

The Importance of Language in Conflict Resolution

A response to the recent publication by the Centre for Humanitarian Dialogue and the Delhi Policy Group entitled *Conflict Resolution: Learning lessons from dialogue processes in India*

Meta-Culture welcomes the recent publication by The Centre for Humanitarian Dialogue (HD Centre) and the Delhi Policy Group, which offers an analysis of approaches to Conflict Resolution in India. In shedding light on three India-based conflicts and the associated efforts at resolution, the publication puts forth a better understanding of the conditions for Conflict Resolution, both within the Indian context and in general.

As practitioners, we also appreciate what we see as a perhaps unintended, but nevertheless important secondary benefit of the paper: it opens discussion about the *application* of Conflict Resolution processes and methodologies in India and the surrounding region. We write this response to the publication in the spirit of taking forward this discussion, hoping that our inputs will advance the theory and practice of the field in South Asia, as well as better equip peace builders to do their jobs effectively.

In this response, we submit our thoughts on the paper's general use of terms like "dialogue," "negotiation," and "mediation" to convey attempts to "talk" or "discuss." These terms, we propose, do not quite do justice to the precise ways in which practitioners and academics in the field of Conflict Resolution use them. In our experience, the danger of using these terms without precision, or even interchangeably, is that both the public and key stakeholders (who have seen many "dialogues" flounder) develop what may be called "dialogue fatigue." Without having genuinely understood or even experienced the *Dialogue process*, as understood in the field of Conflict Resolution, they come to believe that enough time and energy has been spent in "dialogue" without any appreciable result. They thus conclude that "dialogue" does not work.

As Conflict Resolution practitioners who routinely use the modalities of Negotiation, Mediation, Dialogue Facilitation, and Consensus Building, we at Meta-Culture have found that the application of these modalities, when done well, has genuine transformational potential. To establish Conflict Resolution in India as a useful, respected, and indeed sought after field of professional practice, we consider it of great import to define these modalities, not generally and interchangeably, but as distinct and purposeful. If the HD Centre's intention in publishing the aforementioned paper is to further the use of better processes to resolve conflicts in India, vital to this aim is the furthering of better clarity and understanding of Conflict Resolution modalities and the terms used to define them.

What's Wrong with "dialogue"?

There is no debating that communication between disputing parties is necessary for successful Conflict Resolution. At the same time, ineffective communication too often has unintended consequences, even exacerbating conflicts. Hence, the *quality* of communication is critical to realizing better outcomes.

In our experience, the likelihood of poor outcomes in Conflict Resolution processes is increased when terms like "dialogue" and "mediation" are used without reference to the science behind these processes and the skills required for effective implementation.

Indeed, these terms are often used in casual and imprecise ways to denote *any* attempt on the part of disputing parties to come together and talk. In India, where the professional field of Conflict Resolution is not yet established, this lack of precision does not further the systematic resolution of complex issues.

In the HD Centre's publication, the term "dialogue" appears to be used as a catchall term for attempts at non-violent conflict resolution, i.e., any kind of communication between two or more parties in an effort to resolve a dispute. The authors, and the public officials they quote, use "dialogue" and other terminology (e.g., peace talks, peace negotiations, round table conference, mediation, etc.) more-or-less interchangeably to describe the efforts at conflict resolution in Manipur, Andhra Pradesh, and Kashmir.

For example, "dialogue" is the term used to describe the process in Andhra Pradesh. Through our reading of the case study, however, it seems that two specific processes might have been used:

- The CCC¹ first embarked on a **Consultation** process to listen to the views of ordinary people, and then publicised the results.
- After discovering a constituency for peace, the CCC used this constituency as leverage to bring the Naxalites and government together for **Negotiation**.

Both Consultation and Negotiation are important modalities within a larger Conflict Resolution process. As such, the general term "dialogue" used to describe them obscures and underplays the distinct importance of each modality within the larger process.

While the conversations that took place in each of the highlighted cases may have achieved a certain degree of success, the imprecise use of terms leaves us wondering if the processes employed and the quality of the facilitation were as effective as they could have been. Just because parties are willing to talk, their conversations are not necessarily of the kind that will produce a meaningful and enduring peace. Likewise, just because parties reach an "agreement" does not mean they have engaged at a complex level or that the agreement will stand the test of time. Again, the *quality* of the conversation and the communication process matters in Conflict Resolution. We assert that this quality can only be achieved through deliberate and strategic application of specific modalities.

There are three defining characteristics or conditions of Conflict Resolution modalities that distinguish them from "talks" writ large. When Conflict Resolution modalities are skilfully applied, the disputing parties are challenged and encouraged to change their approach to the conflict and each other. More specifically, through the process the parties become willing to:

1. Work towards genuine understanding of each other's perspectives.
2. Be flexible in their demands and open to options not previously considered.
3. Engage in joint problem solving with each other.

¹ Committee of Concerned Citizens
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When parties are not deliberately challenged to change how they engage with each other, they tend to remain stuck in their own rigid and inflexible assertions, demands, perspectives, and ideologies. Through power, pressure, accommodation, and compromise, they may ultimately succeed in coming up with an agreement. Most conventional conflict resolution processes are in fact attempts at cobbling together an agreement or compromise that will stop the violence. They are therefore exercises in immediate problem solving or truce-making, rather than efforts to address parties' deeply held perceptions, stereotypes, hatred, and distrust. The agreement, apart from being suboptimal, is unsustainable because it fails to meet one or both party's genuine needs, which remain misunderstood and unaddressed.

From the case study descriptions in the HD Centre publication, it is difficult to know whether parties engaged in genuine Conflict Resolution or "talks," wherein they may have reached agreements, but maintained their rigid positions and perspectives. We are therefore curious about the specific modalities that might have been used in each case, and how effective they were.

Beyond Mere Semantics

Imagine a student listening to a cancer specialist talk about two patients, one with breast cancer and the other with brain cancer. The specialist simply describes her method for tackling both illnesses as "cancer treatment." While strictly speaking the term is accurate, the student remains unclear as to the specific treatment required for each type of cancer.

In determining when and how to address conflict, the use of general and vague terminology does not enable parties or policy makers to make informed choices about which "treatment" is appropriate for the situation at hand. The specific modalities of Conflict Resolution – Consultation, Arbitration, Conciliation, Negotiation, Mediation, Dialogue, Joint Problem Solving, and Consensus Building – are used at different stages in a conflict, for different purposes, and in very different ways (*see Table 1*). Depending on the conflict dynamics and the parties' specific needs, interests, and dispositions, any of these modalities can be used, either individually or in combination, at the same time or in a linear progressive fashion. A precise understanding of these modalities enhances the peace builders' capacity to apply them at times and in ways that will be most effective.

Table 1

SOME CONFLICT RESOLUTION MODALITIES	
Consultation	A process through which an impartial third party seeks parties' inputs and perspectives on issues that affect them. Most often undertaken as the first step of any Conflict Resolution exercise.



Arbitration	A process by which parties in a dispute refer their case to an impartial third party (Arbitrator) and agree to abide by the latter's decision, which is made based on the evidence they present. Differs from Mediation in that, here, the third party has power to impose a solution on the parties, rather than assisting them to arrive at a solution by themselves.
Conciliation	A process where a third party (Conciliator), not necessarily impartial, brings disputing parties together to resolve their differences. Distinct from Mediation or Dialogue Facilitation in that the Conciliator does not exert the same level of control over the agenda or the way parties communicate. Whereas the Conciliator may offer suggestions on how the parties could reconcile, those suggestions are not binding on the parties, who are free to accept or reject them.
Negotiation	The most basic process by which parties discuss substantive issues in a conflict and try to settle or resolve their differences amicably. Typically focuses on achieving an agreement rather than on the relationships between the parties. Parties can also use negotiation to agree on a course of action or to find a compromise solution to individual or collective needs.
Mediation	A facilitated process through which an impartial third party (Mediator) works with disputants to help them reach a mutually satisfactory agreement. Unlike arbitrators or judges, Mediators do not decide the dispute between the parties, but rather assist them to take responsibility for resolving their own dispute. Mediation also aims to help parties restore their basic relationship, not just reach a settlement.
Dialogue	A process wherein individuals or groups, with the help of an impartial third party Facilitator, engage in focused and productive conversation with the purpose of deepening their understanding of each other. Structured so as to help parties learn about each other; understand and address seemingly intractable differences; discover and unpack common concerns; and create tangible shifts in their perceptions of each other.
Joint Problem Solving	An activity – which may be part of Mediation, Negotiation, or Consensus Building – conducted to help parties identify their genuine needs and interests, and then collaborate to explore solutions that best accommodate these interests.
Consensus Building	An agreement-crafting process (often the stage following Dialogue) wherein multiple parties build a consensual decision with respect to an issue or set of issues of mutual concern, or agree to work together collaboratively towards a common goal. The agreement or goal is inclusive of all stakeholders' interests and is determined without a preliminary vote.

While it may seem like mere semantics, the consequence of using general language to describe and prescribe approaches to conflict resolution is that process recommendations end up being vague, unclear, and ultimately poorly executed (even if well intentioned). Taking again the Andhra Pradesh case study, while “dialogue” is the term used to describe the process, the recommendations at the conclusion of the study are *not* necessarily applicable to “dialogue.” An excerpt from the first recommendation reads as follows:

“Public opinion in favour of **dialogue** is necessary but not sufficient. Getting both sides to the table is only possible if they feel pressure from the public to **negotiate**. Public opinion is best mobilised by people respected by the public, with credible backgrounds and moral authority. However, both parties must also see it as in their interests to engage in serious **talks**. The Congress Party promised to hold **talks** in its election manifesto but lacked a genuine and sustained commitment to **dialogue**.” (Bold text added.)

By using so many terms – dialogue, talks, negotiation – it is unclear as to what precisely the public should be in favour of, or what the disputing parties must see as in their interest. The imprecision in terms also begs the question: when the public says it is in favour of “dialogue,” can it be taken for granted that it will also favour the outcomes of such a process? Assuming that “the public” is made up of constituencies represented by the disputing parties, these constituencies may express the desire for parties to *talk*, but may not understand that true *Dialogue* requires being flexible and open to options not previously considered. Without this understanding, they might well balk at any agreements the parties ultimately make. Likewise, even if parties see it as in their interest to engage in “serious talks,” it does not necessarily follow that they are genuinely open to the three conditions of Conflict Resolution described previously.

It is important that peace builders be prepared for such disconnects between what the parties *say* they are willing to do and what they are *actually* willing to do. Without being properly informed of what specific Conflict Resolution modalities demand, neither the public nor the disputing parties are likely to be fully committed to the type of engagement these modalities require to be successful. Vague process recommendations, therefore, can lead to unsatisfactory outcomes.

Please see *Table 2* for other examples of ambiguous terminology in each of the three conflict case studies, with our questions and observations.

Table 2

Case Study	Authors' Terms	Representative Quotes ²	Ambiguity in Terminology
Andhra Pradesh	<i>Dialogue</i> (CCC and society, State Government, and Naxalites)	<p>“Their [CCC’s] focus was on starting a <i>dialogue</i> with society about the conflict, asking questions about the rule of law and the wellbeing of those caught up in the violence”(p.12).</p> <p>“Despite these obstacles, the CCC continued to try and persuade both the Government and the Naxalites to engage in a <i>dialogue</i>”(p.13).</p>	<p>Was the CCC’s <i>dialogue</i> with society a structured <i>Dialogue</i> or a process of <i>Consultation</i>?</p> <p>Were the Government and the Naxalites properly informed of the conditions necessary for <i>Dialogue</i>? While the CCC attempted to convene the process, it was not acting as a process</p>

² All italics are ours.



			facilitator, which is necessary for a genuine <i>Dialogue</i> .
	<i>Talks</i>	“The Chandra Babu Government did not respond enthusiastically to the proposed <i>talks</i> ... It always responded publicly saying that it was always ready for peaceful resolution of Naxalite (sic) problem but never committed to <i>dialogue</i> in writing. The Government maintained that the Naxalites would have to give up violence before a <i>dialogue</i> could take place” (p.13).	Here, <i>talks</i> is being used interchangeably with <i>dialogue</i> . <i>Dialogue</i> is a specific Conflict Resolution modality, distinct from <i>talks</i> . In <i>Dialogue</i> , there can be no preconditions put on parties’ engagement, otherwise they will typically not agree to start the process.
Kashmir	<i>Dialogue</i> <i>Round Table Conference</i>	Prime Minister Singh’s opening remarks at the <i>Round Table conference</i> : “A <i>round table</i> is a <i>dialogue</i> . No one preaches and no one just listens. This is a <i>dialogue</i> of equals who promise to work together. Today’s meeting...will... achieve historical importance if we are able to unleash a process by which we can arrive at a workable blueprint... Not by compromising on one’s ideals, but in a spirit of mutual tolerance, understanding and accommodation” (p.32).	Was the <i>Round Table conference</i> a <i>Dialogue</i> , with an agenda shaped and directed by an impartial third party facilitator, or was it a joint discussion or <i>problem solving</i> exercise?
	<i>Mediation</i>	“Track I level <i>dialogue</i> to resolve the conflict was first attempted in 1948-1949. There were a series of failed initiatives during the 1950s and 1960s, most notably through a Kashmiri-led <i>mediation</i> by Sheikh Abdullah. However, each of the attempts were deadlocked by, on the one hand, India’s desire to turn the de facto division of Kashmir into a de jure one (shared by Sheikh Abdullah) and, on the other, Pakistan’s desire to claim the whole, or at the very least the Muslim-majority parts, of the former princely state” (p.29).	Sheik Abdullah was a critical stakeholder in the conflict, certainly not an impartial party. Would what is here described as <i>mediation</i> be more accurately termed <i>Conciliation</i> ?
	<i>Dialogue</i> <i>Peace Negotiations</i>	“India wishes to pick up <i>peace negotiations</i> with Pakistan on Kashmir from where they left off in the back channel. However, the GoI and the self-determination	Here, the terms <i>dialogue</i> , <i>peace negotiations</i> , and <i>talks</i> are used interchangeably, the distinction between them unclear.

	<p><i>Talks</i></p>	<p>groups have not shown the same willingness to restore their internal track of <i>dialogue</i>. The GoI is now faced with a new resistance movement and rising violence. <i>Talks</i> which aim to secure a speedy political resolution should be a priority” (p.24).</p>	
<p>Manipur</p>	<p><i>Dialogue</i> <i>Negotiations</i></p>	<p>In the section entitled <i>Past attempts at dialogue</i>: “Violence consequently increased in the 1980’s, and it was only at the end of that decade that a serious attempt was made to start <i>negotiations</i> with the armed groups” (p.53).</p>	<p>Here, <i>dialogue</i> and <i>negotiation</i> are being used interchangeably, despite being distinctly different modalities used at different times and for different purposes in a process of Conflict Resolution.</p>
	<p><i>Dialogue</i> <i>Pre-negotiation</i> <i>Political Dialogue</i></p>	<p>“The potential role which an independent civil society could play was also demonstrated by the SCS attempt to facilitate <i>dialogue</i>. It showed that such civil society initiatives provide an opportunity to engage in indirect <i>dialogue</i> in a <i>pre-negotiation</i> phase. No parties have to make any commitments, yet an exchange of views can take place, which could eventually lead to <i>dialogue</i>. Such initiatives could also be useful for the various groups to build a common minimum negotiating position in a <i>political dialogue</i>” (p.58).</p>	<p>Is there a distinction between <i>dialogue</i> and <i>political dialogue</i>? While <i>Dialogue</i> (combined with <i>Consensus Building</i>) might indeed be used to help individual stakeholder groups determine their negotiating positions before engaging with other stakeholders, <i>Dialogue</i> per se does not involve stakeholder negotiation. As a process, <i>Dialogue</i> is for building understanding and relationships. Given this, is what is here called <i>political dialogue</i> better termed <i>Negotiation</i>?</p>
	<p><i>Dialogue</i> <i>Talks</i></p>	<p>In the section entitled <i>Past attempts at dialogue</i>: “Tompok Singh... ordered the Assam Rifles... to arrest the PLA team headed by Manikanta Singh that was en route to Imphal for the <i>talks</i>. The arrest and subsequent jailing of the PLA leader brought an abrupt end to the secret process even before it had been given a real chance to be tested. RK Jaichandra Singh’s tenure ended a year later and another decade was to pass before further moves were made towards</p>	<p>Again, <i>talks</i> and <i>dialogue</i> are here used interchangeably. <i>Dialogue</i> is a modality that is distinct from <i>talks</i>.</p>

		<i>dialogue</i> " (p.53).	
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Dialogue: A More Specific Use

"The Indian state has generally not shied away from eventually talking to those who oppose it"(p.6).

There is a pressing need to provide parties in conflict with clear options of specific Conflict Resolution modalities. Such clarity will help them and the convenors of Conflict Resolution processes to go forward with clear and realistic expectations about what is expected of them, what they are likely to experience, and how a particular modality can benefit them.

Conflict Resolution practitioners use the term *Dialogue* (with a capital *D*) in a very deliberate and specific way. Dialogue is a specific Conflict Resolution modality used to help people with differing views and beliefs engage in focused and productive conversation with the purpose of deepening their understanding of each other. Dialogue is *not* debate. Dialogue is *not* "dialogue," as in just exchanging opinions.

An effective Dialogue process requires the skilled facilitation of an impartial third party, someone with no direct stake in the issues or any bias towards any of the participating stakeholders. The job of the third party is to design and facilitate the Dialogue process.

The role of a Dialogue Facilitator differs from that of either a "convenor," whose aim is to organize a discussion, or a "moderator," who ensures that those who wish to speak get a chance to do so. In contrast, the role of a Dialogue Facilitator is to:

- Plan and structure the process with an awareness of participants' desires and concerns;
- Create a safe space for discussion by helping participants agree on and maintain communication agreements;
- Design the process so that participants are encouraged to reflect and ask questions;
- Use effective inquiry so that participants explore their belief systems in the context of their behaviours towards the "other";
- Intervene appropriately when there is an impasse so as to keep participants at the table and help them move through disagreements in a productive manner; and
- Be aware of and respond to participants' needs throughout the process.

With the help of the Dialogue Facilitator, participants in a Dialogue process agree to cease rhetoric and argument. Instead they strive to communicate respectfully, listen to each other, and ask questions to improve their understanding. Rather than stating broad opinions or making rigid moral assertions, they talk about their experiences and values, the *why* behind what they believe.

The goal of Dialogue is not necessarily to solve specific problems or create agreements, although it may and often does lead to opportunities for collaborative action. Instead, the process is structured so as to help parties learn about each other; understand and address seemingly intractable differences; discover and unpack common concerns; and create tangible *shifts* in their perceptions of each other.

Finally, Dialogue is crucial in setting the stage for complex negotiation, or even collaborative action. Whereas parties initially come to the table with feelings of distrust and animosity, Dialogue works to create a new dynamic between them, and therefore prepares the ground for problem solving and building sustainable agreements. Only then can the modalities of Consensus Building and Joint Problem Solving be applied.

The Andhra Pradesh “Talks:” Neither Mediation nor Dialogue

“One of the modalities agreed [sic] in the lead up to the talks was that mediators were only observers in the dialogue process and their role was to advise the parties in case of a deadlock”(p.15).

In Conflict Resolution, the job of a Mediator is *not* to remain on the sidelines until discussions reach an impasse, but to craft, direct, and facilitate a process of communication between the parties. We therefore agree with the authors’ judgement in the HD Centre publication that, in the Andhra Pradesh case, the decision by the “mediators” to remain as passive observers did considerable damage to the process.

It is a remarkable achievement that the two sides in the Andhra Pradesh conflict finally came to the table after seven years of hard work to get them there, not to mention decades of distrust and violence. In describing the process of resolution, however, the term “mediator” is used for actors with roles so limited that they were unable to facilitate negotiations between the parties. Moreover, the passivity of the “mediators” in the negotiations compels us to suggest that neither the terms “Mediation” nor “Dialogue” should be used to describe what took place. That the “mediators” agreed to take on observer status precluded the true application of either modality.

Mediation, as the term is used in the field of Conflict Resolution, is a voluntary process through which individuals in a dispute, with the help of a neutral person, or Mediator, seek to reach a mutually acceptable agreement. The process emphasizes the parties’ own responsibility and ability to resolve their dispute.

The Mediator has no authority to impose settlement, but instead brings parties together and helps them reach a decision on their own. The Mediator’s role is to create a non-adversarial environment to help participants get to the root of their problems, consider options, and develop solutions in a way that is reflective and respectful. Whereas the parties may not have been communicating or listening to each other, the Mediator helps them unearth and talk about issues. Rather than remain stuck in past grievances, the parties ultimately consider how they might function in the future.

The Mediation process is a recognized alternative to court-based litigation, which is often lengthy, expensive, and irrevocably damaging to relationships. Unlike litigation, Mediation aims to help parties restore their basic relationship, not just reach a

settlement. In that the parties themselves decide how to proceed without external advice, solutions, or judgment, Mediation is also set apart from other Alternative Dispute Resolution (ADR) processes such as Conciliation and Arbitration.

In Conclusion: Much Ado About Nothing?

Words are peace builders' most powerful tools. To more effectively assist policymakers, disputants, and other interested parties to understand Conflict Resolution processes, it is important that the full range of available modalities are defined and described as accurately as possible.

If established and well-defined Conflict Resolution modalities are misrepresented by general terms like "dialogue" or "talks," it becomes difficult for disputing and other interested parties to make informed decisions about when and how to address conflict. When the disputing parties, the public, public officials, and researchers all use such terms loosely and inaccurately, the ways in which conflict is addressed are likely to be suboptimal and the results both unsatisfactory and short-lived. We should therefore not be surprised that "dialogue fatigue" sets in and parties become cynical about attempts at conflict resolution.

Dialogue fatigue is dangerous. When the public and parties in conflict lose confidence in reasoned discussion, they become convinced that only "action" will help them gain their goals. We know from experience that, too often, "action" is merely a call to violence. Guns will talk when words lose all potency.