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Powerful Cultures: Indigenous and Western Conflict Resolution Processes in Cambodian Peacebuilding

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ARTICLE

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Indigenous and Western Conflict Resolution Processes in Cambodian Peacebuilding

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ABSTRACT

In this essay I explore the role of cultural differences and disparities in power in western and indigenous mediation and cross cultural conflict resolution processes.   I unpack several complex key terms such as mediation, culture, conflict, and power to make their role in conflict visible.   Conflict resolution literature serves as my foundation for offering insights about the nature of culture and power, and the way these elements are operationalised in the practice of mediation.

This paper draws on recent fieldwork in Cambodia in order to identify the challenges of praxis as a conflict resolution practitioner in an intercultural work environment. Specifically, I look at the dynamics of western and indigenous cultures in mediation trainings where western epistemologies are prioritised.   This paper concludes with suggestions for eliciting organic and culturally based styles of conflict resolution in Cambodia.

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Introduction: Cheng's Story

Chher Cheng[2] is the only female Commune Councillor in her village, a dusty collection of stilted bamboo homes and banana trees with a little over 1,000 people in eastern Cambodia.   Cheng's Commune lies in Svay Rieng Province, just 30 kilometers from Vietnam, and most travellers stop here only for a meal on the way to or from the border.   Elected in 2002, Cheng ran in the first wave of elections heralded by decentralisation proponents as a key step in rebuilding village life by granting more autonomy from the national agenda emanating from the capital city of Phnom Penh.

Gender mainstreaming has yet to take root here, and Cheng, as the sole representative of her gender on the council, is assigned by law to work on women's and children's issues, particularly health education.   She speaks in pace with the rhythm of the day unfolding in her yard; children shooting marbles and staring at the visiting *barang* (white person),[3] men folding pond lilies to sell at the market, and a variety of chickens and pigs rooting in search of a snack.

Cheng has accessed trainings made available to her in the last several years to build her capacity as a Councillor.   Non-Governmental Organisations (NGOs) have held trainings on conflict mediation, domestic violence, and gender issues for selected Commune Councillors.   However, many obstacles exist to Cheng carrying out her duties as a Councillor.   When asked about the protocol for handling domestic disputes in the community, Cheng shrugs and says she sends it up to the next level in the government hierarchy.   Although domestic violence and land rights are the most common forms of

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[2] Not her real name
[3] Literally means 'French,' a hangover from colonialism, but now used loosely for all white foreigners.

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local disputes in Cambodia, elected representatives still do not have the tools to address them in a meaningful way.[4]

This lack of capacity in the newly decentralised government in Cambodia is being addressed primarily by domestic NGOs through trainings designed by locals and foreigners.   I went to Cambodia to offer my own skills in conflict resolution, and was swept into the complex world of culture, power, and ethical dilemmas in cross-cultural relationships.   Women like Chher Cheng do need to be supported in their work, but who formulates that support and how it is delivered depends on where the decision-making power lies to orchestrate capacity-improvement programmes.   I seek to theoretically and historically situate these issues to connect my own experience as a peacebuilder in Cambodia to the cross-cultural mediation literature.

In this essay I will explore cultural differences and disparities in power in western[5] and indigenous[6] mediation processes.   I first approach the topic by defining several of the key terms, particularly mediation, culture, conflict, and power, in an abbreviated literature review.   This review serves as the foundation from which I will delve into explanations for various influences on conflict resolution processes.   Conflict resolution literature reveals a range of understandings about the nature of culture and

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[4] My interview with Chher Cheng took place as a part of a needs assessment for female Commune Councilors while at the Khmer Institute of Democracy in Cambodia.

[5] The word 'western' is a problematic term that cannot capture the complexity of the relationship between cultures and nations, but I utilise it to refer to cultures derived from Europe which are not socially bound by village kinship systems and are generally majority Judeo-Christian.

[6] Indigenous here refers to that which is originally of a place.   The ethnic Khmer people in Cambodia trace their culture in Cambodia prior to 600 A.D., thus for the purpose of this essay they are 'indigenous' to the area.

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power, and the way these elements are operationalised in the practice of mediation carries implications for its success or failure.

In the second half of this paper I apply this theoretical framework to my recent fieldwork in Cambodia in order to identify the challenges of praxis in my role as a conflict resolution practitioner in an intercultural work environment. Specifically, I look at the dynamics of western and indigenous people in mediation trainings, in this case where the westerner is viewed as the 'expert.' Much of my own conflict resolution experience in Cambodia involved navigating this role despite my consistent preference to work as a team member and co-learner with Cambodian trainers and trainees.

Mediation in the Conflict Resolution Spectrum

Because I cite culture and power as central influences in the mediation process, an investigation of the intricacies of these concepts is needed before proceeding to my case study. For the purpose of this essay, mediation is discussed as one of many possible conflict resolution techniques, as this is how it appears in my past work. Mediation consists of the series of activities performed by a mediator to facilitate the negotiation or resolution of a conflict[7] and can take place under the guidance of many kinds of mediators such as individuals, organisations, or state representatives. In all cases, the role of the mediator is co-constructed by people in the social setting.[8]   This

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[7] Louis Kriesberg, *Constructive Conflicts: From Escalation to Resolution* (Lanham, Maryland: Rowman & Littlefield Publisher, Inc, 2003).   p. 219.
[8] Kriesberg, Constructive Conflicts: From Escalation to Resolution.   p. 251.

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theoretical and normative basis alludes to the potential variation in mediator roles depending on the cultures of the participants.

For a mediator to be effective in the western context, several desirable characteristics have been identified in mediation literature. In addition to an understanding of conflict processes, mediators should have an authoritative demeanour, the ability to access resources, good listening and communication skills, and "intelligence, stamina, energy, patience, and a sense of humor".[9] Successful mediation in both western and indigenous practices requires an element of mutual recognition of the mediator by involved parties. Without this, mediations can quickly approach deadlock.[10] However, mutual recognition need not signify neutrality. In western culture neutrality is cited as a critical characteristic.[11] In many other cultures, a mediator affiliated with one of the conflicting parties is acceptable as long as the person has sufficient status and authority in the community.[12] Ultimately, the place of neutrality in mediation is a topic of ongoing debate in western and non-western conflict resolution literature.[13]

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[9] Bercovitch 1984, cited in Jacob Bercovitch and Allison Houston, "The Study of International Mediation: Theoretical Issues and Empirical Evidence," Resolving International Conflicts:The Theory and Practice of Mediation, ed. Jacob Bercovitch (Boulder, CO: Lynne Rienner Publishers, Inc., 1996).   p. 25.
[10] Brigid Starkley, Mark A. Boyer and Jonathan Wilkenfield, Negotiating a Complex World: An Introduction to International Negotiation (Oxford: Rowman & Littlefield Publishers, Inc., 2005).   p. 23
[11] Laurence Boulle, Mediation: Principles, Process, Practice (Chatswood, NSW, Australia: LexisNexis Butterworths, 2005).   p. 30-31.
[12] For examples of this in *Sulha*, the tradition of Palestinian mediation in the Galilee region of Palestine/Israel, see Mneesha Gellman and Mandi Jane Vuinovich, "From *Sulha* to *Salaam*: Connecting Local Knowledge with International Negotiations for Lasting Peace in Palestine/Israel," Unpublished work (2007).
[13]   Andrew Kydd, "Which Side Are You On? Bias, Credibility, and Mediation " Conflict Resolution: Volume Iii, eds. Daniel Druckman and Paul F. Diehl (London: Sage Publications, 2003): 307, Kriesberg, Constructive Conflicts: From Escalation to Resolution: 259, Boulle, Mediation: Principles, Process, Practice: 54.

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In any setting, mediation should "facilitate the articulation of legitimate needs and interests of all concerned into fair, practical, and mutually acceptable solutions".[14] In Cambodia this may be done under the guidance of a senior Buddhist monk while sitting on an outdoor bamboo mat, and in Anglo-Australia this may take the form of an arbiter facilitating a lunch-time office meeting.   Both processes look to draw upon the mutual human interests which may fuel conflict in the guise of entrenched positions.

Social Structure in Cambodian Villages

In the following section I analyse my fieldwork[15] designing conflict resolution training curriculum for the Khmer Institute of Democracy (KID) in Cambodia. Originally motivated by a desire to learn how to apply a fusion of western and indigenous conflict management strategies to communities in this post-conflict state, I experienced constant challenges to this goal while on the job.   Much contemporary social dysfunction is derived from the destruction of Cambodian society under the communist Khmer Rouge regime, which held power from 1975-1979.   Prior to this period, village life operated within a rather predictable and provincial framework of patronage, which has been partially reconstructed in the last few decades.   The Khmer Rouge deliberately broke up nuclear families, created gender-segregated work villages, and instituted a system of governance through 'comrades' who had authority to mete out any punishment they saw

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[14] John Paul Lederach, Preparing for Peace: Conflict Transformation across Cultures (Syracuse, NY: Syracuse University Press, 1995).   p. 14.
[15] This took place from November 2006 –February 2007.

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fit.[16]   The forced evacuation of Phnom Penh and the demolition of traditional family and village structure wreaked havoc on traditional practices of reciprocity, religion, hierarchy, and conflict management.

After the Vietnamese overthrow of the Khmer Rouge in 1979, Cambodians were slowly able to return to traditional villages and renegotiate land rights with other returned refugees or internally displaced persons.   Nuclear families regained their former prominence as bedrocks of social life, and cultural systems of patronage and tribal governance returned.[17]   However, such shifts have not been free of conflict, particularly as families are still fighting with extended relations, neighbors, local police and government officials, as well as corporate interests about land rights.

Rural Khmer social structure today can be described as "patron-client communitarianism," a term defined by Clark D. Neher and Ross Marlay in 1995[18] to mean duty to group over personal liberty, accepting suffering as *karma*, and the Buddhist life circle of *samsara* as the defining characteristics of social structures.   Patronage is a principal organising system in Cambodian society, where people receive protection by following a person of higher status.[19]   In this way, people who have acquired wealth in a village have an obligation to redistribute, in exchange for receiving status and having moral authority over their clients.   Khmer patronage, based in Therevada Buddhism, is

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[16] Judy Ledgerwood and John Vijghen, "Decision Making in Khmer Villages," Cambodia Emerges from the Past: Eight Essays, ed. Judy Ledgerwood (DeKalb, IL: Southeast Asia Publications, 2002).

[17] Ledgerwood and Vijghen, "Decision Making in Khmer Villages."

[18] Cited in Ledgerwood and Vijghen, "Decision Making in Khmer Villages."   p. 28.

[19] Siobhan Gorman, Pon Dorina and Sok Kheng, Gender and Development in Cambodia: An Overview. Working Paper No. 10 (Phnom Penh, Cambodia: Cambodia Development Resource Institute, 1999).   p. 10.

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not a rigid system, but rather a fluid web of kinship, obligations and assistance[20] with implications for relationship-building in conflict resolution practices.

The patron-client system has led to an absence of direct indigenous conflict resolution traditions, both before and after Cambodia's thirty years of civil war. It appears problems were more typically confronted with a "veiled threat," manipulation of the patrimonial hierarchy of the community, or with one party (usually the weaker) withdrawing from the situation altogether.[21]   In short, conflict resolution in traditional Khmer society took place in the context of ubiquitous patron-client relationships. Therefore, an effective approach for western peacebuilders in Cambodia is to observe patrimonialism and identify its use of power and negotiation in order to understand the potential of these social practices in communities suffering from conflict.

This open learning process on the part of the western peacebuilder requires a suspension of ethnocentric opinion about what productive mediation looks like. I attempted during my internship and afterwards to be guided to appropriate conflict resolution strategies by Cambodians themselves, rather than being overly dependent on much of the theory I cite in this paper. However, one striking feature of the colonial legacy in Cambodia is the dependence on, and stature of, foreign expertise.   Thus, I was given responsibilities as an intern that would be unheard of in a comparable western organisation.   My own exotification of Cambodian knowledge and the reverse Cambodian 'reverence' of my white skin and western credentials persisted as an

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[20] Ledgerwood and Vijghen, "Decision Making in Khmer Villages."   p. 115.
[21] Grant Curtis, Cambodia Reborn?   The Transition to Democracy and Development (Washington DC & Geneva: Brookings Institution Press and The United Nations Research Institute for Social Development, 1998).   p. 129.

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awkward and continual trading of power throughout my internship.   By unravelling the web of relationship between culture and power, I began to see my co-worker relationships and the general interactions between foreigners and Cambodians in peacebuilding projects in a different light.   The hidden power dynamics became visible, and the ways we addressed them (or didn't) were culturally situated.

Culture's Invisible Hand

Cultures are the continually evolving, vibrant filters that generate situated perspectives and notions of time, and govern social interactions through shared, socially constructed norms and values.   These shared understandings form connections between people and provide internalised mechanisms about how to create meaning in one's existence.[22]   "Culture has been called an underground river, an organic thing inside of us and between us, an iceberg almost fully submerged".[23]   This iceberg metaphor alludes to the interests that our cultures generate, which often remain invisible while more static positions make themselves known above the water's surface.

The process by which people obtain this invisible iceberg of culturally scripted symbol-filters is called acculturation, which allows for in-group members to engage in "intelligible communication and interaction – linguistic, nonverbal, ritualistic, and symbolic". [24]   The dangers of acculturation become known when one tries to

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[22] Michelle LeBaron, Bridging Cultural Conflicts: A New Approach for a Changing World (San Francisco: Jossey-Bass, 2003).   p. 10.
[23] LeBaron, Bridging Cultural Conflicts: A New Approach for a Changing World.   p. 23.
[24] Raymond Cohen, "Cultural Aspects of International Mediation," Resolving International Conflicts: The Theory and Practice of Mediation, eds. Jacob Bercovitch and Allison Houston (Boulder, CO: Lynne Rienner Publishers, Inc., 1996).   p. 109.

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communicate outside of the in-group, as occurs in cross-cultural mediation and international work more broadly. Cultural traps are characterised by LeBaron as the following: automatic ethnocentricity - taking our perspective as the correct one; the taxonomy trap - trying to categorise all minutia of cultural information; the complexity trap - seeing intercultural communication as impossible; the universalism trap - failing to notice cultural differences; and the separation trap, not observing commonalities.[25] Admittedly, I fell into many of these traps while working in Cambodia, but I hope that taking space for writing and reflecting on these experiences will allow myself and others to handle them more gracefully next time.

Acculturation is a necessary tool for survival within one's own culture, and it also signifies that mono-cultural mediations can benefit from a broad pallet of shared cultural knowledge.   However, in intercultural settings, the cultural traps can turn well-intentioned mediations into disasters if awareness is not carefully cultivated. As a westerner trying to design Cambodian conflict resolution trainings, I had to hold all culture traps in mind as I deciphered appropriate ways to foster communication between conflicting parties.   Yet culture is so pervasive that avoiding ethnocentrism is serious work.

> In the negotiation realm, culture is operationalized mainly through different styles of communication. Different verbal and nonverbal patterns of expression, ways of organizing information, and relationships to time and space are major elements. Differences along these dimensions can translate into discordant definitions of such concepts as timetables, fairness,

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[25] LeBaron, Bridging Cultural Conflicts: A New Approach for a Changing World.   p. 34.

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and closure.   As well, problems often arise with very specific notions such as reciprocity, which many Western negotiators consider crucial to successful negotiation processes.[26]

While these potential problems must be considered in intercultural mediations, I argue here that it is important to recognise culture as an asset rather than a barrier to successful mediation.   Indeed, culture is increasingly being perceived as the vehicle by which indigenous styles of resolution are generated, as opposed to a burdensome feature which must be incorporated into a standard western model.   In Cambodia, this is exemplified by support for Buddhist monks to serve as mediators.   Increasingly, the strength of Buddhism as a socio-cultural resource is being incorporated into western-funded peacebuilding projects because it is perceived as a culturally appropriate way of supporting local intervention in conflict.

The inherent wisdom of a person or community in the shape of culture forms the foundation for Lederach's model of elicitive conflict transformation (as opposed to prescriptive conflict resolution).[27]   The elicitive model can operate through mediation but takes the shape of whatever mediation looks like in a particular community.   I consider the fact that this model can feel threatening to practitioners of standard negotiation models as it requires a less predictable facilitation style for the intervener. However, as Lederach's work has shown, when space is given for communities to elicit their own conflict transformation models, they are able to bring cultural wisdom to the

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[26] Starkley, Boyer and Wilkenfield, Negotiating a Complex World: An Introduction to International Negotiation.   p. 74.
[27] Lederach, Preparing for Peace: Conflict Transformation across Cultures.   p. 62.

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mediation table in a way that contextualises both conflict and the potential means of resolution.

This rather abstract notion of cultural empowerment within conflict can be theoretically rooted in social constructivism.   In his cogent insight into how culture translates into conflict, Cohen contends, "culture constructs reality; different cultures construct reality differently; communication across cultures pits different constructions of reality against each other".[28]   For example, Hall's dichotomy of monochronic time versus polychronic time shows how time can lead to communication challenges.   As a result of culturally situated understandings, time is experienced differently in a monochronic and linear culture than it is in polychronic, multidimensional way.[29]   Ting-Toomey and Oetzel state that an understanding of culturally derived conceptions of time is important for mediators in building intercultural conflict competence.[30]   Hall's work on high and low context communication systems identifies the United States as a low-context culture where people are governed by individualistic interests, speak frankly, and do not necessarily perceive conflict as negative.[31]   Cambodia, on the other hand, would be considered a high context culture where many implicit social norms are conveyed through indirect speech and actions, with the collective good and social harmony valued. Thus, despite sincere intentions, in cross-cultural conflict and training situations I can and did miss the culturally contextualised communication taking place.   My own monochromatic, low-context communication patterns required diligent reforms to

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[28] Cohen, "Cultural Aspects of International Mediation."   p. 110.
[29] Edward T. Hall, <u>Beyond Culture</u> (Garden City, NY: Anchor Press Doubleday, 1977).   p. 17.
[30] Stella Ting-Toomey and John G. Oetzel, <u>Managing Intercultural Conflict Effectively</u> (London: Sage Publications, 2001).   p. 57.
[31] Cohen, "Cultural Aspects of International Mediation."   p. 116.

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translate effectively into the more polychromatic, high-context communication style of Cambodian colleagues.   In this scenario, *faux pas* are inevitable, but successful conflict resolution trainings across cultures require awareness of such dialogue patterns.

However, others in the conflict resolution field do not see culture as a limiting factor and embrace more of a universal approach.   John Burton did recognise the importance of cultural sensitivity but ultimately saw the problem-solving approach as grounded in standard theories and actions which overcame differences of culture.[32]   In their 1986 publication, Burton and Sandole saw conflict resolution as "based in generic theory that implies universal patterns of behavior and explanations that transcend institutional, racial, and cultural differences and are applicable at all levels of social analysis".[33]   Similarly, Fisher and Ury made famous the one-size-fits-all approach to negotiation in their book, *Getting to Yes*.[34]

Yet Lederach points out the limitations of trying to adjust a generic strategy such as the BATNA – the Best Alternative to a Negotiated Agreement – to the Central American context and explains why he returns to the culturally specific knowledge of the community he is working in.

> The translation in the Spanish version of Fisher and Ury's book created an equally odd acronym, MAAN – Mejor alternativa a un acuerdo negociado. For many of the people I worked with at grassroots levels, this was difficult if not   impossible   to   understand cognitively, much less to use practically.   It simply rang of sophistication, complexity, and

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[32] In Ronald J. Fisher, <u>Interactive Conflict Resolution</u> (Syracuse, NY: Syracuse University Press, 1997).   p. 36.
[33] In Fisher, <u>Interactive Conflict Resolution</u>.   p. 259.
[34] Roger Fisher and William Ury, <u>Getting to Yes</u> (Boston: Houghton Mifflin, 1981).

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professional technique, something 'foreign.'   However, the same idea is present, and has

been for generations, in the form of many well-known Spanish proverbs…for example...

'salad is better than nothing'.[35]

This example shows that culturally applicable wisdom may be more effective than a

generic model used across cultures.   Lederach's personal experience is that in

multicultural encounters trainers are more effective as facilitators of organic experiences

rather than experts in a particular model.[36]   Similarly, in Cambodia, when people had

the time and space to work through concepts of mediation, they related ritual practices in

the *wat*, or temple, that served the purpose of right speech, right action, and right

intention – Buddhist concepts that also appear as useful tools in conflict resolution.

Conflict Transformation

I now unpack the notions of conflict and power more fully in order to examine

the promise of culturally sensitive models of mediation.   Ontologically, I understand

conflict as a socially constructed interaction between people who both individually and

collectively form meaning out of the surrounding world.   Social constructivist theory

does not preclude a more critical structural analysis of the root causes of conflict that is

outside the purview of this paper.   On its own, constructivism offers insight into how

people jointly create conflict.   From here, as conflict resolution practitioners, we are

able to then see how conflict can be socially transformed.

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[35] Lederach, <u>Preparing for Peace: Conflict Transformation across Cultures</u>.   p. 80-81.
[36] Lederach, <u>Preparing for Peace: Conflict Transformation across Cultures</u>.   p. 114.

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Lederach sees people as "active participants in creating situations and interactions they experience as conflict".[37]   He also creates the linguistic space for recognition of constructivism by distinguishing the purpose of his work, 'conflict transformation,' from the conventionally used term 'conflict resolution.' "Transformation as a concept is both descriptive of the conflict dynamics and prescriptive of the overall purpose that building peace pursues, both in terms of changing destructive relationship patterns and in seeking systemic change".[38]   In order to honour this shift in the discourse, I consider mediation as one of many available tools in the process of conflict transformation, and use the term conflict resolution in a normative sense within a larger transformational framework.   Truly, Cambodians are undergoing a transformative process as they rebuild from civil war while trying not to recreate the social patterns that led to violence in the first place.   Theirs is less a path to a definite end goal of resolution, but a process towards being together, learning how to mutually, interdependently exist, in culturally appropriate ways.   At the same time, Cambodians are pressured by the international community to integrate western notions of democratic behaviour such as mediation that are being pushed locally by Cambodian elites.

Conflict is bluntly defined by LeBaron as "a difference that matters".[39] She expands this to cite identity threat as a guarantor of dispute, and poetically describes culture as "a life-source that both animates and heals conflict".[40]   In this description, definitions of culture cannot be separated from causes of conflict.   This is

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[37] Lederach, Preparing for Peace: Conflict Transformation across Cultures.   p. 9.
[38] Lederach, Preparing for Peace: Conflict Transformation across Cultures.   p. 18.
[39] LeBaron, Bridging Cultural Conflicts: A New Approach for a Changing World.   p. 11.
[40] LeBaron, Bridging Cultural Conflicts: A New Approach for a Changing World.   p. 4.

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especially pertinent in the case of post-conflict states like Cambodia that are struggling to both recreate their cultures and heal wounds that cultural characteristics may have exacerbated.

Many conflict resolution practitioners today recognise that conflict has both positive and negative qualities that can lead to destructive or constructive behavior.[41] Conflict itself, as a dynamic energy of change, is not intrinsically bad. The negative side emerges when "a shift in the possibility boundary between two parties in some sense reduces the power of one and increases the power of the other".[42] In order to unlock the potential of conflict transformation techniques to convert oppressive power relationships into empowered ones, an analysis of the nature of power is necessary, which is where the paper now turns.

Categorising Power

Abstractly, power is too multifaceted and complicated to quantify or gauge accurately.[43] But to be operationalised in a mediation setting, I attempt to crystallise this elusive concept in mediation, which inherently involves a negotiation of power between parties. "What makes mediation *dangerous* is its implicit, even explicit request that everyone disarm, lay down their power, and surrender their rights in exchange for the

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[41] Mohammed Abu-Nimer, "Toward the Theory and Practice of Positive Approaches to Peacebuilding," Positive Approaches to Peacebuilding: A Resource for Innovators, eds. Cynthia Sampson, Mohammed Abu-Nimer, Claudia Liebler and Diana Whitney (Washington, DC: Pact Publications, 2003): p. 15, Ting-Toomey and Oetzel, Managing Intercultural Conflict Effectively: p. 4, Boulle, Mediation: Principles, Process, Practice: p. 85.
[42] Kenneth Boulding, Three Faces of Power (Newbury Park, CA: Sage, 1989).   p. 182.
[43] Boulding, Three Faces of Power.   p. 183.

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satisfaction of their interests".[44]   In the quest to understand this phenomenon, scholars such as Kenneth Boulding have created stratified diagrams of power categories.   These manifest as threats, exchanges and love in destructive, productive and integrative categories, or in political-military, economic, and social divisions.[45]

While I contend that Boulding's models oversimplify, they do serve as useful tools to visualise the variegated habitats of power and also help to clarify the often invisible role power plays in governing relationships.   More concretely, power is "both resources that the parties to the negotiation may hold and their ability to exert influence on one another through the process of negotiation".[46]   In Cambodia, power is associated with status, the financial ability to be a patron, and the spiritual insight to accrue merit. All social interactions in Cambodia, from terms of address to political party affiliation occur because of power, but there has been limited inquiry into a theoretical framework to explain these patterns. As few discussions of power in social relations can be complete without exploring the work of Foucault, I linger over his work in the following section.

Foucaultian Notions of Power

Michel Foucault is a foundational scholar who has greatly contributed to academic understandings of power, psychology, and genealogy.   The omnipresent origin of power recognised by Foucault holds great implications for its use in a mediation situation.   "Power is everywhere; not because it embraces everything, but because it

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[44] Kenneth Cloke, Mediating Dangerously: The Frontiers of Conflict Resolution (San Francisco: Jossey-Bass Publishers, 2001).   p. 147, emphasis in original.
[45] Boulding, Three Faces of Power.   p. 186-190.
[46] P. Terrence Hopmann, The Negotiation Process and the Resolution of International Conflicts (Columbia, South Carolina: University of South Carolina Press, 1996).   p. 101.

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comes from everywhere".[47]   If this is true, then working with the less powerful party in mediation to access power "from everywhere" could help equalise unbalanced power relations.   While Foucault does not comment on this directly, his insights have the potential to shape techniques of power-balancing that could break through some of the common deadlocks experienced in mediation.

Foucault recognises the elusive quality of power that many other theorists and poets struggle to describe.   Pertinent to its invisible role in conflict dynamics, he notes that "power is tolerable only on condition that it mask a substantial part of itself.   Its success is proportional to its ability to hide its own mechanisms".[48]   In his analysis of Foucault's work, McCarthy states, "only actions that had no possible effects on the actions of others, that is, which were not social, would be free of the exercise of power".[49]   Thus any action not done in isolation wields this influential potential. Power in Foucault's definition is thus the hidden energy which catalyses social relations. From a social constructivist perspective, one could say power is what allows individual experiences to impact the larger socially constructed narrative.

David Couzens Hoy writes that Foucault considers power not just as repressive but also positive and creative,[50] a parallel of the creator/destroyer dualism ascribed to conflict.   More elaborately:

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[47] Michel Foucault, <u>The History of Sexuality: Volume I: An Introduction</u> (New York: Vintage Books, 1978).   p. 93.
[48] Foucault, <u>The History of Sexuality: Volume I: An Introduction</u>.   p. 86.
[49] Thomas McCarthy, "The Critique of Impure Reason: Foucault and the Frankfurt School," <u>Critique and Power: Recasting the Foucault/Habermas Debate</u>, ed. Michael Kelly (Cambridge, MA: MIT Press, 1994). p. 263.
[50] David Couzens Hoy, "Power, Repression, Progress: Foucault, Lukes, and the Frankfurt School," <u>Foucault: A Critical Reader</u>, ed. David Couzens Hoy (Oxford, UK: Basil Blackwell Ltd., 1986).   p. 134.

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power must be understood in the first instance as the multiplicity of force relations immanent

in the sphere in which they operate and which constitute their own organization; as the

process which, through ceaseless struggles and confrontations, transforms, strengthens, or

reverses them; as the support for which these force relations find in one another; and lastly,

as the strategies in which they take effect, whose general design or institutional

crystallization is embodied in the state apparatus, in the formulation of the law, in the various

social hegemonies.[51]

That is to say, power is not something possessed by actors who wield it, but rather a

more effervescent quality that is exercised *by* instead of contained *within* someone.[52]

The implications for traditionally oppressed people such as women and ethnic minorities

within Cambodian society to access power not as a predisposed quality, but rather as an

imminently available choice, holds the potential for these people to wield a larger voice

regarding conflicts in their communities.

More provocative still are Foucault's observations on power and struggle, themes

often connected in mediation cases.   "Where there is power, there is resistance, and yet,

or rather consequently, this resistance is never in a position of exteriority in relation to

power".[53]   The multiple discourses of power mimic to some extent the multifaceted

discourses of peace, which silently manoeuvre power,[54] often in search of social

equilibrium.   There is both danger and opportunity in verbalising the power dynamics

inherent in any conflict.   As can be deciphered from the previous analysis of culture, the

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[51] Foucault, The History of Sexuality: Volume I: An Introduction.   p. 92-93.
[52] Hoy, "Power, Repression, Progress: Foucault, Lukes, and the Frankfurt School."   p. 134.
[53] Foucault, The History of Sexuality: Volume I: An Introduction.   p. 95.
[54] Oliver P. Richmond, The Transformation of Peace (Houndmills, UK: Palgrave Macmillan, 2005).   p. 6.

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silent web of meaning that blends cultural practice, conflict, and power into a mediatable event is a dangerous undercurrent.   Whether articulated or left invisible, culture and power differences are integral to the resolution of conflict through mediation.   My intention in writing reflexively about my own role in Cambodian conflicts is to offer reflection on power and culture in cross-cultural work as a standard rather than exceptional mode of being.   With this in mind, I turn to the circumstances of my work in Cambodia.

Commune CounciLlors, the Citizens Advisor Network, and Power

The Khmer Institute of Democracy (KID) is a non-governmental organisation (NGO) founded in 1992, just prior to the withdrawal of the United Nations Transitional Authority (UNTAC) in 1993. With nearly 40 Cambodian staff members divided between the central Phnom Penh office and branches in several provinces, KID has a diverse portfolio of democracy, human rights, and conflict resolution projects.   The organisation follows the trend of many NGOs in post-conflict zones, relying on foreign interns and staff to contribute technical expertise that its own population is working on rebuilding. In Cambodia's case, where the university-educated class was systematically targeted and executed during the Khmer Rouge time, this regeneration of endemic leadership is particularly vital.   Cambodia's dependence on international expertise reproduces post-colonial power relations in ways that limit the ability of the local population to construct their own realities.   This power imbalance, which can play out as passivity in cross-cultural relations, is further exacerbated by the fatalistic approach of Buddhism, which

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teaches acceptance of one's role in the world.   For example, many Buddhist Cambodians explained away the violence they experienced during the Khmer Rouge time as being the result of their *karma*, the unalterable reality resulting from one's previous deeds.   The paralysis caused by such philosophy can be problematic particularly for the weaker party in mediation situations.

One of KID's programmes to foster equitable, democratic engagement is capacity-building for popularly elected Commune Councilors, who orchestrate the decentralised local government at the village level.   According to Article 43 of the 2001 Law on Communes (*Sangkat)* Administrative Management, a Commune Council is expected to "maintain security and public order, manage public services, promote social and economic development, preserve natural resources, provide reconciliation of local disputes, and respond to the general needs of the people".[55]   Generally, Councillors are chosen from the comparatively wealthy class of people in the village, since the position serves as a bridge between traditional patrimonial Cambodian village structure and a more western democratic format.   Few women serve in this role; at the last training session in 2006, five of the 80 participants were female.   As seen in the previous sections on culture and power, even in the process of constructing democratic institutions, socially scripted ways of behaving pervade the political environment.

One of the Councillors' tasks is to minimise the number of disputes that enter the unsatisfactory court system by resolving them *in situ*. To increase the long-term impact of its training regardless of election turn-over of the Councillors, KID created a Citizen

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[55] Margaret Slocomb, "Commune Elections in Cambodia: 1981 Foundations and 2002 Reformulations," Modern Asian Studies 2004.   p. 463.

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Advisors Network, selecting 184 people to be trained as volunteer advocates in legal and community issues.   Advisors, the majority of whom are school teachers, are available to offer guidance to both Councillors and ordinary villagers on a broad range of issues from mediation to family and land law.   By training Councillors and Advisors in conflict resolution strategies, KID intends to facilitate a multifaceted community-based response to conflict in a way which swiftly minimises threats of violence.

My specific task at KID was to develop the conflict resolution curriculum for one of six four-day trainings the Advisers undergo. I drew on actual conflict reports from past Councillors to create role play exercises which captured the most common community dynamics leading to violence.   The curriculum also introduced western notions of reflective listening, 'I' statements, and conflict mapping as a pilot study to see if these tools were culturally transferable.   During the training of KID staff I was able to gather feedback about how to modify these techniques to draw more from indigenous Cambodian philosophy such as Buddhism's doctrine of compassion for all sentient beings.   Although I was invited by a Cambodian organisation to create the ADR training, it nevertheless felt at times like I was imposing a foreign philosophy on people who already had their ways of addressing conflict.   Yet, I do not romanticise Cambodian culture either, and I see existing local social rituals reproducing inequality as they try to rectify conflict.   Is my role then, as the cultural outsider, to simply offer alternative methods of dealing with conflict while not being attached to the outcome?   Or as Lederach has done elsewhere, should I be eliciting from Cambodian participants their own ADR strategies?   These queries raise a core issue in cross-cultural work, which is

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the need to identify the point at which empowering activities begin to disempower.   In Cambodia this tipping point has not been clearly identified, but the more people who approach international conflict resolution with an awareness of its existence, the more practitioners and academics can plumb the depths of praxis to both explain and act upon a code of best practice.

Sustainability of programme goals is a strength of KID's conflict resolution training program.   Citizen Advisors trained by KID to work as (volunteer) master trainers should be able to continue addressing Councillor needs at the local level by training newly elected Councillors as incumbents are unseated, thus creating a self-sustaining training capacity beyond KID.   The Advisors will also be resources for citizens who, often for fear of bias or stigma within the patron-client web, do not want to take their problem directly to the Councillors.   The non-confrontational preference of Cambodians in resolving conflicts signifies the importance of mediation processes that can be based on culturally situated conversations rather than formal legal mechanisms.

Yet problems arise because many elected Commune Councillors have not had formal training in government administration and lack the skills to be effective democratic leaders.   While the willingness may be there on the Councilors' part, the institutional de-prioritisation of the rural population is reflected in the lack of agency and resources outside of Phnom Penh.   Realistically, most of the people who will attend trainings in conflict resolution from KID will be functionally literate but few will have more than a high school education.   Although 95% of the Citizen Advisers are teachers or academic administrators with plenty of public speaking experience, most will not have had any

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interaction with western conflict resolution practice or theory prior to my training. These challenges allude to differences between conflict resolution in the western versus the developing world, which is the proximate focus of this paper.

One of the greatest challenges of combining the western approach to conflict resolution with Cambodian traditions is in suspending one's own enthocentrism about how conflict should be addressed. Ideally, a long term project would allow for an elicitive process of organic conflict transformation models, but with an awareness of cultural differences and power disparities, it is possible to generate effective cross-cultural conflict resolution techniques within an abbreviated time span.   Fieldwork and theoretical research need each other to troubleshoot through the complexity of cross-cultural conflict work.   Power disparities, varying cultural rituals, divergent communication patterns, and unreconciled notions of democracy and development must be addressed both conceptually and pragmatically in the field.   As outsiders in high-context cultures, no interaction can be taken for granted.

Cultural Appropriateness

Western cultural assumptions are apparent in mediation via principles of direct speech, assumptions of equality among players, and the importance placed on individual well-being and rights as opposed to the collective good.   Issues of culture and power discussed previously illuminate challenges for me to design a 'best practices' conflict resolution training (incorporating mediation) that would be successful in Cambodia.

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Mediators serve as "listening ears, agents of reality, balancers of power, and designers and managers of process".[56]   In western practice, mediators attempt to address the content of the dispute and contribute to the development of pragmatic approaches to its resolution.[57]   These descriptions fit my US-based culture easily, but in Councillor Chher Cheng's province of Svay Rieng, such concepts must be contextualised to be effective.   She needs mediation techniques that will address domestic violence in ways where none of the parties involved will lose face; a more forthright style would not be appropriate.

Direct forms of nonviolent communication often utilised in western mediation such as verbalising observations, feelings, needs and requests[58] rely on western notions of culture and power and are only partly culturally transferable.   In the Cambodian context, Mansfield and MacLeod cite obstacles to mediation by Commune Councillors, and also offer potential solutions to each one.[59]   First, Councillors are responsible for the well-being of several villages, yet they travel outside of their home area infrequently. Second, Councillors from one political party do not want to intervene on behalf of villagers from opposing parties.   Third, there are occasionally allegations that Councillors personally benefit from mediations, and finally, parties do not always comply with the agreed-upon compromise.

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[56] Michelle LeBaron, Bridging Troubled Waters: Conflict Resolution from the Heart (San Francisco, CA: Jossey-Bass, 2002).   p. 288
[57] Norbert Ropers, From Resolution to Transformation: The Role of Dialogue Projects (Germany: Berghof Research Center for Constructive Conflict Management, 2004).   p. 3-4.
[58]   Marshall B. Rosenberg, Nonviolent Communication: A Language of Life (Encinitas, CA: PuddleDancer Press, 2005).   p. 6.
[59] Cristina Mansfield and Kurt MacLeod, Commune Councils & Civil Society: Promoting Decentralization through Partnerships (Phnom Penh, Cambodia: 2004).

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Suggestions to rectify these problems include creating a reliable information network between villages and the Commune office so that Councillors can be alerted to conflicts, as well as regular Councillor visits to the villages.   Delegating mediation responsibilities to specified Councillors so that some can specialise in mediation may also help. Additionally, institutionalising policies about conflict resolution activities so that they are viewed (and practiced) as fair, reliable, and consistent could address issues of compliance.[60]   Ultimately, each nation, culture and community will have to find for itself the most appropriate way to handle conflict.   Cross-cultural workers can share the essence of standardised mediation practices, but there is no substitute for techniques which are culturally based or elicited.

Conclusion: In Search of Cambodian-Style Conflict Resolution

A study by the Alliance for Conflict Transformation in Cambodia has found that in labour conflicts, status and respect for authority trump personal career goals and that generally people believe conflict is negative rather than positive.[61]   In a personal interview,[62] I asked Deputy Director Thanak Sovutha about (mostly undocumented) traditional conflict resolution techniques that Cambodians use.   He mentioned the importance of Buddhism in mediation, in that conflicting parties often meditate together in the local temple; after this, they might be able to conciliate.   Monks or village elders

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[60] Mansfield and MacLeod, Commune Councils & Civil Society: Promoting Decentralization through Partnerships.   p. 14.

[61] ACT, Baseline Survey on Intra-Organizational Conflict in Cambodian Non-Governmental Organizations and Unions (Phnom Penh, Cambodia: The Alliance for Conflict Transformation: Sponsored by the East-West Management Institute, 2005).

[62] Thanak Sovutha, "Personal Interview with Mneesha Gellman, January 8th, 2007," (Phnom Penh, Cambodia: 2007).

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play mediating roles as they command respect and tend to be more capable of neutrality. Also, Sovutha mentioned that generally mediators must be older than the conflicting parties to earn their respect.   Interestingly, many new Commune Councillors and Citizen Advisors trained in mediation are younger – in their 20s and 30s - and a growing minority are women.   Sovutha is optimistic that a cultural shift will happen to allow these Councillors to be seen as valid mediators, but it is slow to begin.

To summarise, in this paper I have discussed the specific differences between culture and power in western and indigenous realities when brought together in mediation.   My work in Cambodia focused on mediation as one element of the conflict resolution process.   From this experience I argue that for international workers to succeed in the spectrum of peacebuilding activities, a deep awareness of ethnocentrism must be present.   The willingness to explore and understand the cultural reality of the 'other' is a critical ingredient in positive interactions between western and non-western people.   Yet even when this intention is present, the structural and historical context of conflict may cause unforeseen and sometimes overwhelming obstacles to the mediation process.   Perseverance, and the willingness to elicit, explore, and transform one's own ontologies can provide the framework for successful intercultural conflict resolution practices.