriate; between 3 and 5 that of facilitation/conciliation; between 5 and 7 that of mediation; the 'deepest' levels of escalation—6 to 8, and 7 to 9—can, he believes, only be broached through arbitration and power-based intervention.[123] The precise classification of these roles and strategies is doubtless open to discussion in individual cases. However, Glasl's linking of the analysis of conflict and the foci of intervention contains what is probably the most detailed suggestions for a contingency-based scheme of peaceful intervention.

As far as dealing with ethnopolitical conflicts is concerned, there are, in addition, the five features which were used, in our second section, to describe and analyse the dynamics of ethnopolitical conflict.[124]

However, since Glasl developed his scheme primarily for use in conflicts within organizations, one has to remember to make certain adjustments in transferring them to complex ethnopolitical conflict-constellations. First and foremost, one has to emphasize that even in the case of conflicts that have partially been conducted by violent means, there can, nevertheless, still be many other conflictual relations at other levels of escalation.[125] The idea that the escalation of the conflict follows a unilinear path is no more demonstrable than is the idea that the parties to the conflict hold consistent positions. Constructive conflict-regulation therefore has to be active at several levels. But if a contingency approach is to contain more than the trivial exhortation that 'A lot will help a lot', more detailed research will need to be done into whether certain strategic combinations of approaches have proved particularly effective. It is here that one of the major challenges for future peace and conflict research lies.

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122. Glasl, op. cit. (n. 21), 181 ff.

123. Ibid. 360 ff.

124. Ibid. 321 ff.

125. David Bloomfield, 'Towards Complementarity in Conflict Management: Resolution and Settlement in Northern Ireland', Journal of Peace Research, 32/2 (1995), 151–64.

## Table 3: The Nine Stages of Escalation of Conflict, according to Friedrich Glasl

| 1 Hardening | 2 Debate | 3 Actions | 4 Images, Coalitions | 5 Loss of face | 6 Threatening strategies | 7 Limited Destructive Attacks | 8 Fragmentation | 9 Together into disaster |
|---|---|---|---|---|---|---|---|---|
| Occasionally the points of view harden and clash | Polarisation in thought, feelings, desires; black-and-white perception | ›It's no use talking any more‹ | Stereotypes, clichés, image campaigns, rumours about knowledge and abilities | Public and direct: frontal attacks! | Threat and counter-threat: | Thinking in terms of ›things‹ | Paralysis and break-up of hostile system | No way back! |
| Temporary slips and tensions | Tactics: quasi-rational, verbal violence | Therefore: To action! *Fait-accompli* strategy | Manœuvring each other into negative roles, fighting one another | Demasqué: ›disappointment‹, retroactive ›Aha!‹ experience | Demand // \\ Sanc-tion = Potential for sanctions | No longer any human quality | Cutting of exponents from hinterland | Total confrontation |
| Point of conviction: tensions resolvable through talking | Talk to public; ›scoring points‹ vis-à-vis third party | Discrepancy between non-verbal and verbal behaviour, non-verbal behaviour dominates | Canvassing for supporters, symbiotic coalitions | Angel–devil image | Credibility: Proportionality, self-bind-activities, trip-wires | Limited destructive as a ›suitable response‹ | Destruction of vital components of system, hence system undirectable, completely collapses | Destruction at the cost of self-destruction, urge to suicide provided the enemy also annihilated! |
| There are no rigid sides or camps | Formation of temporary subgroups around certain points of view | Danger: misinterpretation | Self-fulfilling prophecy as result of fixed perceptions | Expulsion, ostracization | ›Second move‹ | Transvaluation of values: relatively minor damage to self = profit | | |
| | ›Overtone – undertone‹ discrepancy | ›Pessimistic anticipation‹: mistrust, acceleration | Dual links as a result of paradoxical missions | Isolation, ›echoing cave‹, social autism | Acceleration through ultimatums | | | |
| | Superior versus inferior | ›Group skin‹, cohesion, crystallisation of roles | | Revulsion | | | | |
| | | Loss of empathy | | | | | | |

*Source: Friedrich Glasl, op. cit.(n. 21) Translation by the author.*

# 6   Conclusions

At the end of the twentieth century—a century that can truly be said to have shown no dearth of violence—ethnopolitical conflicts once again pose, in acute form, the question of the civilization of human relations. The traditional concepts of military deterrence and containment are not equal to this task. Simply improving the instruments and mechanisms of civil conflict-regulation will not, in itself, be sufficient to master this task. What is needed is a comprehensive strategy of economic and social development and of support for democracy, the rule of law, and human rights. And yet, without a willingness to create a globally effective culture of constructive conflict-regulation, the process of civilization will not succeed. One of the preconditions for the development of this kind of conflict culture is, as a first step, to examine the structures and processes that are needed if a permanently effective, mutually agreeable, and non-violent regulation of ethnopolitical disputes is to have any chance at all of success. The aim must therefore be to exploit existing concepts and strategies of conflict regulation in a way that benefits this particular area of activity, and to use practical experiences as a basis for developing further instruments and mechanisms. Of crucial importance, finally, is the creation of conflict-regulation alliances between external and internal actors, and of appropriate forms of regulation for all the representatives of the parties in dispute. By way of conclusion, the current state of research into, and debate about, the development of this conflict culture will here be summarized under four headings.

- *As a rule, ethnopolitical disputes consist of both material and relational conflicts and contain a historical and a psychosocial level. Strategies of regulation that do not take account of the special features of this type of conflict will encounter obstacles or will have only short-term success.*

The basic characteristics of this type of conflict are such that ethnopolitical tensions contain a peculiar potential for destructiveness. What is involved is primarily a combination of conflicts of interest and conflicts of identity, in which one side at least has a marked need for recognition and regards that recognition as under threat from the other side. There is often a long historical preludes which makes the separation of the material and relational levels difficult. Subjective and objective factors are closely bound up with one another. Asymmetrical demographic constellations and power relations stand in the way of mutually agreeable settlements. But such conflicts do not in any way imply inexorable escalation. They are politically staged, and the manner in which they are brought about is itself an object of internal political dispute, with the result that there is undoubtedly a potential for tackling them in peaceful ways.

- *The constructive regulation of ethnopolitical disputes requires the adoption of a perspective that looks to a longer-term transformation of conflict.*
  Because of the multifarious roots of ethnopolitical conflicts, both the realm of states and the realm of societies are called upon to expand and strengthen the apparatus of conflict regulation. In the realm of states, a lasting state of peacefulness will not be achieved unless there is greater willingness to institute, on a far larger scale than before, constitutional reforms aimed at establishing the various models of power sharing. Together with the realm of societies, it also faces the challenge of creating new forums, forms, and procedures with which it can tackle the historical and psychosocial levels and relational aspects of ethnopolitical conflicts. Both developments should also be exploited in order to strengthen non-ethnic ties and loyalties.

- *In transforming ethnopolitical disputes, third parties play a decisive role as initiators and agents of wide-ranging peace-alliances.*

Third parties should not be viewed as meaning only more or less neutral, external actors, but also, and above all, those political and social forces within the areas of tension concerned who are able, in the broadest sense, to fulfil a bridging function or a play moderating role between the polarized representatives of the parties to the conflict. How important the contribution of such internal third parties can be becomes clear if one considers the whole spectrum of intervention, from directive through non-directive mediation to facilitation. The concept of peace alliances should therefore embrace not only the linking-up of peace-making and peace-building (and possibly also peace-keeping), but also the prospect of increased interconnections between internal and external peace-makers.

- *For the instruments and mechanisms of constructive conflict-regulation to be improved, systematic action-research is required. This naturally implies more detailed investigation of the limits of applicability and effectiveness of these kinds of intervention.*

  The concepts and strategies of process-oriented, civil, non-power-based conflict-regulation so far developed contain considerable, as yet far from exhausted, potential as far as peaceful intervention is concerned. They do, however, display certain weaknesses and unresolved problems. This applies in particular to: coping with asymmetrical conflict-constellations; incorporating the 'culture' factor; and the whole problem of defining the roles of third parties between neutrality and commitment in a way that favours non-violence, human rights, and justice. Also at a rudimentary stage is the research into what the nature of any strategic alliances between different approaches to conflict regulation at various levels of escalation and levels of actor , and with differing orientations, might be. Creating a culture of peaceful intervention therefore requires engaging in action research.

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