

Systemic Conflict Transformation¹

“Peace is not everything, but without peace everything is nothing.”
Willy Brandt

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Problem

What is a conflict system? Who belongs to it, who benefits from it and who suffers from it? What are the prime dynamics of fault-line conflicts in Nepal? How mini-conflicts of Nepal are intertwined in fateful ways into a bigger geopolitical conflict? Do civil society groups constitute the critical mass of change agents of society to moderate the behavior of conflict drivers, actors and stakeholders that play on the root causes of conflict in Nepal or do they essentially constitute a part of conflict amplifier? What are the correct measures to transform the vicious cycle of conflict into a virtual cycle of peace? Can peace become viable when historical patterns indicate that some actors occupy more space than the population they represent while others are left without any choice? Does the Comprehensive Peace Agreement (CPA) represent innovation or symbolize still historically recurrent pattern? This paper seeks to explain in brief system model, dynamics of Nepal’s conflict, micro and macro components of conflict system, approaches to conflict transformation and presents a short conclusion.

System Model

Conflict system consists of opponents who act on their various visions, interests, strategies and environment. All conflict members or opponents are sub-systems of the larger conflict system. They stand in active interdependence. An inquiry into system thinking brings to light the process of constantly changing structures of relationships. A sense of belonging to the system encourages the actors to be governed by certain laws of reciprocity, hierarchical order and recognition of identity of each element in order to prevent deadly violence and unpredictability. Systemic conflict transformation aims to cope with the conflict beyond the suspension of the spiral of violence while looking at the excluded elements in the social, economic and political system where conflict is embedded and opens up a new space for reconciliation, cooperation and peace.

Cartesian thinking reduces a complex conflict system into sub-systemic conflicts to know its prime dynamics and applies the power of scientific reason to solve them. The belief in the power of science has set the modern age apart from the classical period of history. But, most of the branches of science and social science, such as physics, biology, economics, political science, sociology, etc see conflict from their narrow disciplinary lenses and fail to understand how sub-systemic conflicts are related to the larger conflict system, cause a gyration of action and reaction, influence each other and fundamentally shape the outcome. The renewed failure of disciplinary knowledge to solve multi-layered conflicts has opened the minds of statesmen to alternative non-violent theory of peace, negotiation and political action.

Post-Cartesian thinking, entrenched in the systemic life sciences, views conflict as an open system having a life-cycle of its own. Its components significantly interact within the fluid environmental boundaries that provide the conflict necessary resilience and form a natural unity with the wholeness. This framework integrates individual conflicts into a unified systemic design by using the familiar notions—causes, effects, feedbacks and environmental stimuli in response to

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internal dynamics and external circumstances. Systemic constellation, as a part of therapeutic system, applies inter-subjective insights to know the formation, order, history of escalation (both vertical and horizontal) and its impact on each other. It also establishes ordering rules for the mitigation of cooperative, competitive and adversarial relations between various individuals, groups and systemic actors by changing the view on conflict elements, revealing the emotional dimensions and focusing on viable step towards solution of the conflict. Additionally, it articulates the necessity of feedback loops where actors communicate to each other and internalize their social learning into legitimate goals, strategies and actions for adaptation and change. If the sub-systemic ties are disentangled from its system every segment sets off cascading effects requiring a new balancing parameter.

Bert Hellinger, the principal architect of systemic constellation, has set a convincing theoretical and practical edge to the tenets of conflict transformation. Systemic constellation approach considers that whole is more important than the sum of its parts—the sub-systems. This method jettisons the exclusive application of linear, technical, rational and analytical thinking as these methods have misconstrued the boundaries of human system and its symbiotic ties with the various constituent entities. He looks at the conflict in an integrated whole rather than separate set of parts. System approach breaks the disciplinary boundaries and aims to unify rational, spiritual and scientific sources of knowledge for conflict transformation. This approach assumes that a system suffers if its integrity and survival are threatened. To Hellinger, the visualization of actors into systemic ties can help to recover the healing, feeling and wholeness and consciously activate systemic conscience and information. Systemic conscience allows collective creativity and communication of its members, in relation to each other, across conflict faultlines, by securing a common space of the system. This worldview holds that peace in one country largely depends on peace in environment.

Similarly, systemic constellation also transcends Hobbesian state of nature operating at three levels—individual (evil human nature), nature of nation-state (rooted on the monopoly of violence and often creating security dilemma for others) and the nature of international system (essentially anarchic owing to a lack of sovereign authority for global governance) as causes of conflict. Realists find a fundamental identity among these three actors, articulate that moral ideas such as peace, human rights and international law have no application so long as realities of human nature remain unchanged and believe that the root causes of conflict can be solved through the application of reason and reasonable action. In contrast, systemic constellation creatively recasts the relationships of individual, nation-state and international system in a dynamic but peaceful interdependence. It evokes emotional intelligence, feeling and experience among all the relevant actors—from interpersonal relations to global system-- by *Acknowledging What Is*, again to use the term of Hellinger. Conflict on the interpersonal level and between political systems follows the same patterns. Acknowledgement of the ground reality is the fundamental principle of systemic balance because it opens the actors to new perspectives on the conflict system to learn and move towards peaceful resolution.

Dynamics of Nepal's Conflict

Due to changing nature of Nepali politics, a decade-old conflict between the CPN (Maoist) and the state and its properties are continuously transforming. The first act of transformation occurred when SPA and CPN (Maoist) signed 12-point agreement in November 2005 in New Delhi, India which committed them to roll back King Gyanendra's regime through April mass movement and restore peace, democracy, human rights and social justice in the country. The mass movement approach has become the only alternative in Nepal because of the frustration with constant deadlock on earlier peace talks, absence of negotiation, lack of effective back channel communication between the king, CPN (Maoist) and SPA and the utilization of a viable alternative until Dr. Karan Singh, special envoy of the Indian Prime Minister, visited Nepal during the climax of the April movement and facilitated direct communication among the drivers, actors and stakeholders of the conflict

system. The April mass movement thus provided effective entry point for India, the UN and civil society organizations for the transformation of macro conflict in Nepal. International development cooperation has played only a complementary, rather than a key role, in this transformation. It was mainly occupied with the protection of human rights and democracy, peace and conflict impact assessment (PCIA), do no harm, local capacity for mediation, civil peace works, humanitarian supplies, food for work, relief support, development of methods for monitoring and analyzing conflict, etc.

The current mode of transition of King's power into 8-party alliance is seeking to resolve certain types of conflict between the Seven-Party Alliance (SPA) and CPN (Maoist) by changing their values, interests, positions and relationships. But, it has opened another set of ethno-territorial, communal and cultural conflicts located inside and outside the 8-party alliance over distributional questions. New fault-lines of the conflicts are escalating around the redesigning of the state, republican regime, federalism, proportional election system, party registration, Interim Constitution, ethno-regional autonomy and self-determination, power balance in the interim constitution, etc. The SPA comprises the centrist, regional, moderate left and radical left parties. The price to be paid is an obvious contradiction in their ideals and behavior which has spoiled the validity of procedurally correct conflict resolution. What satisfied the SPA is the principle of power-mediation approach and construction of a democratic alternative. Dissatisfied with the current status quo, political minorities, ethnic and indigenous groups, pro-monarch and Hindu forces might open another conflict line to alter the new equation and push the condition of no-war-no-peace into un-peaceful relationships by evoking and provoking historical prejudice, memories, expectation and evaluations. The high political dynamics existing now is opening a new bargaining environment for numerous actors which might affect the timing of holding CA elections. The state of Nepal is too weak to contain large-scale violence unless it is enabled to perform basic governance functions, enforce the rules of the game and renew the legitimacy of its leadership through elections. In multi-cultural societies like Nepal it is only the discursive, rather than enforced, consensus on political order that can provide a vision for a shared future. It is because discourse is an inclusive process which persuades the participants to accommodate each other's perspective.

Macro and Micro Components of Conflict System

The excessive dependence of Nepali state on international system for its survival, development and recognition, hyper integration of its internally fragmented market forces into global political economy and over reliance of civil society groups for external funding, philosophy and solidarity rather than the native ones have pushed Nepal into a phase of post-state constellation than nationalism-- the underlying principle of nation-state and its national ideology of democracy. Internalization of international regime norms, including those of environment, human rights, democracy, international law, etc and globalization have further weakened the historical coexistence of the state, society and economy within the same national system of governance. Due to extreme dependence of the Nepalese government on knowledge, power and legitimacy, the external stimulus remains a powerful element for the explicit ordering of internal priorities and coupling the interests, issues and agenda of major drivers of conflict with the national actors' conflict history, interests, ideology and structural causes. This condition has also made external milieu crucial in steering the national policy and political decisions as well as muddle through the new lop of governance without government. As a result, the external drivers decisively shape the conflict dynamics in Nepal through resource, recognition, legitimacy and power support to their local actors of conflict system and exert pressure to compromise.

Obviously, it is easy in Nepal because the politics of Nepal is extremely columnized and fragmented (each political party has its own human rights, trade union, women's organization, student union, civil society, etc having links with like-minded regional and global forces) along partisan lines. The fragmentation and columnization of public political sphere form various sub-

systemic conflict cycles that are linked with the perception, attitude and behavior of actors of macro-conflict system (Track I). Obviously, macro conflict actors are governed by their own value premises, historical memories, images, stereotypes, coalitions, learning capacities and leadership styles. They also form perception based on their own interests and circulate down to Track II and Track III micro level actors for socialization, recruitment, mobilization, support and collective action against their rivals. This articulation works in a mutually reinforcing way as external drivers of the conflict provide their proxy actors necessary advice, strategy, stimuli and inspiration. The problem, therefore, is how to transform this conflict cycle played out on the “root causes” into a synergy of peaceful cooperation. To be sure, understanding of the relationship among drivers, actors and stakeholders of conflict through conflict mapping is helpful to discover the underlying identity of position, interest and goals and the role of leadership in bargaining, coalition and mutual adjustments.

As macro actors of conflict system in Nepal are driven by the calculation of power, resource and identity they will not change their behavior by pious messages of democracy, human rights, development and peace. Either there should be huge costs for non-cooperating actors, effective deterrence as a balancing factor or sufficient incentives for them so that they can participate in the state-formation, party institutionalization and peace building process. The history of Nepal reveals that third party action has played an effective role to unfreeze the key actors. For example, India played the role of a mediator between the SPA and CPN (Maoist) in 1950 between Ranas, the king and Nepali Congress. Now, it has played a similar role from the day of the signing of 12-point agreement to CPA. The UN has contributed to monitoring human rights, strategic coordination among the veto powers at the Security Council, management of arms and armies of both sides, lending political, electoral and constitutional assistance and the implementation of CPA. The Track II level civil society groups have given support to the movement, observation of peace talks, ceasefire monitoring and lobbied for the speedy signing and implementation of CPA and the Interim Constitution. The capacity of civil society to generate societal demands, however, does not match with the ability of the state to fulfill. This has eroded the power of incumbent leadership to govern—make public policies, implement them and resolve distributional conflicts. Since Nepal’s conflict is multi-staged a similar approach is required to solve the security, political, economic and social issues and nurture a culture of compromise, allay basic fears and frustrations of weaker actors, expand trust and confidence building measures and enlarge the possibilities for civil coexistence.

Approaches to Conflict Transformation

Following the success of the April mass movement, conflict transformation occurred in five domains. The new political equation in Nepal is setting the old rule vanishing without gluing the new ones although the articulation of transformation agenda rooted in the CPA has aimed to encourage the establishment of a peaceful, democratic, inclusive and just Nepal in the future.

Discourse Transformation—The April movement has linked the Nepalese to the universal features of democracy (*prajatantra*), human rights and peace. But, dominant political actors of Nepal are projecting various relative concepts, such as democratic city-state (*nagar rajya*), folk democracy (*loktantra*) of grassroots organizations, federal folk republic (*sanghiya loktantrik ganatantra*), new people’s democracy (*naya janatantra*) of Chinese variety, inclusive democracy (*samabesi prajatantra*) as articulated by ecologists, radical left and anarchists, a nativist alternative (*gana rajya*) rooted in Hindu epics and federal democratic republic (*sanghiya ganarajya*) of Leninist variety into the public political sphere. Different concepts of democracy have supplied corresponding media, political parties, intelligentsia and civil society socialization for the perpetuation of value conflict in Nepal. Modern democracy requires the connection of citizenship with the nation-state, not a pre-political state of nature where each political party, individual and civil society defines democracy in its own way. The anti-state discourses of class, human rights,

ethnicity, religion and territoriality and their contesting visions of national identity have opened new sources of conflict while shelving the old festering sores. This trend indicates that modern politics in Nepal has not outgrown the pre-modern political culture as the power is still understood in terms of violence and peace is one of the options in the incessant drive for power.

Actor transformation— The conflict-generated force has suspended the monarchy as a separate autonomous unit until the first meeting of CA election in mid-June. The CPN (Maoist) has emerged as a new legitimate actor. The SPA components have been catapulted into governmental power. But, Rastriya Prajatantra Party (RPP), Rastriya Janashakti Party (RJP), and other smaller parties feeling denial of even a chunk of space in the system view that the actor transformation has zero-sum outcome for them as there is no hope of a win-win solution of conflict based on democratic principles and reconciliation. This means Nepal's peace has been negatively defined, largely in the self-image of incumbent actors rather than seeking negotiated solution for the relative satisfaction of all. Other sub-systemic actors--civil society, some trade unions, ethnic groups and *Madhesis*, women etc who in the past had acted as a critical mass of the change agents of society now express discontent against the Interim Constitution for its missing democratic essence. They are looking for a space in the peace building and governance and condemn the incumbent leadership for their monopolist and clientalist orientation. The refusal of SPA and CPN (Maoist) to acknowledge the systemic ties with a myriad of opposition forces is likely to create spoilers of peace in the future like in the 1950s, 1980s and 1990s and trod the nation along the historic trap of alienating "The Other." This cannot moralize the relations between adversaries for the transformation of conflict. Likewise, a high level of personal trust between key leaders of the SPA and the CPN (Maoist) with opposing institutional logics, ideologies, interests and positions on a number of vital issues, informs an impending conflict if these institutional gaps are further widened. Many faction of the SPA leadership are facing inter-generational conflict including that of *Madhesi Jana Adhikar Forum* (MJAF) within their party structures while CPN (Maoist) is getting heat from the violent self-assertion of its disjointed two wings of *Tarai Tanatantraik Mukti Morcha*. Both sets of actors are seeking process transformation through the negotiation of a new social contract.

Issue transformation— Series of pacts from 12-point to CPA have transformed triangular conflict into bipolar ones and created a "common ground" between the SPA and CPN (Maoist) on many issues such as election for CA, Interim Constitution, Interim Parliament, Interim Government, Demobilization of rebel forces (the SPA does not talk about the full Disarming and Reintegration of rebels), Security Sector Reforms (SSR) of Nepal Army and peace building. It has yet to be seen how the conflict residues— refugees, displacements, trauma, fears, hatreds, agonies and feeling of revenge nourished by victims of conflict are reconciled through the provisions of transitional justice and peace dividends in the future. National Human Rights Commission of Nepal (NHRC) blames both the government and CPN (Maoist) for their gross failure in providing compensation for victims of the conflict, preparing favorable environment for them to return to their homes, providing information on the cases of disappearances and abolishing a culture of impunity. The struggle for social justice and transformation of conflicts are intrinsically linked.

Rule transformation— The Interim Constitution has replaced the Constitution of the Kingdom of Nepal 1990 and new rules are created for elections, party registration, Prime Minister assuming new head of the state and government, subordination of judiciary to the executive, etc. This has also created deep changes in the existing system, patterns of behavior and interaction between SPA and CPN (Maoist). The central problem of political stability of democratic regime in Nepal lies in organizing mutual benefits to all citizens irrespective of their social, economic and political affiliations and international legitimacy of their efforts. But, some actors within the SPA often face the temptation to free-ride, evade responsibility, take steps opportunistically and occupy the space of both the government and the opposition. These trends will defy the possibility of transformation

from patrimonial governance to a rule of law and pivot future politics in a contest between those who claim for more democracy and those who fear from its consequences.

Structural transformation —The beginning of the inclusion of social, cultural and economic diversity in the structure of governance will most likely bring structural transformation of public political sphere. The critical question is how to stabilize this sphere when economic, educational and technological preconditions of modernity go fundamentally amiss. The nation's historical identity rooted into Hindu religion, Nepali language, monarchy and unitary Hindu state has gone deep-seated transformation. In the face of a lack of devolution of power at the grassroots level, the emerging competing claims of diverse groups will likely to leave the nation vulnerable to Hobbesian clash of cultures if preventive and remedial actions are not taken. The government's decision to cancel the anniversary of national unification day has already fed into the Nepali citizens a deep sense of self-doubt. Similarly, there is no convergence of a civilizational process between the habit-driven SPA and ideology-driven CPN (Maoist) on their short-term tactical and long-term strategic interests and goals to reduce the possibility of violence arising out of their mismatched interests and increase the possibilities for a shared vision of sustainable peace. The partners of SPA also engage in competitive bargaining, threat, bluff and often resort to opposing collective action. Locked into its own history and socio-economic characteristics, the SPA leadership is inclined to achieve only a power transition from the king to it while CPN (Maoist) is seeking an ideologically-embedded revolutionary transformation. The widening gap between the two might paralyze the possibilities for cooperative action in the future if common policies for governance are not evolved to commit them to a common practice and shape their coherent behavior.

Conclusion

Sustaining the transformation--from keeping a peace to building a stable society-- requires widely acceptable social contract, economic development and democratic institution-building so that peace is truly sustainable. A modern state cannot be created when power brokers and patrons arbitrate the application of rules and project politics in a binary code— friend and foe rather than ascertaining the systemic ties of all the societal actors. A political culture of this sort will most likely erode the space for democratic dissent which is so essential for a balance, early warning of the conflict flash points and dynamic resiliency of system maintenance. When political leaders are comfortable with weak institutions and fear the development of depersonalized institutions, rules and processes, it is hard to address the root causes of the conflict and generate sufficient political will in the democratic transition towards good governance.

Peace can come only from a negotiated contract that binds all sides—actual, potential and left out actors in a rational, discursive and non-violent democratic framework. It needs a power balancing strategy that restrains the excessive accumulation of power by certain group, prevents the instrumentalization of multiple identities of citizens such as class, ethnicity, caste, religion or region and from increasing the velocity of conflict. Solution of conflict is sought by putting each of the actors including the hidden ones into right space, sequencing their order of succession, adopting non-violent communication and restoring the appropriate systemic ties. Positive change in the constellation of conflict actors leads to a corresponding change in the perception and action. This is essential to the evolution of common interests among adversaries and defining their shared future embedded on social justice. Systemic constellation tends to establish a culture of peace with integrative experiences of inclusion, feeling, emotional intelligence, experience, fairness and hope.