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البحوث المنشورة تعبر عن آراء أصحابها وليس بالضرورة عن رأي المجلة

قواعد النشر

- لغة المجلة هي اللغة العربية والانكليزية على أن يراعى الوضوح وسلامة النص.
- ترحب المجلة بنشر البحوث والدراسات السياسية النظرية والتطبيقية ولا سيما التي تجعل من قضايا المنطقة والعالم محط اهتمامها، ماضياً وحاضراً ومستقبلاً، وعلى وفق الآتي:
- أن لا يزيد عدد صفحات البحث أو الدراسة عن (25) صفحة مطبوعة بثلاث نسخ مرفقة مع قرص مرن (CD)، مع مراعاة حجم الخط (14) والتباعد (1,15) ونوع الخط Simplified Arabic على أن تكون الهوامش اسفل كل صفحة مطبوعة بالطريقة الالكترونية وبحجم خط (11) ونوع الخط Simplified Arabic وتجمع بقائمة منفصلة عن المصادر في نهاية البحث.
- أن تعتمد الأصول العلمية المتعارف عليها في إعداد البحوث والدراسات وكتابتها وبخاصة التوثيق بحيث تتضمن:
- بالنسبة للكتاب الآتي: أسم المؤلف، عنوان الكتاب، مكان النشر، الأسم الكامل للناشر، تاريخ النشر، أرقام الصفحات.
- اما بالنسبة للمقالة: فتتضمن أسم الكاتب، عنوان المقالة، اسم الدورية، مكان صدورها، عددها، تاريخها، وأرقام الصفحات.
- أن تتصف البحوث والدراسات بالموضوعية والدقة العلمية.
- أن تعتمد الترقيم العشري للعناوين الأساسية والفرعية او التصنيف المعياري العام.
- يرفق مع كل بحث او دراسة ملخصين (احدهما باللغة العربية والآخر باللغة الانكليزية) وقائمة بالمراجع والمصادر المعتمدة.
- تخضع جميع البحوث المقبولة للنشر الى نظام الاستلال الالكتروني في كلية العلوم السياسية - جامعة النهريين.
- يرفق مع كل بحث ودراسة سيرة ذاتية مختصرة للباحث.
- تقوم المجلة بإخطار الباحثين بإجازة بحوثهم أو دراساتهم بعد عرضها على محكمين تختارهم على نحو سري من بين أصحاب الاختصاص.
- يجوز للمجلة أن تطلب إجراء تعديلات شكلية أو شاملة على البحث أو الدراسة قبل إجازتها للنشر بما يتماشى مع أهدافها.
- لا تلتزم المجلة بإعادة البحوث والدراسات التي يعتذر عن نشرها.

- ترحب المجلة بالمناقشات الموضوعية لما ينشر فيها أو في غيرها من الدوريات وبأية ردود فكرية أو تصويب، وكذلك ترحب بنشر التقارير عن المؤتمرات والندوات ذات العلاقة ومراجعات الكتب وملخصات الرسائل الجامعية التي تتم إجازتها على أن تكون من إعداد أصحابها.

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New Methods of Conflicts Resolution:

Incentives and Disincentives for managing Conflict[∇]

Dr. Hussein A. Al Battawi

Conflict is an inherent part of human interactions and can arise in various settings, such as personal relationships, workplaces, and international affairs. Although of conflict is an inevitable part of human interactions, but new approaches to conflict resolution offer a more constructive and collaborative way of resolving conflicts. We therefore can refer to approaches, methods, or techniques that figured out as tools to settle the differences in the context of conflicts. Some of these that tools well known such as negotiation or bargaining, and third — party or mediation, adjudication and economic incentives and disincentives for managing conflict. Some of methods or techniques are relatively new to the peacekeeping community, such as problem solving workshops, conflict resolution education in the field, and training in conflict management techniques.

First, Methods of Conflicts Resolution (track 1):

1. **The official negotiations:** The negotiation (track 1) is an official tool to settle the differences between antagonists. It also concerns matters in a great variety of issue— areas that may have local, regional, or global actors. The negotiations between Russia and Estonia on Russian—speaking people who is living in Estonia were as examples of **bilateral track—one diplomacy**. There are several bilateral issues have negotiated in various conflict area, but there is no space to mention them. it was example of **regional track— one negotiation**, when the OSCE and its High Commissioner on National Minorities held consultations with Estonia, Russia, and other Baltic states during the post – soviet period. Much of the work of the United Nations classified as global within **track—one** diplomacy.¹

What are advantages of Negotiation?

تاريخ النشر: 2023/6/31 تاريخ القبول: 2023/6/9 تاريخ التقديم: 2023/4/12[∇]

¹ . Susan Allen, What is Track-one Diplomacy? [1], (June 2003)
http://www.beyondintractability.org/essay/track1_diplomacy.

- A. It limits the number of players to those involved in the dispute. This allows for a focused approach to problem solving.
- B. It is a useful tool to explain viewpoints to others.
- C. States or antagonists recognize it.

There are many pitfalls:

- A. The dilemma known as boundary role conflict has highlighted the conflicting expectations of its constituents at home and those of the negotiations other parties.
- B. A critique of conventional diplomacy on the basis that it emerges from a win-lose view of diplomatic success, thereby it encourages competitiveness and positional bargaining.
- C. Negotiations are committed to representing their state's interests, which may not always include a strong interest in quickly resolving a conflict.

2. **Mediation:** Mediation situation comprises: (a) conflicting parties (b) a mediator (C) a process of mediation (d) the context.

A mediator enters a conflict, in order to affect, change it, resolve it, modify it, or influence it in some way. Mediation has the **advantage** of allowing a neutral third party assist in helping find a resolution to conflicts, but it cannot force the parties to accept the solution such as what is recently justified by UNAMI on Kirkuk issue (Iraq).

Why would a mediators wish to intervene in conflict?

One of the crucial themes in mediation literature is the motivation of mediators to mediate. It seems truism that state as external actor can thwart peace in post war societies e.g. Syrian failed to play the role of mediator in post Taif Accord Lebanon. Syrian involvement was an occupying force in Lebanon that provided the most significant obstacles to the full implementation of the Taif Accord. Syria used Lebanon as Pawn in its conflict with Israel, suppressed dissent with paying little regard for human rights, when it has frozen antagonists rather than confronted. The sectarianism that lay at the root of Lebanon's civil war.¹ The mediators may see mediation as way of enhancing their own influence on the antagonists (e.g. the efforts the USA to mediate the Palestinian — Israeli

¹ . Roger Mac Cinty. No War No Peace: The Rejuvenation of Stalled Peace Processes and Peace Accord, P.154

conflict). Within this international context, the most important structural forces on mediation market seems to be the hegemonic status by USA.

3. Adjudication:

It is an impartial third party tribunal normally either an arbitral tribunal or international court for binding. The Decisions based on international level or intergovernmental (Track1). In contrast with amicable settlement, the international adjudication involves a legal obligation on the part to conflict who accepted its mandate before. This method seems the most appropriate way of trying to resolve an international dispute as result: ¹

- Arbitral or judicial decision puts an end to the dispute when negotiation failed
- It is an impartial and just method.
- The decision is likely to view as authoritative and cringeworthy to respect.
- It enhances party's credibility who accept court's mandate.
- It may lead to both a better understanding by parties themselves.
- It may reduce tension and time.
- The judicial decision is not only a settlement, but may also provide guidance to both the parties and other states how they should conduct in the future.
- These decisions may help to develop international law. It is a good way to test state' respect-for and commitment to international law.

When is method unlikely to be helpful?

- The state expresses its unwillingness to go to the court, when it sees the risk of losing involves what considers vital national interests.
- Judges can be impartial and influenced by political factor.
- The outcomes of adjudication may be difficult to predict.
- The national pride of state may make state to resist the idea that a court can rule on its behaviors.
- It is an inflexible and short – term method. It may freeze the conflict, but not end it.

¹ .William Zartman and Rasmussen, J. Lewis. Peacemaking in International Conflict; Methods and Techniques, (Washington: United States Institute of Peace Press,2007) P. 213-215

- It is an optional and ineffective method; its decision will be binding only if the antagonists accept its mandate.

4. Sanctions as tool to settle the international differences:

The economic incentives and disincentives have a vital role to pressure on the wrongdoing regime to respond forcefully to the international community's will without incurring the risks of war. These economic tools of persuasion and pressure have the potential to serve as affective means of resolving conflicts and promote peaceful process. There are several sanctions such as these imposed by a single state (Israel against Palestinian), or by an international organization (the UN against Iraq 1990–2003 and Libya 1992–99), or by regional organization as EU and NATO against the former Yugoslavia) or the sanctions imposed against Russian recently as result of its invasion to Ukraine. On other hand, the role EU and its Stability Pact for Southeastern Europe can be a mole for international peacemaking through cooperative economic development. This strategy proved that the regional cooperation as means of preventing conflict is broadly applicable,¹ but the sanctions or negative measures has been criticized by some of scholars that this mechanism may have reflections that are more negative on the wrongdoer's subjects than the wrongdoer himself.

Second, Methods of Conflicts Resolution (track 2):

Traditional approaches to conflict resolution have primarily focused on power dynamics, negotiation, and compromise. However, recent advancements in social psychology have led to the emergence of new approaches that emphasize empathy, mindfulness, and positive emotion as well as Incentives and Disincentives for managing Conflict.²

¹ . Ibid. 387–389 and 414.

² . Carnevale, P. J., & Isen, A. M. (1986). The influence of positive affect and visual access on the discovery of integrative solutions in bilateral negotiation. *Organizational Behavior and Human Decision Processes*, 37(1), 1–13.

Carson, J. W., Carson, K. M., Gil, K. M., & Baucom, D. H. (2004). Mindfulness–based relationship enhancement. *Behavior Therapy*, 35(3), 471–494.

1. Unofficial negotiations:

The negotiation as a dynamic process consists of two or multi ways of communication among negotiators before, during and after the interparty negotiations. William Perry defines the unofficial diplomacy that "the dialogue between non-officials of nations designed to make up for the perceived shortcomings in the official dialogue."¹ The track 2 select mid-level influentials from a variety of sectors, who can influence on public opinion and civil society. We can also see (track 1 and 1/4) contains high-level influential that affect the leaderships and the civil society as well. Harold H. Saunders was a former high-level government official and active participant in the Camp David accords, the Egyptian-Israeli peace treaty and Oslo Accord. He stresses, "It is more possible to achieve genuine mutual understanding in a non-official dialogue".²

The (track 2) involves so-called workshops sponsored by neutral and non-governmental organizations. The National Committee on American Foreign Policy has been running track II projects for over 15 years on North Korea Nuclear challenges. The institution concluded conference on summer 2005 in New York and it played a "decisive" role in the resumption of the Six-Party Talks in the fall of 2005 and in the agreement of Joint Principles reached at that meeting.

In the context of large projects on international negotiations, have been done by several institutions such as the USA Foreign Service Institute, and the International Institute of Applied Systems Analysis, and the Harvard Program on Negotiation.³

What are its advantages?

¹ . William Perry, "Track II Diplomacy: Can "Unofficial" Talks Avert Disaster?" Carnegie Reporter, Vol. 3/No.3, Fall 2005.

² . Harold H. Saunders, "Officials and Citizens in International Relationships: The Dartmouth Conference" in Volkan, Montville. In addition, Julius, the Psychodynamics of International Relationships, Vol. II Unofficial Diplomacy at Work, Lexington, MA: Lexington Books, 1991.

³ . William Zartman and Rasmussen; J. Lewis, Peacemaking in International Conflict; Methods and Techniques. P. 113.

- Track 2 negotiation has ability to raise idea and solution that might not be possible in official circles. In other word, what is unthinkable today may through unofficial negotiation become the norm tomorrow.¹
- Individuals from universities, non-governmental organizations, former government leaders and even current officials acting unofficially can provide a bridge between theory and practice. EU provides opportunities for both scholars and practitioners to contribute to the development and definition of the field.
- It is important to explore where the threat in this context is, develop proposals, and exercise the influence.

Pitfalls of the Track 2

- A long-term strategy without expectations for dramatic policy shifts.
- Practitioners define subculture or emotion that influences their negotiating behavior.
- None recognized by states and international law system.
- There is no an official agreement.

2. Third Party:

A state or international organizations as primary actor within activity of mediation (Track 1) challenged by other actors' involvement in the field such as NGOs, individuals, institutions. Some of ethnic's consultation done by individuals might be a useful consultation in conflict resolution. Meanwhile we see that the persons as an unofficial individuals (Carter in North Korea 1994) have another motive for initiating the mediation may include a desire to (a) be instrumental in changing the escalating of conflict, (b) open new channels of communication, (c) to spread his own ideas and enhance personal stature and professional status. Such individual approach a conflict as private citizen not as official

¹ . Dalia Assa Kaye, "Unofficial Diplomacy Efforts Can Have a Positive Effect in the Middle East, South Asia Over Long Term." (Wednesday, 19 September. 2007).

<http://www.rand.org/news/press/2007/09/19/>

representatives, they use academic competence, credibility, and experience to facilitate communications, gain a better understanding of the conflict.

Here we refer to efforts of Academics such as Ron Pundak and Yair Hirschfeld, as well as Terje Roed Larson of Norway, and other who tried through their projects to pave the way for more formal discussions between the Israeli government and Palestinian side.¹

Two meet held on the civil war in Lebanon between various religious and political leaders. The first produced agreement on an integrated and independent Lebanon, while the second produced the 1988 National Covenant Document that integrated into the 1989 Taif Accord.²

3. The workshops or problem solving process:

It is a one of methods tries to highlight the complexity of issues between different actors, identify implicit assumptions, and face the challenges, which faced the traditional methods before. Interactive conflict resolution (ICR) assumes that conflicts systems, like social system comprise interacting individuals. ICR can invite influential individuals in order to affect the peace process. It focuses on instrumental, resource– based concerns and psycho– social identify– based elements (like Water and Jerusalem in Palestinian and Israeli conflict). In addition, workshops focus on the education to change individual's perception; attitudes and ideas through provide participants with a new knowledge and abilities. Kleman's approach helped to create the psychological and political conditions before Oslo and examine the barriers. In the Para–negotiation, the workshop works a parallel track to official negotiation where unofficial representatives can examine the obstacles in the negotiating process. After Oslo, the workshop focuses on the interactions among antagonists (escalation or de–escalation) within different levels and sectors".³ **There is an advantage** the involvement of official participant who come in an unofficial capacity, they do not speak for higher national interests of their governments or leaders. However,

¹ . William Zartman and Rasmussen, J. Lewis, Peacemaking in International Conflict; Methods and Techniques, etc., P. 173.

² . Ibid. P.174.

³ . Ibid. P. 228– 229.

what is notably that negotiator are not committed to any option that discussed. On other hand, most of initiatives are not public reported because the sensitivity of the situation and concern about risks to the participants.

Third, Methods or Techniques of Conflicts Resolution (track 3):

1. Many applications of track 3 deal with simply representatives (**grassroots**) with interested groups or individuals citizens of the countries involved, member of their Diaspora communities in other countries, or other associated with their case. It is not surprising that number of interventions have brought together Jews and Arab living in Israel (1993). Whites and Asians in Australia (1988), and mostly Cambodian experts and influentials (by Uppsala University 1991).¹ Some of scholars described track three diplomacy as a "form of civil society that transcends borders and nationalities, track three networks and activities involve NGO networks that are movement based, and concerned primarily with raising public consciousness over issues".² Since the mid-1990s, several of USA and EU based NGOs have adopted track 3 for engaging in intrastate conflicts such as Ethiopia (1993), and Lebanon between Christian and Druze communities in 1999.³ Deliberate dialogue can encourage moderates from majority and minority communities to take part in constructive activities that promote the interests of both parties (Slovakia and Romania during 1990s).
2. Spiritually, **the religion** can offer a vital method for peace process, where contributes to conflict transformation in the context and find a pressure technique to cool off and settle the conflict or impose it such as Gandhi principles. Religious or any denominational structures can used as a common tactics in social power struggles include the exaggerated use of rewards and punishments, deception and evasion, social escalation to transcend and transform or handle complex conflicts. Nonviolent resistance initiatives

¹ . Ibid. P. 243- 245.

² . Herman Joseph S. Kraft, Track three diplomacy and human rights in Southeast Asia: the Asia Pacific Coalition for East Timor, (December, 2002), (abstract),

<http://www.interscience.wiley.com/journal/118928907/abstract>

³ . William Zartman and Rasmussen, J. Lewis, etc. P. 245

from top — level to grassroots is often a one of these approaches can be involved in the level of **track 3** and prioritized on the violent action by an external or traditional actor. NGOs like (United State for peace) used the religion as the medium and the motivation for peace building practice with prayer, meditation and religious discourse rituals increasingly finding place at the dialogue table to transcend the conflict. Moreover, the churches and the nonviolent revolution 1989–1990 played a role in the overthrow of the communist system in East Germany.¹ In South Africa, organizational structure (churches, mosque, synagogue, and temple) played a role to oppose apartheid policy by nonviolent resistance. In addition, the intermediary work of Society of Friends between India and Pakistan (1977), Nigeria during the Biafra.²

3. **Education and training** tries to incorporate an elements social victim in order to play a role during each stage of conflict, to foster an understanding of and build the skills of advocacy, conflict resolution, democracy, or diversity; and promote healing and conciliation (Serbia 1995). Furthermore, the universities can be involved in conflict management, e.g. Gothenburg's project (track 3) in Israeli and Palestinian conflict. In 1992, the Nonviolent Education and Training Project established in Netherland as grassroots movement to train people in peace and social change movements and to develop cross culture and interfaith training resources.

What can regarded as a new in Track 3 diplomacy are?

- Pluralism of actors, roles, and methodologies that contributes to create strategic thinking about the peace and provides the long–term consequences of alternatives moves.
- It is an equation tries to change the contradictory values, attitudes and then behavior of the parties, (social movement resistance — dialogue = change) toward the sustainable peace.

Pitfalls:

¹ . Ibid. P.274.

² . Ibid. P. 292.

- As peace education, peace programs have become increasingly popular. Peace itself defined in the same way for everyone. Furthermore, the opportunity to change the way of teacher teach in poor countries can be impossible. ¹
- It is a sophisticated manner and its applications require skilled professionals with assured and a secure and flexible institutional base.
- The low funding level is a dilemma of this track, when funder wants detailed action plans from intervener and public commitments from the parties, both of these are incompatible with the unofficial.
- It is need for strong institutional bases to support this diplomacy.
- A tool takes a long — term, complex view of the evaluation question.

We also conclude this discussion by referring the complementary perspective on conflict resolution might explore some other volumes of solution can be mutually satisfactory to both parties (within deferent actor and different tracks) like power sharing or divided power and partition into independent states. This approaches deal with incompatibilities that exist, and need to involve a distribution of power or resources that can create more equitable circumstances than before or ", in creating a larger pool of resources or forms of influence than before".² If we can say conflict is an inevitable part of human interactions, we should reply about that by finding new approaches to conflict resolution offer a more constructive and collaborative way of resolving conflicts overriding the Traditional its shapes.

¹ Ibid. P345.

². Ron Fisher, "Sources of Conflict and Methods of Conflict Resolution"