

Det er ikke bare et stykke land: Håndtering av emosjonelle dimensjoner i eiendomskonflikter

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Daniel L. Shapiro: It's Not Just a Piece of Land: Dealing with the Emotional Dimensions of Land Conflicts

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As globalization takes hold, land conflicts are likely to increase in prevalence and complexity. Reaching sustainable resolution to these conflicts requires attention not only to their tangible dimension, but also to their emotional, identity-based underpinnings. Two «relational identity concerns» – autonomy and affiliation – stimulate many of the emotions that arise in a land conflict. These relational identity concerns provide both a lens for understanding the emotional dimension of conflict and a lever for stimulating constructive emotions. The utility of this «relational identity framework» is demonstrated through a case study of the Ecuador/Peru border dispute.

Key words: negotiation, conflict, identity, emotions, land

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While land conflicts have plagued great portions of human history, globalization is likely to increase their prevalence and complexity. The combination of population growth and physical space limitations within cities and regions around the world will mean that more and more people will be wrestling for a piece of land to call their own. Furthermore, as economic interdependence increases, the international community will face new challenges about how to transport goods and services most efficiently within and across state borders. This will require a heightened need for international cooperation on land access and use. Additionally, as communication becomes easier through such means as the internet and air travel, land conflicts that were once of only local or regional concern now are subject to international attention, resulting in a greater number of stakeholders, with a more diverse set of interests, all needing to work together to resolve the conflict.

In this emerging global era, resolving land conflicts entails more than just technical negotiation over facts. Deep historical grievances and current feelings of frustration, humiliation, and fear impede each party's ability to listen, learn, and cooperate (Daly, 1991;

Allred, Mallozzi, Matsui, and Raia, 1997). Even when political agreements are reached, they often have little impact on the anger and resentment between groups, leaving social conditions rife for renewed violence (Shapiro and Liu, 2006).

The purpose of this article is to shed light on how to deal with the emotional and identity-based dimensions of land conflicts. I differentiate between the tangible and intangible aspects of land conflicts, discussing two core concepts – autonomy and affiliation – that tend to stimulate many of the emotions that fuel land conflicts. I describe how these concepts can be employed to stimulate emotions conducive to cooperative problem solving in land conflicts. I close with a case example that applies these ideas to a recent border conflict between Ecuador and Peru.

Two dimensions to land conflict

There are two primary dimensions to land conflicts (O'Leary, Diehl, Frazier, and Allee, 2005). The most obvious is the *tangible dimension*, which comprises the substantive issues associated with the actual physical land under disagreement (Shapiro, 2002). Each

side may have legitimate facts, expert opinions, or religious claims that support their case for access, use, or ownership of the land, and each may hold socioeconomic motives for wanting the land for access, production, or distribution. The *intangible dimension* includes the emotional and identity-based issues and dynamics that fuel the conflict (e.g., Fisher and Shapiro, 2005; Hensel, 1996, 2000; Keohane and Nye, 1977). Even when the tangible facts of a negotiation are clear and straightforward, emotions can fuel conflict escalation. Negative emotions may escalate naturally or through vested parties who rally emotions to serve their self-interest. The next session of the article takes a closer look at the core elements of this intangible dimension.

The Emotional Fuel of Land Conflict: Relational Identity Concerns

I have developed the «relational identity framework» to illuminate the fundamental elements and dynamics of the emotional dimension of conflict (Shapiro, 2002). This framework is based upon three assumptions, each which holds validity within the context of a land conflict. First, identity is implicated in a conflict in a variety of ways, ranging from a group's attachment to a sacred piece of land (such as Jerusalem), to a group's sense of nationalism being stirred (as when Milosevic attempted to build a «Greater Serbia»), to a group's fear that another group is trying to invade not just its soil, but its soul. Second, identity is relational (Bion, 1959; Fairbairn, 1963; Parkinson, 1995; Scharff and Scharff, 1998). Individuals and groups see themselves differently depending upon with whom they are interacting. Third, when our relational identity is not treated the way we would like or expect, a core set of concerns goes unmet and stimulates negative emotions (Fisher and Shapiro, 2005). I call these concerns «relational identity concerns» (Shapiro, 2002). They are «concerns,» because we desire their satisfaction. They are «identity concerns,» because the concerns motivate us to preserve our defining features, experiences, and history. And they are «relational identity concerns,» because relational and

cultural norms affect the degree to which we expect or desire a concern to be addressed.

Cross-disciplinary research has converged upon two relational identity concerns – autonomy and affiliation – as basic dimensions of human existence (Angyal 1941; Bakan 1966; Bem 1974; Deci and Ryan 1985; Benjafield & Carson 1986; Wiggins 1991). While these concerns are given many different names – ranging from advocacy and connection (Kolb & Williams 2000) to justice and care (Gilligan 1982), the basic concepts are similar.

Autonomy represents the freedom to act, think, and feel as one would like without imposition from others (Averill and Nunley, 1992; Shapiro, 2002). Autonomy can trigger positive or negative emotions depending upon whether we feel that it is being impinged upon or respected. *Affiliation* describes the emotional connection that we feel toward another person, group, place, or thing (Gilligan, 1982; Josselson, 1995; Miller, 1976). Do we feel distant or close to them? Excluded or included?

In a land conflict, these relational identity concerns impact emotions in two ways. First, they affect the way parties feel about the land itself, the tangible dimension. Parties often hold great emotional connection to the land, seeing it as sacred and inviolable (Suskind and Anguelovski, 2008). This affiliation may be strong enough that parties are willing to sacrifice greatly for the land. In terms of autonomy, parties often want or expect full rights to do what they want with the land. This is evident, for example, when a party feels that the land has been divined only to them. As affiliation to the land increases, parties become more sensitive to protecting their autonomy – their «right» to the land – from being violated.

Second, these relational identity concerns impact the way parties feel about each other. In a land conflict, parties tend to conceive of their affiliation with one another as adversaries rather than as partners facing a shared problem. They hold the other's words and actions at a distance, with great suspicion, and interpret even positive intentions in a negative light (Ross, 1977). Amidst this veil of mutual suspicion, each side's sensitivity to autonomy intensifies. The subtlest sense of

feeling coerced or «told» what to do can lead to resistance (Deci and Ryan, 2000).

The impact of the relational identity concerns on emotions and consequent behavior is clear and straightforward. If these concerns are addressed, the relationship between the parties tends to flow smoothly. If these concerns are unmet, negative emotions tend to get stirred, and adversarial behavior becomes more likely. Therefore, to induce cooperative behavior in a land conflict, efforts should be undertaken to address the relational identity concerns of the primary parties to the conflict.

A Case Study: The Peru/Ecuador Border Dispute

In this final section of the article, I show how these relational identity concerns were used by Jamil Mahuad, President of Ecuador (1998-2000), to help resolve the largest land dispute in Latin America. This section draws upon my personal interviews of President Mahuad (Shapiro, 2008), as well as his first-hand account of his peace efforts, as documented in *Beyond Reason: Using Emotions as You Negotiate* (Fisher and Shapiro, 2005).

Ecuador and Peru experienced a bloody, long-standing border dispute. The United States Department of State called it the «oldest armed conflict in the Western Hemisphere.» Numerous attempts to resolve the conflict failed, including direct negotiation and third-party intermediaries with international figures including the King of Spain and President Franklin Roosevelt. In 1941, a new wave of war broke out between Ecuador and Peru. In 1942, both countries committed to the Protocol of Peace, Friendship, and Limits, known in short as the «Rio Protocol.» This treaty stated that the border between the countries would be the watershed between the Zamora and Santiago rivers. As it turns out, between these two rivers was a third river, the Cenepa, leaving approximately 78 kilometers of the border undetermined. Armed conflict erupted in 1981 and again in 1995, enflaming relations and mistrust. The small area of land called Tiwintza, a part of the undetermined border area, became the central symbol of the conflict. In

this outpost, soldiers from both countries had been killed and buried.

On August 10, 1998, Jamil Mahuad took office as President of Ecuador and, for reasons beyond the scope of this article, decided that his first major order of business would be to negotiate an end to the border conflict. President Mahuad recognized that Tiwintza was not just a piece of land, but a deeply meaningful symbol of heroism to each side. By the time President Mahuad took office, the troops lined the demilitarized zone in close enough proximity that, in some locations, they literally could say «buenos dias» and shake hands.

President Mahuad met with President Alberto Fujimori of Peru ten times over the course of 77 days and addressed adeptly the relational identity concerns. President Mahuad quickly built a good working relationship with President Fujimori – but this positive affiliation initially was built behind closed doors. A major challenge facing the two presidents was how to help their constituents begin to see that their two countries were no longer enemies, but partners working side-by-side on a settlement to the conflict. President Mahuad arranged for a photograph to be taken of the two presidents sitting side-by-side jointly holding a pad of paper. The message was clear: The Presidents were working collaboratively to deal with their differences. The photograph appeared on the front page of the Ecuadorian newspaper and had its intended favorable impact on public perception of the conflict. President Mahuad reports that, although the purpose of the photograph was to affect the public and media in each country, it also helped him feel more affiliated with President Fujimori and more committed to reaching a final resolution.

Autonomy, too, was a sensitive concern during the conflict. As President Mahuad notes, «In all our meetings, I was very conscientious to respect his [President Fujimori's] autonomy and to ensure my own. It would have been deadly wrong, for example, to try to *tell* President Fujimori what to do. Rather I asked for his perceptions and reactions on how we two presidents might best settle this protracted and costly boundary dispute» (Fisher and Shapiro, 2005).

Ultimately, the ability of these two presidents to work effectively with one another paid off. By respecting each other's autonomy and building a mutual sense of affiliation, they were able to work cooperatively over the course of 10 meetings in 77 days, leading to a complete resolution of all outstanding issues. Today, Tiwintza is an international park; there is no political, economic, or military activity without the consent of both countries. As President Mahuad notes, «Negotiators often assume that the best way to negotiate is purely rational. To be sure, strong hostile emotions easily escalate and cause problems. Yet, more importantly, in my experience, emotions can be helpful. When going into negotiations, I was ready to take the initiative and act upon each of the core concerns...In doing so, President Fujimori and I established good rapport, a strong working relationship, and a stable agreement» (Fisher and Shapiro, 2005).

Summary

In our global era, reaching sustainable resolution to land conflicts requires attention not just to their technical, tangible dimension, but also to their emotional and identity-based underpinnings. Two relational identity concerns – autonomy and affiliation – stimulate many of the emotions that arise in land conflicts. These relational identity concerns provide both a *lens* to understand the emotional dynamics of a conflict, as well as a *lever* that can be used to stimulate emotions conducive to cooperation. The skillful negotiation approach of President Jamil Mahuad offers a vivid example of the power of these relational identity concerns in aiding resolution to a real-life border dispute.

Bibliography

- Allred, K.G., Mallozzi, J.S., Matsui, F., & Raia, C.P. 1997. The Influence of Anger and Compassion on Negotiation Performance. *Organizational Behavior and Human Decision Processes*, 70(3), pp. 175–187.
- Angyal, A. 1941. *Foundations for a Science of Personality*. Cambridge, MA: Harvard University Press

- Averill, J.R. & Nunley, E.P. 1992. Autonomy. In *Voyages of the heart: Living an emotionally creative life* (p. 241–249). New York: Free Press.
- Bakan, D. 1966. *The Duality of Human Existence: Isolation and Communion in Western Man*. Oxford: Rand McNally
- Bem, S.L. 1974. The measurement of psychological androgyny. *Journal of Consulting and Clinical Psychology* 42: 155–162
- Benjafield, J. & Carson, E. 1986. A historic-developmental analysis of the circumplex model of trait descriptive terms. *Canadian Journal of Behavioural Science* 17(4): 339–345.
- Bion, W. 1959. *Experiences in Groups*. New York: Basic Books.
- Daly, J.P. 1997. The Effects of Anger on Negotiations over Mergers and Acquisitions. *Negotiation Journal*, 7(1), pp. 31–39.
- Deci, E.L. & Ryan, R.M. 1985. *Intrinsic Motivation and Self-Determination in Human Behavior*.
- Deci, E. L., & Ryan, R. M. 2000. The «what» and «why» of goal pursuits: Human needs and the self-determination of behavior. *Psychological Inquiry*, 11, 227–268.
- Fairbairn, W. R. D. 1963. Synopsis of an Object-Relations Theory of the Personality. *International Journal of Psycho-Analysis*, 44, 224–226.
- Fisher, R., and Shapiro, D. 2005. *Beyond Reason: Using Emotions as You Negotiate*. Viking: New York.
- Gilligan, C. 1982. *In a Different Voice*. Harvard University Press, Cambridge, Massachusetts.
- Hensel, P.R. 1996. Charting a course to conflict: territorial issues and militarized interstate disputes, 1816-1992. *International Studies Quarterly*, 45: 81–109.
- Hensel, P.R. 2000. Territory: Theory and evidence on geography and conflict. In Vasquez, J.A. (ed.), *What Do We Know about War?* Rowman and Littlefield: Lanham, MD.
- Josselson, R. 1995. *The space between us: Exploring the dimensions of human relationships*. Thousand Oaks, CA: Sage.
- Keohane, R.O., and Nye, J.S. 1977. *Power and Interdependence*. Little Brown: Boston.
- Kolb, D.M. & Williams, J. 2000. *The Shadow Negotiation*. Simon & Schuster, New York.
- Miller, J.B. 1976. *Toward a new psychology of women*. Beacon Press: Boston.
- O'Lear, S., Diehl, P., Frazier, D., and Allee, T. 2005. Dimensions of territorial conflict and resolution

- on: tangible and intangible values of territory. *GeoJournal*. 64:259–261.
- Parkinson, B. *Ideas and Realities of Emotion*. New York: Routledge, 1995.
- Ross, L. 1977. The intuitive psychologist and his shortcomings: Distortions in the attribution process. In L. Berkowitz (Ed.), *Advances in experimental social psychology* (vol. 10, pp. 173–220). New York: Academic Press.
- Scharff, J. S. and Scharff, D. E. 1998. *Object Relations Individual Therapy*. Northvale, N. J.: Jason Aronson Inc.
- Shapiro, D.L. 2002. Negotiating Emotions. *Conflict Resolution Quarterly*, 20(1), p. 70.
- Shapiro, D.L. 2008. Personal interviews with Jamil Mahuad, President of Ecuador (1998–2000).
- Shapiro, D.L. and Liu, V. 2006. The Psychology of a Stable Peace. In M. Fitzduff and C. Stout, eds, *The Psychology of Resolving Global Conflicts*.
- Susskind, L.E., and Isabelle Anguelovski. 2008. *Addressing the Land Claims of Indigenous Peoples*. Massachusetts Institute of Technology Program on Human Rights and Justice. Boston, MA.
- Wiggins, J.S. 1991. Agency and communion as conceptual coordinates for the understanding and measurement of interpersonal behavior. In Grove, W.M. & Cicchetti, D. (eds.) *Thinking Clearly About Psychology: Personality and Psychopathology. Vol 2*. University of Minnesota Press, Minneapolis.