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Conflict Resolution as a Field of Inquiry: Practice Informing Theory

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This article explores the different approaches to study of conflict resolution from a variety of interdisciplinary perspectives. It argues that CR research is sophisticated and nuanced, addressing both state-level and group-level motivations behind political violence. The article argues that there are two distinct strands within CR scholarship: one that deals with “conflict transformation;” the other which deals with “conflict settlement.” Although these two strands are sometimes seen as offering conflicting interpretations of conflict, we argue that they are essentially complementary and have much to offer theoretically and practically to policymakers.

As Bercovitch, Kremenyuk, and Zartman (2009:1) explain, Conflict Resolution (CR) is a “vibrant, interdisciplinary field where theory and practice pace real-world events.” They note further: “scholars working on CR study the phenomenon of conflict and analyze ways to bring it under control, bringing their insights and concepts to bear on actual conflicts, be they domestic or international, so as to foster better and more effective relations between states and people. Conflict Resolution is about ideas, theories, and methods that can improve our understanding of conflict and our collective practice of reduction in violence and enhancement of political processes for harmonizing interests.”

The latter point is especially critical: CR studies are focused on applying the insights of theory and research to the resolution of actual conflict situations. Theory and research are drawn not only from political science but also from social psychology, sociology, economics, and law. This has resulted in the field sitting somewhat uncomfortably alongside traditional international relations theory because its insights are filtered through many differing analytic lenses. CR theory can therefore appear chaotic—hardly elegant or parsimonious. IR scholars perceive a bias among CR scholars and practitioners toward peaceful methods of dispute settlement and resolution, one that deliberately and self-consciously eschews the use of force and violence. This translates unfairly to CR studies being seen as “soft” theoretically, focusing more on praxis rather than contributing to innovation and advancement of our general understanding of conflict processes. In fact, CR research is quite sophisticated and nuanced, honing in on both state-level and group-level motivations and strategies that either exacerbate or mitigate political violence.

We present two distinct theoretical strands within CR scholarship: “conflict settlement” and “conflict transformation.” Sometimes competing but often comple-

mentary in explaining real-world phenomena, each has much to offer, both theoretically and practically. Taken together, they have made significant contributions to our understanding of conflict prevention, peacemaking, and peacebuilding. Some of these insights have informed policy making, but not always as consistently as scholars would hope.

Conflict Resolution as a Settlement Process: Making the Deal

International negotiation and diplomacy, with some obvious exceptions, have generally been the preferred means for dispute settlement at the global level since World War II. There are a number of reasons for this. During the Cold War, nuclear brinksmanship eventually yielded to a more business-like relationship characterized by regular summits between the leaders of the United States and the Soviet Union and negotiations on arms control, troop deployments, and other kinds of confidence measures directed at reducing tensions and the risks of escalation in crisis situations. The leaders of the West also invested their diplomatic political energy to negotiate a relatively smooth transition when the Berlin Wall came down and the Soviet Union collapsed.

Although adjudication, arbitration, and various judicial means have frequently been used to deal with interstate disputes (Bilder 1997), as well as disputes between private actors that cross international borders, the continued importance that states attach to their sovereignty has meant that the opportunities for judicial recourse tend to be limited. Bargaining and negotiation are thus the default option when disputes arise, and much of the work of CR scholars has centered on understanding these processes of negotiated interaction both when they succeed and fail.

More recently, scholars have tried to better understand the negotiation and dispute resolution dynamics in civil and regional conflict situations where parties have turned to negotiated approaches to resolve their differences even after prolonged fighting. Unlike those in the past, the majority of conflicts during the last decade of the 20th century ended in negotiated settlements, usually with the assistance of a third party (Babbitt 2009a).

Various explanations have been offered to explain this recent trend. According to Licklider, “We have some evidence that long civil wars are disproportionately likely to be ended with negotiated settlements rather than military victory. This is plausible since a long civil war means that neither side has been able to achieve a military victory” (Licklider 2005:39). Many of the civil and regional disputes that ended in the late 1980s and early 1990s were relatively prolonged affairs, having been aided and propelled by the two superpowers. The desire to end these so-called “proxy wars” as the Cold War wound down encouraged the superpowers to pursue negotiated solutions so that they could exit because continuation had become increasingly costly (Crocker 1992; Weiss 1996).

The collapse of the bipolar system led to a transition in conflict management approaches in the early-mid 1990s. There was greater engagement by the UN, especially the Security Council permanent members, in the peaceful resolution of international disputes. What is also striking is that a wide variety of small-state and nonstate actors also began to offer their services in conflict management processes. Prominent international non-governmental organizations have also played key roles in bringing parties to the negotiating table and creating much-needed forums for dialogue and negotiation, especially at the intercommunal and societal levels (Bartoli 1999; Saunders 2005).

The Politics of Risk Management

The obvious importance of negotiation to the settlement of both interstate and intrastate/civil conflicts has prompted renewed interest by scholars in different

disciplines about the conditions that underpin bargaining and negotiation processes. There are several different points of emphasis in this literature. Some scholars stress the “costing” aspects of negotiation, where the costs of negotiation and bargaining outcomes must be compared to costs of the conflict itself, including its sunk and future anticipated costs. Using the insights of game theory, other scholars argue that concession and commitment problems are acute in these kinds of conflict situations because the parties do not trust each other and it is difficult to elicit trust simply through dialogue. Instead, bargaining processes and interactions have to be designed to manage risk while strengthening the parties’ commitment to negotiation. This includes the use of enforcement mechanisms and security guarantees (typically by a third party) that lower negotiation costs by sharing/spreading the costs/risks of agreement while raising the costs of noncompliance.

Such expected utility calculations figure prominently in the work of William Zartman (1989), Zartman and Touval (1985), and Richard Haass (1988). These authors argue that the parties to a civil conflict are unlikely to entertain the possibility of negotiation as long as they believe that “conflict pays.” The negotiation option only becomes attractive if this expectation changes: when they are deadlocked militarily; the conflict is prolonged and shows no signs of abating, and/or the parties could not militarily escalate the conflict to a higher level. At this moment, the conflict becomes “ripe for resolution” because the parties are willing—perhaps for the first time—to entertain their negotiated options and a political “solution” that ultimately promises lower costs than continuing the conflict.¹

Under this approach, timing is critical for success for third parties who wish to assist with the negotiation process through intermediary services. Commitment tactics have an important role to play in changing the parties’ expected utility calculations about the costs of an agreement. By denying military assistance, or taking measures that alter the balance of power between warring sides, external actors can strengthen the incentives for negotiation. At the same time, the offer of side payments and other kinds of inducements can make a negotiated agreement appear more attractive, all other things being equal (Crocker 1992: 469–72).

Triadic bargaining situations, where third parties offer side payments and/or penalties and sanctions to get the disputing parties to change their cost/benefit calculations about a negotiated settlement, can also be quite unstable (Touval 1996). Thus, some situations may need “mediators with muscle” (Touval 1982). Here, impartiality and objectivity are less important to achieve influence than “power potential considerations” (Touval and Zartman 1985: 256). The ability to exercise leverage may also be positively influenced by close ties between a third party and one or more parties to the dispute thus allowing the mediator to elicit cooperative behavior and concessions (Princen 1992). The less “muscle” a third party has, and the more removed or distant it is from the conflict, the weaker will be its intervention potential (Zartman and Touval 1985; Zartman 1989). And if third-party pressure is the only factor that keeps the parties at the negotiating table, negotiations will fall derail as soon as that pressure is relaxed or withdrawn (Azar and Burton 1986).

Some scholars even argue that it is not just the costs of negotiation and settlement that matter to the parties but also the perceived “risks” of negotiation, i.e., the probabilities that are associated with negative outcomes. Because the parties in civil conflict situations are distrustful of each other, engage in strategic behavior, and refuse to cooperate even if there are powerful incentives to consider negotiations, ways have to be found to reduce the risks of defection so that the

¹For critical discussions of the concept of ripeness, see Kleibor 1994.

parties can entertain the possibility of a negotiated, reciprocal exchange of concessions. The theoretical basis for this position is spelled out in “prisoner’s dilemma” and “games of chicken” in which defection is the dominant bargaining strategy, and cooperative solutions are confounded in the first instance by information problems (because of the absence of proper and reliable channels of communication between the parties), and in the second, the problems of credible commitment.

In interethnic bargaining situations, or civil conflict situations where the parties have deeply antagonistic relations, efforts to reach some sort of political accommodation via negotiations may be thwarted by the “domestic” equivalent of the security dilemma because even defensive measures are viewed as offensive and threatening (Posen 1993). The persistence of high levels of mutual distrust need not pose an insurmountable obstacle to negotiations if ways can be found to effectively reduce risks and “insure” the parties against the costs of negotiation failure. There are a number of different risk management options that are available (Hampson 2006), such as: (i) bringing a third party into the negotiations who can quietly probe and assess the intentions of the other side; (ii) developing deliberately ambiguous commitments during the course of negotiations that can be reinterpreted, manipulated, or even withdrawn as circumstances change (also known as hedging); (iii) sharing risks so that potential losses if a negotiation fails are more or less equally distributed among the parties; and (iv) segregating assets to limit liability, by, for example, separating issues and taking a step-by-step or incremental approach to negotiations.

However, these tactics may be insufficient. In those situations where the problems of the security dilemma are compounded by *moral hazard*—the risk that a party has not entered into negotiations in good faith—different remedies may be called for. Stedman (1997), for example, argues that the moral hazard problem is especially acute in civil conflict situations because of the prevalence of extremist elements who are generally not interested in compromise and will create conditions that will destroy it even if they initially decide to participate in negotiations. Because such so-called “spoilers” are predisposed to reckless or uncooperative behavior, effective spoiler management may be required to prevent peace negotiations from being blown off course.

Spoilers come in many different shapes and sizes, and there is no one-size-fits-all approach to their management. On the one hand, some argue that the only way to deal with “total spoilers”—i.e., those who “see the world in all-or-nothing terms” and seek a “violent transformation of society”—may be coercion. On the other hand, the best defense against spoilers who have more limited political goals is to bring them into the negotiation process with clear ground rules that include penalties for intransigent behavior and rewards for cooperation (Stedman 1997).

However, emerging norms in transitional justice and the establishment of the International Criminal Court have changed the interaction between peacemakers and warring parties, including spoilers. Whether there are salient trade-offs between the pursuit of retributive justice and the pragmatic conclusion of peace agreements, including amnesties for crimes committed during the conflict, remains an open and highly problematic question. In a significant subset of cases, parties to the conflict have been designated “terrorist organizations” by significant states, e.g., Palestine, Colombia, Lebanon, and Sri Lanka. At the same time, the absence of a clear definition of terrorism either within the United Nations or other key international bodies poses a challenge to peacemakers and other third-party interveners when they need to determine whether and how to interact with extremist actors. As Baker (2001:762) notes, “The tensions between justice and reconciliation are confronted not just by local players, but also by external parties who want to contain the costs of war.”

As Babbitt (2009b:619) observes “Both human rights and CR invoke principles of impartiality. However, the concept has completely different meanings for practitioners in each field. To a CR practitioner, impartiality requires an even-handed treatment of all parties, regardless of their status or resources. For a human rights advocate, impartiality refers to the application of human rights norms, most of which are constructed to protect the weak individual for the abuses of the state or other potentially exploitative authorities. Thus, the human rights result does not appear impartial, but instead looks like (and often is) advocacy for one party over another. This presents a conundrum for the CR practitioner who recognizes that social justice requires creating a more level playing field, but who needs to maintain even-handedness to be credible.”

Conflict Resolution as a Transformation Process: Relationships and Peacebuilding

With the spike in “internal” wars after the collapse of the Soviet Union in 1989, the then-UN Secretary General, Boutros Boutros-Ghali, issued the UN Agenda for Peace in 1992. The report identified four overarching tasks for the UN and others to undertake preventive diplomacy, peacemaking, peacekeeping, and peacebuilding.

These proposed goals introduced a broader CR research and policy agenda, beyond the emphasis on strategic bargaining and deal making. It effectively extended CR concerns to both latent and active conflicts and to the increasingly difficult challenge of rebuilding so-called failed or failing states. In doing so, it called for understanding conflict dynamics within and between identity groups as well as governments and for exploring how relationships between such groups could be sustainably transformed—beyond negotiated settlements—such that violence would not recur.

Research efforts in the early-mid 1990s to support this new agenda showed that the parties in conflict were very often unable to carry out implementation on their own without continuing oversight and assistance, calling for an ongoing commitment from international actors (Hampson 1996).

Additional research focused on creating a typology of tasks to be implemented. The daunting list included internal and external security, judicial reform and rule of law, constitution making and revamping governance structures, rebuilding the economy and financial institutions, the return of refugees and internally displaced persons, and developing a functioning civil society. The results in practice were initially faltering at best (e.g., Somalia and Bosnia), improving with more experience. But how to accomplish these overwhelming tasks effectively was still a challenge.

The next phase of scholarship tackled this question and came up with recommendations on sequencing. One important finding was that internal security was the most important prerequisite for peacebuilding (Walter 1997). Without physical security, all other tasks were more difficult, even impossible, to achieve. As Afghanistan and Iraq demonstrate, how to accomplish that goal presents an ongoing dilemma.

Parallel to the sequencing discussion, scholars and practitioners conducted comparative analyses across differing cases to explore specific topics such as good governance and transitional justice (Duffield 2001; Stedman, Rothchild, and Cousens 2002; Paris and Sisk 2009). Notably, because of the emphasis on internal wars as opposed to interstate wars, researchers also turned their attention to questions of identity and intergroup relations, asking how the relationship between such groups could be improved to prevent violence and stop its recurrence (Volkan 1998; Fearon and Laitin 2000; Miall, Ramsbotham, and Woodhouse 2005; Tilly 2006).

The Psychology of Building Trust

In the social psychology of conflict, an important assumption is that although parties may identify specific issues as the causes of conflict, conflict also reflects subjective, phenomenological, and social fractures. Consequently, analyzing “interests” may be less useful than identifying the underlying needs that govern each identity group’s perception of the conflict (Burton 1987; Lederach 1995; Kelman 1996). The seminal research on intergroup relations is decades old, but its insights were “discovered” for the first time by political analysts grappling with internal wars. This included a new look at prejudice reduction and social categorization studies (Allport 1954; Brewer and Gaertner 2004; Pettigrew and Tropp 2006) as well as research on identity formation—ethnic, religious, racial, tribal (Laitin 1998; Appleby 2000; Marshall and Gurr 2005).

Key insights from this research include the inherent human propensity to sort the world into “us” and “them;” the ways in which negative stereotypes of “them” are exacerbated by fears of competition and harm; and the options available for changing intergroup dynamics such that identities are more inclusive and the “other” is not perceived as a threat.

From this perspective, CR processes are directed at changing the fundamental perceptions, attitudes, and behaviors of the conflicting parties to build and promote understanding and trust (Kriesberg 1997). Accordingly, interaction begins with informal dialogue—or prenegotiation—that allows parties to develop insight into their own motivations and those of their adversary before actually beginning to discuss the different dimensions of their conflict. These exchanges are viewed as critical to building a basis for trust that will, in the long run, help to sustain a constructive relationship.

Attitudinal change can be fostered through a variety of instruments, including consultative meetings, problem-solving workshops, training in CR at the communal level, and/or third-party assistance in developing and designing other kinds of dispute resolution systems compatible with local culture and norms. These activities are based on findings which show that individuals are more disposed to cooperative behavior in small, informal, intergroup activities (Babbitt and d’Estrée 1996) but data concerning its impact on policy and decision making have proven harder to measure.

The problem-solving workshop is one type of third-party assisted dialogue, undertaken by both official and non-governmental actors. This activity is directed at ethnic, racial, or religious groups who are in a hostile relationship. Like “circum-negotiation,” this dialogue occurs at a quasi-official level around or prior to the formal peace process (Saunders 1996). Dialogue is directed at both officials and civic leaders, including heads of local non-governmental organizations, community developers, health officials, refugee camp leaders, ethnic/religious leaders, intellectuals, and academics. This dialogue process can be assisted by specialized training programs that are directed at exploring ways of establishing and building relationships, furthering proficiency in facilitation, mediation, and brokering, data collection, fact-finding, and other kinds of cooperative decision making. As Kriesberg (1996) notes, much of this activity is directed at developing “constituency support for peace efforts” (p. 228).

The practice of dialogue and communication also underlies the approach of some regional organizations in promoting confidence-building prenegotiations. Often without the resources of individual states or the UN and even reluctant to use the resources they have, regional organizations have used consultation, problem-solving, dialogue, and sometimes moral example to shift perceptions and change attitudes among conflict parties. A prime example of the use of this approach is found in the conflict prevention work of the OSCE’s High Commission on National Minorities (Chigas, McClintock, and Kamp 1996).

The newest strand of research related to trust-building is the burgeoning literature on reconciliation (Lederach 1995; Dwyer 1999; Rouhana 2000; Kelman 2008). Although each scholar analyzes reconciliation slightly differently, the common elements are an acknowledgement of responsibility for harm; some type of justice-seeking process (restorative, retributive, regulatory); creating understanding and even empathy; a recognition of interdependence between groups, often with joint goals being set; and a healing process referred to as “working through” or “letting go”. There are also identified stages of reconciliation (Huyse, Salter, and Ingelaere 2008). The most fundamental step is replacing fear with nonviolent coexistence, then building confidence and trust, and finally empathy and the willingness to acknowledge the other’s perspective.

Conflict Resolution and the Conflict Cycle

Both of the above research strands hinge on different assessments about the bargaining relationships among combatants in civil conflict situations. On the one hand, relationship-based approaches argue that the foundations for trust and reciprocal bargaining can be laid through a sustained process of dialogue and communication, especially if there are forums that allow the parties to treat each other as individuals, break down stereotypes, and identify common interests and needs. On the other hand, the political risk perspective argues that the parties will not be interested in negotiations as long as they believe that they can pursue goals through violent means. And once they do sit down at the negotiating table, communication and dialogue, though viewed as desirable, are often not enough to overcome the high levels of mistrust that plague intercommunal relationships in war-torn settings. Accordingly, the parties must structure their interactions in ways that reduce the upfront costs/risks of defection from negotiated solutions.

These two approaches are not as incompatible as they seem at first blush if we consider that most conflicts pass through different stages, marked by different levels of violence (Mitchell 1994; Lund 1996; Crocker, Hampson, and Aall 1999). These include an early period of rising tensions between or among parties, followed by confrontation, the outbreak of violence, and the escalation of military hostilities. In the postsettlement stage, a conflict may go through several de-escalatory phases as well, such as a cease-fire, followed by a formal settlement, rapprochement, and eventual reconciliation. And in unfortunate cases, as the situation in Angola in the late 1980s and early 1990s reminds us, some conflicts reverse themselves, doubling back into violence even in the implementation stage (Hampson 1996).

Across these different phases of conflict, the intensity of the security dilemma among rival communal groupings will vary. Parties will tend to feel more secure in their relations with other groupings when the level of violence is low, formal ties exist between different groups, and institutionalized channels of communication, though perhaps frayed, are still available. At this stage, there may well be more chances for direct, face-to-face negotiations because attitudes and perceptions have not hardened and parties are still willing to talk (Jones 1995; Adelman and Suhrke 1996; Lund 1996). The downside is that negotiated solutions will seem less attractive because the parties, having not yet experienced the full cost and limits of what can typically be achieved through other means, may consider violence to be a viable alternative to compromise and politically based solutions.

As violence increases, the security dilemma will become more acute and the desire for peaceful and cooperative strategies of conflict management will weaken (Lake and Rothchild 1996). This will tend to thwart the prospects for successful negotiations unless instruments of outright strategic leverage and coercive diplomacy can be found (Corbin 1994; Hampson 1996). Once violence has reached a threshold where no further escalation is possible without major costs,

the disputants may be willing to consider other alternatives than the use of force. However, some conflicts get stuck in the middle range of the escalation curve, i.e., violence is ongoing and episodic but not sufficient to make the idea of a political solution an attractive alternative.

Such conflicts are sometimes referred to as “protracted” or “intractable conflicts” because they are marked by self-sustaining patterns of hostility and violence; they have multiple sources or causes—including greed, self-interest, security dilemmas, and bad neighbors or neighborhoods—and there is no apparent end in sight to violence. Lacking any apparent deadline, impending disaster, or sense of time shifting to the other side’s advantage, these conflicts can be sustained for years unless others intervene and encourage the parties to change their strategic calculus and consider their negotiation options (Crocker, Hampson, and Aall 2004).

Furthermore, many of the peace agreements that were concluded in the 1980s and 1990s to end sectarian strife also appear to have failed or sputtered. Effective mediation in intractable cases is not just about good strategy but interventions calibrated to the rhythms of these conflicts. Mediators have to maintain a watching brief on these conflicts and be ready to engage when particular opportunities emerge—usually when there is a change of leadership, an escalation in the level of violence that fundamentally alters public and elite perceptions and discredits the warring status quo, or a change in regional power balances that signals to the warring parties that various external actors recognize they have a changing stake or set of interests in the conflict (Crocker, Hampson, and Aall 2009). Mediators also need to engage more explicitly with efforts being conducted at the Track 1½ and Track Two levels, where attention to understanding and trust-building can support negotiation efforts (Babbitt 2006).

Impacts on Policy

It is clear from the preceding brief review that CR research is inspired by real-world problems and the desire to have an impact on preventing/mitigating/transforming violent political conflict. What is not so clear is the extent to which this research has had direct impact on policy making. There is some evidence, however, that these ideas and insights are making their way into United States and other governmental, intergovernmental, and non-governmental work.

- Some Track One mediators who have written about their work use the language of negotiation and mediation theory to discuss their strategies. This includes references to interest-based analysis, coalition building, ripeness, and changing incentive structures of conflicting parties (see, e.g., Crocker et al. 1999). These practitioners have very likely read the studies; the concepts resonate and are having an impact on the way they think about their work.
- Conflict analysis tools are now ubiquitous in both diplomatic and aid agencies world-wide, with templates abounding and accessible on their websites. An example is the Interagency Conflict Assessment Framework adopted by the US State Department.
- In Europe, conflict prevention and management projects are being financially supported by many governmental foreign ministries and aid agencies. The Norwegian Foreign Ministry, for example, has explicitly adopted a CR agenda, acting as third parties when it is appropriate and funding the work of many NGOs to conduct CR research and practice.
- Transitional justice and reconciliation have become common elements of programming supported by governments, the UN and other IGOS,

and aid agencies in the major donor countries. For example, the UN Secretary General submitted a report in August 2004 to the UN Security Council on the Rule of Law and Transitional Justice, laying out an agenda the UN should pursue in this important area.

- In the United States, two new agencies have come into being to focus specifically on conflict analysis and peacebuilding—the Conflict Management and Mitigation office at USAID, and the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) at the State Department. While both are small in size relative to their agency counterparts, they are indicative of a continuing trend to bring CR perspectives into government.
- “Mediation support” has become a new industry, reflected in programs being set up at the UN (Mediation Support Unit), the US Institute of Peace (Peacemakers’ Toolkit), Swisspeace (Mediation Support Project), and the HD Centre (Mediation support). These include both on-line guidance and expert analysis that draws upon the research and practice in the field.

However, policy makers and CR practitioners still have a tendency to overlook or dismiss research findings. In part, this is because of the inevitable differences in professional cultures between academia and the so-called “real world” (e.g., different professional languages, incentive structures, time horizons for results). In order for good research to inform effective practice, more links must be forged between the two. There are three ways such linkages can be strengthened:

1. Cross-cultural emissaries—individual diplomats who read and follow CR research ideas and scholarship and who can translate such ideas to their counterparts.
2. Bridging institutions—Think tanks at which CR research can be digested and translated into policy language.
3. Professional schools of international affairs—the next generation of policy makers exposed to CR research ideas in their graduate education and then taking these ideas into practice with them.

Negotiation and CR concepts provide powerful lenses through which to assess conflict dynamics and design appropriate strategies for moving these dynamics in a constructive direction. The biggest challenge in building bridges to policy is in transferring not only the checklist of “best practices” but also the essence of analyzing international relationships through the CR lens. We have made good progress in this direction to date, and the signs are promising for the collaboration between theory and practice to deepen in the next decade. The necessary prerequisites of such collaboration include the ability of governments to admit that they do not have all the answers and can learn better ways of dealing with conflict and for scholars to fully appreciate the constraints under which policy makers are operating and gear their analysis to these realities. Then, hopefully, we can move together toward better policy options.

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