

CONFLICT TRANSFORMATION CONT'D

Through a process of staged adversarial framing, when the focus is on what of the conflict-what resources are at stake and what solutions are being sought-antagonism is surfaced. An underlying sense of resonance is then fostered through reflexive reframing, when the questions are now who (not as categories but as persons) and why, and the core identity issues are articulated. This sets the stage for intervening joint solutions-the how- and finally agenda setting, that is, consolidating the what, why, who, and how of the previous steps and sustaining them through joint action. In sum, the ARIA framework fosters the articulation and development of four unfolding outcomes: Antagonism, Resonance, Intervention, and Action.

Each step of the ARIA method will not be able to discuss in detail in this chapter except a brief guide to the process which are as follows:

- *Antagonism surfaces the battle. It brings out festering angst and anger and puts them out for discussion. It is also useful later in providing a negative frame of reference such as, "We don't want to do that anymore!"*
- *Resonance fosters a harmony that can emerge between disputants, a harmony growing out of a deep exploration and articulation of what goes on within them. It grows from an expression of the needs and values that have been threatened or frustrated by the conflict and the relations between adversaries. They may discover that "We are in this together."*
- *Inventing is the process of brainstorming mutually acceptable, creative, and integrative options for addressing central and underlying aspects of the conflict. They learn that "We can get out of this together."*
- *Action is then built upon the previous stages, implementing what should be done and why, by whom, and how.*

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Rothman says that once intransigent identity conflicts are addressed in this way, conventional problem-solving and negotiation toward forging and implementing concrete agreements may become possible. When the groundwork is laid and there is an awareness of overlapping motivations and goals, adversaries can fully appreciate the possibility of cooperating to achieve those goals. He argued that too often identity conflicts are interpreted as resource conflicts and incorrectly addressed, and thereby is deepened and prolonged. For example, for decades the Arab-Israel conflict was defined and sustained in resource terms as a struggle between two nations over one piece of real estate. Efforts to redefine the conflict in terms of its human dimensions and break the barriers of fear, insecurity, and mutual non-recognition began at unofficial levels that later were consolidated in formal agreements.

The shape of an eventual solution began to emerge in the early 1990s when the conflict was politically reframed in terms of the underlying human needs and values at stake for Israelis and Palestinians. As Palestinian leadership began formally recognizing Israel's right to security and sovereignty, many Israelis began to show a willingness to negotiate compromises over territory. Similarly, when many Israelis began recognizing Palestinian national aspirations as legitimate, growing numbers of Palestinians became willing to accept only part of Palestine as their state. According to Rothman, when the sources of insecurity that mark identity conflicts are brought to the surface and needs are addressed—at least in principle—some of the deepest conflicts begin to become negotiable. The ARIA process can help bring about this change. The ARIA approach, rooted in an analysis of threats and frustrations to identity needs, shifts to solution seeking by examining what interests (or means) should be cooperatively pursued to address the needs of all conflictants. These instrumental mechanisms, or means, may be summarized as *functional interests*.

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Rothman suggested integrative approach to problem solving which was formulated first by Mary Parker Follet as mentioned in the beginning. This approach refers to strategies and options by which parties can cooperatively solve their conflicts with each other. "There are three main ways of dealing with conflict: domination, compromise, and integration. Domination, obviously, is a victory of one side over the other.... Compromise [occurs when] each side gives up a little in order to have peace.... [Integration occurs when] a solution has been found in which both desires have found a place, [such] that neither side has to sacrifice anything." In the words of Rothman, the 1978 Camp David Peace Talks mediated by U.S. President Jimmy Carter provide a clear example of going beyond positions to integrating interests in order to fulfill [safety and dignity] needs of each side. This follows a collaborative tactics in conflict transformation when all the parties seek to undertake mutual accommodations and cooperative efforts in good faith with a view toward ensuring the fulfillment of the underlying needs-identity, dignity, security, and survival- of all parties. It is a process by which perceptions of the outcomes has been shifted from zero-sum to that which is potentially positive-sum. In short, peace must be seen to pay.

Herb Feith and Alan Smith argue persuasively that there is an actual and growing need for the world community to develop mechanisms capable of 'constraining and mediating the processes involved in what they called ethno-nationalist challenges', in particular, procedures and criteria by which self-determination claims can be evaluated and the underlying conflict resolved. While some states may be able to accommodate ethno-nationalist aspirations by granting greater autonomy to specific groups, the authors point out that in others such arrangements will not be adequate and the United Nations will have to play a role. They suggest a process involving the General Assembly, the Secretary-General and the Security Council. The new UN process they envisage would have three main aspects:

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- 1) *The General Assembly would designate a body with which self-determination claims can be formally registered for preliminary examination.*
- 2) *The Secretary-General would initiate investigations, possibly by Experts Bodies, of*
 - (a) the criteria for establishing which cases or claimants merit further action, which groups have prima facie case for self-determination; and*
 - (b) an extended range of forms through which self-determination aspirations can be met.*
- 3) *The Security Council would authorize and facilitate the renegotiation of the relationship between particular states and claimant groups recognised as having a prima facie case for self-determination.*

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Kumar Rupesinghe adds to this argument saying that although there are indications that more states are becoming, of necessity, increasingly receptive to the idea of international assistance in dealing with ethno-nationalist pressures, there remains a need for the non-governmental community to take an active and responsible lead in this area by beginning to develop an Independent Commission for Self-Determination to look further at the issues of definitions, alternatives and mechanisms.

Feith and Smith have talked about the need for systematic exploration of three main aspects of how to think about quasi-state status and the borderline between states and autonomous entities of lesser status. The first of these has to do with constitutional form: federalism, confederalism, and association (including free association). A second aspect concerns the rapidly growing world of inter-governmental organisations which might provide guarantees of autonomy arrangements. These include not only global and regional organisations but also groupings like the (British) Commonwealth of Nations and the Islamic Organisation Conference. A third aspect concerns the expanding scope of international law, and the way it is coming to be concerned with an increasingly wide range of non-states entities.

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They suggested a few of the directions in which exploration of these aspects might proceed. To them, one starting point is history. A second point of entry is the large literature on federalism, which has been described as ‘a device designed to cope with the problem of how distinct communities can live a common life without ceasing to be distinct communities... an attempt to reconcile the often conflicting impulses of self-determination and association.’¹⁶¹ Thirdly, it would be valuable to explore association as it has existed in the past and exists now, usually in cases where small and weak states are contractually linked to states larger and stronger than themselves. Examples include Liechtenstein’s association with Switzerland and Bhutan’s with India. According to them, a recent argument about one form of association, free association, could be seen as a fourth way into this complex array of models. Free association as specified in UN Res. 1541 of 1960 is a type of association in which the weaker party maintains an internationally guaranteed right to opt out of the linkage. This currently exists in the cases of two New Zealand ex-independencies, the Cook Islands and Niue, and there is something close to it in Greenland’s relationship to Denmark.

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A more common form of free association, which does not comply with UN requirements, so that the terms is sometimes declared a misnomer, exists in various territories and states associated with the USA, including the Republic of the Marshall Islands and the federated States of Micronesia. Finally, one might explore a range of cases where international guarantees have been provided, or planned for, to protect the integrity of small states and quasi-states. One might begin with the League of Nations' guarantee to the Free City of Danzig, might consider the UN Security Council resolution of January 1947 proposing a guarantee to the Free Territory of Trieste, a resolution whose implementation was prevented by the onset of the Cold War, and examine various international safeguards applied to Cyprus.

Martin J. Dent suggested 'Super-federalism' as a model of conflict resolution in Nagaland state including other 14 cases. He argues that the aspirations of the identity groups on land is very strong in their struggle for independence for which the governments have to declare the land as sovereign or 'sovereign land'. But the 'sovereign land' has to be situated within the larger independence country. In his words, "we must fill the gap between ordinary federalism, which leaves too large an area, including unfettered control of the armed forces, under the power of the central government and independence, which the minority has been seeking, but which is not attainable." To Dent, the 'larger independent country' is the proper focus for diplomatic activity, membership of the UN and existence as a separate sovereign state with an international profile, while the 'sovereign land' should enjoy the privileges of a developed home rule, subject only to necessary military powers for the defence of the larger independent country. And some police powers to prevent the sovereign land becoming a 'cave of Abdullam' where thieves and rogues and international conspirators might collect to trouble surrounding areas.

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Furthermore, the sovereign land will be given the opportunity, if it wishes, to agree voluntarily to put itself under the jurisdiction of governmental bodies operating throughout the larger country. This will be a kind of co-operative federalism, and will go beyond the rather narrow limits to the power on constituent states which are set by the central government in most federations, which impose a kind of top-down uniformity of provision in many areas. However, it is difficult to conclude whether his model will really serve the purpose of conflict resolution. We have observed vital anomaly in his case study in relation to the Nagas. He confines his analysis within the state of Nagaland which is incomplete as he has excluded the Nagas of Arunachal Pradesh, Assam, Manipur and Nagas in Burma in his analysis. His model needs to be more comprehensive and inclusive.

The Indian State had applied the following models/ strategies for the resolution of the conflict. They are

- i) *Constitution and Law;*
- ii) *Peace Processes and Political Negotiation; and*
- iii) *Counter-Insurgency and Repression.*

We will not discuss the state models here as they will be discussed in detail in the subsequent chapters.