

Culture in the Mediation of International Disputes

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Unlike most treatments of culture in international diplomacy, this article suggests that culture can play a positive role in the mediation of international disputes. Cultural ties between the mediator and one or both of the disputants can facilitate mediation by, among other things, enhancing the mediator's acceptability to the parties, and enhancing the belief that the mediator can deliver concessions and agreements. Moreover, a mediator who is closer to one side than the other can be effective in mediation, especially when the mediator acts in an even-handed manner. Data from laboratory research on mediation, as well as anecdotal evidence, support this view.

Contrairement à la plupart des analyses de l'influence de la culture en diplomatie internationale, cet article suggère que la culture peut jouer un rôle positif dans la médiation de conflits internationaux. Les liens culturels entre le médiateur et l'un des opposants ou les deux peuvent faciliter la médiation, entre autres, en rendant le médiateur plus acceptable aux deux parties et en favorisant l'idée que le médiateur peut obtenir des concessions et des accords. De plus, un médiateur qui est plus près de l'une des parties que de l'autre peut mener une médiation efficace, particulièrement quand il agit de manière équitable. Les données de laboratoire sur la médiation, de même que les données anecdotiques, appuient ce point de vue.

Most treatments of culture in international diplomacy regard it either as a nonfactor, completely unimportant to the process, or as a negative factor, one that causes conflict or that impedes conflict resolution (Zartman, 1993). This paper considers the alternate proposition, that culture can be a positive factor. Evidence for this proposition can be found, it will be argued here, in the mediation of international disputes. Culture can operate in the context of asymmetric relations between mediator and disputing parties, and this asymmetry can facilitate the mediator's access and influence, and the prospects for agreement (Carnevale, 1986, in press; cf. Cohen, 1993).

CULTURE AS A NEGATIVE FACTOR

The literature on international conflict paints a rather negative view of culture, and there appears to be broad agreement on this point. Consider as an example the start of the Gulf War: Triandis in his 1994 book refers to this event as a major culture mistake. In January 1991, James Baker, then the United States Secretary of State, met with Tariq Aziz, the foreign minister of Iraq. They met in an effort to reach an agreement that would prevent a war. Also present in the room was the half-brother of Saddam Hussein, whose role included frequent calls to Hussein with updates on the talks. Baker stated, in his standard calm manner, that the US would attack if Iraq did not move out of Kuwait. Hussein's half-brother

heard these words and reported that "the Americans will not attack. They are weak. They are calm. They are not angry. They are only talking." Six days later Iraq saw Desert Storm and the loss of about 175,000 of their citizens. Triandis argued that Iraqis attend to *how* something is said more than *what* is said. He further suggests that if Baker had pounded the table, yelled, and shown outward signs of anger, the outcome may have been entirely different.

Consider another example, about 10 years earlier, in the Reagan administration. It was April 1, 1982, and President Reagan was on the telephone with President Leopoldo Galtieri of Argentina. Reagan wanted Argentina to stop their preparations to invade the Falkland Islands. But the next day Argentina invaded, and there was war with the British. On June 14 that year, after about 1000 Argentine deaths and 250 British deaths, the Argentine garrison surrendered to the British (Freedman, 1982). It turns out that the Argentines believed that the US would stay out of it. But within a few weeks, after a failed mediation effort, the US joined the British against Argentina.

These examples illustrate the difficulty of diplomacy in a multi-cultural world. Did Ronald Reagan make a major cross-cultural mistake? If James Baker had pounded the table, or if Ronald Reagan had raised his voice, would war not have occurred? Would Iraq have retreated peacefully from Kuwait? Regardless, the point is that cultural misunderstandings can cause conflict.

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THE MECHANISMS OF CULTURE

To understand the impact of culture on international diplomacy, one needs to examine the psychological mechanisms by which culture can affect conflict. Culture is the “human-made part of the environment” (Herskovits, 1955) that has a subjective aspect, that is, the shared perceptions of the social environment. The subjective aspect of culture results in automatic processing of information, because it specifies the things that are noticed, and provides a language for labelling experience (Markus & Kitayama, 1991; Triandis, 1994, 1995). In addition, culture specifies what behaviours are desirable or proscribed for members of the culture (norms), for individuals in the social structure (roles), as well as the important goals and principles in one’s life (values). Culture also specifies how things are to be evaluated (Carnevale, 1995). This implies that people of different cultures will have greater difficulty in interaction, in understanding, and in valuation.

Perhaps the most important and best-studied dimension of cultural difference is that of individualism and collectivism (Hofstede, 1980; Kagitcibasi & Berry, 1989; Schwartz, 1990; Triandis, 1995). Individualism is a cultural syndrome that emphasizes the idea of individuals as autonomous. Collectivism, on the other hand, is distinguished by the notion that individuals are highly interdependent parts of groups (Triandis, 1995). Corresponding to the individualism and collectivism concepts at the cultural level are processes at the psychological level. For example, individuals associated with collectivist cultures tend to define the group as the basic unit of social perception; the self is defined in terms of in-group relationships; in-group goals have primacy or overlap with personal goals; in-group harmony is a value; and social behaviour tends to be very different when the other person belongs to an in-group versus an out-group. Individuals associated with individualist cultures tend to define the individual as the basic unit of social perception; the self is an independent entity; personal goals have primacy over in-group goals; in-group confrontation is acceptable; and social behaviour is not so different when the other person belongs to an in-group versus an out-group.

In negotiation behaviour, there is evidence of cultural variation. Kelley et al. (1970) found that regions of the world, and regions of the US, differ in terms of the degree to which people will define a negotiation task as cooperative or competitive. Leung and Bond (1984) found that Chinese allocators were inclined to renounce their personal gain to assist in-group members when they distributed a group reward. Americans failed to form such an in-group-out-group distinction. Leung (1988) also discovered that Chinese were less contentious during conflicts with in-group members and more contentious in disputes with out-group members, compared with Americans. Probst, Carnevale, and Triandis (1999) reported a similar effect in a social dilemma study.

CULTURE AS A POSITIVE FACTOR

Cultural ties—even if it is just to one party to the conflict—can provide the basis for access, acceptability, and influence in mediation. In *mediation*, the negotiation continues but is helped along by the third party. Mediation can be distinguished from *arbitration*, where the third party makes a binding decision about the issues. Mediation preserves the voluntary, joint-decision features of negotiation—the disputants retain the right to accept or reject any suggestion made by the mediator. In other words, mediation is a special case of negotiation. It is by no means a new phenomenon, and there is evidence that it occurs in all human societies. One of the earliest recorded mediations occurred more than 4000 years ago in Mesopotamia. There are records indicating that a Sumerian ruler helped to avert a war between neighbouring groups and to develop an agreement in a dispute over land (Kramer, 1963).

The context in which mediation occurs is important in understanding what leads people to mediate or to accept mediation. Most people in North America are familiar with *contractual* contexts of mediation, where mediation occurs within a set of rules and guidelines that have been previously established. It is usually done by a professional who has received formal training, and is available for more than one case. Examples of contractual mediation include community mediation in the US, and labour mediation. In other contexts, especially political and organizational contexts, mediation is *emergent*. In emergent mediation, there is no formally defined mediation role. The mediator typically has an ongoing relationship with the disputants, and is an interested party who emerges from the system of relationships in which the dispute has occurred.

International diplomacy is best seen as emergent mediation. In international diplomacy, mediation is a policy instrument, a preferred alternative in a choice situation. In this framework, it is better to accept a particular mediator—even if they appear biased—than reject that mediator, particularly given what Touval and Zartman (1989) call a “hurting stalemate,” which means that continued conflict is costly to the parties. And, from the perspective of the mediator, it is better to mediate than not mediate given that vital interests need to be protected or extended.

Of course, we have international organizations like the United Nations, whose charters proclaim that one of their main purposes is to help resolve international conflicts. International organizations are often presumed to be well qualified to carry out international mediation. Like the individual members of the international system who also mediate, international organizations have both strengths and weaknesses in mediation (see Bercovitch & Rubin, 1992).

Regardless of the context, the mediator is very much concerned about being acceptable to the parties. What this means is that mediation is very much a matter of interpersonal influence. The mediator wants to affect the

disputing parties; their attitudes, perceptions, and behaviours about the conflict and about the mediation. And the disputing parties want to affect the mediator, not only who mediates and when, but the manner in which the mediation will produce acceptable, if not favourable, outcomes.

The central psychological questions about mediation, then, are about influence: What attributes of the mediator will foster success, for example, acceptance of the mediator, or cease-fire, or settlement? What mediator behaviours applied at what time and in what conditions will have the desired impact? What functions do mediation serve?

Questions about influence point to the prevalent approach to the study of mediation, and that is the analysis of contingencies. In the contingency approach, mediation is an adaptation to shifting circumstances. And influence in mediation, such as the impact of mediator strategies and tactics, is contingent on a variety of factors—including contextual and process variables like characteristics of the dispute and attributes of the mediator.

The contingency approach is well represented in the psychological literature on mediation, for example, in studies by Dan Druckman, Dean Pruitt, Jeff Rubin, Jim Wall, and Peter Carnevale (see Carnevale & Pruitt, 1992, for a review). This is also seen in the work on mediation by political scientists such as Jacob Bercovitch, Saadia Touval, and Bill Zartman. In the past 15 years we have seen a huge increase in research on mediation, and we now know quite a lot about the variety of strategies and tactics that mediators can use, and their impact on disputes.

PSYCHOLOGICAL PROCESSES IN INTERNATIONAL MEDIATION

Psychologists have identified many variables that have implications for international mediation. These include the use of the caucus, face-saving, and the role of incentives. Probably the most common tactic of mediation is the *caucus*, which entails separating the parties and meeting privately with each side. The caucus occurs in just about every context of mediation, in the US in community mediation, labour-management mediation, and we see it often in international mediation. Separating the parties inhibits hostile outbursts, and can facilitate problem-solving discussions. A case in point is the dispute between Italy and Yugoslavia over territory at the northern tip of the Adriatic Sea in 1954. One concern of Yugoslavia was giving up the port city of Trieste. Llewellyn Thompson, the US ambassador to Austria, co-mediated these negotiations with the British. He reported afterwards that one key to success was that he avoided joint meetings between the parties, which only encouraged polemical speeches (Campbell, 1976).

Another example of the impact of the caucus comes from the Camp David talks. The first two face-to-face

meetings between Begin and Sadat apparently produced loud disagreements and tension. This led President Carter and his aides to meet separately with each side for the next 10 days, and the parties were brought back together after agreement on the framework (Touval, 1982). Psychological research supports the contingency notion that the caucus is most effective when the level of hostility between the parties is extremely high. It might also be added that there is a negotiation literature suggesting that the elimination of nonverbal interaction between negotiators who are in a hostile conflict increases the likelihood that they will reach agreement.

Another example of the impact of mediation is *face-saving*. As a matter of fact, the very first laboratory studies on mediation, done in the late 1960s (e.g. Pruitt & Johnson, 1970), demonstrated that mediators can help the parties save face by making suggestions for concessions and taking responsibility for the concessions. By the mediator doing this, negotiators are able to make a concession yet at the same time preserve their own sense of personal strength. This effect is especially likely under high time pressure and when negotiations are hostile. For example, Brian Urquhart (1972) described Secretary General Dag Hammarskjöld's request to Chinese leader Chou En-lai in 1954 to release the US pilots shot down over Korea and held in Chinese prisons. That request was much easier to comply with than if the same request had come from then US President Eisenhower. The request was granted—that is, the concession was made, not to the US, but to the Secretary General.

A third example of a variable that psychologists have discovered to be important in mediation is the role of *incentives*. Psychological research shows that mediators have interests and incentives that motivate their involvement and approach to conflict. This involvement is often driven by cost-benefit calculations. Benefits to the mediator may be humanitarian or material, and include intangible rewards such as prestige, gratitude of the disputants as well as others from the broader community, a sense of personal satisfaction, reputation benefits that may facilitate a political career, and political and economic influence gained or protected. Costs include expenditure in time, energy, loss of tangible resources, sense of frustration (especially in the event of failure), expenditure of political capital, and so on.

Mediators will often work hard to help the parties find integrative agreements or, if an integrative agreement does not seem possible, will offer disputants compensation in exchange for concessions or agreement.

Sometimes the mediator's incentives lead them to go to considerable expense in finding a solution. In mediating in the Middle East, Henry Kissinger, for example, was able to get Israel to withdraw from the Alma oil fields in Sinai when the US promised to extend its commitment to Israel to supply oil if Israel was unable to get what it needed (Touval, 1982). A great example of mediator compensation occurred in the 1954 Trieste dispute between Italy and Yugoslavia. As mentioned earlier, one concern of Yugoslavia was giving up the port city of Trieste; in its

mediation effort, the US promised economic aid to Yugoslavia to develop a new port city, further down the coast, and just like Trieste. This proposal was the basis for the agreement (Campbell, 1976).

United Nations mediators have been known to work hard to come up with integrative agreements—in part because they have no compensation to offer. One person who was great at this was Ralph Bunch, the United Nations Acting Mediator in the Middle East, who took over the UN mediation effort after Count Folke Bernadotte was assassinated in Jerusalem in 1948. Bunch was a genius in coming up with creative proposals, and these led to the Armistice Agreements of 1949. These were integrative proposals. In fact, Bunch was so good at this that he is today known as one of the best mediators the UN has ever seen, and this is reflected in the Nobel Peace prize he won in 1950. In one instance, in the Syria–Israel negotiations, Israel demanded that Syrian troops be withdrawn to a previous border, but Syria wanted to hold the territory it had gained. Ralph Bunch suggested an acceptable arrangement where Syrian troops were withdrawn and areas along the border were demilitarized (Touval, 1982). Each side got something that they wanted.

THE IMPORTANCE OF CULTURE IN INTERNATIONAL MEDIATION

Mediator interests and incentives stem from the issues at hand or from the broader political, economic, or cultural context and relationships with either side. The cultural context can provide the basis for help in resolving conflicts. In international relations, cultural ties can provide the qualifications for a third party to enter the conflict. It can provide the basis for influence in mediation. Cultural ties can add to the mediator's capacity and desire to influence. In other words, a mediator may have access to one or both sides, due to culture, and therefore the potential to deliver concessions and agreements.

This also suggests that a biased mediator—one who has something at stake and is closer to one side than the other, politically, economically, and culturally—can be effective and in fact can even be desirable. Examples include the Algerian mediators in the Iran hostage crisis. The Algerian mediators, compared to other groups who offered to mediate, according to one analyst, had “The required revolutionary credentials and the necessary international connections needed for the job” (Slim, 1992, p. 228; see Sick, 1985). In addition, during the mediation, there is good evidence that the Algerian mediators were instrumental in helping interpret messages from Iran, and played a critical role in explaining US offers to Iran. Some have stated that it was unfortunate that the Reagan administration never gave them the credit that they deserved.

Not unrelated to this is the concept of the “Insider-Partial” developed by Wehr and Lederach (1991) in their analysis of mediation in Central America. This is a type of mediator who emerges from within the conflict, whose

involvement stems from a positive, trust-based connection to the parties and the future relationship between disputant and mediator. In addition, Lieb (1985, p. 82) notes that Iran and Iraq agreed on mediation by the Algerians, by Boumedienne, a Muslim leader, a member of the Muslim community, in part because he was, “A member of the same family.”

Could the Pope have served as a mediator in the conflict between Iraq and Iran? Probably not. But the Pope was acceptable as a mediator in the Beagle Channel Dispute between Argentina and Chile from 1979–1985. The Pope was able to explain mediation to the disputing parties as follows: “Relying on this trust, the mediator, after having asked God for enlightenment, presents suggestions to the Parties with the purpose of carrying out his work of rapprochement . . .” (cited in Princen, 1987, p. 350).

The point is this: cultural ties can facilitate mediation. And this can happen even if the mediator has stronger cultural ties to one side than the other. This is not what we think mediators should have. More often than not, we think of the mediator as, in the words of Roger Fisher, a “Eunuch from Mars,” in other words, distant and disinterested, indifferent to the conflict and the issues at hand.

Why might biased mediation work? The party that is favoured may want to preserve its relationship with the mediator. The disfavoured party may seek to earn the mediator's goodwill. This is heightened to the extent that the mediator has benefits to provide, such as resources to reward concessions and cooperation.

An important thing to keep in mind is that it is what mediators do in mediation that is most important. Mediators can act in an evenhanded manner, despite their initial closer ties to one side. Mediator acceptability is not a single-act decision at the start of negotiation, it is earned and recognized throughout negotiation (Touval, 1975, 1985). In the book by Kalb and Kalb (1974), Kissinger is described as continuously concerned about his credentials as an “evenhanded” mediator. In the 1966 mediation of the India/Pakistan conflict over Kashmir at Tashkent, Aleksei Kosygin, premier of the Soviet Union, stressed his evenhandedness despite stronger ties to India. Signs of this included his efforts to maintain balanced press coverage of both sides, balanced references to each side in Soviet speeches, and even ritualistic alternation of whose name was mentioned first.

In other words, mediators are able to alter their behaviour to temper their biases and attempt to preserve their acceptability to disputants. This suggests that evenhanded mediator behaviour may eclipse the initial apparent expected bias of the mediator. This suggests that there may be two basic forms of bias in mediation: (1) *bias of content*, which pertains to mediator behaviour, for example one side being favoured over the other in a mediator's settlement proposal; and (2) *bias of source characteristic*, which pertains to expectations that stem from the mediator's closer personal, political, or economic ties with one party.

Carnevale and Arad (1996) had university students play the role of negotiators in a laboratory negotiation task. The students dealt with a mediator (actually a computer programme) who made outcome recommendations. There were two independent variables: *Mediator source bias or alignment* and *Mediator content bias—the recommendations*. The consistent finding is that mediators who made evenhanded suggestions were seen as most fair, and behaviour in mediation was more important than the initial alignment or source characteristics of the mediator. There are two effects of particular interest: (a) mediators who made proposals that were unfavourable were seen as more fair when the initial expectation was that the mediator would be on one's own side, which was labelled a "cushioning" effect; and (b) mediators gained in acceptability when the initial expectation was that the mediator would be aligned with the other, but then made proposals that were clearly evenhanded, labelled a "fairness pays" effect.

In other words, a mediator who you think will be against you—but who acts in an evenhanded manner in the negotiation—is seen as an acceptable mediator. It is not so much what you bring to the mediation table, but rather what you do when you are there.

EVIDENCE FROM A CURRENT INTERNATIONAL MEDIATION

A recent international mediation where this may be operating is the 1998 Geneva talks involving the US, China, and North and South Korea. These talks are called the 4-Party talks, and represent a hope for a solution to the problems in Korea. In the 4-Party talks, it is possible, and useful, to view the US and China as co-mediators.

This may seem strange for two reasons: first, by any measure, the US and China have tremendous vested interests in the region. And second—and this is the remarkable thing—the US and China fought directly in the Korean War, and today we see them acting as co-mediators.

We know that former enemies can work together and reach agreement; here we see former enemies working together as mediators to help others reach agreement. This, we believe, is due largely to the incentives that are now in place. The key factors that have made this co-mediation possible are:

1. The US is now acceptable as a mediator in the relationship between the North and the South. Prior to this year, the South has objected to North Korea and the US getting closer.
2. North Korea appears to be willing to talk to the South.
3. The South is willing to talk to China. It is interesting to note that Chinese trade with the South has grown from \$18 million in 1979 to an estimated \$30 billion in 1997.
4. And the US and China want the same thing—peace and stability. No doubt the Chinese would prefer to see the Korean peninsula governed by a Leninist

structure like the one in China; but this might just be offset by their desire to have economic stability in the region.

And once again, we see that the model of mediation that has the mediator as a neutral, impartial, powerless, third party simply does not apply in international relations. Mediators who have interests, who even are biased, are often involved in international conflicts, and are often effective. The new thing about Korea is that we have two such biased mediators, the US and China, acting as *co-mediators* in the talks between North and South Korea. How are the US and China getting along as co-mediators? Quite well, it seems, as the recent statement of Stanley Roth, Assistant Secretary for East Asian and Pacific Affairs appears to substantiate (see Appendix).

What may be operating here, in this co-mediation? The co-mediation in the 4-Party talks, by the US and China, may be effective because each mediator has the opportunity to benefit from a cushioning effect as well as a fairness pays effect in the mediation. Of course, there are a lot of other things going on here, but these are two psychological principles that have implications for this current and important mediation.

CONCLUSIONS

This article began with the observation that most treatments of culture in international diplomacy regard it either as a nonfactor, or as a negative factor, and has presented the case for the positive role that culture can play in the mediation of international disputes. This case was based largely on the mediation of international disputes, and the proposition that biased mediation can succeed. It should be noted that there are examples of this even in domestic contexts. Ken Kressel has written about labour-management conflicts in the United States. A management negotiator accepted mediation by a pro-labour mediator when that mediator was seen as having greater capacity to influence the intransigent union negotiator (Kressel, 1972). The mediator with a labour-culture—with an ability to speak "labour's language"—was ultimately the more effective mediator. All of this challenges the view that mediator bias and interests are totally incompatible with success, and also suggests it can enhance influence and success. A biased mediator may not only be the only one available to mediate the conflict, but may be the one with the greatest influence over the party that most needs to change.

In international diplomacy, and in mediation, there are large questions that are terribly difficult to answer. These include certain policy and even moral questions. For example, the focus on incentives, as we have done here, leads us to wonder about those cases of conflict where no third party finds it worth their while to assume a third party role (Young, 1972, p. 55). This is one of the most troubling areas for international diplomacy, especially in a world in which ethnic conflicts in remote places are the rule.

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APPENDIX

On-the-record briefing on the President's Trip to China, Washington, DC, June 19, 1998, from Stanley Roth, Assistant Secretary for East Asian and Pacific Affairs, US Department of State

“. . . It's based on the premise that many global and regional problems are not going to be solved unless the United States and China can cooperate and, therefore, we have to talk about them . . . regarding North Korea . . . I choose this issue because as the lead negotiator for the United States in the Four-Party Peace Talks in Geneva, it's rather near and dear to my heart. The interesting thing, I would say, is that I believe that as a result of the conversations that President Clinton and other senior American officials have had with the Government of China on North Korea, that we are extremely close in our policy positions. . . . Indeed, I would suggest that I could practically have written the talking points for the Chinese delegation during the last round of the Four-Party Talks in Geneva; that their position was very similar to our own, meaning that they recognize and said repeatedly to the North Koreans that if there is going to be peace or tension reduction on the Peninsula, that it had to come about as the result of direct discussions between the two parties on the Peninsula itself. This is exactly the American position They also do not want to see a nuclear Korean Peninsula—the position is the same as ours—and they certainly don't want to see a conventional conflict which would have as great an implication for them, bordering North Korea, as it would have for us with our 37,000 troops there. So here's an area where I believe that we have been able to identify through discussions what our common interests are and start to coordinate policy. And we worked very closely—I did, personally—with the Chinese head of delegation in Geneva”