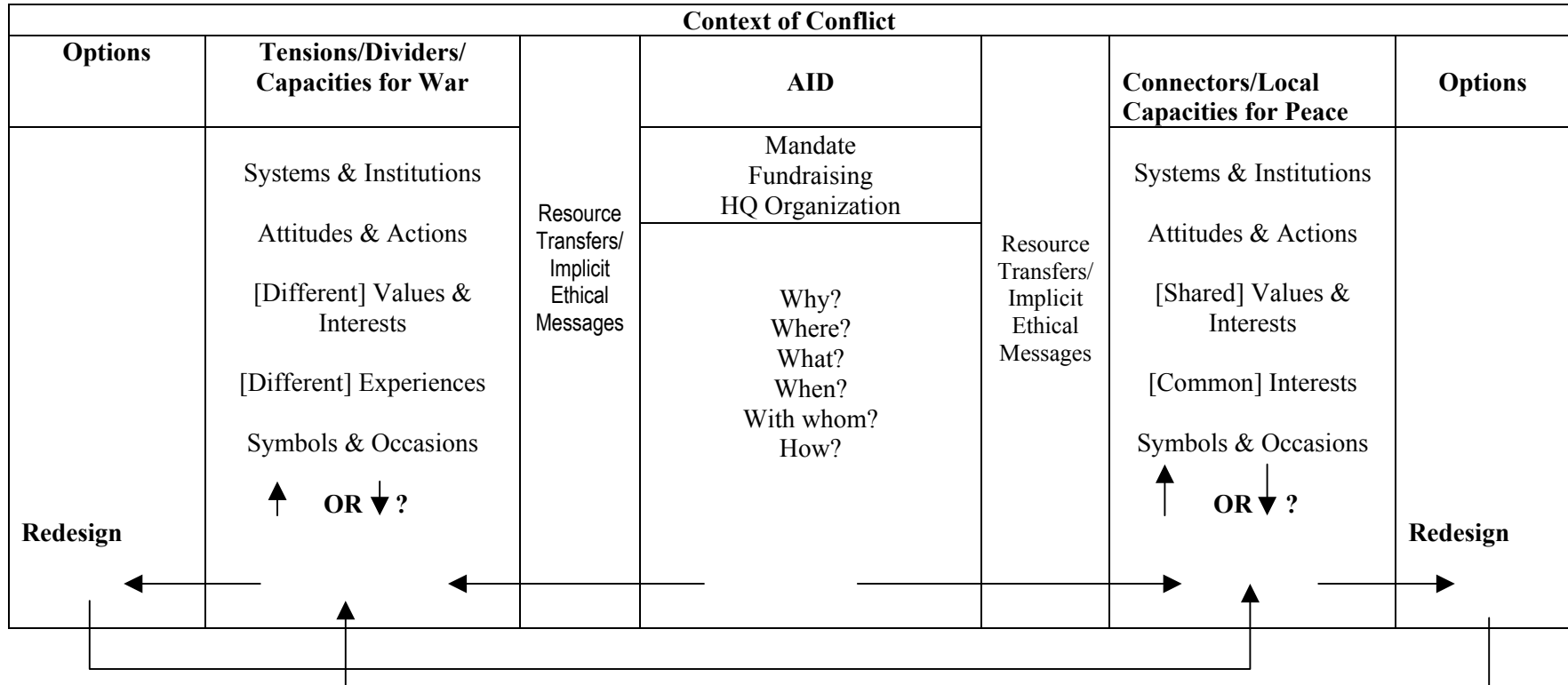


FRAMEWORK FOR CONSIDERING THE IMPACT OF AID ON CONFLICT



Local Capacities for Peace Project

A GUIDE TO CONFLICT ASSESSMENT

On going assessment of the actors, issues, and other dynamics is essential to developing objective strategy and making wise choices in conflict situations. Broad participation in an analysis and assessment process by all the parties will help build a shared perspective on the problem and the steps necessary to move forward. Indeed, joint analysis is often a key step in bringing parties to the table.

The following guide offers a series of questions to help identify useful information. The commentary is specifically focused on data from the analysis that will impact the building of a forum and the getting-to-the-table stage of disputes. Assessment also is useful for developing and identifying parties' interests in preparation for negotiations.

I. THE PARTIES

A. Who are the parties?

- Who is responsible for making the decision?
- Who may be affected by potential solutions?
- Who may be able to block or ensure a particular decision?
- *Understanding the broad set of stakeholders is the first step in identifying the persons or organizations to be involved – and how much narrowing can be accomplished.*

B. How is each party organized?

- Are the parties primarily organizational entities?
- What is their structure – hierarchical? Collective?
- Does each organization have identified leadership?
- What is the relationship between the leadership and others?

If each party is well organized and will vest responsibility in its leadership, ascertaining representatives will be easier.

C. What is the power base of each of the parties?

Of the parties who do not have formal authority for the decision, but seek to influence the decision:

- Does any party have the capacity to block decisions they do not approve?
- Does any party have an incentive to escalate the conflict?
- What is the capacity of each party to sustain its involvement over time?
- Does any party need another party in order to accomplish its goals? Does interdependence exist between these parties and the decision makers?
- Does any party have past experience with joint decision-making processes?
- Would any party need specific assistance to effectively participate in a joint decision-making process?

If some parties have the capacity to block decisions, they will certainly need to be involved in the process. If parties have the capacity to sustain activities, they may be able to effectively participate in a joint decision-making process and stalling by decision makers will not be effective. If the parties need each other to accomplish their objectives, joint decision-making may be appropriate.

Of the parties who do have formal authority for the decision:

- Can the parties make and implement any decision they please?

- Can the parties protect their essential interests in the decision no matter how the decision is made? How?
- Are the parties constrained by previous decisions or decisions made by others (e.g., legislative bodies, precedent?)
- Can the parties sustain their involvement over time in any kind of process (e.g., legal, negotiated?)
- Do the parties need other parties to accomplish their goals?
- Do the parties have any experience with joint decision-making processes?

If the parties can make and implement any decision they please, reasons for entering joint decision-making will be for other than their substantive interests. If they cannot, they may seek a process where they can protect their essential interests and sustain their involvement over time.

D. How has power been used in the situation?

- Have any of the parties used their power such that other parties have felt it has been to prevent them from reaching their goals?
- Have any of the parties used their power to help other parties?

If one of the parties has systematically used its power in a direct attempt to injure other parties, those parties will be distrustful and be very wary of joint decision-making processes.

E. What do each of the parties want?

- What are the stated positions of each party?
- What are the stated goals of each party?
- What are the underlying interests of each party?
- What are the dominant values that appear to guide the actions of each party? Are they mutually exclusive?
- Do any of the positions, goals, interests, values, or issues of any party challenge the identity of other parties?
- Does this situation represent high stakes for any party?
- Are there common interests which might provide the basis for an agreement?

Knowing what motivates each of the parties and whether there are overlapping interests can help predict whether the parties will see any value in coming to the table. Parties involved in identity or high stakes conflicts will need a table where each party believes its essential interests are protected.

F. Past Relationships

- Do any of the parties have a history of relationships with other parties?
- Has that history been productive or conflictual?
- Were the relationships characterized by trust and respect?
- Have any of the parties avoided other parties because they believed working relationships would be difficult?

Past relationships that worked well can be the basis for developing joint decision-making efforts. Difficult relationships, especially those characterized by distrust, may need to be addressed directly for joint decision-making to be productive.

G. Current Status of Relationships

- Has the nature of the relationships between the parties changed over time?
- Are there existing working relationships?
- How are the parties communicating with each other?
- If they are not communicating directly, are there any trusted intermediaries?

If the current relationships are healthy, joint decision-making will help maintain strong relationships. If current relationships are contentious or characterized by lack of trust, a strong

past relationship, a desire for a future relationship, or high levels of interdependence can mitigate current difficulties.

H. Desire for Future Relationships

- Do any of the parties desire a future working relationship with other parties?
- Will the parties need to work together on implementing an agreement?
- Are the parties forced to interact regularly because of the nature of their work or networks?

A desire for a future working relationship can be a strong impetus for using joint decision-making processes.

I. Who are the primary stakeholders?

- Who are the primary stakeholders? Why?
- Who are the secondary stakeholders?

Primary stakeholders will probably need to be directly involved in joint decision-making. Secondary stakeholders may need to be kept informed or participate only at key points in the process.

II. THE ISSUES

A. What are the issues?

- How does each party describe its own central issues?
- Do the issues differ for those who have authority for the decision and those who seek to influence the decision?
- Can all the issues be addressed in a joint decision-making process?
- Is resolution of the issues likely to be precedential?
- Are there secondary issues that may have an impact on the process or the outcome?
- Is there a framing of the issues that will address the concerns of all the parties?

Once the issues are clear, some determination can be made about how they can be approached. Some issues may be addressed only through one approach. Others may be addressed through a range of approaches. Putting some issues on the table or taking others off may be a pre-requisite for some parties agreeing to come to the table.

B. Are the issues framed as integrative, distributive, or redistributive?

- Are the issues either-or?
- Can distribution or redistributive issues be reframed as integrative?
- Can the resources be increased?

If all the potential options have been generated and none seems to meet the needs of the parties, joint decision-making may be difficult. If new options can be created that better meet the needs of the parties, joint decision-making processes may be appropriate. If new options require extensive or expensive study, pre-negotiation protocols should address the group's ability to generate new options.

C. What are the data and information needs?

- Do each of the parties believe sufficient data is available?
- Are the data and their analysis considered trustworthy by the parties?
- Will each party feel comfortable working with a common body of data?

Developing a common understanding of the problem may require further data collection or additional analysis. Each party must feel comfortable with the data.

III. BACKGROUND AND CONTEXT

A. What is the history of the situation?

- Have there been several stages (e.g., latent, emerging, litigation?)
- Have external events influenced the situation? How? Will they affect a decision-making process or the outcomes?

The history of the situation may be a guide to future action for disputants and the third party.

B. Are there any parameters set externally that must be followed?

- Are there any statutes or regulations that govern action in this situation? Is there any flexibility?
- Have there been any similar situations whose outcome will influence what happens here?

The external context may limit what is possible or what the parties believe is possible.

C. Is there a formal process typically used for resolving these issues?

- Can all the stakeholders use the formal process?
- Is the formal process adjudicative, administrative, consensual or legislative in nature?

The formal process often helps define the informal process. Joint decision-making processes may only be able to produce advisory outcomes if formal legislative or judicial action is needed. If all of the primary stakeholders cannot participate in the formal process, they may seek to sabotage the formal process or engage in alternatives.

IV. OTHER STRATEGIC QUESTIONS

A. Are there any likely existing forums for resolving the issues?

- Are there any forums which have been used to resolve similar situations in the past? Have they been perceived as productive?
- Do some of the issues require a certain kind of forum (i.e., constitutional issues may require court involvement)?

The existence of several forums may allow some parties to go forum-shopping. Sometimes the choice of forum is limited by the issues.

B. How does each party see its alternatives?

- How does each party see its best alternative to a negotiated agreement? Its worst alternative? Its most likely alternative?
- Do any of the forums lack credibility from the perspective of any party?

If the parties have superior strategic alternatives to a joint process, they may pursue those alternatives. Some forums may be particularly difficult to “sell” to some of the parties.

Development of this assessment guide has been assisted by others who have attempted other tasks. It combines many lists of questions and is a long listing of relevant questions.

In less than cosmic situations, however, a shorter list may be simpler to remember and ask:

- What’s up? (What’s going on? What are the issues?)
- So what? (What are the costs or consequences of unresolved conflict?)
- Who cares? (Who would need to be involved to resolve these issues?)
- What next? (What steps should be taken or likely will be taken?)

If you can gather this minimal information, you’ll be able to begin developing and planning good workable processes. The more information you gather, the better you will do.

For additional materials on assessment and analysis, see:

Carpenter, Susan and W.J.D. Kennedy, Managing Public Disputes, San Francisco: Jossey Bass, 1988, pp. 71-91.

Lincoln, William F. *et al.*, The Course in Collaborative Negotiations, Tacoma, WA: National Center Associates, 1986, pp. 64-75.

Marcus, Philip A., "A Procedure for Assessing Environmental Disputes" in Philip A. Marcus and Wendy M. Emrich, eds., Environmental Conflict Management: Working Paper Series, Council on Environmental Quality, 1981.

Potapchuk, William and Chris Carlson, "Using Conflict Analysis to Determine Intervention Techniques." Mediation Quarterly, No. 16, Summer 1987, pp. 31-43.