14 Reflections on conflict management and third-party intervention in East Asia

Kwei-Bo Huang

It has been commonly argued that there are at least three flash points in East Asia: the Korean Peninsula, the Taiwan Strait, and the South China Sea. This book has focused mainly on the Korean Peninsula and the Taiwan Strait. At the root lies a sophisticated problem – state sovereignty.

In addition to the three flash points of East Asia, this book has also touched upon the struggle or competition between Japan and the People's Republic of China (PRC). It discusses the uncertainty hovering over the region of East Asia which also has a lot to do with sovereignty, as well as intra-regional ethnic conflicts in the Southeast Asia region, especially in Indonesia, the Philippines, and Thailand.¹ These intra-regional conflicts do not create immediate and destructive danger for the affected countries and the region of East Asia, but the poor management of such complex and protracted conflicts can be detrimental to the political, economic, and social stability, eventually leading to a doubtful future of national and regional development.

Given the complexity of regional political, economic, and ethnic situations, not only the prevention of conflict but the question of how can countries in East Asia address and confront various interstate and intrastate conflicts and therefore avoid violence and instability is also of great significance. Conflict management thus becomes an important and critical technique that is able to moderate or civilize "the consequences of conflict without necessarily uprooting its causes" (Rubenstein 1996: 4). Eliminating the root of deadly conflicts – i.e. the major objective of conflict resolution – is not a main concern for conflict management.

On the whole, conflict management includes such forms as prevention, thirdparty intervention, crisis management, and post-conflict management (peace building), all of which consist of a sophisticated but fragile system of conflict management in East Asia. Chapter authors have put much emphasis on *third-party interventions* and *negotiations* (*official and unofficial diplomacy*) and regarded them as salient techniques of conflict management in East Asia, the Taiwan Strait and the Korean Peninsula in particular.

Kenneth Thomas and Ralph Kilmann (1974) invented the Thomas–Kilmann Conflict Mode Instrument (TKI) to identify the five most common negotiation styles in commercial conflicts – competitors, accommodators, avoiders, collaborators, and compromisers. Competitors are assertive and aim to win without empa-

thizing much. Accommodators are more likely to listen than being combative and strive to be empathetic and build relationships. Avoiders try to remove themselves from discussions, showing neither assertiveness nor empathy. Collaborators seek a win–win outcome through mutual understandings that help recognize the interests of the parties involved. Compromisers fall in between competitors and accommodators and endeavor to find expedient or mutually acceptable solutions that can partially satisfy parties to a conflict. Generally speaking, in the nuclear crisis of the Korean Peninsula, the original strategy adopted by Washington and Pyongyang was to compete with each other, and the ensuing strategy of both parties has seemed to be more compromising. In the Taiwan Strait, competition remains to be the key strategy embraced by the two regimes in Taipei and Beijing. In Southeast Asia, accommodating, collaborating, and compromising have been favored by Southeast Asian countries as principles of resolving disagreement, but not yet by some active communal leaders or non-governmental organizations that get heavily involved in ethnic conflicts.

The paragraphs that follow will be divided into four sections. First, I will reflect upon the non-coercive conflict management techniques in general in East Asia. Second, I will consider the question of who is the spoiler in conflict management of East Asia. Third, I will show some of the implications of power/leverage differences for the United States as a major third party in East Asia. Last, I will briefly touch upon the difficulty of evaluating Track 1 and Track 2 third-party interventions as a concluding remark and future research suggestion.

Non-coercive, mediated/negotiated conflict management

For a third party who wants to intervene in and manage regional or intrastate conflicts in East Asia, the presence of military power and the threat of the use of force are still indispensable. However, as many chapter authors in this book imply, coercive interventions are not a very appropriate way to manage most of the conflicts in the region. The reasons can be threefold, at least. First, international politics in East Asia is so sophisticated that no single country or organization can unrestrainedly use or threaten the use of force to solve any dispute. Second, in the aftermath of the Second World War, the United Nations has authorized very few collective security and peacekeeping operations in the region.² ASEAN, which seems to be the sole regional institution qualified to conduct collective security or peacekeeping operations authorized and supervised by the United Nations, has either been incapable of carrying out the operations or been reluctant to devise or implement a mechanism in charge of coercive actions aimed at restoring regional peace and stability. Last, non-intervention has become a supreme norm that can be hardly moved or changed among East Asian countries, thus making coercive conflict management the least possible option to deal with conflicts or crises in East Asia.

Chapter authors focus on non-coercive techniques to explore the development of conflict management in East Asia because the possibility of using force in this region is extremely low. Again, for the most part, non-coercive conflict management

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discussed and analyzed in this volume has a lot to do with third-party intervention and *negotiation* – that is, interventionist management of conflict whose major component is third-party mediation carried out by capable sovereign states and international governmental and non-governmental institutions and networks in order to restore peace and stability in the region. This is just along the lines of the concept "smart power" long contended by some scholars, strategists, and policymakers. For example, according to Art of War written by Sun Tzu (2005: 10-13), "the highest form of generalship is to balk the enemy's plans; the next best is to prevent the junction of the enemy's forces; the next in order is to attack the enemy's army in the field; and the worst policy of all is to besiege walled cities;" and "the skillful leader subdues the enemy's troops without any fighting." Crocker et al. (2007: 13) call for the strategic and effective combination of unofficial diplomacy and military power - their definition of "smart power" - and the imperative attention to "the timing of mediated/negotiated interventions and the resources, capabilities, and strengths that different actors ... bring to the multiple tasks of conflict management."

Broadly defined, mediation can be viewed as assistance to two or more interacting parties to a dispute by third parties with incentives but perhaps no authority to create a final agreement; more specifically, mediation is a "reactive process of conflict management whereby parties seek the assistance of, or accept an offer of help from, an individual, group, or organization to change their behavior, settle their conflict, or resolve their problem without resorting to physical force or invoking the authority of the law" (Bercovitch and Houston, 1996: 13). Mediation appears to be best achieved when the parties to a dispute request it and when a stalemate or a possible stalemate exists (Bercovitch 1992: 4, 8; Princen 1992: 9–10; Bercovitch and Houston 1996: 28; Starkey, Boyer and Wilkenfeld 1999: 32). Mediation, in general, is aimed at facilitating "concession-making without loss of face by the parties, and thereby promote more rapid and effective conflict resolution than would otherwise occur" (Rubin 1980: 380).

As discussed in this volume, third-party mediations, either proactive or reactive, have occurred in different forms in the East Asia region. The form of third-party mediation can be formal and informal. The former is "based on established and accepted rules and procedures" to resolve a dispute through the agreement facilitated by the mediator and created by the parties directly involved, and the latter is nothing but a third-party approach to the resolution of conflict vaguely associated with such measures as fact finding (inquisitorial and adversarial interventions) and problem-solving advocacy (by providing impetus) that are of help to achieve a voluntary settlement (Lewicki *et al.* 1997: 204–5, 210–11). Accordingly, the United Nations, and its affiliated agencies tend to undertake formal mediation to solve disputes in East Asia because they have had a set of principles and rules as to how to intervene in a critical interstate or intrastate situation, whereas the informal form of intervention would be assumed by most of the other third-party mediators, with the exception that there is already a specified agreement between them and the parties to a dispute.

In line with Jacob Bercovitch, who identifies in Chapter 2 four kinds of major

actors as third parties in the Asia Pacific – i.e. global collective organizations, regional organizations, states, and individuals – the contributors to this volume actually call attention to the fact that the existing system of conflict management in East Asia have different layers with various state and non-state actors.

At the top layer are the United Nations and its affiliated agencies that are being involved in disputes over the nuclear issue in the Korean Peninsula and intraregional conflicts in Southeast Asia. As Johns Park and Yeh-Chung Lu indicate in Chapter 6, the International Atomic Energy Agency (IAEA) and the North Korean government agreed to work together to deal with the shutdown of the Yongbyon nuclear facility and the Taechon reactor under construction in mid 2007, despite the doubtful impact the IAEA has on the resolution of this nuclear crisis. In Southeast Asia, the United Nations Development Program (UNDP) has been largely responsible for post-cold war conflict resolution and peace building.³

At the second layer, a couple of sovereign states and regional intergovernmental and non-governmental organizations play a vital role. It is not uncommon that sovereign states, ranging from great powers such as the United States to middle powers such as Canada and Australia, devote themselves to conflict management or intervene in various intra-regional disputes in East Asia. In this book, the United States is singled out to be examined as a salient third-party intermediary in political and military confrontations between Taipei and Beijing. Edward I-hsin Chen, Changhe Su, and Scott L. Kastner observe and analyze the role of the United States in cross-Taiwan Strait relations in Chapters 10, 11, and 12, respectively. Their perspectives vary from the recognition of the importance of American presence to the limited American role as an observer and balancer. Despite the contrasting perspectives, a fair argument is that the United States has in a way intervened in the Taipei-Beijing struggles. In the East Asia region, it is quite clear that the United States is more than qualified as a "principal mediator"⁴ because conflicts over the Taiwan Strait and the Korean Peninsula are deeply attached to American strategic and economic interests.

Despite arguably weaker effectiveness and influence, compared to those of the above-mentioned sovereign states, regional intergovernmental and non-governmental organizations remain valuable in conflict management and third-party mediation in East Asia. For example, as Eric Teo and I point out in Chapters 9 and 8, respectively, the Association of Southeast Asian Nations (ASEAN) has a chance to function as a mediator if the rules specified in the Treaty of Amity and Cooperation in Southeast Asia and the ASEAN Charter can be implemented, and the ASEAN-Institutes of Strategic and International Studies (ASEAN-ISIS), the ASEAN Peoples' Assembly (APA), and the Helsinki-based Crisis Management Initiative (CMI) have made salient contributions to the Aceh Peace Agreement.

At the bottom layer, there are individuals or organizations within domestic boundaries that conduct shuttle diplomacy, exert political or economic influence, or act via epistemic communities in order to reduce hostility, restore confidence, ease tensions, and find reciprocal solutions to conflicts. For example, in Quansheng Zhao's analysis of the 1972 Beijing–Tokyo rapprochement (Chapter 5), in addition to the changing international milieu that changed both Beijing's and Tokyo's policies, some internal political and business leaders and agencies, as well as intellectuals and news media, in Tokyo also made an effort to mediate the two sides. Tsungting Chung argues in Chapter 13 that Lee Kuan Yew of Singapore once acted as a messenger and educator in his attempt to mediate between Taipei and Beijing.

Possible spoilers in East Asia?

When a conflict occurs, spoilers are often found. Spoilers are leaders or parties who believe that peace resulting from negotiations "threatens their power and interests, world view and use violence to undermine attempts to achieve it." The success and failure of spoilers hinge largely on international state and non-state actors that serve or fail to serve as guardians of peace overseeing the implementation of peace agreements (Stedman 1998: 69; Stedman 2000).

The spoiler problem appears to exist in the conflict management of East Asia. A more appropriate question that needs to be asked here is: Do spoilers in East Asia really ruin the possibility of peace? From a purely American official perspective, arguably, state or non-state actors that do not comply with the rule of the game specified by the United States can be spoilers in East Asian security. Nevertheless, whose peace is peace? Whose stability is stability? Is there no other mutually acceptable solution that can lead to peace and stability in a bilateral or multiple party conflict? In other words, a spoiler is viewed as it is maybe because it is not satisfied with the solution on the negotiating table, which does not mean it does not wish to see the arrival of peace after mediated/negotiated diplomacy. Hence, whether or not an alleged spoiler is really a spoiler seeking to ruin the peace process requires a very thorough examination of all possible peace solutions and the politics between this alleged spoiler and the "guardian of peace".

That being said, it is fair enough to argue that there are salient limits to humanitarian interventions in North Korea (as Sukhee Han holds in Chapter 7), but labeling Pyongyang or Beijing spoilers in conflict management in the Korean Peninsula remains controversial. Likewise, Taipei cannot be a spoiler simply because the top leaders of the ruling party, Democratic Progressive Party (DPP), always try to figure out the red lines drawn by Washington and Beijing by undertaking de jure moves toward Taiwan independence and to maintain a political disengagement policy towards mainland China. Southeast Asian governments and communal or religious organizations whose policies or goals pursued are different from that which has been proposed and planned by third parties cannot be viewed as spoilers, either.

A real spoiler can be inside or outside a peace process. The United Nations had three major strategies to manage spoilers in the 1990s: inducement – i.e. giving the spoilers what they want; socialization – i.e. changing the behavior of the spoiler to adhere to a set of norms; and coercion – i.e. punishing spoiler behavior or reducing the capacity of the spoiler to destroy the peace process (Stedman 1998, 2000). As argued before, coercive measures are not ideal in the East Asia region. By inducing or socializing potential or real spoilers will conflict management and third-party interventions in East Asia work better.

Power/leverage disparity and the United States as a third party

In East Asian cases where the United States takes the lead in third-party interventions or mediated/negotiated efforts, the military muscle and side payments/penalties of the United States are always two of the most crucial ingredients in shaping the decision of the United States to become involved. This inference matches the structuralist paradigm of multiparty mediation which emphasizes the mediator's ability to exercise leverage in the process of mediation. Yet this is not to argue that objectivity, fairness, timing, and so on are not important in East Asian conflict management, but to denote in certain cases the importance of prioritizing the power/leverage disparity factor – i.e. the influence a third party has in an effort for the management of regional conflicts (Touval and Zartman 1985: 256; Crocker *et al.* 1999: 21–2).

In the Taiwan Strait and the Korean Peninsula, more specifically, it is still the material power that largely shapes the system of conflict management. The United States remains the most important and powerful third party in major intra-regional conflicts of East Asia. The United States mainly uses the United States-Japan alliance and the Asia-Pacific Economic Cooperation (APEC) to hold sway over this region politically and economically. Besides, there are three major powers -Japan, Russia, and the PRC - and two politically marginalized countries - North Korea and the Republic of China (ROC on Taiwan). Japan works together with the United States in most regional affairs, whereas Russia and the PRC are sometimes in opposition to the United States in such important cases as the Iraqi issue, the Iranian nuclear issue, and the North Korean nuclear issue. Despite its deep involvement in the Taiwan Strait and the Korean Peninsula, the United States has not been very successful in mediating the former and intervening in the latter, in part because these issues contain deep-rooted histories of misperception, hostility, and sovereignty struggles and in part because the Russia-PRC strategic alliance has prevented the United States from doing whatever it wants to.

According to Jeffrey Rubin (1992: 255–6), there are six different bases of power for influencing others' behavior: reward, coercion, expertise, legitimacy, reference, and information. Reward power means the ability to offer "positive benefit in exchange for compliance"; coercion power refers to the ability of the use of language or threat in exchange for compliance; expert power suggests the ability to "create the impression of being in possession of some body of information or expertise that justifies a particular request"; legitimacy power means the justifiable right to make a request or to persuade; referent power stands for the ability to enhance the relationship or trust with the party to a dispute; and informational power means the ability to really know or discover something important or special for the dispute.

The United States on the one hand enjoys several bases of power that to a certain extent can change the behavior of disputing parties in these areas: reward power, coercion power, expert power, and informational power. On the other hand, it lacks legitimacy power, and its referent power is a bit shaky both because its rela-

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tionships with Beijing and Pyongyang may not be trusted seriously and because its influence on the moves of Taipei and Seoul appears to be decreasing with a demand for independent and autonomous decision making incidental to democratization. As the most important third-party intervener/mediator, the way the United States has done for decades – intervention/mediation without invitation – will remain, but the decision-makers in Washington will find out they are having a harder time dealing with Taipei–Beijing and Seoul–Pyongyang struggles.

In Southeast Asia, it is fair to say that the United States possesses several bases of power that can influence the behavior of parties to a dispute. They include reward power, coercion power, and informational power. Nonetheless, it is interesting to point out that the United States has less interest in mediating communal or ethnic conflicts in Southeast Asia, although it enjoys a great deal of power/ leverage advantages over those countries concerned. In addition, in the region of Southeast Asia, legitimacy power does not belong to the United States; it is ASEAN and the United Nations that enjoy such a power. Expert power of the United States seems doubtful because a number of scholars and analysts maintain that the United States has long ignored Southeast Asia and thus failed to understand and show empathy toward this region. Reference power of the United States is limited due to its lukewarm relations with the Indo-Chinese countries, Myanmar, and sometimes Islamic countries, not to mention its relations with local communities and organizations aimed at peace-building efforts.

Japan, the European Union, and some international governmental and nongovernmental organizations are taking the lead in preventing deadly ethnic conflicts from happening again and eliminating the root of violence in the region. The United States has not yet been able to change its biased and unfair perception, at least in some Islamic and grass-roots communities of Southeast Asia, and has remained unenthusiastic about embarking upon any kind of interventionist conflict management, for its "quasi-disengagement" has lasted for quite a few years. Furthermore, such "quasi-disengagement" does not appear to bring the United States an impartial and neutral mediator status in dealing with Southeast Asian conflicts. In comparison with the case of the 1991 Paris Peace Accords where the United States, along with France, played the leading role in a series of talks about the solutions for the end of armed conflicts in Cambodia partly because of its disengagement from Southeast Asia (Crocker et al. 1999: 683), what the United States nowadays is doing to deal with conflicts in Southeast Asia with greater military and economic capabilities is very limited, not because the power disparity between the United States and Southeast Asian countries is small but because relations between the United States and ASEAN member states make leaders in Washington less likely to get involved in sovereignty and ethnic conflicts in this region.

Staying power that not only has to do with the above-specified six categories of power but also concerns the third party's own capability, willingness, and international-domestic constraints it faces is worth mentioning here. "Third parties must remain fully engaged during the negotiations that lead up to a settlement and during its implementation. Interventions that fail are typically associated with a lack of staying power or an inability to muster the resources needed to building a

secure foundation for a settlement or some process of intercommunal reconciliation" (Hampson 2001: 401). In cases studied in this volume, staying power of the United States is being presented and used differently in Northeast Asia and Southeast Asia, stronger in the former and weaker in the latter. This partially explains why the United States has ignored and failed to map out a clear strategy towards Southeast Asia (Kerrey and Manning 2001: 20–1, 48–9, 53–4) and why the United States has taken action more evidently and frequently as a principal third party in the Taiwan Strait and the Korean Peninsula than in Southeast Asia.

Concluding remark: evaluation of Track 1 and Track 2 interventions

Conditions or factors contributing to effective third-party interventions are quite often discussed in the literature of conflict management (Frei 1976; Kressel and Pruitt 1985; Smith 1985; Rubin 1992: 251–6; Kriesberg 1995; Hampson 2001; Wall *et al.* 2001: 371–3; Schneider *et al.* 2006). In addition, some attempts were made to sort out the effectiveness of a third party in various forms of conflict management, regardless of Track 1 or Track 2 interventions. It is argued that the role of the third party becomes decisive as the parties to a dispute agree to accept authoritative controls such as court settlements and police interventions. When the parties to a dispute decide to conduct direct negotiation or bargaining, the role of the third party will diminish to a great extent (Burton 1990: 188–93; Burton and Dukes 1990). At last, MEDIATORS do not need to be impartial to be accepted or effective: "mediators must be perceived as having an interest in achieving an outcome acceptable to both sides and as being not so partial as to preclude such an achievement" (Zartman and Touval 1996: 452).

A somewhat related question is: How effective or successful are those Track 1 and Track 2 conflict management undertakings presented in this volume? Given the very complicated nature of third-party intervention and mediated/negotiated conflict management in East Asia, this is in fact a tough, but ill-defined, question for researchers.

David Baldwin (2000) calls for a framework that considers and compares both costs and benefits to determine the effectiveness or success of foreign policy. Such a framework for third-party interventions in interstate and intrastate conflicts is necessary, too. It is very challenging to judge the effectiveness or success of a specific third-party intervention because an outcome preferable to one party may not be preferable to the other, not to mention that the third party or parties may have their own preferences. Analytical and comparative criteria will thus have to be created if the study on the success or failure of a third-party intervention receives more attention. It is, however, a pity that producing criteria for the evaluation of the success or failure of a third-party intervention goes beyond the scope of this concluding chapter. The difficulty in doing so is particularly obvious because not only the definition of effectiveness and success in a mediating effort but the interplay between mediation and such environment variables as disputing parties' domestic situations and external milieus remain rather vague.

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A relatively simple way to do so is to judge the effectiveness or success from the third party's stance – on the premises that the basic objective of intervention is to ease tensions, enhance mutual understanding, or restore peace and stability, and that the environment in which the dispute or conflict exists does not prevent the progress in mediated/negotiated conflict management (Kriesberg 1995: 219–20). An even more effective or successful third-party intervention is to forecast potential crises and plan how to deal with them.

It should be noted that this section does not deal with the comparison of effectiveness or success in third-party interventions undertaken by Track 1 and Track 2, mostly because the fact that there is no single dimension of factors that can account for conflict interventions makes this task extremely difficult, albeit not entirely impossible. Track 1 conflict interventions may have applied effectively and successfully to some cases but not others, and so may Track 2 interventions. Every intervention could be unique, and neat lessons can hardly be drawn from such complicated international relations as those of East Asia. But again, analytical and comparative criteria are definitely necessary to come up with a common understanding and general agreement as to the effectiveness or success in third-party intervention and mediate/negotiated conflict management. It is merely the hope of chapter authors that by placing the region into the field of conflict management and by comprehending the nature and distinct features of third-party intervention and mediated/negotiated diplomacy in East Asia, the picture of conflict management will become clearer, and more opportunities will be created or found to help people in the region arrive at peace in the not-too-distant future.

Notes

- 1 For instance, Indonesia is being troubled with the separatist movement in Aceh and West Papua and tribal conflicts in Kalimantan, Maluku, etc. The Philippines has long tried to settle the discord with the New People's Army (NPA), the Muslim terrorist groups and separatist movements. In Southern Thailand, the Muslim call for separation has loomed large in recent years.
- 2 Examples include the authorized advance of the United States and allied forces under the command of the United Nations to the Korean Peninsula on 7 October, 1950, and the United Nations Security Council Resolution 1264 calling for a multinational force to restore peace and security, facilitate humanitarian assistance, and protect and support the United Nations' mission in East Timor on 15 September, 1999, followed by the establishment of the Australia-led International Force East Timor (INTERFET).
- 3 For example, in the Philippines and Indonesia, UNDP has provided displaced people with basic capacity training activities. This measure coupled with conflict resolution and peace building has seemed to become the basic pattern for the United Nations to deal with conflicts in Southeast Asia.
- 4 Third-party mediation can be either "principal mediator" involvement or "neutral mediator" involvement. The former refers to an intermediary with bargaining capability but only indirect interests in disputed issues e.g. the United States in the Falklands/ Malvinas conflict of 1982 and the latter means an intermediary with no bargaining capability and no interests in the disputed issues e.g. Pope John Paul II and Peru in the Falklands/Malvinas conflict. See: Princen (1992: 20).

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