CHAPTER 3

ORIGIN AND DEVELOPMENT OF CONFLICT RESOLUTION
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In this chapter an attempt is made to analyses the origin and development of conflict resolution. Conflict resolution emerged as a distinct discipline in the phase of cold war. Conflict and resolution are existing our society ever since in the history. These are considered to be two sides of the same coin. In the analysis of origin and development of conflict resolution is the prime agenda of this chapter. Important problem solving methods of conflict management, conflict resolution and conflict transformation are also described in this chapter. Third party intervention is a process established to increasing the problem solving capacity of various approaches. It explained in the last part of this chapter.

3.1 Foundations of conflict Resolution

For the last century the world has faces serious world wars and many regional or domestic wars. After the end of First World War in the year 1920, world leaders joined to form a new world organization i.e. League of Nations. But the overall performance of League of
Nations was very poor and the working of this world organization completely failed. No single reason can be identified for the failure of League of Nations. Series of factors combined to doom it. Many of the major countries did not join or co-operate in this organization.

After the end of second world war in the year 1945 many of world leaders met together in Sanfrancisco and formed the new world organization i.e., ‘United Nations Organizations’. Most of the nations joined this organization. The United Nations has three important sections like Security Council, General Assembly and the Secretary General. The United Nations provided several ways used to resolving conflict. Under chapter VI of its charter the United Nations has been provided with a set of techniques which it can use in order to secure peaceful settlement of disputes, including fact-finding, conciliation, mediation and negotiation. Under chapter VII of the charter, the Security Council was given power to use coercion and armed force if necessary to maintain or restore international peace and security¹.

At the end of the Second World War, the world was affected by another severe issue like cold war. During 1940’s America and Soviet Union were regarded as super powers. In the Second World War, they jointly fought against the axis of powers and at the same time
they looked up mutually with a suspicious nature. The cold war was a period of intense global competition and unprecedented arms build up between the super powers. The term cold war was coined in 1947 by American analyst Walter Lippman\(^2\). The cold war may have begun some time between 1941 and 1945, and it may have ended in the years 1987 and 1991. It lasted four decades. In the year 1950 which was the height of cold war era, many of the world leaders were thinking as to how they could resolve conflict between the countries. In the meantime conflict resolution came in distinct field in international and domestic level. Former United States president Jimmy Carter and former foreign minister of the U.S.S.R. Eduard Shevardnadze played a major role in the conflict resolution at international level\(^3\).

During 1950’s and 1960’s, major developments occurred in the field of conflict resolution. Many of research centers and journals were instituted to that period. Kenneth Boulding, Johan Galtung and John Burton are important peace researchers; they contributed many ideas in this field. Kenneth Boulding was born in northern England in the year 1910. After the Second World War he was appointed as a Professor at the University of Michigan. In the year 1957 Boulding started a journal ‘Journal of conflict resolution’ and he set up the institution for research on conflict resolution in 1957\(^4\). Johan Galtung
was another important peace researcher focused to research in the field of conflict resolution. He studied philosophy, sociology and Mathematics; he became influenced by Gandhian ideas. It was focused on research in conflict and peace studies. Galtung also found a journal ‘Journal of Peace Research’ in the year 1964. John Burton is another peace researcher who played an active role in the development of conflict resolution. He was born in Australia and he completed his education in London. He attended the foundational conference of United Nations in SanFrancisco. He began his career in Australian Civil Service and later joined Australian External Affairs department. He joined with another peace researchers and founded many institutions.

In the period of 1960’s the world faces another severe crisis like nuclear weapons. Big powers increased their armament industry. Nuclear weapons were a great threat for human survival. Many of discussions were conducted amongst super powers in connection with nuclear weapons. Finally big countries came into a mutual understanding, during this process in 1963; ‘Limited Test Ban Treaty’ and strategic arms limitation came into being. Another important measure of conflict prevention is the ‘Nonproliferation treaty’ of
1968. Thus the treaty created an international instrument against the proliferation of nuclear weapons.

United Nations and many other international organizations played a vital role in the prevention of conflicts in international and regional level. ASEAN, OAS, CIS, LAS, GCC, OAU, NAM are some of the regional organizations who played a major role in regional conflict resolution. The Association of South-East Asian Nations (ASEAN) main function was to regulate interstate disputes between the members of South-East Asian nations. This organization was formed to meet the needs for economic co-operation among member states. In the late 1980’s ASEAN took a major role and was acceptable to all nations of this region. There is another organization OAS, Organization of American States, its activity was to build cooperation between the American countries. Non-Aligned Movement (NAM) is the major organization working at international level; it was focused to pursuing the collective needs of developing the world as a whole. There is an another organization League of Arab States and Gulf Cooperation Council working to resolve the disputes of Arab states and focused on the development of Arab states.
In the year 1980’s vast development occurred in the field of conflict resolution. Cold war between U.S.A and U.S.S.R came to an end. Many universities started courses and began research in this field. In some governments including Australia, Canada and United States established research institutions. Early in the period of cold war United Nations had some limitations in the intervention of peace process. After the end of cold war United Nations played a huge role in prevention of violent conflicts. Protracted regional conflicts in Southern Africa, Central America and East Asia, moved towards settlement.

### 3.2 Conflict Management

Conflict management is the first step in the field of conflict resolution. In the initial step of peace research, the term conflict management is widely used. Conflict management is a communication process for changing destructive emotional states into constructive states that allow working out a joint solution in to conflict. It can be used as a means of control without changing dominant power relations. It is not to terminate the full issue of conflict and it created an atmosphere to resolve conflicts. Basic issues or root causes of
conflicts are not to be analyzed or resolved in this method. Conflict management is a term used to cover the whole positive side of conflict handling, and is used for limitations, mitigation and containment of violent behaviour in the conflict\(^\text{12}\). Conflict management can help in reducing the dangers of crisis, creating some confidence and lessening suffering.

Conflicts always happen in our society, there are a lot of reasons behind these conflicts. Some special cases, parties are not able to resolve this crisis, at that moment; conflict management is the only way to resolve it. Effective conflict management may convince parties that have incompatible goals that they have to find some peaceful solution to their conflict. If conflict behaviour can be limited and controlled, and confidence building measures and security regime can be created. Hugh Miall, Oliver Ramsbotham and Tom woodhouse are the important peace researchers who coined the term ‘light prevention’ which is very closely associated with the conflict management. The term light prevention is to prevent the situation to changing in armed conflict. The practitioners do not consider the root cause of conflict; they are used to diplomatic intervention or private mediation etc\(^\text{13}\). The term ceasefire is the best example of conflict management. It was widely used in issues arising in international
level. It is not to end the conflict but have emphasized the temporally arms reduction. It has created an atmosphere for bilateral negotiation in between the parties.

Conflict management will need some co-operation between the parties but it will not any change the fundamental character of the protracted conflict. Conflict management in protracted conflict is necessary to prevent undesired escalation but it is not capable to prevent the escalation of the conflict.

Yacov Bar Siman Toy indicated that suppression, regulation and institutionalization are the main techniques in the process of conflict management\textsuperscript{14}. Conflict suppression is to prevent the conflictful behaviour in a conflict and it also encouraged the arms control or disarmament agreement between the parties in a conflict. The effectiveness of this mechanism in a long lasting conflict depends mainly on the ability of external suppliers to cooperate in controlling the arms supply to involved parties.

In conflict regulation process, the some rules and laws are used to control conflict behavior. Regulating conflict by rules requires some co-operation between the parties to conflict, not only establishing rule but also maintaining them. The rules of prevention
or limitation may take the form of an explicit agreement or understanding. In institutionalization process, the parties join together and formal or informal agreement can be made to prevent the conflicts. Institutionalization of conflict management refers to formal or informal attempts to put conflict resolution between the parties on a more stable basis and in order to reduce the magnitude of armed confrontation. The most important factors that can influence the degree of institutionalization are the balance of power between the parties, the degree of autonomy of the parties, the issue in conflict and third party intervention.

3.3 Conflict Resolution

Conflict resolution is a peace process for resolving issues for individual, group and nations. Now it was of great relevance in all over the world. Many peace researchers contributed very much theoretically and practically in this field. Action and incompatibility are the main components of the conflict. Reducing the incompatibility or discontent between two parties is a major effort in conflict resolution.
Peter Wallensteen a peace researcher stated in the definition of conflict resolution as “conflict resolution is a situation where the conflicting parties enter into an agreement that solve their central incompatibilities, accept each others continued existence as parties and cease all violent action against each other”\textsuperscript{17}. Conflict resolution involves the reconciliation or elimination of fundamental differences and grievances underlying the conflict. Conflict resolution occurs when the incompatibility between the preferences of the various parties to a conflict disappears or when the sources of conflict situation are removed. Conflict resolution is a development process, which includes not only preventing violence but also the removal of source of conflict situation.

After reducing the incompatibility, parties entered the second stage of conflict resolution. In this section formal or informal agreement is implemented between the parties. Peace agreement is the integral part of conflict resolution. Without some form of agreement among the conflicting parties, it is hard to talk about further steps of conflict resolution. During this process parties are agreeing to respect each other and prepare for living together with one another. However, there are broader understandings of conflict settlement such as the presence of co-operation, justice and integration.
a. Dynamic approaches of conflict resolution

Dynamic approaches of conflict resolution was first to identify what the issues behind the conflicts. Basic step of conflict resolution is the basic issue and root cause of conflict. Hugh Miall, Oliver Ramsbotham and Tom Woodhouse coined another word ‘deep prevention’ which is strongly linked to the conflict resolution. Deep prevention aims to address the root cause, including underlying conflict of interests and relationship. Deep prevention means building domestic, regional or international capacity to manage conflict.

Conflict is inherent in human nature. Peter Wallensteen pointed out that unsatisfied needs are the main causes of the conflict, lot of frustrations are behind it. Basic needs of the parties are not satisfied in a particular society; instead they come out of the group which is moulded in the form of frustration. This frustration resulted in aggression. Amicable settlement of conflict resolution parties must understand the position, interests and needs of the other parties. Basic needs of the parties are psychological, economical and relational needs. In a purposeful conflict resolution, psychological, economical and relational needs of the parties must be satisfied.
b. **Win-Win- Approaches**

Victory is the outcome preferred by most actors in dispute settlement. The victory of one side over the other, possible outcome in other parties’ capitulation, dissolution and disappearance of an actor. In this method superior party imposed certain powers to inferior party, lower parties’ emotions and interests were never considered. Due to this effect one party was always winning and other parties lost. This type of problem solving approach is not preferred by modern conflict resolution theory. Modern conflict resolution theory suggested ‘win-win’ approach\(^2\). In this approach parties have high regard for the interests of both self and others. This implies strong assertion of one’s own interest, but equal awareness of the aspirations and needs of the other. Opponents jointly approach a mutually satisfactory solution with, openness and are satisfied with the outcome.

c. **Coercion**

Coercive model suggests hierarchical way of problem solving. In this peace process, some one used coercion or forces to resolve the conflict. This type of problem solving approach the basic issue of conflict cannot be considered. In this approach conflict can be resolved without the elimination of real source of issues. Forced
settlement is imposed on the parties, that can create conditions for temporary acceptance of the parties’ outcome, but it deepens antagonistic relations\textsuperscript{21}. Power based conflict resolution human needs cannot be considered. During this process top order always get the advantage in conflict positions. Lower party always is lost; they are always humiliated or embarrassed. Many governments use coercive mechanism to prevent challenges to dominant political and economical outcome.

d. Dialogue

To conduct dialogue or discussion is very important aspect in the dynamic approaches of conflict resolution. Highly conflictful situation parties are not able to interact with each other. In this situation third party intervention is more useful. Third party mediators are persuaded to the parties to importance in the necessities of dialogue or mutual understandings. Real conflict begins within the attitude of the parties. Purposeful discussions are conducted between the parties to change the attitude of the parties. Third party helps the conflicting parties by putting them in contact with one another, gaining their trust and confidence\textsuperscript{22}. They can facilitate meetings by arranging venue, reducing tensions, seeking the interests of the parties and some times guiding the parties to unrealized possibilities.
When conflict arises from illusory due to misinterpretations of proposals or circumstances, clear communication for better understanding of each other’s interests and intentions may be able to eliminate problems. In a purposeful conflict resolution each party accepts the other parity as a legitimate or at least acceptable partner of dialogue. Improved discussions change the parties’ views and perceptions. In a purposeful conflict resolution mechanism points out to the significance of establishing a dialogue between the parties. Building a conference format is important in this aspect. It requires that the parties’ can participate, together with others who can serve as practical go between and add issues which may unlock positions. It also points to the importance of confidence-building measures; it can be applicable for military, social, cultural, economic and other areas.

e. Reconciliation

In the dialogue process of conflict resolution, reconciliation generated vast changes in parties mind. By changing the violent base of conflict, reconciliation is supposed to remove the sources of current and future conflicts. Reconciliation is part of a process towards establishing constructive relationship. The third parties have played a key role in establishing a climate for reconciliation, because they provide a related condition that enables the peace process.
The ground work in establishing mutual motivation for problem solving is essential to enable the parties to stand back from their conflict, and to come to see it as a shared problem to be solved as opposed to a war to be won\textsuperscript{24}. In the period of reconciliation, participants are able to engage in the open expression of a painful past, and to mutually explore the truth for what has happened between them. After discussions and as mutual understanding an appreciation develops around the past about how justice may be achieved, participants are able to consider how to construct a shared future and rebuild their relationship in a better way\textsuperscript{25}. Reconciliation is re-establishing harmony and cooperation between the antagonists and establishing an amicable relationship after a rupture involving extreme injury.

3.4 Conflicting Transformation

Conflict transformation is a significant step beyond conflict resolution. It is entirely different in conflict management and conflict resolution. Modern conflict research practitioners have expressed innovative knowledge in conflict transformation. Now it has great relevance than any other approach. Louis Kriesberg refers to conflict transformation is a fundamental and enduring change away from a
protracted, destructive struggle between adversaries towards a constructive accommodation between them. That changed relationship may be mutually satisfactory resolution of their conflict and may lead to reconciliation between them or the new relationship may be embodied in an ongoing conflict but one that is conducted more constructively\textsuperscript{26}. Conflict transformation refers to a particular kind of conflict de-escalation.

The conflict can have many destructive consequences and it can be modified or transformed. Conflict transformations simple meaning is to prevent the violent conflict and to shift from violent to nonviolent behaviour. Conflict transformation also involves transforming the way of conflict expressed competitively and violently or it may be expressed through nonviolent advocacy, conciliation or attempted cooperation. Some peace scientists indicated that advocacy and mediation as being used at different stages for conflict transformation process. Mediation and advocacy can be used to transform the expression of conflict from mutually destructive modes towards dialogue and interdependence.

Conflict usually transforms perceptions by accentuating the differences between people and positions, effective conflict
transformation can work to improve mutual understanding. Even when people’s interests, values and needs are different and non reconcilable, progress has been made if each group gains a relatively accurate understanding of the other. Anti-antiapartheid struggle in South Africa, end of cold war are the some example of conflict transformation in international level.

Conflict transformation generally requires that adversaries recognize each other’s interest and needs. The antagonists also begin to regard their previously conflicting goals as reconcilable. At times in the transformation process the primary adversaries come to believe that the conflict is irreversibly moving away from destructive conflict and toward an accommodation.

Raimo Vayrynen introduced four terms which are increasing the process of conflict transformation. First actors’ transformation. Actors shall play a crucial role in the development of conflict transformation, it happened within the parties. Change in the leadership of one of the parties often provides an opportunity to explore and realize new steps that lead to conflict transformation. The new leader is not committed to old policies of his group. The opposition party could understand
that a new leadership would provide an opportunity to resolve the conflict.

Second is issue transformation. When parties change their positions or when new ones arise, then the conflict is transformed. Changes of positions are closely related to changes of interest and the changes of goals and hence to actor transformation. Reframing of issues may open the way to settlement. Third is rule transformation, rule transformation is another element in conflict transformation. Rules or norms within the society are influenced by the position or interest of the parties. This change the rules of norms will have an effect on significant transformation of conflicts.

Forth is structural transformation, the structure of conflict build up in important factors like actors, issues and incompatibility. The root cause of the conflict is including of these factors. Many global, social, economic and cultural factors are influenced in the structural process transformation\(^{28}\). Conflict transformation requires real changes in parties’ interests and goals, during this process, feelings and beliefs also tend to change with the adversaries having increased mutual acceptance and even mutual respect. Third-party intervention could create a possible outcome in between the parties. They help each side
of the adversaries to construct new options, thus helping to transform their conflict.

3.5 Third Party Intervention

In a peaceful process of conflict resolution, third party intervention is inevitable. Third party intervention changes the dynamics of the conflict resolution. This is important at domestic and international levels. In particular situation bilateral negotiations between two parties failed. During this time third party intervention is the only way to forward the conflict resolution process. Third Party helped to identify the conflicting issues, control each parties aspirations, remove misunderstandings of each other’s goals, analyze interest, formulate proposals and suggest alternatives.

Morton Deutsch expressed his concern that each third party should have some qualities to resolve the conflict. The first sets of skills are those related to the third party’s establishing an effective working relationship with each of the conflicting parties. So that they will trust the third-party, communicates freely and response to their suggestions regarding the process of negotiations. The second point he noted, was the third party establishing a cooperative problem-solving
attitude among the conflicting parties towards their conflict\textsuperscript{29}. Third party helps the adversaries in exploring options that can fulfill their needs.

Conflict party expected some qualities from third parties, like impartiality or neutral behavior. In the previous chapter mentions has been made about symmetric and asymmetric conflicts. In asymmetric conflict top level party always wins and lower level party always loses. The only way to resolve the conflict is to change the structure. It happened only on the intervention of third party mediators. There are five important methods of third party intervention like mediation, adjudications, arbitration; problem solving workshop and diplomacy are described below.

\textbf{a. Mediation}

Mediation is one of the important methods in third party intervention. It has existed for several years. Now its relevance has increased in personal as well as group conflicts. Mediation should be distinguished from many other methods where by a third party may facilitate the settlement or resolution of conflict. The assistance of mediator in a negotiation can help produce a mutually acceptable
solution. Consent to a mediation process is voluntary, and the disputants make final decisions on the issue. In this process a compromise can be reached through confidence in between the parties.

Mediation is especially important at a stage when at least some of the conflicting parties have come to accept that pursuing the conflict is unlikely to achieve their goals, but they have reached the stage of accepting formal negotiation. At this point face to face meetings may be very difficult to arrange. Due to its mediators should play a key role in resolving the conflict. Mediators become a person or organization seeking all relevant methods in an effort to resolve a conflict in a peaceful society\(^3\). In international level, mediation has a long history. Mediation is a process included disputes within families and between employees and management.

b. Adjudication

Adjudication is another important aspect of third party intervention in a peace process. Adjudication is a method of judicial or legal process. Adjudication is legal intervention and decision. This involves coercive power; emphasis on norms, precedents and verdicts etc. Modern court system is the best example of this intervention. Party has a very little role in this programme. Parties have no right to
choose judge or jury. One party in a dispute to take court action compelling the other party to join the proceeding even without the parties consent. When an interpersonal dispute leads to a breach of the criminal code and through the intervention of the police, it usually ends up in court. In the adjudication process all decisions are taken by the court officially. In a court system disputant parties present their argument before the jury. Hearing each side’s argument, the court takes the appropriate decisions. Each party is indebted to agree to the court verdict. Adjudication is the official programme existing in our society. Court settlement and police intervention maintains law and order in our society.

c. Arbitration

Arbitration is a quasi-judicial process within the legal system. Arbitrators had played massive role in the sector like trade union dispute, labour management strike etc. Arbitrators need some specific qualities like fairness, impartiality, equity, good conscience and natural justice. In this system parties have the right to choose their arbitrators. Any coercion or power is not used in this system. In the case of arbitration, both sides of conflict parties agree in advance to
accept the judgment of an arbitrator. Arbitration system is entirely different from adjudication process.

**d. Problem Solving Workshop**

Problem solving workshop is one of the important approaches in third party intervention. In this approach in a conflict, parties or their representatives joined together with the presence of a group of third parties. In this approach, group of third party team is includes five or six persons. They are leading this problem solving workshop. Firstly they had discussed each group separately and they have to bring each conflicting group into two sides of the table.

Setting up of agenda is the primary responsibility of third party; they had prepared ground rules and strategy. Ground rules generally emphasize the open, flexible and analytic nature of the discussion. Participants are encouraged to engage in respectful and honest interchange that are compatible with problem solving session. Third party team encourages the party to get to the bottom of the problem that is not easily understood in power bargaining situations. In their developing role, the third party facilitates clarifications of facts and events by offering knowledge about relevant pattern of behaviour drawn from other situations. Suppressed and hidden human needs are
identified in this section. The workshop is supposed to generate new ideas, knowledge, attitudes and altered perception.

e. Diplomacy

Diplomacy is the other important intervention in third party model. It was widely used at international levels. The word ‘diplomacy’ has had a long history. Then, early monarchs sending ambassador to the courts of other rulers, is generally linked to the current system of our society.

Track one and track two diplomacy are major ways to fulfill diplomatic needs. Track one diplomacy involves official governmental or inter-governmental interaction. Track-two diplomacy is unofficial interaction in between parties. Non governmental organizations and neutral third party played a crucial role in track two approaches.
References


3. Hugh Miall, op.cit.,p. 2

4. Ibid.,p.42

5. Ibid., p.44

6. Ibid., p.45

7. Ibid., p.48

8. Peter Wallensteen, op.cit., p. 288

9. Ibid., pp.213-214


12. Ibid., p.21

13. Ibid., p.97

15. Ibid., pp.77-78.


17. Peter Wallensteen, op.cit., p.8


22. Hugh Miall, op.cit.,p.159


25. Ibid., p. 96.


28. Ibid., p.5


34. Ibid. p. 87.