

C H A P T E R

Increasingly, internal conflict, rooted in ideas of human identity and often expressed with frightening intensity, is the major threat to stability and peace, at the individual, local and international levels.

In this first chapter we examine the changing nature of conflict – conflict that is increasingly taking place within states (intra-state) rather than between states (inter-state) and that is posing a severe challenge to traditional conflict management techniques.

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The Changing Nature of Conflict and Conflict Management

1.1 Characteristics of Deep-Rooted Conflict

In recent years a new type of conflict has come increasingly to the fore: conflict that takes place within and across states, or *intra-state* conflict, in the form of civil wars, armed insurrections, violent secessionist movements and other domestic warfare. The change has been dramatic: in the last three years, for example, every major armed conflict originated at the domestic level within a state, rather than between states. Two powerful elements often combine in such conflicts. One is *identity*: the mobilization of people in communal identity groups based on race, religion, culture, language, and so on. The other is *distribution*: the means of sharing the economic, social and political resources within a society. Where perceived imbalance in distribution coincides with identity differences (where, for example, one religious group is deprived of certain resources available to others) we have the potential for conflict. It is this combination of potent identity-based factors with wider perceptions of economic and social injustice that often fuels what we call “deep-rooted conflict”.

A striking characteristic of such internal conflict is its sheer persistence. And this arises, above all, because its origins often lie in deep-seated issues of identity. In this respect, the term *ethnic conflict* is often invoked. Ethnicity is a broad concept, covering a multiplicity of elements: race, culture, religion, heritage, history, language, and so on. But at bottom, these are all *identity* issues. What they fuel is termed identity-related conflict – in short, conflict over any concept around which a community of people focuses its fundamental identity and sense of itself as a group, and over which it chooses, or feels compelled, to resort to violent means to protect that identity under threat. Often, such identity-related factors combine with conflicts over the distribution of *resources* – such as territory, economic power, employment prospects, and so on. Cases where the identity and distributive issues are combined provide the opportunity for exploitation and manipulation by opportunistic leaders, and the highest potential for conflict.

The combination of potent identity-based factors with wider perceptions of economic and social injustice often fuels what we call “deep-rooted conflict”.

1.1 Characteristics of Deep-Rooted Conflict

A conflict in which one's community is deprived of certain resources is bad enough; but one may hope to negotiate a better deal over those resources. A conflict that also threatens our very sense of who we are is much more difficult to manage.

Increasingly this kind of conflict, rooted in ideas of human identity and often expressed with frightening intensity, is the major threat to stability and peace, whether at the individual, local and communal levels, or in the collective terms of international security. Of the 27 conflicts in 1996 classified as “major armed conflicts” (essentially, over 1000 deaths per year), for example, fully 22 had a clear identity component to them. These included conflicts in Russia (Chechnya), Northern Ireland, Iran and Iraq (with the Kurds), Israel, Afghanistan, Bangladesh (Chittagong Hill Tribes), Indonesia (East Timor), Sri Lanka, Burma, Algeria and elsewhere. Only guerrilla-based struggles in Peru, Cambodia, Guatemala, Colombia and Sierra Leone appeared to be straightforward contests for power. Even amongst these cases, there is no shortage of identity-based conflicts. In sum, the vast majority of contemporary examples of violent intra-state hostilities exhibit such characteristics.

Such conflicts are clearly very different from the more straightforward wars between states – over land, resources, political power, ideology, etc. – of earlier times. (Such wars included identity elements as well, of course, but usually not in the same centrally motivating way.) Identity-related conflict is far more complex, persistent and intractable, instantly much less amenable to compromise, negotiation or trade-off. These conflicts involve claims of group rights: national groups, gender groups, racial groups, religious groups, cultural groups, and so on. A conflict in which one's community is deprived of certain resources is bad enough; but one may hope to negotiate a better deal over those resources. A conflict that also threatens our very sense of who we are is much more difficult to manage.

Such complex and fundamental issues, then, fuel wars that are smaller in scale than the ideological or geopolitical struggles of the past, but which flourish with much greater intensity. That is due not only to the depth of meaning invested in them by combatants, but also to the proliferation and easy availability of lethal weapons. Since World War Two, cheap, mass-produced, small-calibre weapons have killed far more people than the heavier, more traditional battlefield weaponry. With arms markets flourishing, the Armalite, the Kalashnikov and the land mine have brought war within the reach of any community with the will and the means to organize an armed force. This proliferation of small arms has exponentially increased the intensity of identity-related conflicts.

Intra-state conflict over identity tends to be persistent over the long term, alternating between latent phases and outbursts of

1.1 Characteristics of Deep-Rooted Conflict

sustained violence for periods of years or decades. The scale of human suffering is breathtaking in this new context. During World War One, just five per cent of casualties were civilians; by World War Two the figure had risen to around 50 per cent. But in the 1990s, the proportion of civilian war casualties has soared to around 80 per cent. By 1992 there were around 17 million refugees pushed by war across borders into foreign countries, and a staggering estimate of a further 20 million displaced persons rendered homeless by internal war but remaining within national boundaries (Bosnian victims of ethnic cleansing, for example). The long-term effect is to militarize the entire society: violence becomes accepted and institutionalized. Society becomes brutalized: civilian casualties multiply, rape and starvation become organized weapons of war, and non-combatants – traditionally children and women – bear the brunt of the dehumanizing processes involved in this type of conflict. Such communal trauma breeds deep and festering wounds and establishes heroes and martyrs on all sides whose memories and sacrifices serve to deepen the real and perceived divide between the conflicting identities.

1.1.1 Identity-driven, emotionally charged

What makes this kind of conflict so prevalent, so pervasive, so durable and so insoluble, is the way in which the issues of the dispute are so emotionally charged. They go right to the heart of what gives people their sense of themselves, defining a person's bond with her or his community and defining the source of satisfaction for her or his need for identity. Since such conflict is by no means restricted to the so-called developing world, an example will serve from the heart of the Western establishment. In the United Kingdom, people in Scotland debate widely among themselves about the ideal degree of autonomy from England. The argument ranges from complete independence from, to complete integration with, Britain. The political debate over these important issues is spirited; but it does not mobilize into violence.

Meanwhile, in another part of the UK, people have been dying violently for centuries over just such a question. Irish nationalists in Northern Ireland fear that under British rule they can never achieve full self-expression of their communal identity as Irish people. Their counterparts, the pro-British Unionists, fear their disappearance as an identity group if they lose the union with Britain and join an Irish republic. So while Scots argue over political control, economic resources and so on, they do not violently struggle over matters of communal identity and

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self-expression, since the UK has apparently satisfied these needs. In Northern Ireland, the same question goes so deep – to the heart of people’s fears of who they are and where they belong in the world – that they leave political debate behind and resort to violence.

1.1.2 Beyond borders

Internal as its origins may be, however, such conflict has ramifications far beyond its own geographical borders. Because of the increasingly complex interdependence among states, such conflict tends not to be confined within the boundaries of the particular state for long, if at all, but rapidly diffuses. It spills over across frontiers and enmeshes other states, or parts of states, in its grip. This process of diffusion and contagion means that low-level intra-state conflicts can potentially escalate into more intense inter-state ones.

Several factors contribute to this spillover effect. Neighbouring governments will have a strong self-interest in supporting one side or another of an adjacent civil war, and their own reasons for seeing the stabilization or destabilization of the state in conflict. Quite apart from governments, population groups do not necessarily neatly reside within state borders. There may be large diaspora populations outside the state – refugee or emigrant communities, or a section of a community cut off by partition – who engage with the conflict through close identification with one side or another. Hutus and Tutsis outside Rwanda, Tamils outside Sri Lanka and Basques outside Spain are only a few among many examples. Beyond the immediate context, of course, there exist more distant states, powers or regional blocs, whose interests are directly concerned with the outcome of the conflict: for instance, the European Union’s security concerns over Bosnia, US interests in Central America, Russian involvement in Georgia, and so on. Such factors immediately extend the geography of the conflict, adding to its complexity as well as its scale. In the interconnectedness of the modern world and the instantaneous transmission of news (the so-called “CNN effect”), conflict respects few boundaries, borders or jurisdictions.

When it comes to managing such conflict, its complexities cause immense difficulties. There can even be a difficulty in correctly identifying the parties to the conflict. The picture is even more confused when we factor in the external sponsors of the conflict. Sponsors, regional allies, kin states or whatever, will

1.2 New Tools for Conflict Management

usually be operating in general support of one side's agenda, while also bringing their own specific agenda and interests to the conflict. The result can be a degree of interference, which actually reduces the disputing parties' chances of resolving the conflict. With so many factions involved, both internal and external, the task of satisfying the key interests of the various actors makes a solution far more difficult to achieve. It also makes the conflict management process more prone to abuse and disruption.

1.2 New Tools for Conflict Management

Many existing conflict management tools were constructed during, and in response to, world wars and the Cold War. The narrow, containment-oriented strategies of coercion and crisis-management that prevailed during the era of superpower rivalry have been exposed as arthritic, inflexible and increasingly impotent against a wave of reinvigorated intra-state, identity-driven, deep-rooted conflicts. The Cold War froze many such deep-rooted conflicts, so that they simply went into a latent phase, invisible on the surface but with their roots as deep as ever. Cold War strategists focused on short-term stability rather than longer-term sustainability. What is needed now is a new range of flexible and adaptable instruments that can take into account the more subjective, complex and deep-rooted needs and interests that underpin identity-related conflict.

It is the aim of this handbook not to engage too deeply in the somewhat philosophical, if important, argument about overall approaches to conflict management, but to concentrate on developing the resources and the materials for doing the job by assisting the construction of settlements that properly address all the aspects of a conflict. To this end, the following chapters offer tools for designing good conflict management processes, and the basic building blocks for putting in place sustainable, durable and flexible solutions to conflict. There is a premium placed on democratic outcomes, but democracy itself is not a panacea. Democratic states suffer from conflicts just as others do, and the presence of democracy is no guarantee of a society without political violence. But – and this is a major theme of this handbook – democratic societies tend to develop the institutions, resources and flexibility, in the long term, to peacefully manage these kinds of conflict.

Today's predominant pattern of conflict is proving resistant to the available and accepted tools of conflict management.

THE NEW STATE OF CONFLICT: SOME FACTS

Deep-Rooted Conflict: *Conflict, originating largely within states, which combines two powerful elements: potent identity-based factors, based on differences in race, religion, culture, language and so on, with perceived imbalance in the distribution of economic, political and social resources.*

Characteristics: complex, persistent, and intractable; much less amenable to compromise, negotiation or trade-off; rapidly diffuses beyond the boundaries of the particular state.

Intra-state, not inter-state. In the last three years, every major armed conflict originated at the domestic level within a state (intra-state), rather than between states (inter-state).

Of the 101 armed conflicts during 1989-1996, only six were inter-state. The remaining 95 took place within existing states.

Identity-based. Of the 27 conflicts in 1996 classified as “major armed conflicts” (more than 1,000 dead per year), 22 had a clear identity component to them.

New weapons of war. Since World War Two, cheap, mass-produced, small-calibre weapons have killed far more people than the heavier more traditional battlefield weaponry.

Civilian casualties. During World War One, five per cent of casualties were civilian; by World War Two the figure had risen to 50 per cent. In the 1990s, the proportion of civilian casualties has soared to 80 per cent.

Refugees. By 1992, there were about 17 million refugees, and a further 20 million people who were internally displaced.

Examples. Deep-rooted conflicts include Russia (Chechnya), Northern Ireland, Iran and Iraq (with the Kurds), Israel, Afghanistan, Bangladesh (Chittagong Hill Tribes), Indonesia (East Timor), Sri Lanka, Burma, Algeria and elsewhere.

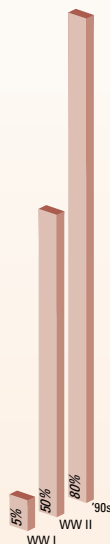
Source: SIPRI Yearbook 1997: Armaments, Disarmament and International Security.
Oxford: Oxford University Press for SIPRI.

THE NEW STATE OF CONFLICT: SOME FACTS

Rising Rate of Civilian Casualties

The percentage of civilian casualties soared from five per cent during WWI to 80 per cent during the 1990s.

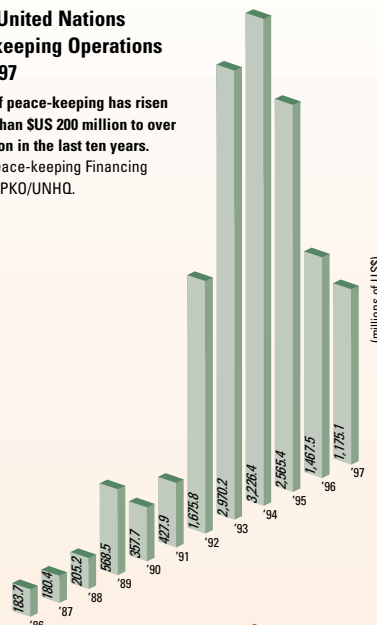
Source: Ramsbotham, Oliver, and Tom Woodhouse. 1996.



Cost of United Nations Peace-keeping Operations 1986-1997

The cost of peace-keeping has risen from less than \$US 200 million to over \$US 1 billion in the last ten years.

Source: Peace-keeping Financing Division /DPKO/UNHQ.

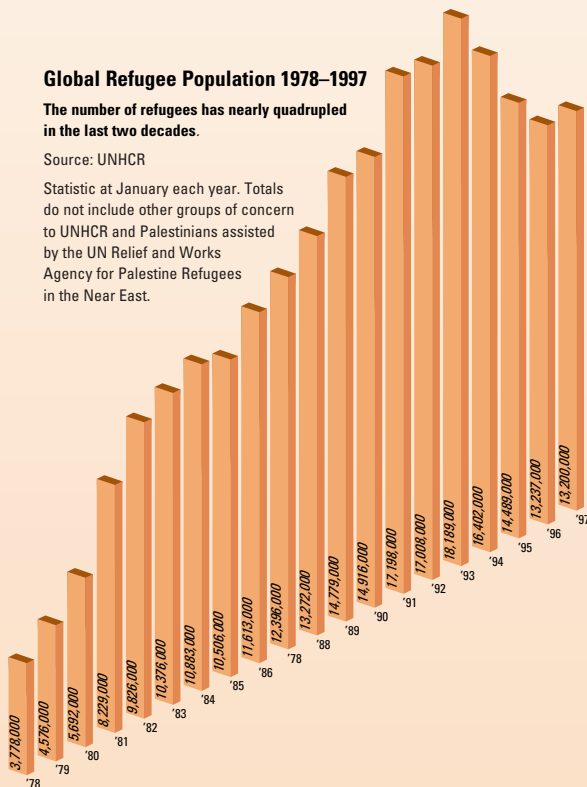


Global Refugee Population 1978-1997

The number of refugees has nearly quadrupled in the last two decades.

Source: UNHCR

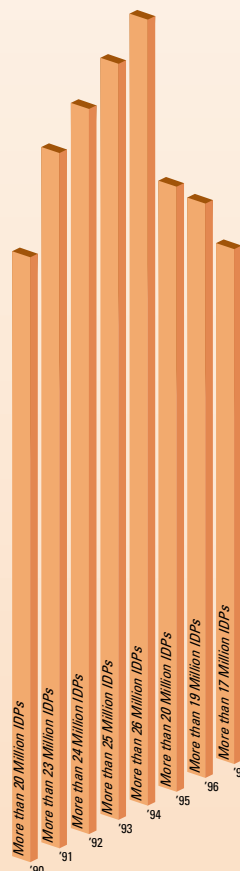
Statistic at January each year. Totals do not include other groups of concern to UNHCR and Palestinians assisted by the UN Relief and Works Agency for Palestine Refugees in the Near East.



Internally Displaced Persons During the 1990s

The number of internally displaced persons (IDPs) reached 26 million in 1994.

Source: U.S. Committee for Refugees. (Figures taken from: World Refugee Statistics.)



Democratic structures can offer an effective means for the peaceful handling of deep-rooted conflict through inclusive, just and accountable frameworks.

1.3 The Importance of Democratic Institutions

Three central themes dominate this handbook. The first is the crucial role that appropriate democratic political structures play in forging an enduring settlement to an internal conflict. It is important to understand that there is no single or simple model of democracy. Those wishing to build a sustainable settlement to a conflict have often overlooked the importance of making appropriate institutional choices about systems of governance. Seldom do they have access to all the information necessary to make informed decisions about *which* institutions might best suit their particular needs. This handbook attempts to fill this gap. The choice of appropriate democratic institutions – forms of devolution or autonomy, electoral system design, legislative bodies, judicial structures, and so on – designed and developed through fair and honest negotiation processes, are vital ingredients in building an enduring and peaceful settlement to even the most intractable conflict. Conversely, the international scene is littered with post-conflict settlements that broke down in part because of inappropriate and unsustainable institutional choices for deeply divided societies. Selecting unsuitable institutions can increase the possibility of a conflict persisting or even escalating.

At Bicesse in 1991, for example, parties to the Angolan conflict built an agreement by focusing on the goal of holding democratic elections which, it was presumed, would lead to a subsequent power sharing among the parties in a coalition government. However, the Angolan constitution was unsuited to support the power-sharing government which the Bicesse process aimed to bring about, since it concentrated political power not in a broad-based and inclusive parliament but in the hands of one person – the president. With both the incumbent government of President dos Santos and guerrilla leader Jonas Savimbi competing for the office of president – the only prize worth having in the context of the Angolan Constitution – the loser had a greater incentive to opt out of the political transition and resume fighting than to stay inside the process in a powerless position. And this was precisely what happened: Savimbi expected to lose the second round of the 1992 election and the fighting immediately resumed. One of the reasons why this settlement did not last may have been the lack of a system that realistically enabled both parties to share power (although as we are seeing

1.4 Democracy and Conflict Management

at the time this publication goes to press, August 1998, it may not have been the only reason).

Democracy, like any other political system, is not without its flaws in this imperfect world. But in the absence of a better alternative, experience from around the world convinces us that democratic structures, in their myriad permutations, can offer an effective means for the peaceful handling of deep-rooted difference through inclusive, just and accountable social frameworks. Democratic systems of government have a degree of legitimacy, inclusiveness, flexibility and capacity for constant adaptation that enables deep-rooted conflicts to be managed peacefully. Moreover, by building norms of behaviour of negotiation, compromise, and co-operation amongst political actors, democracy itself has a pacifying effect on the nature of political relations between people and between governments.

Despite the importance of democracy and democratic solutions, however, poorly designed democratic institutions can also inflame communal conflicts rather than ameliorate them. And the introduction of “democratic” politics can easily be used to mobilize ethnicity, turning elections into “us” versus “them” conflicts. In deeply divided societies, a combination of majoritarian political institutions and elections can often make things worse. Other democratic institutions that lend themselves towards divisive, yes or no political campaigns, such as referendums, can also have negative effects in divided societies. That is why basic democratic values such as pluralism, tolerance, inclusiveness, negotiation, and compromise are keys to building lasting settlements to conflicts. Often, the institutional embodiment of these values requires institutions that emphasize different features than simple winner-take-all majority rule: features such as power sharing, autonomy, proportionality, forms of group recognition, and so on. These themes will reappear throughout this handbook.

1.4 Democracy and Conflict Management

The second theme of this handbook concerns moving away from thinking about the *resolution* of conflict, towards a more pragmatic interest in conflict *management*. This is an important distinction. *Conflict resolution* suggests the ending or removal of a conflict. The implication is that conflict is a negative phenomenon, which should be resolved, ended, and eradicated. On the contrary, conflict can be positive as well as negative. Conflict is the interaction of different and opposing aspirations and goals

*Democracy operates
as a conflict
management system
without recourse to
violence.*

in which disputes are processed, but not definitively resolved. It is a necessary part of healthy democratic debate and dialogue, provided it remains within the boundaries of the commonly accepted “rules of the democratic game”. The violent expression of conflict is its destructive side. But conflict can be the starting point for energizing social change and improvement. *Conflict management*, then, is the positive and constructive handling of difference and divergence. Rather than advocating methods for removing conflict, this handbook addresses the more realistic question of managing conflict: how to deal with it in a constructive way, how to bring opposing sides together in a co-operative process, how to design a practical, achievable, co-operative system for the constructive management of difference.

This handbook is relatively unusual in putting a premium upon the need for negotiated settlements that are based on democratic outcomes. But there are good historical reasons for skepticism about the track record of negotiated settlements to deep-rooted conflicts. Scholars point to 20th century experience that reflects the fact that only 15 per cent of internal conflicts end in negotiated settlements. Most have ended in military victories. Moreover, many (roughly half) of those that have ended in negotiations fail within five years (disputants return to the battlefield, as they did in Sudan in 1984 following a peace accord that had been reached in 1972). For this reason, some scholars point to partition as the only answer to identity-based conflict. However, in the post-Cold War period, there have clearly been many more settlements to violent internal conflicts than in the past, and almost half of the internal conflicts that have ceased in the last eight years ended through negotiation. We know intuitively that negotiated settlements are much more likely in the post-Cold War era than before. Moreover, even when military victory occurs (as in Zaire/Democratic Republic of Congo), issues of democracy continue to be raised making a resumption of conflict far more likely. Although it is important to keep the historical record in mind, recent experience shows a clear swing towards negotiated settlements in which issues of democracy building are paramount.

Our emphasis on democracy is not an ideological conviction. On the contrary, it is a pragmatic argument based on wide experience and study. Democracy is presented in this handbook not only as a guiding principle, but as a workable system for the positive management of conflict. Our definition of democracy is a

1.4 Democracy and Conflict Management

practical one. For a system of government to be considered democratic, it must combine three essential conditions: meaningful *competition* for political power amongst individuals and organized groups; inclusive *participation* in the selection of leaders and policies, at least through free and fair elections; and a level of *civil and political liberties* sufficient to ensure the integrity of political competition and participation. Participation and contestation are crucial: while democracy can take many forms, no system can be called democratic without a meaningful level of both.

A 1993 study of 233 internal conflicts around the world found that democracies had a far better record of peacefully managing such conflicts than alternative systems. The evidence for the “democratic peace” proposition – the empirical fact that democracies are far less likely to go to war with each other than other regime types – lends further support to this relationship between conflict and democracy. Authoritarian or totalitarian systems simply do not have the institutions by which such conflicts can be peacefully expressed and resolved. They generally try to deal with such conflicts by ignoring or denying them, by suppressing them or by attempting to eliminate them. While some conflicts can indeed be controlled in this way, albeit usually at severe cost, deep-rooted conflicts generally cannot. The type of fundamental issues of identity and cultural integrity inherent in such conflicts mean that almost nothing, short of mass expulsions or genocide, will make them disappear. The ethnic conflict that erupted in the former Yugoslavia in 1990, for example, had been suppressed and held in check for almost 50 years during the years of the Eastern Bloc, but it was always present and unresolved. Authoritarian systems can present an illusion of short-term stability, but are unlikely to be sustainable over the long term.

Under a democracy, by contrast, disputes arise, are processed, debated and reacted to, rather than being resolved definitively and permanently. All outcomes are temporary, as the loser today may be the winner tomorrow. Unlike other systems, democratic government permits grievances to be expressed openly and responded to. In short, democracy operates as a conflict management system without recourse to violence. It is this ability to handle conflicts without having to suppress them or be engulfed by them which distinguishes democratic government from its major alternatives. This does not mean that democracy is perfect,

or that democratic governance will itself lead to peaceful outcomes. There are a number of cases of democratic institutions being hastily “transplanted” to post-conflict societies without taking root, or with a subsequent resumption of hostilities – the case of Burundi, for example, or Cambodia. But it is equally true that these cases have many lessons in terms of how deals are struck and which choices are made that are of crucial importance to building a sustainable outcome. Democracy is often messy, incremental, and difficult, but it is also by far the best hope of building sustainable settlements to most of the conflicts being fought around the world today.

Box 1

THEMES OF THIS HANDBOOK

Three central themes dominate this handbook:

— 1. Importance of Democratic Institutions

Democracy provides the foundation for building an effective and lasting settlement to internal conflicts. Therefore making appropriate choices about *democratic institutions* – forms of devolution or autonomy, electoral system design, legislative bodies, judicial structures, and so on – is crucial in building an enduring and peaceful settlement.

— 2. Conflict Management, not Resolution

There needs to be move away from thinking about the *resolution* of conflict towards a more pragmatic interest in conflict *management*. This handbook addresses the more realistic question of managing conflict: how to deal with it in a constructive way, how to bring opposing sides together in a co-operative process, how to design a practical, achievable, co-operative system for the constructive management of difference.

— 3. The Importance of Process

The *process* by which parties reach an outcome impacts significantly on the quality of the outcome. Attention must be paid to every aspect of the process of negotiations in order to reach a durable outcome.

1.5 Addressing the Real Causes of Conflict

Conflict management is one of the most difficult and complex tasks that can face human beings, both individually and col-

1.5 Addressing the Real Causes of Conflict

lectively. Even without time-pressures and political tensions, it is a supreme challenge. But in the real world, such factors are always present. Their effect is manifest as intense pressure to produce results, irrespective of the difficulty of the task. The near-irresistible temptation is to respond by simplifying the task, and focusing on surfaces and symptoms, searching for the fastest way to some result. But speed does not equate with quality. A simplistic approach cannot wholly succeed in addressing a complex problem. The kind of conflict we are addressing here – that which results in prolonged violence, that which comes about over deep-seated and profound differences – is caused at a much deeper level. Hence the term *deep-rooted* conflict. If conflict were simply a surface phenomenon, it would be easily dealt with at the surface level. But deep-rooted conflict demands deep-rooted conflict management. A doctor who treats a patient's symptoms may bring short-term relief of suffering. But a doctor who treats and cures the underlying illness that caused the symptoms brings a long-term solution to the patient's problem. In conflict management there needs to be a shift of focus, beyond the surface approach of treating *symptoms*, to a deeper level where underlying *illnesses* are directly addressed.

However, any doctor will rightly argue that treating symptoms is a vital humanitarian act, bringing short-term relief of suffering. A negotiation process that fails abysmally in its attempt to design a long-term settlement, but achieves a six-month cease-fire, has saved many lives. We must therefore not decry the genuine value of short-term measures, especially in situations of desperation and suffering. But the point is simply that short-term pain relief should not be confused with long-term cure. This is not to blame politicians and negotiators for yielding to pressures that are part and parcel of political life but simply to acknowledge that, within the pressures of the situation, a shift in focus beyond the immediate to the longer term, a reorientation from the surface symptoms to their underlying cause, is vital for both the short-term process and the long-term future. Failure to make this shift will inevitably harm the entire process as well as the future result. Ultimately, it may even make the situation worse than before. The challenge then, for domestic and international actors, is to seriously consider the temptation of short-term stability (and quick rewards and success) and move towards the long-term objective of a sustainable settlement.

A shift in focus beyond the immediate to the longer term, a reorientation from the surface symptoms to their underlying cause, is vital for both the short-term process and the long-term future.

1.6 Process and Outcome

The third theme of this handbook is that the *process* of designing negotiations is critical to the success and durability of the outcome. In thinking about the search for a settlement, a useful distinction can be made between *process* and *outcome*. *Process* is the business of negotiation and dialogue. If conflicting parties now need to discuss the elements of a solution, how exactly should that discussion be structured? For example, would the intervention of a third party be useful or distracting? What types of third-party intervention might be used, and how have they worked, or failed, in the past? Who exactly should participate in the talks process? Leaders only? Political parties? Non-governmental agencies? Outside observers? Would a time-limit on talks help or hinder the process? Should the talks be secret or public? What are the issues involved in choosing a venue for negotiations? These and many other pertinent questions need to be addressed in order to design the optimum process, the one that offers the best hope of a successful outcome.

Process asks: how do we get to a solution?

Outcome asks: what do we include in that solution?

The answers depend on the specific situation under discussion. From an analysis of the conflict – identifying its history, its core issues, its participants, and so on – one identifies the factors which need to go into the design of a suitable process. From an overview of many conflicts and peace processes around the world, this handbook directs readers to the most critical factors that they will need to consider, and then helps them to find the answers pertinent to their specific context.

Process involves every aspect of the way parties get to an outcome. The type of process used, of course, impacts significantly on the quality of the outcome. In particular, a sound process helps to contribute to the legitimacy of the outcome. For example, if the process employed is an inclusive one, where all parties who claim an interest in the conflict feel involvement in it, feel they have been heard and their views respected, and feel that the process has permitted them to make a contribution to the ultimate settlement, they are far more motivated to put subsequent effort into making that settlement work. In contrast, a group who feel excluded from the process will be far more likely to question the legitimacy of the settlement and to obstruct efforts to implement it. So good process not only makes for efficient working practice, it also strengthens the outcome. It is an essential ingredient for a durable, long-term solution.

Outcome focuses not on the way to reach a solution, but on the substance of that solution itself. Democratic structures and insti-

1.6 Process and Outcome

tutions offer practical components for a successful outcome, because their democratic nature implies a degree of consensus and accountability in their implementation. As with good process, the design of a sound outcome again lessens the chance of any party subsequently feeling the solution has been imposed upon them and thus questioning its legitimacy. What sort of political structures will be the components of the solution over which the parties negotiate during the process? What are the various kinds of democratic institutions that have been negotiated as settlements in the past? What were their strengths, and their weaknesses? What roles can outside agents usefully play in implementing or supporting these institutions? The business of mutually thinking these questions through to agreement will contribute to a better method of building sustainable and just systems of democratic government. In sum, the sustainability of a solution depends both on its outcome – its character and its content – and on the process by which it was agreed.

It is an analytic exercise to separate process and outcome completely. The distinction is offered as a useful method of concentrating on different but equally important aspects of conflict management. But in reality they are tightly intertwined and interdependent. Bad process will greatly impede agreement. It can even contribute to ultimate failure, no matter how well designed the outcome, simply because the way in which the talks were structured may cause friction and distrust and leave at least some parties questioning the legitimacy of the whole venture. Likewise the best process cannot guarantee success or sustainability if the outcome is poorly designed, is imposed on some of the parties or does not satisfy their real interests, no matter how fairly the process of dialogue was constructed. In practice, some parties will want assurances on what the broad parameters of the outcome will be before they agree to talks.

It is worth noting here that many of the conflict situations which readers will bring to the handbook have attracted the attention and involvement of the international community, increasingly in the form of third-party intervention or mediation. Third-party intervention can be of significant assistance in a conflict situation and is dealt with in more detail in Chapter 3. But parties need to be aware that there may also be dangers. Third parties may bring their own agendas, benign or otherwise: their own substantive interests in the issues of the conflict, perhaps their own desire for international acclamation as directors of the peace process, and so on. Mediators may focus too much on

process at the expense of outcome and often lack the necessary expertise in relation to institutional options. In addition, powerful intervenors may be tempted to force parties into a superficial agreement that fails to address underlying interests and needs, thus simply storing up trouble for the future.

1.7 Maximizing Women's Participation

In all conflicts, particularly those in which deep-seated identity issues are prominent, it is the most vulnerable members of society who often pay the highest cost. One of the characteristics of contemporary, intra-state conflicts is that the most marginalized social groups – small ethnic minorities, indigenous peoples and so on – are the most affected. Indeed, in some conflicts it is these very groups, such as the Kurdish peoples who are often described as the world's largest stateless ethnic group, who are directly targeted as victims.

Similarly, in almost all contemporary within-state conflicts, civilians in general, and women and children in particular, feature disproportionately amongst the casualty list. This makes the issue of gender a particularly salient feature of peace building. While the aggressors in today's conflicts, and the armies that fight them, continue to be predominantly male, the high casualty rates of civilians means that it is often women who bear the brunt of the consequences of the conflicts, a factor only emphasized by the effect of such conflicts on children.

It is therefore vital that any attempt at rebuilding democracy in the wake of a violent ethnic conflict builds women into the process as much as possible. In fact, in many cases this does not happen – the same people who started the conflict are also those who negotiate its end. This has detrimental effects on the long-term sustainability of a settlement, because vital voices and interests are not heard. This can be addressed by building gender considerations into every aspect of the peace process.

In the pre-negotiation phase, for instance, it is important to identify all constituencies, and to structure the process so as to maximize their participation. During the negotiations itself, it is essential that efforts are made to include considerations of gender, both thematically and via the representation of women as parties to the negotiations – rather than as being observers locked out of a process driven and dominated by men. During the implementation phase, each and every political institution needs to be structured such that it incorporates issues of gender and addresses wider issues of equality. This can take place both at a

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macro-level – through, for example, consideration of issues of gender and equality when designing political institutions – and at a more micro-level, via the establishment of specific mechanisms for gender equality (see the specific section on this issue in Chapter 4).

Beyond such structuring of mechanisms, however, there needs to be a recognition of the importance of involving women in the negotiation process because of what they, as women, can bring to the process of finding peace. Women should be included around the negotiating table because their experiences, values and priorities, as women, brings a perspective that is important and valuable to both process and outcome.

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The management of post-conflict democratic peace building is first and foremost the management of political *time* in a complex and highly volatile context. From the moment peace negotiations start, the pressure is intense on those involved to reach agreement as quickly as possible. That pressure often becomes irresistible. Time may be very limited. Political demands for fast results may be overwhelming. In a context of ongoing violence, many lives may be at stake. The temptation is to push for superficial success at the expense of concentration on the *outcome*. The need to reach an agreement – *any* agreement – becomes more important than the quality of the agreement, especially its all-important elements of sustainability and durability. Long-term stability is sacrificed for short-term expediency. This pressure can build from many sources: a limited window of opportunity for talks; a tenuous cease-fire agreement that may collapse without quick results; the influence of outside actors who need their own results; the limited patience of a constituency who demand immediate improvements or guarantees; military issues, economic needs and contingencies, and so on.

These pressures are genuine and difficult to resist. Nonetheless, time spent in the dialogue phase pays off afterwards. There is always a trade-off between the urgent pressure for a result in response to the immediate circumstances, and the time needed to build a sustainable outcome with long-term stability. A *slow-fast* approach to conflict management is one where the initial stage of reaching agreement is done as slowly as necessary, to ensure that the agreement, when reached, is as comprehensive and detailed as possible. This permits more speed subsequently in implementing the agreement. By contrast, many agreements

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are reached in a *fast-slow* mode: pressure for results encourages the parties to rush through the negotiation phase and reach a less than optimum agreement, so that problems remain which slow down, or altogether obstruct, the implementation phase.

The *fast-slow* approach was exemplified when, in November 1995, Bosnian leaders endured intensive pressure from their US hosts during negotiations in Dayton, Ohio. The US agenda – which included, in significant part, a strong White House desire for demonstrable negotiating successes in Bosnia, the Middle East and Northern Ireland – as well as the domestic constituencies of the Bosnian parties, placed a premium on an agreement being reached. This agenda, coupled with the extreme urgency of ending a vicious and devastating war, meant that intense pressure was applied on the three Bosnian leaders and their delegates at Dayton not to leave the site without a signed result on paper. The resulting Dayton Peace Accords were acclaimed as the framework for a comprehensive settlement of the conflict in Bosnia. But in the rush to reach an agreement, many details had to be overlooked. The effect was to sacrifice long-term planning for short-term results: the insistence on a fast result at the negotiation stage simply piled up problems which remained to obstruct and delay the implementation of the Accords (see Bosnia Case Study). On the other hand, it stopped the war and the killing, which was a great achievement. It is not suggested that these two approaches are necessarily exclusive, rather that they need to be balanced as much as possible.

In some important ways, the South African constitutional negotiations of the early 1990s stand as a successful example of the reverse, a *slow-fast* approach. The negotiation process was at times painstakingly slow, not least because of the wide range of participating groups and factions as well as the complexity of the issues. Undoubtedly, an outcome could have been designed much more rapidly between just the major participants, the government and the African National Congress (ANC), and by leaving certain aspects for later resolution. But the apparently interminable talking between so many parties and the variety of issues addressed, which made the negotiation stage so slow, paid considerable rewards in the implementation phase, when the multilateral nature of the talks made the subsequent “sell” much faster and avoided breakdowns as a result of “constituency lag” between leaders and their supporters. When eventually signed,

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the legitimacy of the outcome was far stronger than a more exclusive version would have been.

Perhaps in an ideal world, conflicting parties would have the luxury of a *slow-slow* approach – one where every stage of the settlement process is given sufficient time to attend to every detail. But such luxury is rarely available. Indeed, the most frequent pressure is for a *fast-fast* approach, the worst possible scenario, where there is no time to do justice to any aspect of the conflict management process. Avoiding both of these unlikely or unproductive extremes, we simply highlight the tension between fast-slow and slow-fast, and emphasize the long-term value of the latter.

There is a need, then, to balance the necessity of achieving results from negotiation against the stability and longevity of the outcome, a need, in other words, to balance short- and long-term goals. So a compromise that may appear to be the best achievable result in the urgent present tense of the negotiating process can often prove too weak to be sustainable in the future. The effect is simply to postpone, rather than solve, problems. While recognizing the difficulty of the advice, experience from around the world repeatedly teaches the value of retaining a strong sense of future ramifications during the design stage. Attention paid to detail in that earlier negotiation phase will save much time, and possibly the whole settlement, during the subsequent phase of implementation.

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