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ILSA JOURNAL OF INTERNATIONAL & COMPARATIVE LAW

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Introduction to Social Cubism

Social Cubism and Social Conflict: Analysis and Resolution Seán Byrne, Neal Carter, and Jessica Senehi

Social Cubism: Six Social Forces of Ethnopolitical Conflict in Northern Ireland and Québec Seán Byrne and Neal Carter

Analysis and Application

Integrative-Inductive Social Cubism Lana Russ-Trent

Toward A Multidimensional Model of Social Interaction as Related to Conflict Resolution Theory S. Michael Hare

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SOCIAL CUBISM AND SOCIAL CONFLICT: ANALYSIS AND RESOLUTION

*Seán Byrne**, *Neal Carter***, and *Jessica Senehi****

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I. INTRODUCTION

With the collapse of Communism and the Cold War geopolitical order, three interrelated tendencies surfaced; the growing disempowerment of ideologies based on modern rationality,¹ the formation of a new transnational order with an integrated financial system, standards of production and consumption; and, the relative decline of the centralized nation state, and modern territorial sovereignty.²

The escalation of ethnopolitical conflicts is shaped by both indigenous factors and global constraints.³ Levels of communal interaction shape intercommunal conflicts. For ethnopolitical conflicts, both the international system and the relations between and within nation states must be considered.⁴ Within the international system, the flow of capital, ideas, nationalism and the use of hegemonic power affect the escalation of conflict between and within states. The vitality of micro-nationalist issues within state structures has

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1. Fred Pearson et al., *Overcoming Wilsonianism: American Conflict Resolution and Ethnic Nationalism in Eastern Europe and the Former Soviet Union*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS 23-40 (Seán Byrne & Cynthia Irvin, eds. 2000).

2. *Id.*

3. CONFLICT RESOLUTION: DYNAMICS, PROCESS AND STRUCTURE (Ho-Won Jeong, ed. 1999).

4. ANDREA K. GROVE & NEAL A. CARTER, POLITICAL PSYCHOLOGY, NOT ALL BLARNEY IS CAST IN STONE: INTERNATIONAL CULTURAL CONFLICT IN NORTHERN IRELAND 725 (1999).

produced protracted ethnopolitical conflict resulting in micro-macro tensions, and zero-sum stalemates.

The nation state is losing some of its initial power of a self-evident collective identity, a common good, and a self-governing legitimacy.⁵ Social and class identities are being replaced in some areas with ethnic, religious, and territorial affiliations.⁶ These new identities now strive for self-determination, celebrate ritualistic group meanings and norms, and cause ethnoterritorial mobilization, ethnopolitical conflicts, state fragmentation, and regionalism around the world.⁷

Globalization has worked to reinforce these local particularisms and allegiances in response to the economic identity constructed by the global markets transnational hegemonic order.⁸ Instead of a straightforward manifestation of *laissez faire* capitalism, enshrined in the rule of law and prosperity under the constructivism of international liberalism or post-modern condition, the new order disclosed a surprising resemblance to pre-modern disorder fueled by instability and turmoil, counter mobilization, and ethnic cleansing for the pursuit of cultural homogeneity and ethnic purity.⁹ It is a truly intellectual effort to try to make sense of this "pulp fiction"--a transition between refugees, Netscape, Gerry Adams, McDonalds, Jihad, Disney, Domestic Violence, Corporate Downsizing, and Sarajevo.

Since the end of the Cold War, ethnopolitical conflicts have increased in frequency and intensity.¹⁰ However, communal or ethnic conflict is not simply a post-Cold War phenomenon. During the 1960s, modernization theorists argued such 'tribal' conflicts were primitive and would eventually erode as industrialization, communications, technology, and international trade spread.¹¹

5. John Agnew, *The Geopolitical Context of Contemporary Ethnopolitical Conflict*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOLITICAL CONFLICTS 98 (Seán Byrne & Cynthia Irvin, eds., 2000).

6. SOCIAL CONFLICTS AND COLLECTIVE IDENTITIES (Patrick G. Coy et al., eds. 2000).

7. PEACE IN THE MIDST OF WARS: PREVENTING AND MANAGING INTERNATIONAL ETHNIC CONFLICTS (David Carment & Patrick James, eds. 1998).

8. Agnew, *supra* note 5, at 98-125.

9. HUGH MIALLE ET AL., CONTEMPORARY CONFLICT RESOLUTION: THE PREVENTION, MANAGEMENT & TRANSFORMATION OF DEADLY CONFLICTS (Polity Press 2000) (1999).

10. Ted Robert Gurr, *The Ethnic Basis of Political Action in the 1980s and 1990s, Sketch: Turks in Germany: From Guest Workers to Ethnoclass*, in PEOPLE V. STATES: MINORITIES AT RISK IN THE NEW CENTURY 3, 21 (2000).

11. SAMIR AMIN, IMPERIALISM AND UNEQUAL DEVELOPMENT (Monthly Rev. Press 1977) (1976); Fernando Henrique Cardoso, *Dependency and Development in Latin America*, 74 NEW LEFT REV. 83 (1972); Theotonio Dos Santos, *The Structure of Dependence*, 60 THE AMER. ECONOMIC REV. 231, 231-236 (1970) available at <http://www.jstor.org/>; ANDRE GUNDER FRANK, CRITIQUE AND ANTI-CRITIQUE: ESSAYS ON DEPENDENCE AND REFORMISM (1984).

The eruption of ethnonationalism in the “developed West” cast doubt on the prospects for integration and the future of the multi-ethnic state. Britain, the world’s first industrial nation and model of stable democracy, became racked by ethnic conflict in Northern Ireland and the rise of nationalism in Scotland and Wales.¹² Prosperous Canada has experienced great difficulties in trying to accommodate ethnonational sentiment in Quebec.¹³

While cooperative relations among groups maintaining disparate linguistic, religious, and cultural customs do not necessarily constitute the exception to the rule, relations are often strained during periods of social and economic disruptions, scarcity, uncertainty, and fear.¹⁴ Unfortunately, the underlying issues associated with periods of political transition (for example, corruption, mismanagement, and ineptitude) are often obscured by the nationalistic rhetoric of opportunists who find it advantageous to play the ‘ethnic card’ and foster ethnic strife rather than risk their own political demise.¹⁵

During colonial times, in central Africa, Belgian authorities transformed neighbors into enemies by issuing Rwandans cards designed to establish their identity. This campaign institutionalized and helped provide racial rationale for subsequent Tutsi domination.¹⁶ The rampant economic and political uncertainty that engulfed Eastern Europe during the latter part of the 1980s drew a number of unscrupulous politicians out of the woodwork.¹⁷ Responding with repression to irredentism, the Zhivkov regime in Bulgaria, and the Chausesco regime in Romania, for example, stepped up their campaign of ‘Regeneration’ and the creation of nationally pure states. In Bulgaria the ‘Regeneration Process’ aimed to force assimilation under a national civil code, coercing Bulgarian Turks and Slavic Muslims (*pomaks*) to adopt Bulgarian names. The policy of Regeneration was also responsible for closing mosques, forbidding the use of the Turkish language in public places, and discouraging cultural and religious practices, and the Islamic consultation creed (*sher’a*). Very similar in form were the assimilatory policies adopted by the Romanian government to erase the Hungarian ethnic identity of the population in Transylvania. In 1989, Zhivkov’s

12. MICHAEL HECHTER, *INTERNAL COLONIALISM: THE CELTIC FRINGE IN BRITISH NATIONAL DEVELOPMENT 1536-1966* (1975).

13. Neal Carter & Seán Byrne, *The Dynamics of Social Cubism: A View From Northern Ireland and Quebec*, in *RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICT* 41 (Seán Byrne & Cynthia L. Irvin eds., 2000).

14. See generally DONALD L. HOROWITZ, *ETHNIC GROUPS IN CONFLICT* (1985).

15. See generally *PEACEKEEPING AND CONFLICT RESOLUTION* (Tom Woodhouse & Oliver Ramsbotham eds., 2000).

16. George McCall & Miranda Duncan, *South Africa’s National Peace Accord and Laue’s Developmental Vision for Community Conflict Intervention*, in *RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS* 154-73 (Seán Byrne & Cynthia Irvin, eds. 2000).

17. Pearson et al., *supra* note 1.

nationalist campaign led to a mass exodus of Bulgarian Turks and *pomaks* to Turkey and had devastating repercussions for the Bulgarian economy that caused a chain of additional repressive measures by the regime.¹⁸ Such coercive measures included forced labor and the sending of urbanites to the countryside to gather the harvest. In the same year, the massacre in Timisvar, Transylvania, triggered the Rumanian anti-Communist revolution and the fall of Chausesco's totalitarian regime.

In general, authoritarian states (for example, Franco's Spain, Zhivkov's Bulgaria, Tito's Yugoslavia, Melosovic's Serbia, and Chausesco's Romania) failed miserably at suppressing ethnic expression indefinitely. From another perspective, the vacuum left after the failure of the Communist mobilizational appeal was seen by both nationalist contra-elite and the travestying former Communist *nomenclature* as a potential benefit to be recaptured. As a result of the political vacuum, all former Communist countries who once adopted federal territorial organization (USSR, Czechoslovakia, and Yugoslavia) collapsed with the dissipation of centralized planning and a once privileged Communist *nomenclature* system.¹⁹

In contrast, the liberal democratic state (Britain, France, Canada, the United States, and Germany) has tried to make ethnicity irrelevant by urging the members of ethnic groups to join the "mainstream." But even liberal democratic states cannot break the chains of their past.²⁰ Long and complex local histories of strife, grievances, national identity, irredentism, nationalism, sovereignty, and political violence have helped to shape hostile and extremist behavior between ethnic groups in states within Africa, South East Asia, Europe, the Middle East, and North America.²¹ Historical biases, oppression and hatreds, strong group loyalties and core ethnic identities, collective memories of past glories, traumas and grievances have caused physical and emotional injury that have brutalized peoples.²² Bloody Sunday, Enniskillen, Omagh, Hebron, Netzarim, Soweto and the Boipatang Massacres, for example, have all left indelible marks in the memories, culture and folklore of people in Northern Ireland, Israel, and South Africa.²³ Failures by academics and policy

18. *Id.*

19. *Id.*

20. MIALI ET AL., *supra* note 9.

21. *See generally* JOHAN GALTUNG, *PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT, DEVELOPMENT AND CIVILIZATION* (1966).

22. *See generally* JAY ROTHMAN, *RESOLVING IDENTITY BASED CONFLICTS* (1997); VAMIK VOLKAN, *BLOOD LINES, FROM ETHNIC PRIDE TO ETHNIC TERRORISM* (1997).

23. Seán Byrne, *Israel, Northern Ireland, and South Africa at a Crossroads: Understanding Intergroup Conflict, Peace-Building, and Conflict Resolution*, 28 INT'L J. OF GROUP TENSIONS 231, 231-53 (1999); Seán Byrne, *Power Politics as Usual in Cyprus and Northern Ireland: Divided Islands and the Roles of External Ethno-Guarantors*, 6 NATIONALISM & ETHIC POL'S. 1, 1-23 (2000).

analysts alike to recognize and to address both the pervasive and ubiquitous means by which ethnicity influences the political, social, economic, and territorial dimensions of multi-ethnic states have, undoubtedly, contributed to the exile, flight, homelessness and deaths of those caught up in the violence that ethnic conflict so frequently produces.²⁴

Peace is a time-consuming process, and the problems associated with rising unemployment and poverty, and the distribution of resources among ethnic groups, can strain political settlements.²⁵ The violence of radical groups outside of the peace process can exert polarizing pressures on the peacemakers. For example, the recent activities of Hamas, the Muslim Brotherhood, and Islamic Jihad, in the West Bank and Gaza Strip put tremendous pressure on Ehud Barak to resign as Prime Minister of Israel.

Consequently, the challenge confronting researchers and conflict resolution practitioners is to try to understand the historical and cultural depth of ethnic nationalism that has demonstrated tremendous resiliency within "ethnopolitical" conflicts.²⁶ We need to take into account why structural inequalities, political dynamics, communal identities, cultural attributes, group loyalties, cognitive differences and fear of the other often reinforced by the mass media and education increasingly drive and fuel ethnic conflict if we are to derive and successfully apply conflict resolution techniques, processes, and models to such conflicts.²⁷ It may be more appropriate now to try to understand local level culture because indigenous mechanisms for conflict resolution may create new opportunities for the just settlement of protracted ethnic conflicts.²⁸ Introducing new applications of conflict resolution will involve closer contact between conflict resolution practitioners and a wide variety of grassroots groups and institutions—trade unions, police, schools, church-linked groups, professional organizations, and community groups among others.²⁹ Consequently, practitioners have to be aware of the dynamics of intergroup conflict, assist in building essential interpersonal skills, and introduce appropriate conflict

24. CONFLICT RESOLUTION: DYNAMICS, PROCESS AND STRUCTURE, *supra* note 3.

25. See generally JOHN PAUL LEDERACH, *BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES* (1997).

26. See generally DR. LOUISE DIAMOND & AMBASSADOR JOHN McDONALD, *MULTI-TRACK DIPLOMACY: A SYSTEMS APPROACH TO PEACE* (3d ed. 1996).

27. Seán Byrne & Loreleigh Keashly, *Working with Ethno-Political Conflict: A Multi-Modal Approach*, 7 INT'L. PEACEKEEPING 97, 97-120 (2000).

28. JOHN PAUL LEDERACH, *PREPARING FOR PEACE: CONFLICT TRANSFORMATION ACROSS CULTURES* (1995).

29. DIAMOND & McDONALD, *supra* note 26.

resolution mechanisms that reduce and dissolve fears and suspicions between opposing communities.³⁰

II. THE ANALYTICAL POTENTIAL OF SOCIAL CUBISM

As the dynamics of conflict change, so must the dynamics of conflict intervention techniques.³¹ If we are to successfully apply conflict analysis and resolution models to modern conflict, we need to take fully into account why structural inequalities, political dynamics, communal identities, group loyalties, cognitive differences and fear of the other increasingly drive and fuel ethnic conflict.³² Consequently, one of the foremost challenges confronting conflict resolution researchers and practitioners is to understand the historical and cultural depth of the ethnic nationalism that has demonstrated tremendous resiliency within ethnopolitical conflicts.³³ Simultaneously, we must accurately assess the institutions and mechanisms inherent in the construction of social conflict as well as those designed to help heal and rebuild individuals, communities and societies after intense conflict.³⁴ For example, while the wars in Bosnia, Kosovo, Lebanon, Northern Ireland, Rwanda and South Africa may be largely over, it is still not clear what kind of institutions and techniques are necessary to assist these societies in building a positive, just, and lasting peace. This, among others, is just one of the many challenges with which existing models of conflict resolution and transformation are presently confronted.

Models of conflict resolution based on Western cultural mores, values and styles of inclusion, and exclusion do not fully take into account the historical and cultural depth of the ethnic nationalism that has continued to persist despite the reconfiguration of the global order. Similarly, these models produce a superficial analysis of other social conflicts, such as those persisting within institutions and local communities. The superficial analysis of such conflicts can propose solutions that are infeasible, often polarizing the key stakeholders and locking them into protracted conflict.³⁵ In other words, conventional approaches to managing such complex conflict often fail as a result of poor analysis of the underlying dynamics that fuel systemic conflicts in the midst of

30. LEDERACH, *supra* note 28

31. RONALD J. FISHER, *INTERACTIVE CONFLICT RESOLUTION: PIONEERS, POTENTIAL, AND PROSPECTS* (1997).

32. Byrne & Keashly, *supra* note 27.

33. DIAMOND & McDONALD, *supra* note 26.

34. JANIE LEATHERMAN ET AL., *BREAKING CYCLES OF VIOLENCE: CONFLICT PREVENTION IN INTRASTATE CRISES* (1999).

35. *HIDDEN CONFLICT IN ORGANIZATIONS: UNCOVERING BEHIND-THE-SCENES DISPUTES* (Deborah M. Kolb & Jean M. Bartunek eds., 1992).

internal and external rapid change.³⁶ Hence, Social Cubism can assist a third party intervenor to effectively analyze the relationships, and processes so conflicts can be handled effectively and cooperatively, incorporating the elite and grassroots levels.³⁷

Conflict theorists and conflict resolution practitioners must understand and carefully consider the inter-related social forces that conjoin to “produce self-reinforcing patterns of intergroup behavior.”³⁸ Byrne and Carter’s (1996), and Carter and Byrne’s (2000) analysis makes skillful use of the cube structure as a framework to examine six interrelated social forces at work in Northern Ireland and Quebec. The Social Cube of ethno-political conflict escalation illustrates that six social forces—demographics, economics, history, politics, psychoculture, and religion—interactively and simultaneously combine to produce multiple relationships and patterns of inter-group behavior through time and context.³⁹ Social Cubism breaks out of the Menachean dualistic thinking that informs how the pracademic analyzes and intervenes in social conflicts. Instead, it draws attention to the complexities as well as the dynamic interactions between the six social forces that provide the cues for the escalation and/or deescalation of social conflicts.

Consequently, Social Cubism can be applied to a range of situations to analyze a social conflict and determine the best way to resolve it. The focus of this special issue is on understanding how the analytical framework of the Social Cubism model may be applied to both the macro-micro levels of intergroup conflict and the conceptualization of other prevalent social conflicts.

Social Cubism provides the conflict theorist and practitioner with a synergistic methodology to analyze actors and events within time and context as they unfold and operate on the world (epistom). It produces a holistic historical and interactive framework to assist in the analysis of relationships that are transforming over time and space as these relationships reproduce, integrate, and change to address new contexts. Social Cubism is quantum thinking and language that clarifies and simplifies the complex reality of conflict.

The name, “Social Cubism,” is inspired by the arts-based cubist movement and the six-sided puzzle—“Rubik’s Cube.”⁴⁰ In the arts-based cubist

36. SUSAN L. CARPENTER & W.J.D. KENNEDY, *MANAGING PUBLIC DISPUTES: A PRACTICAL GUIDE TO HANDLING CONFLICT AND REACHING AGREEMENTS* (1998); BARBARA GRAY, *COLLABORATING: FINDING COMMON GROUND FOR MULTIPARTY PROBLEMS* (1998); WILLIAM L. URY ET AL., *GETTING DISPUTES RESOLVED: DESIGNING SYSTEMS TO CUT THE COSTS OF CONFLICT* (1988).

37. Seán Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, *J. OF PEACE RES.* 38(3), at 372-52 (2001).

38. Seán Byrne & Neal Carter, *Social Cubism: Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, *J. OF PEACE & CONFLICT STUDIES* (3)(2), at 53 (1996).

39. *Id.* at 52-72.

40. *Id.*; Byrne & Carter, *supra* note 13.

movement, painters Georges Braque and Pablo Picasso, attempted to render three-dimensional subjects on two dimensions, and thus would render multiple perspectives at once. Rubik's Cube also presents a significant analytical challenge where the goal of having each side become one can only be achieved by having a deep understanding and skill regarding the interconnectedness of the sides. Subsequently, the Social Cubist perspective approaches the complexities of social conflict by arguing that six interconnected and interdependent social forces—demographics, economics, history, politics, religion, and psychocultural factors—work in unison to produce self-reinforcing patterns of conflict behavior. Thus, it is necessary for us to understand the several facets of the Social Cube simultaneously.

Rubik's Cube also presented a significant puzzle, as attaining the goal of getting each side to be one color required an understanding of the interconnections among the various sides. Social Cubism is thus an approach that emphasizes the complexities of conflict situations. We argue that the various facets influence each other, and that concentrating too much on any one or two sides of the cube may detract from a full understanding of the conflict. It is better to realize how each factor can influence the other, and to attempt to manipulate all factors in harmony when intervening in conflicts.

Social Cubism is a Frierean and Gandhian experiment with truth. It assists the theorist and practitioner in understanding the relationships between knower and known across time, space, mortality as well as language by analyzing deeply embedded structural issues and dysfunctional behaviors within plasmic and compressed social conflicts.⁴¹ History is the energy of the cube, which influences the temperature of events in social conflicts. The cubes, represented by the six forces of social reality, are not isolated among themselves. Rather, like the intertwined roots of conflict phenomena, the cubes might be likened to dynamically spinning cylinders: constantly emerging, merging and reemerging entities. Thus, conflict interventions, and multiple methodologies, must be flexible over time.

A multi-dimensional model of constructive conflict resolution and peace building must consider how the relationships between all of these social forces operate simultaneously at different levels within the conflict milieu. Moreover, a flexible and multi-modal systems approach must coordinate the interventions of a diverse web of individuals, groups INGOs and NGOs with their own approaches, perspectives and resources.⁴² Consequently, the contingency approach to the escalation of ethno-political and other social conflicts can

41. This discussion resulted from a number of in-depth conversations between the author and Dr. Tom Boudreau on the concept of cubism in Spring 2001.

42. Byrne & Keashly, *supra* note 27.

provide the cues to sequence and/or coordinate the appropriate conflict interventions.⁴³

The dynamic interaction between the six social forces produces over 720 intricate relationships that need to be connected to the third party intervention contingency model. Thus, combined efforts on a number of fronts would be required to de-escalate a stage four conflict back down to a manageable relationship. Third party interventions in this conflict de-escalation process could be maximized through the coordinated sequencing of the multi-level and multi-modal contingency model with an inherent early warning system. Such an approach accepts the subjective and objective mix of the Social Cube that underlies most social conflicts.⁴⁴ The model also recognizes the necessity for coordinating the unique virtues of a variety of third party interventions and mechanisms so that they are not competing with, and perhaps, undermining each other's efforts.

The objective of this special issue is not simply to present descriptive accounts of conflict analysis and resolution. Nor is our objective to render judgments of which side(s) may be in the "right." The purpose of the issue is to identify and illuminate the causes, responses, and the consequences of social conflict, and its resolution. In doing so, we hope to refine, contribute, and improve the theoretical, methodological, and practical understanding of social conflict in general.

The special issue has both conceptual and analytical reasoning, and policy and practice relevance because it includes selected contemporary interpersonal, intergroup, institutional, and social conflicts at the international and comparative levels that have institutional avenues for addressing grievances and preventing or limiting conflict; many of today's most serious social conflicts are in settings that lack institutional channels to limit their escalation. These protracted conflicts have not resulted in mutual accommodation. Given the perception among the public and policy-makers that social conflicts are reaching into the public debate this special issue serves as a broad foundation for those debates as well as furthering conflict resolution and contributing to theory building.

III. SOCIAL CUBISM: THEORY AND APPLICATION

The contributors to this volume offer a rich mix of papers that illustrate the value of synthesizing different disciplinary approaches to furnish a comprehensive study of the analysis and resolution of conflict. It is our belief

43. Loreleigh Keashly & Ronald J. Fisher, *A Contingency Perspective on Conflict Interventions: Theoretical and Practical Considerations*, in *RESOLVING INTERNATIONAL CONFLICTS: THE THEORY AND PRACTICE OF MEDIATION* 235-63 (Jacob Bercovitch, ed, 1996).

44. Byrne & Carter, *supra* note 38, at 52-72.

that this special issue offers useful insights to those pursuing applied work as well as those interested in social conflict theory. Our approach is explicitly interdisciplinary. Most importantly, this special issue will be useful to students, practitioners, and faculty interested in a more holistic picture of the field of social conflict and its resolution. It will appeal to those pursuing applied work as well as those interested in social conflict theory. Articles combine critiques of existing theory with innovative strategies for conflict resolution and transformation, and an in-depth understanding of the causes of, and strategies and methods through which social conflict is perpetuated.

The articles discuss aspects of the underlying theoretical and methodological basis of understanding conflict and their links to different issues and responses to conflict. Also, the articles analyze selected topics in social conflicts such as workplace conflict, and police violence as well as ethnopolitical conflicts. Finally, the articles also examine in-depth some cases in different contexts to illustrate possible approaches to conflict prevention, deescalation and settlement. Furthermore, the articles demonstrate that Social Cubism is both a simplistic yet enigmatic and plasmic concept. Taken collectively, the articles demonstrate a significant contribution to the study of conflict analysis and resolution within a Social Cubism metaphor.

These researchers also use the Social Cubism analytical concept to explore the underlying micro-macro factors that tend to escalate social conflicts. Their articles demonstrate that these factors solidify competing identities and escalate tensions within groups, institutions, communities, and organizations. They explore some of the causes of social conflicts and how global and certain social forces impact escalation and influence the protracted nature of social conflicts. In addition to examining the theoretical approaches to understanding some of the exogenous and endogenous issues that affect social conflicts, one must also consider other variables in ones analysis. For example, the role of multinational corporations, individual and groups goals, interests, and capabilities, the media, and scarce environmental resources are critical to our understanding the protracted nature of social conflicts. Any individual or group that enters a process of escalation will have its own set of interests based upon its desire for a positive outcome. This larger understanding will allow the student of social conflicts to appreciate more fully the intricate and intertwining dynamics of such conflicts.

The first article is contributed by Lana Russ-Trent. Russ-Trent's Integrative Inductive Social Cubism is a complex and critical analysis of complex conflictual contexts. Indeed, whether in wars between nations or disputes within families, social conflict is caused by many factors and forces, both internal and external, and micro and macro. Furthermore, agency-structure tensions are endemic in social conflict analyses, as well as in the ultimate and

wide-ranging decisions made to act, to adjust, or to critically negotiate often ambiguous and/or contradictory relational contexts, large, and small.

Integrative Inductive Social Cubism (IISC) suggests the long-discussed agency-structure conundrum is an emergent, infinite, and dynamic negotiational dance. Moreover, IISC proposes a dialectical, postmodernist, feminist, heuristic, phenomenological, and elicitive theoretical analysis, more integrative than oppositional, requiring inductive and integrative critical thinking. Based on Byrne's & Carter's (1996) *Social Cubism's* single Rubik's-Cube 6-facet model, IISC suggests three Rubric Cubes with eighteen facets: "a cube, within a cube, within a cube." Therefore, conflict is dialectically analyzed from the outside in, then the inside out.

In IISC, we consider each cube, in terms of each dramaturgical context, namely Cube I contains the Front Stage Ethos-Structural-Macro cube facets, Cube II contains Back Stage Ethos-Structure-Agency cube facets, and Cube III contains Actor Ethos-Individual Agency cube facets. Indeed, IISC is "a complex set of interactions (intersections) and motivations in infinite and continual re-adjustment."

The second article features the work of Mike Hare, who argues that the history of social theory has, in one sense, been a continuing struggle to better understand the interaction of social forces related to agency and structure at both the micro and macro levels. Although the classical sociologists offered theories about these issues at both ends on the spectrum, they also clearly were concerned with the linkages, which connected them together. In modern times, theory has seemed to focus more upon opposing paradigms striving for theoretical purity. However, most recently, there appears to be a renewed interest in the integrating and synthesizing of theories toward a more holistic and balanced paradigm to understand conflict at the local, national, and international levels. This article reviews briefly some of these considerations and seeks to encourage further interest and development of adequate social theory models for gaining a more complete understanding of social theory, especially as it relates to conflict and to its resolution. Specifically, two models are discussed: the *Major Levels of Social Analysis* model by George Ritzer and the *Social Cubism* model by Seán Byrne and Neal Carter.

The third article highlights Bini Litwin's analysis of workplace disputes within the European Union, with the United States as a case study. Litwin's article analyses workplace violence, which is viewed as a dynamic process that occurs along a continuum, arising at various levels from multiple sources. The analysis begins by defining workplace violence, which for purposes of this analysis includes direct (physical), structural and cultural violence. Current rates of occurrence and trends of workplace violence are presented at the European Union level, and in the United States based on the Northwestern

National Life Insurance Company (NWNL), Department of Labor 1999 Futurework Report and current related workplace resources.

The origins of workplace violence are identified and defined according to the Byrne & Carter (1996) social cubism model. The model has been adapted for purposes of workplace conflict analysis and classifies conflict factors according to demographic, historical, economic, balance of power, political and psycho-cultural factors. This multi-factor, multi-level analysis establishes a framework for conflict strategies to be developed that are specific to the origin and type of violence manifested within the workplace. It is proposed that both structural and relationship sources of conflict need to be addressed, from an individual, organizational and societal level when designing dispute systems. Finally, strategies are offered for each of the six conflict factors identified, with interventions classified according to preventive, negotiated Appropriate Dispute Resolution (ADR) and facilitated ADR approaches. Conclusions and implications for policies related to management of workforce issues are offered based on the analysis provided. It is anticipated that this model can be applied to manage and resolve workplace conflict at all organizational levels locally, nationally, and internationally.

The fourth article is based on Karen Michelle Scott's speculation that in recent years, there have been growing concerns in many countries, and throughout the United States regarding police officers' use of excessive force during their encounters with minorities. Many of these concerns have arisen out of a renewed awareness that a society which claims a legacy of justice and liberty for all, has in effect, maintained a pattern of institutionalized violence against racial and ethnic minorities—including Native Americans, African Americans, Asian Americans and Hispanic Americans.

A significant amount of the literature on police-minority group conflict in the United States focuses on racism as the driving force behind most instances of police use of excessive force. This is because issues of racial discrimination and hatred are deeply rooted in much of the inter-group conflict in American society, and also, because physical distinctions such as race and gender are the easiest to identify during a conflict between members of different groups. However, there is a negative consequence associated with limiting the analysis of the inter-group conflict between police and minority groups to the racial dynamic. For when this narrowed lens of analysis is used, it yields too little viable and substantive information in the way of addressing the conflict.

To encourage a more comprehensive analysis, the complexity of factors, which form to produce protracted inter-group conflict, such as that between the police and minority groups needs to be analyzed in many areas of the world including America. The Social Cubism model approaches inter-group conflict as a complex puzzle of social dynamics, which combine as an integrated unity to sustain the behaviors of inter-group conflict. Thus, given the complex nature

of the protracted conflict between the police and members of minority groups in America, Scott utilizes the Social Cubist framework to broaden the lens through which we examine this conflict.

In the fifth article, Judith McKay contends that the theory of Social Cubism,⁴⁵ a theory originally designed for the analysis of international ethnoterritorial conflict, may be used in the analysis of micro-conflicts in other settings, such as American communities. Many American communities are multi-ethnic and multi-cultural. Moreover, in some areas of the United States, such as South Florida, communities may have much more ethnic diversity than is found in other parts of the world. This presents a variety of challenges in the analysis of issues confronting the community.

Unlike other theories, which may look at an issue from only one or two perspectives, Social Cubism directs the researcher to look at an issue from a multiplicity of perspectives and to acknowledge that at different times, under different circumstances, and in different settings, the factors will interrelate in dynamically different ways. In a community that contains a number of ethnic groups, Social Cubism has the ability to interact dynamically and consider a wide spectrum of factors in a multiplicity of changing and evolving circumstances.

This application of social cubism in a local United States community is unique and will contribute to the fields of ethnoterritorial conflict resolution and strategic community planning. The results of such an inquiry will inform the community and will enable law enforcement, political and civic leaders, educational and service providers to have input into a strategic community plan.

The inquiry will also enable communities to analyze other conflicts and problems beyond those related solely to ethnic conflict. Issues such as violence prevention and intervention within families and neighborhoods and schools would be appropriate examples of the use of this analytical framework.

Other international theories such as Multi-Modal Intervention Theory (2000),⁴⁶ Lederach's Integrated Nested Paradigm,⁴⁷ Boulding's shared vision of peace,⁴⁸ and Diamond and McDonald's Multi-Track Diplomacy,⁴⁹ may then significantly contribute to the structure of conflict management and resolution models in United States communities. Thus international peacekeeping theory may have broader implications than previously envisioned.

45. *Id.* at 52-71.

46. Byrne & Keashly, *supra* note 27.

47. LEDERACH, *supra* note 25.

48. ELISE BOULDING, BUILDING A GLOBAL CIVIC CULTURE: EDUCATION FOR AN INTERDEPENDENT WORLD 95-117 (1988).

49. DIAMOND & MCDONALD, *supra* note 26, at 11-25.

In the sixth article, Karen Jenkins argues that in the post-Cold War setting, the daunting challenge for conflict resolution scholars and practitioners, government officials, and non-state actors is to develop multi-modal and multidimensional mechanisms for dealing with failed states and traumatized societies. For more than two hundred years, Haiti has suffered from the traumas of slavery and colonization, a succession of predatory dictatorships, and economic sanctions and international isolation. This article examines the effectiveness of Social Cubism as an analytical framework for dealing with the multifaceted conflict in Haiti.

The Social Cube of conflict has six interrelated facets or forces: history, religion, demographics, political institutions, economics, and psychocultural factors. These six social forces, when combined, produce differing patterns of intergroup behavior or interaction. Although the factors, when combined, may produce different patterns of importance or urgency, it is important not to allow one factor to overshadow the others just because it appears more salient at the time. Social Cubism allows for the identification of various interrelated or interlocking social factors and their detrimental affects on Haiti. For Haitians as a society to emerge from its "tent of victimhood," it is important to analyze the present dilemma using the Social Cubism approach to intergroup conflict to account for how structural and psychocultural mechanisms interact to exacerbate or ameliorate political conflict, economic strife and cultural divide that the country faces.

The seventh article features the work of S.I. Keethaponcalon. In considering the parallels between conflict management and conflict resolution in Sri Lanka, this analysis makes skillful use of the Social Cube analytical process tool to examine the levels of communal interaction that shape intercommunal conflicts. For ethnopolitical conflicts, both the international system and the relations between and within nation states must be considered. Within the international system, the flow of capital, ideas, nationalism and the use of hegemonic power impact the escalation of conflict between and within states. The vitality of micro-nationalist issues within state structures has produced protracted ethnopolitical conflict resulting in zero-sum stalemates.

The eighth article, focusing on ethnic conflict resolution in Northern Kenya, is written by Joshia Osamba. He argues that since the 1980s, conflicts and violence involving pastoral communities in the borderlands of northern Kenya have become endemic. The violence has especially taken the form of banditry and cattle rustling. The emergence of cattle warlords among the pastoral groups, and the internationalization and commercialization of cattle rustling activities tend to exacerbate such violence. Acts of banditry and cattle rustling have led to loss of human lives, stealing of livestock, displacement of populations as well as creating an environment of permanent insecurity in the region. This article analyzes the violence and insecurity in the borderlands of

northern Kenya using the Social Cubism perspective to demonstrate how issues in a conflict are often related and interlinked with one another. The article also examines possible strategies for a third party conflict intervention to control or de-escalate the violence.

Finally, Neal Carter's (St. Bonaventure University) article argues that throughout its history, Belgium has been a complex political and social entity. The King of the Belgians was told in an official report that 'there are no Belgians,' yet he retained his title. The country has rapidly shifted from unitary to federal structure, with different rationales and responsibilities for Regions and Communities. Demographic changes are somewhat difficult to map due to restrictions on questions that can be asked during the census. The combination of multiple levels of political institutions, group conflict, economic disparities, political symbolism, and psychological factors demonstrate the utility of the Social Cubism approach to the study of relatively peaceful conflict. This article argues that much of the complexity of Belgium's political institutions is the result of attempts to mitigate conflict and postpone significant disagreements.

IV. CONCLUSIONS

Global, national, and indigenous factors and actors must be considered when trying to build consensus within a context where individuals, groups and communities have been locked in strife over a long period of time.⁵⁰ We need to consider a number of questions in the design of an intervention contingency model⁵¹ or a "multi-modal and multi-level" intervention.⁵² For example, what is the exact role of external actors in the escalation and de-escalation of social conflict? Must both the grassroots and elite decision-makers be responsible for "consensus building" in protracted social conflicts? Who should take the lead in building-in superordinate incentives for ongoing cooperation in any accommodation of the parties interests? What roles do conflict resolution practitioners have in the transformation of relationships in social conflict scenarios? The "Social Cubism" approach suggests that strategies can be combined to bring about the reframing of social conflict so that effective deescalation can take place. For example, the storytelling process can assist the practitioner to build on indigenous cultural knowledge systems by taping into cultural stories of doing conflict intervention and transformation.⁵³

50. LEDERACH, *supra* note 25.

51. Keashly et al., *supra* note 43.

52. Byrne & Keashly, *supra* note 27.

53. Jessica Senehi, *Constructive Storytelling in Intercommunal Conflicts: Building Community, Building Peace*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICT 96 (Seán Byrne & Cynthia L. Irvin eds., 2000).

In this introductory article, the social forces and combination of mechanisms for escalating and deescalating social conflicts were discussed. Particular attention was given to the role of the "Social Cube" for the analysis and resolution of conflicts especially in the design of a force field analysis of social conflicts. These value-laden factors must be incorporated into the practitioner's conflict resolution processes so that effective deescalation of protracted social conflicts occurs. Effective intervention by external third parties necessitates a holistic and interactive approach that transforms underlying structural inequalities and subjective dynamics that tear individuals, groups, communities and nations apart.

The primary purpose of the special issue is to explore the theoretical underpinnings and practical implications of Social Cubism. In this endeavor, the authors provide rich theoretical material for the practitioner and scholar to consider when analyzing the social forces that interact to escalate social conflicts. The student of social conflicts are also provided insightful observations from the authors personal experiences in the field to more fully understand the dynamics of successes and failures of conflict intervention in social conflicts.

The contributors also use the case-study method using the Social Cube analytical device to provide prescriptive insights to explain social conflict, and, how it might be resolved. The articles also explored the lessons learned about the causes of social conflict in ethnic, community, and workplace. Finally, the articles also draw together Social Cubism with conflict resolution, and peacemaking. The papers use case studies to explore efforts at resolution in ethnic, organizational, and community based social conflicts.

SOCIAL CUBISM: SIX SOCIAL FORCES OF ETHNOPOLITICAL CONFLICT IN NORTHERN IRELAND AND QUÉBEC

Seán Byrne and Neal Carter***

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I. INTRODUCTION

Studies of ethnoterritorial politics typically either examine political and economic structures to emphasize the competing interests of groups, or use a psychoanalytic approach to emphasize psychological and cultural forces.

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Researchers who do address both material and psychological factors often attempt to weigh their relative importance as causes of conflict.¹ We, in contrast, propose that studies of ethnoterritorial conflict be modeled from the perspective of social cubism, involving the *interaction* of material and psychological mechanisms.²

The term 'social cubism' evokes images useful to describe our perspective.³ Much like Rubic's Cube, ethnoterritorial politics poses a multi-faced puzzle. People concentrating on only one aspect, or side of the puzzle, are unlikely to produce a complete solution or picture of the problem. Only when one considers the interrelations among the faces of the puzzle can one progress toward a more holistic solution. A multidimensional perspective was also advocated by the cubist artists, such as Bracque and Picasso, who sought to render on two-dimensional canvass the multitude of perspectives involved in viewing three dimensional objects. Similarly, we isolate key factors to show how they combine to form complex patterns of ethnic politics.

We use the cube as an analytical framework to examine the Northern Ireland and Québec conflicts. In this comparison, we do not intend to cover the whole terrain of each side of the cube but to highlight some of the most salient issues of these complex conflicts. We rely heavily on other researchers' conclusions concerning each facet. Our main contribution is in the combination of the facets and the analysis of how their interaction affects the dynamics of ethnoterritorial conflict and its regulation. While several researchers have indicated that the nature of conflicts changes over time, relatively little work has been done to examine the interaction of various factors in gradually shaping conflicts.

We see the social cube of conflict as having six interrelated facets or forces: history, religion, demographics, political institutions and non-institutional behavior, economics, and psychocultural factors (see Figure 1). These six facets or social forces combine to produce patterns of intergroup behavior. For example, histories recounted by competing groups often evoke

1. See, e.g., Wayne G. Reilly, *The Management of Political Violence in Quebec and Northern Ireland: A Comparison*, 6 TERRORISM AND POLITICAL VIOLENCE, 44-46 (Spring 1994). see also MARC HOWARD ROSS, THE MANAGEMENT OF CONFLICT: INTERPRETATIONS AND INTERESTS IN COMPARATIVE PERSPECTIVE (1993).

2. See Seán Byrne & Neil Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, 3(2) J. OF PEACE AND CONFLICT STUDIES, at 52-72 (1996); Neal Carter & Seán Byrne, *The Dynamics of Social Cubism: A View from Northern Ireland and Quebec*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS, 41-46 (Seán Byrne & Cynthia Irvin, eds. 2000).

3. This metaphor was suggested by Jessica Senehi during a conversation with the authors. See Jessica Senehi, *Language, Culture and Conflict: Storytelling As A Matter of Life and Death*, 7(3) MIND AND HUMAN INTERACTION 150-64 (2000); Carter, *supra* note 2 at 98-125.

previous patterns of economic, political, or religious interaction to support contemporary claims, while symbolism produces affective responses toward groups and of intergroup interaction.⁴ As Connor notes, these factors are typically studied as independent causes of conflict, failing to produce adequate explanations.⁵ Instead, ethnonationalism should be seen as a psychological phenomenon emphasizing various intergroup differences to produce a sense of group cohesion. The interaction among the sides of the cube produces patterns of intergroup behavior.⁶

Northern Ireland and Québec, rarely compared directly,⁷ indicate the complexity of the relationship between psychological and material factors. Several factors indicate, at least at first glance, that conflict should proceed in similar patterns in both cases. Both regions have been members of the British Empire in which Catholics were a significant part of the population whose education and economic mobility was limited. In both Ireland and Québec, the theme of survival echoes in history. Nevertheless, Québec has experienced relatively minor violence, while terrorist activity has constrained the daily lives of Northern Irish people. We propose that the interrelation of the six facets can help explain differing levels of successful peaceful conflict regulation.

When describing the conflicts, we are forced to use labels that simplify the complex interrelations of the facets. For example, the use of the categories "Catholic" and "Protestant" in Northern Ireland and "Francophone" and "Anglophone" are useful as general guidelines for membership. Unfortunately, they also obscure a number of internal diversity. We would like to stress that in using these categories we are not stating that language or religion is the *cause* or the *essence* of the conflict. Instead, we are using categories that are used prominently by the involved parties themselves. Let us now proceed to the comparison of the six facets of ethnoterritorial conflict. The salient aspects of each factor are summarized in Figure 3.

4. See generally JOHN AGNEW & STUART CORBRIDGE, *MASTERING SPACE: HEGEMONY, TERRITORY AND INTERNATIONAL POLITICAL ECONOMY* (1994); GIDON GOTTLIEB, *NATION AGAINST STATE: A NEW APPROACH TO ETHNIC CONFLICTS AND THE DECLINE OF SOVEREIGNTY* (1993) (Council on Foreign Relations, Washington, D.C.); MINORITIES AT RISK: A GLOBAL VIEW OF ETHNOPOLITICAL CONFLICTS (Ted Robert Gurr, ed. 1993); TED ROBERT GURR & BARBARA HARFF, *ETHNIC CONFLICT IN WORLD POLITICS* (1994); *THE POLITICS OF ETHNIC CONFLICT REGULATION: CASE STUDIES OF PROTRACTED ETHNIC CONFLICTS* (John McGarry & Brendan O'Leary, eds 1993).

5. WALKER CONNOR, *ETHNONATIONALISM: THE QUEST FOR UNDERSTANDING* (1994).

6. Seán Byrne & Lorealeigh Keashly, *Working with Ethno-Political Conflict: A Multi-Modal and Multi-Level Approach to Conflict Intervention*, 7(1) INT'L PEACEKEEPING 97-120 (2000).

7. See Byrne & Carter (1996), *supra* note 2; Carter & Byrne (2000), *supra* note 2; Reilly, *supra* note 1. See also KATHERINE O'SULLIVAN, *FIRST WORLD NATIONALISM: CLASS AND ETHNIC POLITICS IN NORTHERN IRELAND AND QUEBEC* (1986).

Although we are forced to compare the six factors of the conflicts, we attempt to show that these divisions are to some extent artificial. The crucial point of our analysis is that social cubism focuses attention on the interplay among factors. This notion allows us to advance beyond the primordialist and instrumentalist notions of ethnic conflict by combining the notions of the psychological importance of social groupings and the political utility of emphasizing group divisions.⁸

II. HISTORICAL FACTORS

History, recounted by those involved in conflicts, sets the context for current ethnoterritorial politics. Stories of past events, seen from diverse viewpoints, influence the legitimacy of current institutions, perceptions of political possibilities and the attributed motivations of various groups.⁹ This brief summary of Québec and Northern Irish history highlights only some of the historical events frequently evoked by the main parties involved.

Northern Ireland's troubles are often traced through a long history of ethnic hostility. Norman forays from England into Ireland during the twelfth century established a military presence to dominate the Gaelic chieftains.¹⁰ Feudalism eliminated the communal practices and Brehon laws of the indigenous people. Successive insurrections by the Irish nobility were squashed by English arms. William of Orange's 1690 victory at the battle of the Boyne eliminated the power of the Irish nobility and established an era of Protestant dominance.¹¹ The 1692 Penal Laws secured a dominant relationship that allowed the Protestant community to force most Catholics outside the socioeconomic and political system.¹² Catholics could not be elected to political office, practice their religion, speak the Gaelic language in public, or bequeath property unless the heir converted to the Protestant faith. Cultural discrimination against Catholics continued until Daniel O'Connell successfully mobilized the Irish peasantry to agitate for political representation in parliament, and helped to win

8. See, e.g., Daniele Conversi, *Reassessing Current Theories of Nationalism: Nationalism as Boundary Maintenance and Creation*, 1(1) NATIONALISM & ETHNIC POLITICS 73-85 (Spring 1995); Anthony D. Smith, *Gastronomy or Geology? The Role of Nationalism in the Reconstruction of Nations*, 1(1) NATIONALISM AND NATIONALISM 1-34 (1995).

9. Senehi, *supra* note 3 at 150-64; Jessica Senehi, *Constructive Storytelling in Inter-Communal Conflicts: Building Community, Building Peace*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ENTHOPOLITICAL CONFLICTS 98-125 (Seán Byrne & Cynthia Irvin eds., 2000).

10. PADRAIG O'MALLEY, *THE UNCIVIL WARS: IRELAND TODAY* (1983).

11. See generally SEÁN BYRNE, *GROWING UP IN A DIVIDED SOCIETY: THE INFLUENCE OF CONFLICT ON BELFAST SCHOOL CHILDREN* (1997).

12. J.J. LEE, *IRELAND, 1912-1985: POLITICS AND SOCIETY* (1985).

emancipation in 1833 for the Catholic majority on the island of Ireland.¹³ Charles Stuart Parnell's Home Rule movement of the late nineteenth century divided the island between unionists in the northeast industrial heartland of Ulster and nationalists in the agrarian South of Ireland.¹⁴ Parnell's call of "Home Rule for Ireland," was interpreted by Ulster Protestants as "Rome Rule" because the religious cleavage became superimposed on the national question. In 1912, Protestants of Ulster, fearing the prospect of a Catholic-dominated Ireland, formed the Ulster Volunteer Force (UVF) to resist Home Rule.¹⁵ A deepening political polarization between both parts of the island was further exacerbated by the Irish Volunteers' Easter Revolt of 1916, a failed insurrection to break the British connection.¹⁶ The 1919–21 War of Independence between the Irish Republican Army (IRA) and the British government produced the 1921 partition of Ireland, which altered but did not end the series of hostile relations in Northern Ireland that intensified during the seventeenth century and still lock the ethnic communities in sectarian strife.¹⁷

Between the 1920 Government of Ireland Act and direct rule from London in 1972 a self-governing Northern Ireland was dominated by the old Protestant Unionist party.¹⁸ Attempts by the non-violent Northern Ireland Civil Rights Association (NICRA) in the late 1960s to reform the region failed and spiraled into chaos when NICRA was replaced by a militant IRA who confronted the British army on the streets.¹⁹ Since 1972, several attempts to formulate a devolved constitutional framework for governing Northern Ireland have met with little success.²⁰ Terrorism propagated by Republicans and Loyalists intensified polarization between communities, frustrating attempts of elite

13. McGarry & O'Leary, *supra* note 4; CYNTHIA IRVIN, *MILITANT NATIONALISM: BETWEEN MOVEMENT AND PARTY IN NORTHERN IRELAND AND THE BASQUE COUNTRY* (1999).

14. HENRY PATTERSON, *CLASS CONFLICT AND SECTARIANISM: THE PROTESTANT WORKING CLASS AND THE BELFAST LABOR MOVEMENT 1868-1920* (1980).

15. PAUL DIXON, *NORTHERN IRELAND: POWER, IDEOLOGY AND REALITY* (2001).

16. TOM WILSON, *ULSTER: CONFLICT AND CONSENT* (1989).

17. ARTHUR AUGHEY, *UNDER SIEGE: ULSTER UNIONISM AND THE ANGLO-IRISH AGREEMENT* (1989); NORMAN PORTER, *RETHINKING UNIONISM: AN ALTERNATIVE VISION FOR NORTHERN IRELAND* (1996).

18. See PAUL BEW ET AL., *THE STATE IN NORTHERN IRELAND, 1921-72: POLITICAL FORCES AND SOCIAL CLASSES* (1979); PAUL BEW ET AL., *NORTHERN IRELAND, 1921-1994: SOCIAL CLASSES AND POLITICAL FORCES* (1995).

19. PAUL AUTHOR, *THE PEOPLE'S DEMOCRACY, 1968-73* (1974).

20. See generally McGarry & O'Leary, *supra* note 4; PAUL BEW & HENRY PATTERSON, *THE BRITISH STATE AND THE ULSTER CRISIS: FROM WILSON TO THATCHER* (1985); Paul Bew & Henry Patterson, *The New Stalemate: Unionism and the Anglo-Irish Agreement, in BEYOND THE RHETORIC: POLITICS, THE ECONOMY, AND SOCIAL POLICY IN NORTHERN IRELAND* 25 (Paul Teague, ed. 1987); PAUL BEW & HENRY PATTERSON, *SCENARIOS FOR PROGRESS IN NORTHERN IRELAND* (1990).

accommodation.²¹ Current negotiations between the British and Irish governments and the constitutional parties in Northern Ireland, aimed at creating a power-sharing devolved government and cross-border institutions, have deescalated terrorist activity in the wake of the 1998 Good Friday Agreement (GFA).²²

Canadians recall a less violent past than the Northern Irish, but the Francophones and Anglophones recount history differently.²³ Francophones devote more study than Anglophones to the period before the 1867 confederation of Canada. Both linguistic groups celebrate heroes of their linguistic group and emphasize the importance of cultural survival. The Francophone *Québécois* consider themselves a distinct nation continually threatened with cultural extermination, while Anglophones struggle to maintain a Canadian identity in the shadow of the United States.

After the British conquest of New France in 1763, British policy toward the Francophones alternated between attempts to assimilate them into Anglophone society and attempts to accommodate differences without destabilizing their control. The 1837 Papineau Rebellion was premised on demands for responsible government and the removal of the Chateau Clique, a group of mostly Anglophone elites governing the colony.²⁴ Lord Durham was subsequently appointed Governor-General and asked to report on the situation. He advocated a new system to assimilate the Francophones. This recommendation produced the United Province of Canada, a legislative union with two equally represented regions, one predominantly Francophone, one mostly Anglophone.²⁵

By the 1860s, Anglophones outnumbered Francophones within the United Province of Canada. Anglophone reformers began to call for representation by population. A combination of ethnic and ideological divisions produced political deadlock. The 1867 Confederation of Canada joined New Brunswick

21. See ADRIAN GUELKE, *THE AGE OF TERRORISM AND THE INTERNATIONAL POLITICAL SYSTEM* (1995); Seán Byrne, *Conflict Regulation or Conflict Resolution: Third Part Intervention in the Northern Ireland Conflict – Prospects for Peace*, 7(2) *TERRORISM & POLITICAL VIOLENCE* 1-25 (1995).

22. Seán Byrne, *Israel, Northern Ireland, and South Africa at a Crossroads: Understanding Intergroup Conflict, Peace-Building, and Conflict Resolution*, 28 *INT'L J. OF GROUP TENSIONS* 231 (1999); Seán Byrne, *Power Politics as Usual in Cyprus & Northern Ireland: Divided Islands and the Roles of External Ethno-Guarantors*, 6(1) *NATIONALISM AND ETHNIC POLITICS* 1-24 (2000); Seán Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, 38(3) *J. PEACE RESEARCH* 327-52 (2001).

23. See generally DAVID V.J. BELL, *THE ROOTS OF DISUNITY: A STUDY OF CANADIAN POLITICAL CULTURE* (1992).

24. See LAURIER LAPIERRE, *CANADA MY CANADA: WHAT HAPPENED?* 86-99 (1992); J. ARTHUR LOWER, *CANADA: AN OUTLINE HISTORY* 86-87 (1991).

25. LOWER, *supra* note 24, at 90-91.

and Nova Scotia with Québec and Ontario (the latter two having been carved from the United Province of Canada), establishing the primarily Francophone province of Québec within a predominantly Anglophone country.²⁶

French-Canadians established two approaches toward cultural survival. Federalists argued that the best way to protect Francophone society was to participate actively in Canadian federal affairs, ensuring that Francophones were involved in political decision-making. This activist approach was attacked by the Catholic Church and nationalists, who advocated cultural isolation.²⁷ The struggle between federalists and nationalists has continued to dominate Francophone Québec's political landscape. Anglophone Quebecers, on the other hand, have generally promoted a strong federal government. Several events increased the tension between federalists and nationalists. The Radical Liberal Party during the period of the United Colony of Canada advocated a republican form of government removed from the Anglophone section, while the Conservative Liberals favored cooperation with other Canadians. The Riel Rebellion in the 1880s exacerbated tensions between Francophones and others, reinforcing nationalist commitment to maintain a strong commitment to Québec. The loss of protection for Francophone rights in Manitoba weakened the position of the federalists. When conscription was instituted to help with the effort of both World Wars, Francophone nationalists argued that it was wrong to send their people to fight "Britain's War" although many Francophones had already volunteered. Recently, failed constitutional negotiations and referenda on Québec sovereignty have divided Quebecers.

During the 1960s, educational reforms and a decline in the Catholic Church's political influence reduced schools' parochial nature. During the so-called 'Quiet Revolution,' a new group of nationalists advocated the creation of an economically competitive cadre of Francophones, birth rates plummeted, and Québec's legislature passed laws promoting the use of French. The goal was no longer passive resistance for *survivance*. Instead, *Québécois* demanded the tools and opportunities necessary for *épanouissement* (flourishing). Since then, much debate has focused on the proper relationship between Québec and the 'Rest of Canada.' In the recent referendum debate, for example, nationalists used the Lord Durham Report as evidence of the threat of assimilation, while federalists cited the benefits of interethnic cooperation.

Several scholars highlight the massive changes in Quebec society brought about by Pierre Elliott Trudeau during his tenure as Canadian Prime Minister (1968-1979; 1980-1984).²⁸ McRoberts argues that the changes Trudeau

26. See generally P.B. WAITE, *THE CONFEDERATION DEBATES IN THE PROVINCE OF CANADA, 1865* (1963).

27. See generally LAURIER LAPIERRE, *GENESIS OF A NATION* (1966).

28. See, e.g., ROGER GIBBINS, *CONFLICT AND UNITY: AN INTRODUCTION TO CANADIAN POLITICAL*

introduced in Canada, especially with respect to bilingualism, multiculturalism, and constitutionalism have significantly reduced the potential for reconciliation between Quebec and the rest of Canada.²⁹ Trudeau's historical legacy remains controversial today. More recent history, especially regarding linguistic politics and the quest for constitutional recognition as a distinct society, will be addressed in other sections.

As is clear from this cursory overview of the historical evolution of ethnoterritorial politics in these two cases, ethnic groups emphasize different factors as they interpret the past. These differences can increase hostility if their histories provide sharply different interpretations and characterizations of other groups.

III. RELIGIOUS FACTORS

With the post-Cold War expansion of identity research, several researchers have noted the need to increase our understanding of the psychological dynamics of identity and transfer our knowledge to the realm of politics. Brewer warns of the dangers of conceptual stretching of the concept of social identity.³⁰ She distinguishes among person-based identity, role-based identity, group-based identity and collective identity, and she calls for theorization that recognized the implications of these different bases of identification and yet could address the interactions among them.³¹ Scholars need to understand more fully the ways in which people manage multiple bases of identification. Huddy argues that four key issues that hinder the successful application of psychological research on social identity theory to political issues are 1) the range of identity choices people can make, 2) the subjective meanings people give to identities, 3) the differences in strength or potency identities have, and 4) the stability of several political and social identities.³² These difficulties require a great deal of nuance in discussing political identity conflicts, which is why we advocate examination of the several facets of the social cube.

For example, social and political institutions are linked to religion, which fosters bipolar societies in both Northern Ireland and Québec. In Northern Ireland, Protestants and Catholics attend separate schools and churches, rarely intermarry, and live in separate neighborhoods for physical and psychological

LIFE (1994); LOWER, *supra* note 24.

29. See generally KENNETH MCROBERTS, *MISCONCEIVING CANADA: THE STRUGGLE FOR NATION UNITY* (1997).

30. Mailynn B. Brewer, *The Many Faces of Social Identity: Implications for Political Psychology* 22(1) *POLITICAL PSYCHOLOGY*, at 115-125 (2001).

31. *Id.*

32. Leonie Huddy, *From Social to Political Identity: A Critical Examination of Social Identity Theory*, 22(1) *POLITICAL PSYCHOLOGY*, at 127-156 (2001).

protection; religion preserves each group's way of life.³³ In Canada, religious affiliation promoted distinct life-styles, as economic differences and parochial schools reinforced religious and linguistic polarization. We emphasize the salience of conditional loyalty, discussed below, in promoting intergroup tensions and polarization, bearing in mind the political salience of religion in Québec has declined drastically since 1960s while it remains a central concern in Northern Ireland.

Catholics in Northern Ireland are relatively homogeneous in their religious beliefs and their identification with the Irish nation.³⁴ This cohesion withstands enormous differences between the political agendas of the Social Democratic and Labour Party (SDLP) and *Sinn Féin*, the political wing of the Provisional Irish Republican Army (PIRA) about issues such as the legitimacy of violence and the role of consent in disposing of Northern Ireland.³⁵ For example, Grove and Carter examine the rhetoric of John Hume and Gerry Adams to show competing attempt to mobilize the nationalist/Catholic population in Northern Ireland and to illustrate the interconnections between the context of the conflict and the rhetoric used.³⁶

Heterogeneity in the religious beliefs of Ulster Protestants does not directly influence their national identity.³⁷ Religious diversity does, however, create some conflict between members of the different denominations and between liberal or moderate and fundamentalist or extremist Protestants.³⁸ Intra-Protestant conflict subsides when Protestants evoke a seventeenth century religious covenant with the monarch to band together in a homogeneous bloc to resist any perceived threat to their interests, especially Northern Ireland's membership of the United Kingdom (UK).³⁹

33. See generally JOHN WHYTE, *INTERPRETING NORTHERN IRELAND* (1990); *NORTHERN IRELAND AND THE POLITICS OF RECONCILIATION* (Dermot Keogh & M.H. Haltzel eds. 1994).

34. See JOHN MCGARY & BRENDAN O'LEARY, *EXPLAINING NORTHERN IRELAND: BROKEN IMAGES* (1995); EDWARD MOXON-BROWNE, *NATION, CLASS AND CREED IN NORTHERN IRELAND* (1983).

35. IAN MCALLISTER, *THE NORTHERN IRELAND SOCIAL DEMOCRATIC AND LABOR PARTY: POLITICAL OPPOSITION IN A DIVIDED SOCIETY* (1977).

36. Andrea Grove and Neal Carter, *Not All Blarney is Cast in Stone: International Cultural Conflict in Northern Ireland*, 20(4) *POLITICAL PSYCHOLOGY* 725-65.

37. See generally JOHN D. CASH, *IDENTITY, IDEOLOGY AND CONFLICT: THE STRUCTURATION OF POLITICS IN NORTHERN IRELAND* (1996); RICHARD ROSE, *GOVERNING WITHOUT CONSENSUS: AN IRISH PERSPECTIVE* (1971).

38. See generally FRANK WRIGHT, *NORTHERN IRELAND: A COMPARATIVE ANALYSIS* (1987).

39. See generally STEVE BRUCE, *GOD SAVE ULSTER! THE RELIGION AND POLITICS OF PAISLEYISM* (1986); STEVE BRUCE, *THE RED HAND: PROTESTANT PARAMILITARIES IN NORTHERN IRELAND* (1992); Seán Byrne & Aimee Delman, *Group Identity Formation and Intra-group Conflict*, 25(4) *THE J. OF INTERGROUP RELATIONS* 35-57.

A key factor in intra-Protestant cooperation is conditional loyalty, an idea similar to Scottish contractarian notion of covenanting: "If the ruler fails to live up to his or her obligations, the subjects should not abandon the contract but rather should refuse compliance with the laws and try to coerce the ruler into keeping the bargain".⁴⁰ Conditional loyalty helps explain "how unionists avoided the crisis of national identity which nationalists so often predict for them".⁴¹ Unionists are loyal to the monarch in her role as head of the established church as well as head of the British state. Parliament, however, lacks the religious legitimacy of the Queen. There is no contradiction in Northern Irish Protestant opposition to the British Parliament since most Protestants are ultimately loyal not to political institutions but to their ethno-religious identity.⁴² Protestants will remain loyal to Britain only as long as Britain guarantees them a majority in Northern Ireland.⁴³

Several historical examples illustrate the contractarian nature of Unionist ideology—the Monarch's protection of the Protestant community's Ulster identity and political attachments to the United Kingdom. For example, the Home Rule crises of 1886, 1893, and 1912 saw an upsurge in riots in Belfast, the creation of an Ulster Protestant army, and the development of the UVF in which Protestants sought to resist Home Rule by force. In fact, World War I narrowly averted a civil war in Ireland.⁴⁴ Protestant opposition to direct rule from London in 1972, the 1985 Anglo-Irish Agreement, the 1993 Frameworks Document, and the 1995 Framework for Peace further illustrates the depth of Protestant fear and betrayal as well as the strategy of intra-Protestant cooperation to protect their ethno-religious identity and resist what they perceive as a forced incorporation into a united Ireland.

Religion has played a different role in Canada. Religious loyalty prior to the 1960s helped Canada maintain relatively peaceful interethnic group relations. Colonial patterns in New France failed to produce strong governmental institutions, leaving the Catholic Church as the most important communal organization. In 1659, Monseigneur de Laval, bishop of Québec, established the tradition of *ultramontism*, the doctrine that the Church is predominant in all social affairs and is politically superior to the state.⁴⁵ After

40. DAVID MILLER, *QUEEN'S REBELS: ULSTER LOYALISM IN HISTORIC PERSPECTIVE* 5 (1978).

41. John Hunter, *An Analysis of the Conflict in Northern Ireland*, in *POLITICAL COOPERATION IN DIVIDED SOCIETIES: A SERIES OF PAPERS RELEVANT TO THE CONFLICT IN NORTHERN IRELAND* 25 (Desmond Rea, ed. 1983). See also ROSE, *supra* note 37, at 40-88; WHYTE, *supra* note 33; BRUCE, *supra* note 39.

42. ARTHUR AUGHEY & DUNCAN MORROW, *NORTHERN IRELAND POLITICS* (1996).

43. See Moxon-Browne, *supra* note 34; ROY WALLIS ET AL., *NO SURRENDER: PAISLEYISM AND THE POLITICS OF ETHNIC IDENTITY IN NORTHERN IRELAND* 1-35 (1986).

44. McGarry & O'Leary, *supra* note 4.

45. See *supra* note 7, at 50.

the British Conquest of Québec, the 1774 Québec Act recognized and supported the dominance of the Catholic Church, which in return advocated acceptance of British rule. Protestants (primarily Anglophones) were allowed to establish separate social facilities. Parochial schools reinforced the power of the Church and allowed each religious group to control the socialization of its own members. The 1867 British North America Act (now called *Constitution Act, 1867*) reserved education policy for the provinces. Québec maintains its parochial school system, although reform is underway to change schoolboards from being based on religion to being defined according to language.

Relations between religious groups in Québec have not been as strained historically as in Northern Ireland. Little economic or territorial competition emerged between religious factions. After the Conquest, English Protestants tended to cluster in specific regions, especially Montreal and the Eastern Townships, and were relatively free to join the Canadian ethnic majority and business elite.⁴⁶ While the Catholic majority remained mostly in the primary sector, Anglophone Protestants tended toward entrepreneurial ventures, providing the capital for industrialization.

The history of *ultramontism* influenced the ethnonational identity of French Canadians. As with Ulster Protestants, *Canadian* loyalty to religion was stronger than that to parliament or the crown. Religious identity promoted strong ties among members of a parish. The Church's decline as a powerful social actor since the Quiet Revolution seems to have changed the focus of group loyalty. Most social functions historically performed by the Church, such as education, health, and welfare, now fall under provincial jurisdiction.⁴⁷ As the provider of these functions changes, so too does citizen identification with social institutions. This change in loyalty is illustrated by a change in self-identification: during the Quiet Revolution, French Canadians inhabiting Québec began to refer to themselves as *Québécois* rather than *Canadiens français*.⁴⁸ The history of ultramontism, transferred to provincial loyalty, increases the potential for rejecting the limited monarchy and the federation. Furthermore, the legacy of the Catholic Church's emphasis on language increased the salience of cultural differences, which currently dominate constitutional debate in Canada.

Today, religion has more salience as a social category in Northern Ireland than in Québec. In Northern Ireland, religious difference tends to create a moral

46. See J. LEWIS ROBINSON, CONCEPTS AND THEMES IN THE REGIONAL GEOGRAPHY OF CANADA 101-117 (Talonbooks revised ed. 1989); SHEILA MCLEOD ARNOPOULOS & DOMINIQUE CLIFT, THE ENGLISH FACT IN QUEBEC (1980).

47. See LaPierre, *supra* note 24, at 178-95.

48. Louis Dupont and Dean Louder, *Quelles Cultures Reproduire?* (paper presented at the 1995 Conference of the Association for Canadian Studies in the United States, Nov. 15-19, 1995).

rejection of compromise. In Québec, religious differences historically helped maintain relatively peaceful coexistence, since the Catholic Church advocated acceptance of Canada in exchange for a level of cultural autonomy at the provincial level. Ironically, the decline of religion's importance in Québec may increase the potential for intergroup conflict, as *Québécois* identification switched from the church to the province without reducing the importance of linguistic differences.

IV. DEMOGRAPHIC FACTORS

Demographic factors are crucial aspects of the two conflicts. In Québec, Francophones comprise about 85 percent of the population and dominate the province's political system despite their minority status (about 20 percent of the population) in Canada as a whole. The low birthrate of Québec Francophones increases demands for provincial involvement in social, language, and immigration policy. In Northern Ireland, Catholics (primarily of Gaelic descent) remain a minority, although their relative size is growing due to birth rates that exceed those of Protestants. The decline of Protestants' relative position increases fears of Catholic domination.

Demographic differences in Northern Ireland and Québec lead to socio-psychological patterns that can be seen as a conflict over national identity between "double minorities".⁴⁹ In Northern Ireland, Catholics and Protestants see themselves as minorities, but are simultaneously viewed by the other community as a threatening majority.⁵⁰ Double minorities reinforce the need for security and recognition of each group's territorial claims. Northern Irish Catholics see themselves as an Irish minority in Northern Ireland and a majority in an all-Ireland context. Protestants are a majority of the population in Northern Ireland, but a minority of the over-all population in the UK and in any future united Ireland. Hence, Northern Ireland Protestants see themselves as a besieged minority locked into an eternal struggle to defend themselves against both internal and external forces.

In Northern Ireland, historical references to campaigns of genocide affect the perceptions and fears each group holds of the "other."⁵¹ Protestants in

49. HAROLD JACKSON & ANNE MCHARDY, *THE TWO IRELANDS: THE PROBLEM OF THE DOUBLE MINORITY* (3d ed. 1984); WHYTE, *supra* note 33, at 100-02; John Whyte, *How is the Boundary Maintained Between Both Communities in Northern Ireland?*, 9(2) *ETHNIC AND RACIAL STUDIES*, at 219-34 (1986).

50. See Terrie Northrup, *Dynamics of Identity in Personal and Social Conflict*, in *INTRACTABLE CONFLICTS AND THEIR TRANSFORMATION* 55-82 (Kriesberg et al., eds., 1989).

51. The Gaelic chieftains' 1641 massacre of Ulster Protestants and the seventeenth century Cromwellian massacre of the Catholic inhabitants of Dundalk and Drogheda illustrate this point. See A.T.Q. STEWART, *THE NARROW GROUND: ASPECTS OF ULSTER 1609-1969* 23-34 (1977); ROSE, *supra* note 37, at 180-204; MICHAEL FARRELL, *NORTHERN IRELAND: THE ORANGE STATE* 2-98 (1980); MICHAEL MACDONALD,

Northern Ireland have developed a pronounced "siege mentality." They considered the Republic of Ireland as hostile to their interests and identity and thus deem any move toward *rapprochement* with Catholics in Northern Ireland as acceptance of eventual Irish unification.⁵² Catholics have been alienated by their treatment within Northern Ireland and look to the government in the Republic of Ireland to protect their interests. Each group, recalling a history of community conflict, seeks a majority within political institutions in order to prevent discrimination or suppression. The double minority in Northern Ireland thus decreases the potential for the formation of a political "middle ground" between the communities.⁵³

The double minority in Québec, however, may actually mitigate conflict due to Canadian federalism. The Anglophone minority in Québec belongs to the majority Anglophone community in Canada and North America. The Francophone majority in Québec also developed a "siege mentality," viewing itself as a minority population engulfed in an Anglophone environment although it sustains a provincial majority. Québec nationalists traditionally advocated high birth rates to attain the "revenge of the cradle" and maintain the Francophone culture.

Québec Francophones claim that legal limitation of the use of English in education, businesses and advertisements is necessary to counteract the overwhelming majority of Anglophones in Canada. Furthermore, Québécois politicians have used education policies to increase the assimilation of immigrants into the Francophone, rather than the Anglophone, community. Anglophone Quebecers are a special minority within the province due partly to the dominance of English throughout Canada and their well-established presence in Québec.

Many Anglophone Quebecers think of themselves as a political minority in Québec, strongly oppose Québécois nationalist policies, and fear that the creation of an independent Québec would cut their ties with the rest of Canada. Others stress the importance of maintaining the special status of English in Québec, while also celebrating Québec's cultural distinctiveness.

However, today immigration is affecting the relative status of both groups. The changing demographic pattern, especially in Montreal, affects the relative political strength of Anglophones and Francophones. As the Francophone Quebecer population ages, with a low birth rate, the likelihood of Quebec sovereignty winning a referendum appears to reduce as time goes by. This may

CHILDREN OF WRATH: POLITICAL VIOLENCE IN NORTHERN IRELAND (1986).

52. See generally JOSEPH RUANE & JENNIFER TODD, *THE DYNAMICS OF CONFLICT IN NORTHERN IRELAND: POWER, CONFLICT AND EMANCIPATION* (1996).

53. See generally MERVYN T. LOVE, *PEACE BUILDING THROUGH RECONCILIATION IN NORTHERN IRELAND* (1995).

well increase the feelings of Quebec Francophones as being a minority and needing to increase control over cultural politics.

Clearly, this "double minority" has implications for the way these groups in Northern Ireland and Québec view the world.⁵⁴ In general, Northern Ireland experiences more problems with terrorism and the salience of symbolism, and conflicting national identities than Québec because of the insecurity of each ethnic group. The communities' lack of control over policies, mutual suspicion of treachery, and use of terrorism and symbolism that promotes a siege mentality all reduce the potential for Northern Ireland to create a sense of "shared identity."⁵⁵ In contrast, Québec benefits from the existence of Canadian federalism, which reduces both groups to minority status in some areas but establishes them as a majority in others. This may promote some mutual recognition. However, continued failure in the negotiation of constitutional matters is reducing the good will on both sides of the debate. Despite the potential for accommodation presented by the positive aspects of double minorities (groups may extend special consideration to minorities within their territory, if reciprocity can be expected), problems still threaten the equilibrium. The relative size and rate of demographic change of the groups are significant. The relative loss of population for Northern Irish Protestants can increase their insecurities. In Québec, declining birth rates and increased immigration are forcing Québécois nationalists to redefine the basis for identification with their group, and also shape their policies concerning the education of non-Christians whose native language is neither French nor English.

V. POLITICAL FACTORS

Peaceful regulation of ethnoterritorial conflict relies heavily on the political legitimacy of the state, the inclusiveness of political institutions, and the prevalence of non-institutionalized conflict such as terrorism. These functions are interrelated, but various combinations are possible. In this section we address the importance of boundaries and terrorism as political factors. These factors greatly influence both the legitimacy of the state and the potential for peaceful regulation of conflicts.

Many ethnoregional movements emphasize the territorial delineation of political institutions in which they can participate. Québec's provincial boundaries allow the *Québécois* some degree of control over a specific territory within the larger Canadian context. Northern Ireland, however, has a boundary that does not meet the demands of either Protestant or Catholic community.⁵⁶

54. See WHYTE, *supra* note 33, at 25-43.

55. See generally BYRNE, *supra* note 11.

56. John McGarry, *Political Settlements in Northern Ireland and South Africa*, 46(5) POLITICAL

Debate over the boundary in Northern Ireland increases group hostility as the salience of national identity becomes a tangible threat to the existence of Northern Ireland's position within the UK.⁵⁷ When disputes over boundaries and institutions devolve into terrorist action, the potential for peaceful regulation is reduced, as the ability of the state to remain inclusive is challenged.

A. *Boundaries*

The political partition of Northern Ireland from the Irish Free State by the 1920 Government of Ireland Act did not resolve ethnic conflict. The foundation of the border served only to foster sectarian politics. Moderate Nationalist members of the SDLP and militant Republican members of *Sinn Fein* in the Catholic community continue to agitate for a united Ireland. Moderate Unionist members of the Official Unionist Party (OUP) and militant Loyalist members of the Democratic Unionist Party (DUP) within the Protestant community seek to maintain "peace through security,"⁵⁸ arguing that threats and terrorist attacks by both the Continuity and Real IRA make special security arrangements necessary.⁵⁹

Protestants and Catholics maintain their entrenched positions concerning the political status of Northern Ireland as part of the UK or a potential United Ireland. According to international norms, Northern Ireland is not a full member of the UK to the same degree as Scotland and Wales.⁶⁰ Northern Ireland's constitutional limbo encouraged the political violence of the PIRA while solidifying the siege mentality of Protestants. Moderate Unionists and militant Loyalists are determined to protect the British link, thereby safeguarding Protestant heritage and identity. Moderate Nationalists believe that the root of the conflict is the British presence in Northern Ireland, and wish to end partition by peaceful democratic means, contrary to the political violence of the PIRA.⁶¹ Political competition over the geopolitical space of Northern Ireland enhances feelings of fear, suspicions and uncertainty, thereby shaping

STUDIES 1-17; Brendan O'Leary, *The Conservative Stewardship of Northern Ireland, 1979-97: Sound-Bottomed Contradictions or Slow Learning*, 45(3) POLITICAL STUDIES 663-76.

57. See generally KEVIN BOYLE & TOM HADDEN, *NORTHERN IRELAND: THE CHOICE* (1994).

58. See generally MICHAEL FARRELL, *ARMING THE PROTESTANTS: THE FORMATION OF THE ULSTER SPECIAL CONSTABULARY AND THE ROYAL ULSTER CONSTABULARY 1920-27* (1983); EAMONN McCANN, *WAR AND AN IRISH TOWN* (1974).

59. Bill McSweeney, *Security, Identity and the Peace Process in Northern Ireland*, 27(2) SECURITY DIALOGUE 167-78.

60. See generally ADRIAN GUELKE, *NORTHERN IRELAND: THE INTERNATIONAL PERSPECTIVE* (1988).

61. See MICHAEL CUNNINGHAM, *BRITISH GOVERNMENT POLICY IN NORTHERN IRELAND, 1969-89* (1991); MICHAEL CUNNINGHAM, *BRITISH GOVERNMENT AND THE NORTHERN IRELAND QUESTION: GOVERNING A DIVIDED COMMUNITY* (1994).

the political agenda for both communities. Nevertheless, all constitutional parties in Northern Ireland, Nationalist and Unionist, accept the legality of partition and agree that change will require the consent of the majority within Northern Ireland.⁶²

The border between Northern Ireland and the Republic of Ireland ensures that Protestants and Catholics identify with a different political entity—Northern Protestants with Britain and Northern Catholics with the Republic of Ireland. Both communities live under the psychological stress of a besieged minority depending on the conceptual lens is used to consider the geopolitical context.⁶³ This in turn allows each community to display fear and suspicion of the political intentions of the “other side” as the political violence of the paramilitaries prevents a solid middle ground from emerging. As Whyte notes, the difficulty of regulating conflict in Northern Ireland stems from the facts that “minorities are groups which feel threatened; that threatened groups are liable to be hypersensitive; and that in Northern Ireland both groups display these characteristics.”⁶⁴

Boundaries have a different significance in Canada. Québec’s provincial boundaries enable the *Québécois* to assert a great deal of control over their cultural affairs. Conflict exists over the extent of power to be held at the provincial and federal levels of government. These federal boundaries are less prone to conflict than the more institutionally divisive border in Northern Ireland. The ambiguous nature of federal boundaries increases the opportunity for peaceful regulation of conflict.

As leaders debate Québec sovereignty, however, boundaries gain significance. The boundary between Québec and Newfoundland has never been formally delineated. Outstanding aboriginal land claims and Anglophone enclaves would obstruct the simple secession of Québec. Furthermore, some analysts argue that Québec could only leave with its original boundaries and would thus be forced to cede all land granted to it by the federal government.⁶⁵ The past debate surrounding Canadian Minister of Intergovernmental Affairs Stéphane Dion’s suggesting that parts of Québec’s population (especially Anglophones and Aborigines) could remain in Canada in the event of a

62. See generally DAVID BLOOMFIELD, PEACEMAKING STRATEGIES IN NORTHERN IRELAND: BUILDING COMPLEMENTARITY IN CONFLICT MANAGEMENT THEORY (1996).

63. See Paul Dixon, *Consociationalism and the Northern Ireland Peace Process: The Glass Half Full or Half Empty*, 3(3) NATIONALISM & ETHNIC POLITICS 20-37 (1997); Paul Dixon, *Paths to Peace in Northern Ireland (I): Civil Society and Consociational Approaches*, 4(2) DEMOCRATIZATION 1-26 (1997); Paul Dixon, *Paths to Peace in Northern Ireland (II): The Peace Processes 1973-74 and 1994-96*, 4(3) DEMOCRATIZATION 1-25 (1997).

64. WHYTE, *supra* note 33, at 100.

65. See, e.g., DAVID L. VARTY, WHO GETS UNGAVA? (1991).

Québécois declaration of sovereignty⁶⁶ can be traced to a long-standing fear that Anglophones might be separated from the rest of Canada.⁶⁷ Once the boundary is perceived as requiring a strict division of groups, the level of salience and hostility of territorial disputes increases dramatically.

As a result of the 1995 attempt to declare independence, the Canadian federal court ruled that Quebec did not have the right to such a declaration, but that Canada would be obligated to negotiate should a clear majority of Quebecers respond to a clear question about Quebec sovereignty. This simply moved the debate to issues of what constitutes a clear majority and a clear question. Turnover in the federal and provincial political arenas continues. The Reform Party has been replaced by the Canadian Alliance with leader Stockwell Day. With the resignation of Lucien Bouchard, Bernard Landry became Premier of Quebec on 8 March 2001. The sovereignty issue is likely to remain a subject of debate for some time.

B. Terrorism

Terrorism has been used in both regions to draw attention to conflicts. Significantly, nationalist terrorism in Québec was aimed primarily at symbols of colonial or federal domination, whereas Republican violence in Northern Ireland has targeted civilians in addition to property and symbols of the British state. Sectarian attacks conducted by both Loyalists and Republicans produced a state of fear and powerlessness marked by a self-perpetuating pattern of deterrence and revenge.⁶⁸

In Northern Ireland, persistent paramilitary violence in the form of local punishment beatings and shootings since the 1996 cease-fires indicates that the future course of the fragile peace process could be marked by a return to violence. A recent internal feud by the UVF and the UFF matched by continued paramilitary activities by both the Continuity and Real IRAs suggest that the current peace process should not be taken for granted.⁶⁹ In the past, paramilitary violence from the Republican PIRA to force the British government out of Northern Ireland, and by the Loyalist UVF to keep Northern Ireland British has claimed many lives, ensuring an enduring bicomunal

66. See Martin Lubin, *Political Issues in Contemporary Quebec: Whither Party Politics in Quebec since the Referendum?* (paper presented at the 1996 Meeting of the New York State Political Science Association Mar. 29-30, 1996); Anthony Wilson-Smith, *Fighting Back*, *MACLEAN'S*, Feb. 5, 1996, at 10-14.

67. See, e.g., George Koch, *The Price of Separation*, *ALBERTA REPORT*, Mar. 17, 1990, at 13; Ingrid Peritz, *Anglo Separatists Surface Again*, *MONTREAL GAZETTE*, April 20, 1991, at B4.

68. See WRIGHT, *supra* note 38, at 11-12; ALLEN FELDMAN, *FORMATIONS OF VIOLENCE: THE NARRATIVE OF THE BODY AND POLITICAL VIOLENCE IN NORTHERN IRELAND*. (1991).

69. Byrne, *supra* note 21.

conflict.⁷⁰ For example, the Enniskillen Poppy Day massacre of eleven Protestants in 1987 by the PIRA, the 1992 murders of Catholic and Protestant patrons in a bar in Greysteel by the UVF, the 1993 PIRA murders of ten Protestants in Frizzell's fish shop in West Belfast, and the 1998 continuity IRA bombing of Protestant and Catholic civilians in Omagh, Co. Tyrone reinforced historical fears of genocide in both communities. Loyalist paramilitary violence has escalated during periods of crisis when British policy initiatives were perceived as a threat to abandon Protestants to the Irish nation. Republican violence, on the other hand, was aimed at forcing a British withdrawal thereby creating a United Ireland.

Violence has polarized both communities in Northern Ireland, thereby discrediting moderate alternatives. The PIRA has refused to surrender its arms in exchange for *Sinn Fein* participation in the Northern Ireland Assembly. Moderate Nationalists represented by the SDLP and moderate Unionists represented by the OUP now fear, in the wake of the current arms decommissioning impasse, that if concessions are not forthcoming by Republicans and Loyalists, then advocates of physical force such as the continuity and Real IRAs as well as the Red Hand Defenders and the Orange Volunteers can claim to offer the only solution.⁷¹

The peak of terrorist activity in Québec was in the 1960s, involving groups like the *Front de Libération du Québec* (FLQ) who drew inspiration from anti-colonial and civil rights movements, Marxism and the PIRA.⁷² In the early 1960s, the FLQ conducted a bombing campaign against symbols of colonial or federal domination. The FLQ seems to have had about thirty active members, most of whom were arrested in 1963. However, several apparently unconnected groups identified themselves as FLQ cells. Bombing activities intensified in 1968–9, and in 1970 British Trade Commissioner James Cross and Québec Labor Minister Pierre Laporte were abducted. These abductions appear to have been the acts of about ten people, but Canadian Prime Minister Pierre Trudeau reacted forcefully, revoking protection of civil liberties, arresting 450 suspects, destroying presses, and mobilizing 10,000 military and special police forces.⁷³ Popular opinion, mildly in support of the FLQ, dropped dramatically when

70. See generally A CITIZEN'S INQUIRY: THE OPSAHL REPORT ON NORTHERN IRELAND (Andy Pollak & Torkel Opsahl, eds. 1993).

71. Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, *supra* note 21.

72. PIERRE VALLIÈRES, *WHITE NIGGERS OF AMERICA: THE PRECOCIOUS AUTOBIOGRAPHY OF A QUEBEC "TERRORIST"* (Joan Pinkham, trans., 1971).

73. See SHEILAGH HODGINS MILNER & HENRY MILNER, *THE DECOLONIZATION OF QUEBEC: AN ANALYSIS OF LEFT-WING NATIONALISM 195-223* (1973); JEAN-CLAUDE ROBERT, *DU CANADA FRANÇAIS AU QUÉBEC LIBRE: HISTOIRE D'UN MOUVEMENT INDÉPENDANTISTE [FRENCH CANADA AND FREE QUEBEC: HISTORY OF THE INDEPENDENCE MOVEMENT]* 283-86 (1975).

Laporte was executed by his abductors. In Québec, the governmental backlash provoked by the attacks failed to produce the reaction desired by the terrorists: instead of criticizing the federal government for invoking the War Measures Act, citizens blamed the agitators for disrupting a peaceful, if unequal, system.

The failed attempts to amend the 1982 Constitution Act, enacted despite the Québec government's opposition, combined with the defeated referendum on Québec sovereignty may reduce the attractiveness of institutional politics for Québec nationalists. Some businesses who opposed sovereignty during the referendum have allegedly received letters on FLQ letterhead threatening retaliation for any further anti-sovereignty actions.⁷⁴

Terrorism does remain a threat in Quebec. Recent bombings of cafés with Anglophone names have been linked to a renewed FLQ. Reaction against not only the linguistic-cultural-political split in Canada but also against globalization could prompt Quebec once more to enter into a period of struggle with terrorism. This possibility will be reduced if institutional politics can address the issues of concern to those who might turn to violence.

A difference between the two regions thus seems to be that the *Québécois* have access to institutions which most view to be legitimate, while many Northern Irish Catholics view political institutions as Protestant tools of repression. Quebecers are thus able to protest specific issues without seeking to destroy the entire political system. Institutional politics may further foster less antagonistic views of the outgroup, while violence will increase the mutual antagonism of groups. Canada's federalist structure permits more peaceful conflict regulation.⁷⁵ Northern Ireland's lack of a strategic middle ground prevents cross-cutting cleavages, leading to institutional and constitutional impasse. Political differences in Northern Ireland create tensions and misperceptions between communities, resulting in a bipolar society.

VI. ECONOMIC FACTORS

Economic differences can be found in comparisons of virtually any groups. They become important in ethnoterritorial conflict to the extent that disparities can be linked to competition between groups, institutional favoritism, stereotypes, or other factors that divide the groups. Leaders of ethnoterritorial movements may exploit disparities in the distribution of economic resources to mobilize a particular constituency to support for their demands. Awareness of intergroup discrimination adds economic concerns to the overall categorization of the Other.

74. Diane Francis, *Threatening Letters and an FLQ Logo*, MACLEANS'S, April 22, 1996, at 11.

75. See generally MICHAEL BEHELS, *THE MEECH LAKE PRIMER: CONFLICTING VIEWS OF THE 1987 CONSTITUTIONAL ACCORD* (1989); McROBERTS, *supra* note 29; PATRICK J. MONAHAN, *MEECH LAKE: THE INSIDE STORY* (1991).

Northern Ireland's Protestants have historically had greater access to political and economic resources than Catholics.⁷⁶ Catholic areas have higher unemployment rates than Protestant areas. Recruitment practices, lack of industrial development, emigration and discrimination increase the economic gap between Protestants and Catholics, divide the working classes, and reinforce intergroup discrimination.⁷⁷ Economic privileges in housing and employment enjoyed by Protestants reduced the salience of class conflict and may in part explain continued Protestant support for institutional links with Britain.⁷⁸ Although both groups have similar distributions of members identifying with various economic classes, they are likely to see intergroup differences as more important than intragroup disparity.⁷⁹

Québec long exhibited economic patterns similar to Northern Ireland. Protestantism correlated strongly with capitalism; Québec was dominated economically by the Anglophone minority, as Francophone Catholics tended to shun capitalist ventures. By the 1960s, studies of economic disparity showed vast differences in the economic welfare of Québec's two linguistic communities.⁸⁰ This inequality helped change nationalist sentiment in Québec from ultramontane isolationism to secular cosmopolitanism as the *Québécois* began to seek political control of provincial resources. The federal and Québec governments initiated language laws to address new perceptions of economic discrimination against Francophones. Nevertheless, the two languages remain asymmetrical, and it is generally more advantageous for Francophones to learn English than for Anglophones to learn French. Québec politicians defend their relatively strict language laws on the need to counteract this asymmetry. Since

76. See John Agnew, *Beyond Reason: Spatial and Temporal Sources of Ethnic Conflicts*, in *INTRACTABLE CONFLICTS AND THEIR TRANSFORMATION* 44-46 (Louis Kriesberg et al., eds., 1989); FARRELL, *supra* note 51, at 2-98; WALLIS ET AL., *supra* note 43, at 1-35; LIAM O'DOWD ET AL., *NORTHERN IRELAND: BETWEEN CIVIL RIGHTS AND CIVIL WARS* (1980); John Agnew & James G. MacLaughlin, *Hegemony and the Regional Question: The Political Geography of Regional Industrial Policy in Northern Ireland*, 76 *ANNALS OF THE ASSOC. OF AMER. GEOGRAPHERS*, 247-61 (1986).

77. See PAUL ARTHUR & KEITH JEFFREY, *NORTHERN IRELAND SINCE 1968* (1988); R.J. CORMACK & ROBERT D. OSBORNE, *RELIGION, EDUCATION AND EMPLOYMENT: ASPECTS OF EQUAL OPPORTUNITY IN NORTHERN IRELAND* (1983); Bill Rolston, *Alienation or Political Awareness? The Battle for the Hearts and Minds of Northern Nationalists*, in *BEYOND THE RHETORIC: POLITICS, THE ECONOMY, AND SOCIAL POLICY IN NORTHERN IRELAND* 58-91 (Paul Teague, ed. 1987).

78. See FRANK GAFFIKIN & MARTIN MORRISSEY, *NORTHERN IRELAND: THE THATCHER YEARS* (1990); RONNIE MUNCK, *IRELAND: NATION, STATE AND CLASS STRUGGLE* (1985); BELINDA PROBERT, *BEYOND ORANGE AND GREEN: THE POLITICAL ECONOMY OF THE NORTHERN IRELAND CRISIS* (1978).

79. Seán Byrne & Michael Ayulo, *External Economic Aid in Ethno-Political Conflict: A View from Northern Ireland*, 29(4) *SECURITY DIALOGUE* 219-33 (1998).

80. See, e.g., JOHN PORTER, *THE VERTICAL MOSAIC: AN ANALYSIS OF SOCIAL CLASS AND POWER IN CANADA* (1965); Jacques Mathieu and Jacques Lacoursière, *LES MÉMOIRES QUÉBÉCOISES [THE MEMOIRS OF THOSE FROM QUEBEC]* (1991).

the Quiet Revolution, Francophone Quebecers have greatly improved their economic status and education levels.

Both Northern Ireland and Québec have exhibited patterns of nepotism that increase within-group solidarity. If this pattern is accepted by the groups, as in traditional Québec, it will not be harmful to intergroup accommodation. However, if economic competition dominates or a shift occurs in economic trends, polarization and hostility may very well increase.

VII. PSYCHOCULTURAL FACTORS

Tensions and emotions have often escalated during social change or perceived political crises between Protestants and Catholics in Northern Ireland and between Anglophones and Francophones in Québec. During crises, each group portrays the opposing culture as an outgroup or enemy to rally the ingroup against potential genocide or subjugation. Cultural symbols and stereotypes reinforce group identity and solidarity and clearly distinguish the ingroup from the outgroup.

The importance of symbolism helps explain the nature of the conflicts in Northern Ireland and Québec. Symbols create a sense of commonality among group members and help them categorize their political beliefs. Ethnoterritorial groups often promote prejudice and stereotyping by invoking group traditions to symbolize issues (e.g. nationality, religion, and ethnic identity) that have yet to be resolved.⁸¹ The Northern Irish conflict appears intractable because economic issues are complicated by religious and national identity crises embedded in people's minds from an early age.⁸² These psychocultural and political images are used to categorize people from the other community as an outgroup.⁸³ Québec's role in Canada's constitutional debate centers around Québec's status as a distinct society or as one of ten equal provinces.⁸⁴ The nature of debate and form of conflict management in these two regions create unique political cultures.

81. See, e.g., KEVIN BOYLE & TOM HADDEN, *NORTHERN IRELAND: A POSITIVE PROPOSAL* (1985); E.E. O'DONNELL, *NORTHERN IRISH STEREOTYPES* (1978).

82. See ROSE, *supra* note 37, at 60-127.

83. See, e.g., John E. Greer, *Viewing the Other Side in Northern Ireland: Openness and Attitudes to Religion among Catholic and Protestant Adolescents*, 24 J. FOR THE SCIENTIFIC STUDY OF RELIGION 275-92 (1985); ROSEMARY HARRIS, *PREJUDICE AND TOLERANCE IN ULSTER: A STUDY OF NEIGHBOURS AND STRANGERS IN A BORDER COMMUNITY* 178 (1972).

84. See, e.g., RONALD L. WATTS & DOUGLAS M. BROWN, *OPTIONS FOR A NEW CANADA* (1991); CHARLES TAYLOR, *RECONCILING THE SOLITUDES: ESSAYS ON CANADIAN FEDERALISM AND NATIONALISM* (1993); MONAHAN, *supra* note 75.

In Northern Ireland, myths of siege, victory, massacre and martyrdom permit two distinct cultural traditions to co-exist uneasily in a sectarian milieu.⁸⁵ Protestants and Catholics use these historical events to promote group solidarity, thereby reducing the potential for intergroup cooperation.⁸⁶ Northern Irish Protestants believe that their cultural symbols, flags, and holidays are of importance to their core values, cultural mores and belief structures. Orange marches are perceived as a “traditional expression of a legal right” to display Protestant values and symbols.⁸⁷ Likewise, Northern Irish Catholics wear Easter lillies to commemorate the Easter Rising of 1916. The existence of these cultural and religious symbols reinforces ingroup solidarity and outgroup hostility.⁸⁸

A strong link exists between Republican violence, Catholicism, and a pan-Celtic culture centered around the redemptive nature of a blood sacrifice. Northern Irish Catholics often invoke the symbolic significance of “martyrs for the cause,” or Christ-like figures, best exemplified by the deaths of Bobby Sands during the 1981 Hunger Strikes and Patrick Pearse during the 1916 Rising.⁸⁹

Symbolic rituals tend to further escalate the conflict by fostering the growth of sectarian belief structures. Extremists depict the conflict as a struggle between good and evil.⁹⁰ Moderates, however, perceive the conflict in political and economic, rather than religious, terms.⁹¹ As debate turns from economic and political matters to questions of ethnoreligious identity, polarization removes the middle ground.⁹²

Lipset claims that Canada is a country of defeated nations, and therefore its symbolism often reinforces notions of the challenge of survival for distinct societies in an inhospitable climate, faced with the ever-present threat of assimilation.⁹³ Québec also has some heroes that exemplify the hardships of Francophone survival. Louis Riel, a Métis leader in the West, exemplified the

85. STEWART, *supra* note 51.

86. See MARI FITZDUFF, *BEYOND VIOLENCE: CONFLICT RESOLUTION PROCESSES IN NORTHERN IRELAND* (1996).

87. WALLIS ET AL., *supra* note 43, at 1-20.

88. Byrne & Delman, *supra* note 39; NORTHRUP, *supra* note 50.

89. See Conor Cruise O'Brien, *Ireland: The Mirage of Peace*, 33 THE N.Y. REV. OF BOOKS 23-33 (Apr. 1986); JOHN M. FEEHAN, *BOBBY SANDS AND THE TRAGEDY OF NORTHERN IRELAND* (1986).

90. See Jennifer Todd, *Two Traditions in Unionist Political Culture*, 2 IRISH POLITICAL STUD. 1 (1987). See also WHYTE, *supra* note 33.

91. See Cathal McCall, *Postmodern Europe and the Resources of Communal Identities in Northern Ireland*, 33 EURO. J. OF POLIT. RESEARCH 389 (1998).

92. AGNEW, *supra* note 76, at 41-53.

93. See generally Seymour Martin Lipset, *CONTINENTAL DIVIDE: THE VALUES AND INSTITUTIONS OF THE UNITED STATES AND CANADA* (1990).

difficulties faced by Francophones outside Québec. Riel was hanged as a traitor for leading a revolt against the revocation of protection for Francophone Métis in Manitoba. Nationalists use his story to exemplify how hostile the rest of Canada is to Francophone equality. Québec politicians use symbolism effectively, emphasizing land, language, faith and families. The feast of St. John the Baptist is held as Québec's national holiday. To intensify the sense of *Québécois* nationalism, activists have used slogans such as "*Maîtres chez-nous*" (Masters in our own house) to represent a desire for self-determination and economic responsibility. With the increased Francophone attention to national symbolism, Anglophones responded with Canadian symbols: the Maple Leaf has been the insignia of Canada only since 1965; "O Canada" replaced "God Save the Queen" in 1967.

During the 1995 referendum on sovereignty, both the yes and the no sides attempted to use symbols to depict their allegiances. While the nationalists tended to give priority to *Québécois* symbols, they chose to use the Canadian dollar coin in their symbolism, to represent continued economic cooperation between an independent Québec and the rest of Canada. Federalists frequently merged Canadian and *Québécois* symbols in an attempt to illustrate the coexistence and complementarity of loyalties to both entities.

Symbolism intensifies violence in Northern Ireland, where people can be terrorized for belonging to one group or another; but it has not led to violent conflict in Québec. The Northern Irish conflict is marked by intense hostility and imagery that rejects cooperation with the other community. In Canada, however, the myth of "two founding races" forging a social compact indicates the desirability of intercommunity accommodation despite fundamental differences.

VIII. CONCLUSIONS

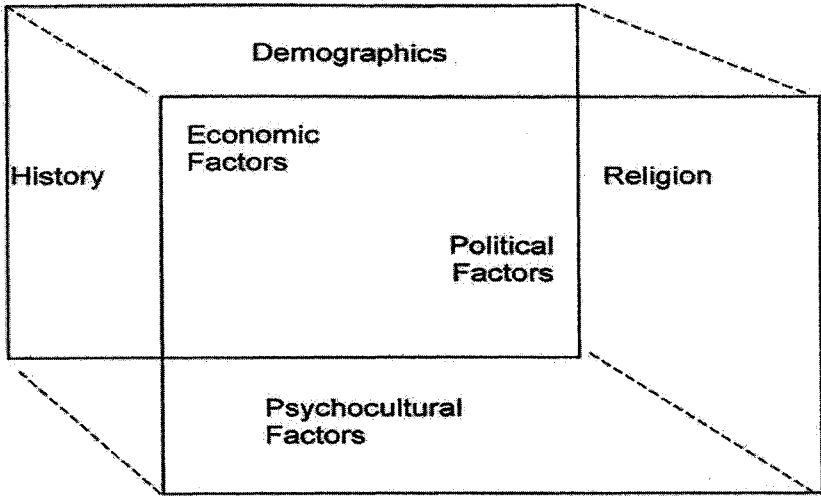
In general, Northern Ireland experiences more problems with terrorism and conflicting national identities than Québec due to each ethnic group's insecurity over the national question. Lack of control over policies, mutual suspicion of treachery, histories of intercommunity violence, and symbolism that promotes a siege mentality all reduce the potential for Northern Ireland to create a sense of shared identity. In contrast, Québec benefits from the existence of federalism, which reduces both groups to minority status and also promotes some mutual recognition based on the myth of Canada's creation through a pact between the two "founding races." However, repeated failure in the negotiation of constitutional matters is reducing the good will on both sides of the debate. Despite the potential for accommodation presented by the positive aspects of double minorities, problems still threaten the equilibrium.

We have identified a number of significant interrelated factors that are part of a multi-causal analysis of conflict in Northern Ireland and Québec. These six facets or social forces of the cube must be examined together if we are to understand how ethnoterritorial conflicts can be ameliorated or exacerbated. The six factors produce different patterns, with some factors reinforcing potential conflict and others mitigating the differences. Unfortunately, the social cube cannot capture the dynamic nature of politics, and therefore may seem to give too little weight to recent events in both regions. However, our analysis indicates the difficulties that must be overcome if a lasting settlement is to be reached in Northern Ireland as well as those that face Quebecers attempting to define the political nature of their province. The interlocking nature of the cube also indicates that addressing only one dimension is unlikely to provide a settlement, but also that improvements in a single area may ameliorate others as well.

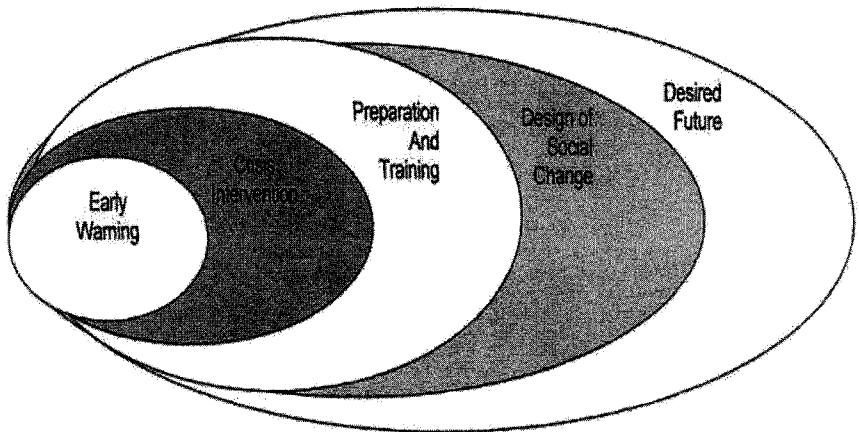
What stands out in our analysis is the way that material and psychological dimensions interact to maintain or mitigate intergroup conflict. Entrenched sectarian attitudes result from political and economic institutions and cultural stereotypes that reinforce bigotry, suspicion and polarization. A holistic, social cubism approach to intergroup conflict must account for how structural and psychocultural mechanisms interact to exacerbate or, indeed, ameliorate ethnoterritorial conflicts. Future research should address the interrelation of material and psychological mechanisms that shape ethnoterritorial politics.

IX. APPENDICES

A. *Figure 1: The Social Cube*



B. *Figure 2: Integrative Framework*



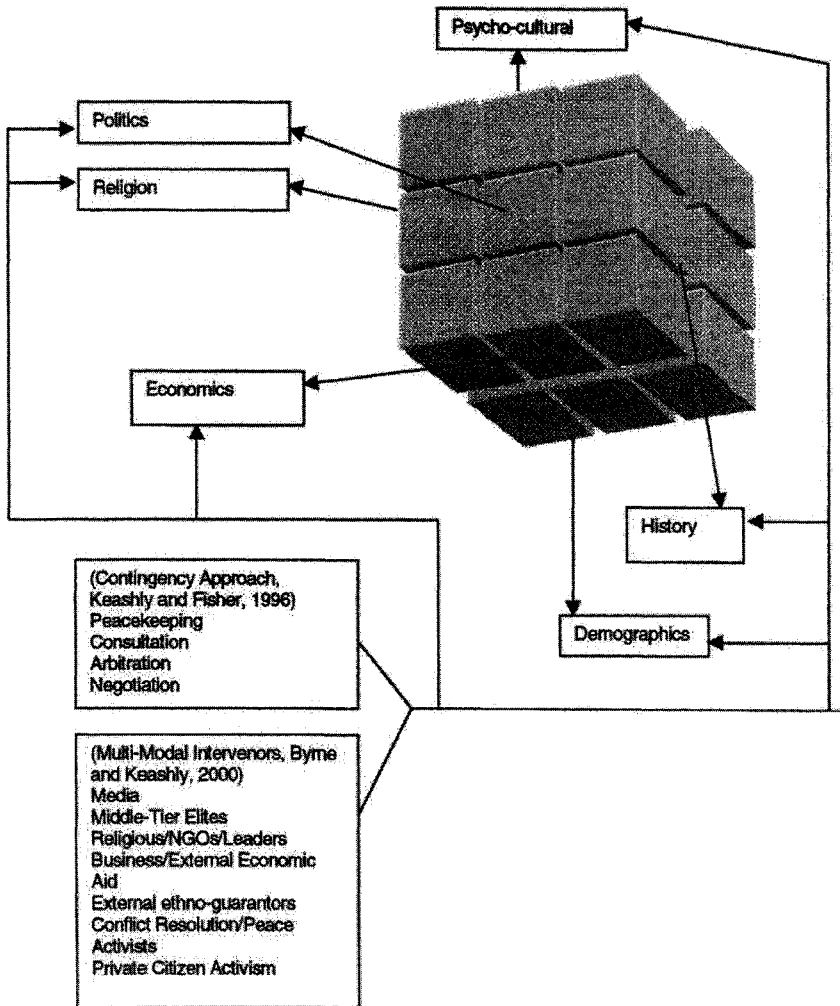
C. Figure 3: Six Social Forces of the Complex Cube

CONFLICT FACTOR	NORTHERN IRELAND	QUÉBEC
ECONOMIC	Both groups support nepotism. Working class divided along ethnic lines. Class differences exist within groups, but are perceived as less important than inter-group differences.	Anglophones traditionally dominated the economy. Modernization since 1960s increased Francophone stake in business.
RELIGIOUS	Both groups tend to form enclaves. Protestant loyalists follow the doctrine of conditional loyalty.	Religion was basis for separate educational systems. Catholic church was the dominant social institution, but religiosity has declined since the 1960s.
POLITICAL	Terrorism used to address partition and instill fear within and between communities to maintain bipolar society. Partition is central to national identity. Direct rule from UK instituted in 1972 due to lack of Catholic representation.	Federal structure allows groups means of effective, legitimate representation. Nationalism concentrates on role of Québec as defender of the Francophone culture.
PSYCHO-CULTURAL	Traditions, values, holidays and symbols reinforce ethnic and religious identity; the conflict is emphasized in symbolic marches. Gaelic schools have been active in Catholic nationalist working class areas, thereby reinforcing ethnic identity and fear. Cultural events maintain communal divides, thereby hindering shared identity.	Francophones traditionally used language, land, race, and religion to promote their identity. In the 1960s, Francophones increasingly used nationalist symbolism. English-Canadians responded with the development of Canadian symbolism. Some blending of Canadian and Québec symbols by the federalists.
HISTORICAL	Martyrdom and battles are used to reinforce intergroup conflict and promote enclaving. Reenactments of historical events emphasize the salience of territory and ethnic cohesion.	French-English conflict is seen as constitutive of Canada. Québécois often refer to the "Conquest" and refer to Anglophones as "English." English Canadians tend to use regional categories.
DEMOGRAPHIC	Fear of genocide helps emphasize ethnoterritorial identity. "Double Minorities" affect perceptions each group holds of the other. Positions are defended and a small middle-ground is not in a position to articulate and accommodate interests.	Anglophones are part of the wider Canadian context. Francophones have developed a siege mentality to sustain a regional and linguistic identity. Changes in birthrates and immigration affect Québec's cultural policies.

D. Figure 4: Interacción de las Seis Fuerzas

CONFLICT FACTOR	NORTHERN IRELAND	QUÉBEC
ECONOMIC	Used to support claims of discrimination based on religion. Could potentially mitigate ethnic cleavage with internal class divisions	Primarily used to compare Québec and other provinces. Has occasionally been used to compare linguistic groups, especially during the Quiet Revolution.
RELIGIOUS	Used as a primary category label, replacing ethnicity and language. Decreases potential for compromise, as moral symbols are lent to conflicting parties.	Has lost some salience with modernization, but helped shape a tradition of acceptance of hierarchy and compromise between two main linguistic groups, and divergent economic patterns. Its salience is now less than that of ethnicity and language.
POLITICAL	Terrorism reinforces religious cleavage, reduces salience of economic factors, and contributes to historical backing for continued conflict. Reduction of violence may mitigate conflict. Constitutional status unacceptable to most citizens.	Terrorism was a minor issue, but deliberate killing for political ends deemed unacceptable. Current political institutions, through their complexity, reduce the salience of cleavages. Political institutions have a mixed effect on histories, as nationalists and federalist can selectively choose examples.
PSYCHO-CULTURAL	Generally these factors reinforce a bipolar conflict by emphasizing the threat of mutual destruction. May change with the cease-fire and confidence building measures.	These factors have a mixed effect in Québec. Some promote overlapping loyalties with Québec and Canada, while others indicate loyalty is mutually exclusive. English Canadian symbols are largely a reaction to Francophone nationalismism, and were slow to distance themselves from British symbols.
HISTORICAL	Histories used to promote a bicomunal view of the region through the recounting of past conflict	Histories mixed between conflict and compromise. Figures of cooperation may also be seen as figures of co-optation.
DEMOGRAPHIC	Narrowing population gap increases Protestant fears of assimilation. Proximity increases need to maintain boundaries.	Decline in Québécois birthrates increases Francophone fears of assimilation and demand for increased control of cultural policies. Francophone dominance in the province mitigates the level of hostility.

E. Figure 5: Early Warning-Contingency “Social Cube” Escalators/ De-escalators



F. Resources for Further Reading

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INTEGRATIVE-INDUCTIVE SOCIAL CUBISM

*Lana Russ-Trent**

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* M.S. Ph.D. Nova Southeastern University, Fort Lauderdale, Florida. Rubik's Cube® is a registered trademark of Seven Towns, Ltd.

I. INTRODUCTION

Whether in wars between nations or disputes within families, conflict is caused by many factors and forces, both internal and external, micro and macro. Furthermore, agency/structure tensions are endemic to any conflict analysis in relation to the decisions to act, to adjust, or to critically negotiate often ambiguous and /or contradictory relational contexts, large and small.¹ The factors discussed in Byrne's and Carter's Social Cubism Model hold one key to a deeper discussion of the decisionmaking and the dynamic states in which the six facets of their Rubik's Cube® interact with each other.² This discussion suggests an even deeper, inductive and integrative analysis of conflict using two additional keys or Rubik's Cubes®.

Indeed, while Social Cubism utilizes one Rubik's Cube® with six facets,³ Integrative-Inductive Social Cubism suggests three cubes with eighteen facets: a cube, within a cube, within a cube. The Integrative-Inductive Social Cubism model further suggests that the long discussed agency/structure conundrum is in an emergent, infinite, and dynamic negotiational dance among the cubes and their facets, contrary to a Cartesian, Manichean and syllogistic oppositional dilemma. Integrative-Inductive Social Cubism expands both conflict analysis and its dynamism as being contextually driven. Conflict analysis is thus dialectically analyzed from the outside in and then inside out, as the facets relate to one another and are re-synthesized. The Integrative-Inductive Social Cubist model therefore, proposes dialectical, postmodernist, feminist, heuristic, phenomenological, and elicitive theoretical analyses—a more integrative than oppositional one.⁴ Such analyses require both inductive and integrative critical thinking.

1. See generally VOL. I, WILLIAM JAMES, *PRINCIPLES OF PSYCHOLOGY* (1890); GEORGE H. MEAD, *MIND, SELF, AND SOCIETY FROM THE STANDPOINT OF A SOCIAL BEHAVIORIST* (1934); GEORG SIMMEL, *CONFLICT AND THE WEB OF GROUP AFFILIATIONS* (Kurt H. Wolff, trans., 1955).

2. See Sean Byrne & Neal Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, J. OF PEACE AND CONFLICT STUD. 3(2) 52-71 (Dec. 1996).

3. *Id.*

4. See generally Herbert Blumer, *Society as Symbolic Interaction*, in *SYMBOLIC INTERACTION, PERSPECTIVE AND METHOD* (Herbert Blumer, ed., 1969) (1962); PAULO FRIERE, *PEDAGOGY OF THE OPPRESSED*. (2000); HANS-GEORG GADAMER, *TRUTH AND METHOD* (1993); HANS-GEORG GADAMER, *HEGEL'S DIALECTIC: FIVE HERMENEUTIC STUDIES* (1976); JOHAN GALTUNG, *PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT, DEVELOPMENT AND CIVILIZATION* (1996); EEDMUND HUSSERL, *IDEAS: GENERAL INTRODUCTION TO PURE PHENOMENOLOGY*. (W.R. Boyce Gibson, trans., 1931); JOHN PAUL LEDERACH, *PREPARING FOR PEACE: CONFLICT TRANSFORMATION ACROSS CULTURES* (1995) [hereinafter *PREPARING FOR PEACE*]; JOHN PAUL LEDERACH, *BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES* (1997) [hereinafter *BUILDING PEACE*]; GEORGE RITZER, *MODERN SOCIOLOGICAL THEORY* (4th ed. 1996); ALFRED SCHUTZ, *THE PHENOMENOLOGY OF THE SOCIAL WORLD* (1972).

II. THE ORIGINS OF INTEGRATIVE INDUCTIVE SOCIAL CUBISM: SOCIAL CUBISM BY BYRNE & CARTER (1996)

Byrne and Carter suggest analyzing ethnoterritorial and communal conflicts by utilizing a Rubik's Cube® to express the complexity and inter-relatedness of six endemic factors, namely, demographics, economics, religion, politics, psycho-culture, and history (see Figure 1).⁵ I suggest that each of these facets is directly related to structural, indeed, macro-societal issues and contexts. Byrne & Carter further posit that their six-factor categorization obscures internal diversity and suggest future and deeper research is needed to fully explain the complexities of conflict in context.⁶ Integrative Inductive Social Cubism endeavors to continue where Byrne and Carter have left off (see Figure 2).⁷

III. INTEGRATIVE-INDUCTIVE SOCIAL CUBISM

Integrative-Inductive Social Cubism uses the same general system of analysis as Byrne and Carter.⁸ However, it suggests inductively delving deeper into the systems, integrating as it goes along and re-synthesizing by using a cube, within a cube, within a cube. This emergent triple level of dialectical analyses relate to complex power relations and profound discontinuities in existential phenomena,⁹ both latent and manifest, in the inter, intra, and intersecting relations, the decision-making negotiations between the facets of the three cubes. Therefore, subjectivity is an asset rather than a liability: a decidedly non-positivistic non-objective view. Visualize the three cubes as the frontstage, backstage, and actor, respectively, the major theatrical theme of Goffman's Symbolic Interactionist "dramaturgical analysis."¹⁰ Scenes, settings, actors and audience are in a continual state of flux, unfolding and adjusting with each interaction.¹¹ They are one, yet they act in discontinuity.

The one-cube Social Cubist analysis poses a six-faceted puzzle. The three-cube Integrative-Inductive Social Cubism (see Figure 2) analysis propose that we explore the innate, internal tensions and relations that manifest themselves

5. See Byrne & Cartner, *supra* note 2.

6. *Id.*

7. *Id.*

8. *Id.*

9. See generally S. HAACK, EVIDENCE AND INQUIRY: TOWARDS RECONSTRUCTION IN EPISTEMOLOGY (1998).

10. ERVING GOFFMAN, PRESENTATION OF SELF IN EVERYDAY LIFE (1959) [hereinafter PRESENTATION OF SELF IN EVERYDAY LIFE]; ERVING GOFFMAN, FRAME ANALYSIS: AN ESSAY ON THE ORGANIZATION OF EXPERIENCE (1974).

11. See also Bell Hooks, *Let's Get It On*, in PERFORMANCES PRACTICE AS A SITE OF OPPOSITION 210-221 (Catherine Ugwu, ed., 1995); JACQUES DERRIDA, SPECTERS OF MARX (1994) (discussing "performative interpretation").

in different forms, during different time orientations, contexts, and states of affairs in a triadic and emerging context. We analyze conflict from the macro structural societal level, penetrating into the micro level where human agency and decision-making potential is developed, and back out again, re-synthesizing along the way. Conflict is not solely actor driven, structure driven, or context driven. It is the sum total of a complex, often strategic, set of interactions and motivations in infinite motion and continual re-adjustment.¹² Moreover, relational power dynamics¹³ are continually mediated and negotiated in terms of socially constructed roles and rules,¹⁴ from the largest constituencies to the smallest individual existential experiences,¹⁵ backgrounds and "sociations."¹⁶ Power relations are thus embedded, submerged, indeed folded into each conflict and its analysis in diverse ways.¹⁷

A. *Integrative-Inductive Social Cubism (Russ-Trent 2000)*

As discussed, we begin with Byrne's and Carter's premise of six related facets or forces of the larger exterior Cube I, which constitutes the front stage.¹⁸ History, religion, demographics, political institutions and institutional behavior, economics, and psycho-cultural factors are construed as structural and macro in character. However, embedded inside Cube I, resides Cube II, the back stage, the group-based (collective) facets. The category of "group based" infers that we are simultaneously dealing with the agency of individuals in relation to the structures in which they act and visa versa, suggesting reciprocity, exchange, and contextual social "collective" identity (micro and macro). Cube II facets are: identity groups, collective security and group survival, group tradition, existential history and experiences, group power relations (intra/inter), psycho-

12. Lana Russ-Trent, *Women Going Against the Grain: Female Political Militarism in Northern Ireland: The Phenomenon of Female Resistance: A Phenomenological Exploration of Women's "Strategic Living;"* (2001) (unpublished dissertation manuscript, Nova Southeastern University, Fort Lauderdale, Florida). See also PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; JAMES, *supra* note 1; MEAD, *supra* note 1; SIMMEL, *supra* note 1.

13. See MICHAEL FOUCAULT, *THE ARCHEOLOGY OF KNOWLEDGE AND THE DISCOURSE ON LANGUAGE* (1969) [hereinafter *THE ARCHEOLOGY OF KNOWLEDGE*]; MICHAEL FOUCAULT, *THE ORDER OF THINGS: AN ARCHEOLOGY OF HUMAN SCIENCES* (1971) [hereinafter *THE ORDER OF THINGS*].

14. See generally JUDITH LORBER, *PARADOXES OF GENDER* (1994) [hereinafter *PARADOXES OF GENDER*]; *THE SOCIAL CONSTRUCTION OF GENDER* (Lorber & Farrell, eds., 1991).

15. The "things in themselves." See HUSSERL, *supra* note 4; IMMANUEL KANT, *CRITIQUE OF PURE REASON*, (Norman Kemp Smith, trans 1929).

16. Simmel, *supra* note 1. See also Hannah Arendt, *THE HUMAN CONDITION* (1958); Hannah Arendt, *ON REVOLUTION* (1963); J. Derrida, *THE ENDS OF MAN: PHENOMENOLOGICAL RESEARCH* (1969).

17. See MICHAEL FOUCAULT, *POWER AND KNOWLEDGE* (1980).

18. See Byrne & Cartner, *supra* note 2.

“sociations,”¹⁹ and group self-interest and power maintenance status quo. Finally, embedded deep within Cube II, (residing in Cube I), exists Cube III, the actor, whose actions are most intimately involved in individual decision-making ability, cognitive and decision-making development, self-efficacy and self-determination (phenomenological intentioned individual meaning-making). Cube III therefore, relates most directly to the agency of the individual and explores the facets of self-identity, ingroup/outgroup individual membership identity, psychology and behavior, individual social identification²⁰ individual psychology, individual existential and developmental history²¹—“owned” experiences—and contextual and pragmatic self-interest,²² all micro in character.

It is important to note that these three integrated cubes, this triadic and pluralistic emergent relationship, act relative to each other, simultaneously, and in increasing and decreasing degrees. We are proceeding from the macro level to the micro level and, often, back again, re-synthesizing and adjusting, affecting each in an immutably dynamic tension thus creating inter-cube, intra-cube, and inter facet social constructs which must be negotiated and/or mediated—“shared intertwined dynamics.”²³

Following Goffman’s theatrical metaphor,²⁴ actors collectively make strategic adjustments during performances, often depending on backstage and audience responses²⁵ and both individually and collectively develop the Simmelian “sociations” necessary to negotiate within a contextual conflictual environment.²⁶ As Byrne and Carter suggest, interplay among the factors

19. See SIMMEL, *supra* note 1; GEORG SIMMEL, *THE SOCIOLOGY OF GEORG SIMMEL* (Kurt H. Wolff, trans. 1950). [hereinafter *THE SOCIOLOGY OF GEORG SIMMEL*].

20. SOCIAL IDENTITY THEORY OF INTERGROUP RELATIONS: EUROPEAN STUDIES IN SOCIAL PSYCHOLOGY (Henri Tajfel & John C. Turner, eds. 1986); Henri Tajfel, *Social Categorization and Intergroup Behavior*, EUROPEAN JOURNAL OF SOCIAL PSYCHOLOGY, Vol. I. (1971) [hereinafter *Social Categorization and Intergroup Behavior*]; HENRI TAJFEL, DIFFERENTIATION BETWEEN SOCIAL GROUPS: STUDIES IN THE SOCIAL PSYCHOLOGY OF INTERGROUP RELATIONS (1978) [hereinafter *DIFFERENTIATION BETWEEN SOCIAL GROUPS*].

21. See generally Blumer, *supra* note 4; HUSSERL, *supra* note 4; EDMUND HUSSERL, *THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY* (1970) [hereinafter *THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY*]; BARRY SMITH & DAVID WOODRUFF SMITH, *THE CAMBRIDGE COMPANION TO HUSSERL* (1995).

22. JAMES, *supra* note 1; PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; ERVING GOFFMAN, *BEHAVIOR IN PUBLIC PLACES* (1963) [hereinafter *BEHAVIOR IN PUBLIC PLACES*]; MEAD, *supra* note 1; RITZER, *supra* note 4, *THE SOCIOLOGY OF GEORG SIMMEL*, *supra* note 19; SIMMEL, *supra* note 1.

23. See generally HAACK, *supra* note 9.

24. See generally PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10.

25. JAMES, *supra* note 1; MEAD, *supra* note 1;

26. See SIMMEL, *supra* note 1.

exists.²⁷ We must therefore, visualize Integrative-Inductive Social Cubism's three Rubik's Cubes® in constant motion, interplaying with each other, the facets turning as the cubes are relating with, negotiating with, and transforming one another with each new context.

Because constant motion and interplay exist between the eighteen facets of the three cubes, and the cubes denote 1) structure, 2) agency/structure, and 3) agency, there are no bifurcated oppositional forces per se, no Manichean—us versus them—dichotomous or Cartesian dualistic influences.²⁸ Rather, it is a “negotiated dance” if you will, as the factors deal with each new context in a process of fragmentation, de-centering and deconstructing power from collective subjectivity, including individual and cultural ethical issues, heterogeneity and identity issues.²⁹ It is meant to be non-iterative. Since multi-faceted and contextual relationships exist among the facets, a non- oppositional approach, rather than a bifurcated structure versus agency approach remains extant, but never static. This is the purpose of utilizing an undulating symbol for infinity (see Figure 2) in which we place agency and structure as the signifier of the infinite possibilities and variables that occur in any conflict context. We place agency and structure in the site of infinity, inferring a never-ending expandable, retractable, convoluted, and integrative circularity rather than an oppositional linearity. The infinity symbol is in constant motion as is its size and potential to undulate and distort with each new context is revealed, mitigated, negotiated, mediated or exacerbated. Agency and structure are rarely in the same degree of tension (negotiation) or strength (power). This is a critical postmodernist, heuristic and phenomenological³⁰ thrust of Integrative-Inductive Social Cubism (I-ISC).³¹

B. Post-modernism's Influences

Postmodern social theory offers a more integrative, hermeneutic, and heuristic approach to understanding societal relations, hence social conflict. Within this theoretical persuasion, stands Integrative Symbolic Interactionism, a feminist critical approach, both inclusive and relational, rather than oppositional, dealing with multi-modal and multi-faceted constructs of

27. See Byrne & Carter, *supra* note 2.

28. See René Descartes, *Discourse on the Method of Rightly Conducting the Reason and Seeking for Truth in the Sciences*, in THE PHILOSOPHICAL WORKS OF DESCARTES (George Heffernan, trans. 1911); HUSSERL, *supra* note 4.

29. See generally HAACK, *supra* note 9.

30. See HUSSERL, *supra* note 4.

31. See GALTUNG, *supra* note 4, at 23. DERRIDA, *supra* note 16; THE ORDER OF THINGS, *supra* note 13; THE ARCHEOLOGY OF KNOWLEDGE, *supra* note 13; FOUCAULT, *supra* note 17; THE SOCIOLOGY OF GEORG SIMMEL, *supra* note 19; SIMMEL, *supra* note 1.

negotiated conflict behavior and power relations.³² The extrapolation of Mead,³³ Blumer,³⁴ and Ritzer³⁵ has developed integrative conflict theories which explore the intricacies of societal relations in more existentially “lived” and “owned” syntheses and sites. Rather than doctrinaire, they are consilient,³⁶ uniting knowledge heretofore devalued and often silenced. They focus on “power” relations and human agency.³⁷ Hooks’s “practical performances as [sites] of opposition” is exemplary.³⁸ Influences include all those who have been historically marginalized, their voices, their habitus,³⁹ their existential experiences and motivations, historically de-valued within linear conflict analyses. However, today we choose to benefit from those marginalized voices in order to heuristically explore the phenomenological motivational factors rather than the dichotomized simplistic us versus them linear structural scenarios.⁴⁰ Therefore, feedback loops are perpetually re-synthesizing contextual analysis as the I-ISC’s cubes undulate like the harmonic or erratic rhythm of a heart and the expected or unexpected beat of jazz quartet.

IV. CUBE I: THE FRONT STAGE ETHOS: BYRNE’S AND CARTER’S (1996) SOCIAL CUBISM

As discussed, this six-facet model emerges as a structural, macro one, primarily dealing with the front stage of human ethos in the form of institutions/structures, both large and small, including nations and nation-states in which powerful entities and raw power are dealt with, in context. This includes 1) politics, political institutions, interest groups, lobbying and legislative bodies; 2) religion, including ideology and its social, often authoritarian, and patriarchal institutions; 3) history, including institutional (national- bureaucratic) linear-based constructions; 4) psycho-culture, including the tensions and pressures to maintain identity status (power) in the structure – collective nationalist consciousness (identity), and attendant prescribed rules (laws); 5) demographics (quantifiable cohorts, trends, societal pressures), and

32. See Foucault, *supra* note 17; RITZER, *supra* note 4.

33. MEAD, *supra* note 1;

34. Blumer, *supra* note 4.

35. RITZER, *supra* note 4.

36. See EDWARD O. WILSON, *CONSILIENCE: THE UNITY OF KNOWLEDGE* (1998).

37. See generally FOUCAULT, *supra* note 17; SIMONE DE BEAUVOIR, *THE SECOND SEX* (1952); BELL HOOKS, *FEMINIST THEORY: FROM THE MARGIN TO THE CENTER* (1984) (hereinafter *FEMINIST THEORY*); Hooks, *supra* note 11.

38. *FEMINIST THEORY*, *supra* note 37; Hooks, *supra* note 11.

39. PIERRE BOURDIEU, *THE LOGIC OF PRACTICE* (1980).

40. See, e.g., HUSSERL, *supra* note 4; *THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY*, *supra* note 21; SMITH & SMITH, *supra* note 21.

finally; 6) economics (global standing: instrumental power, markets and indicators, social welfare systems, financial infrastructure(s)).

V. CUBE II: THE BACK STAGE ETHOS: INTEGRATIVE-INDUCTIVE SOCIAL CUBISM

Cube II explores group (agency/structure) behavior which includes positive and negative group social identity (ingroup/outgroup behavior),⁴¹ external and internal kin behavior, individual behavior within the group, agency in relation to the group structure (groupthink), cognition and conscientization.⁴² The facets of Cube II include 1) group social identity—belonging to organizations, collectivities and communities large and small, 2) collective security/ group survival—both offensive and defensive actions/behaviors, 3) group tradition—including existential “collective” ethos and history, transgenerational transmissions of group trauma and traumatic metaphoric memory narratives;⁴³ 4) group power relations, including issues of gender, race, life-style, ideology, social role constructions, marginalization and dis-empowerment, 5) psycho-“sociations” referring to the Simmelian “webs” of strategic affiliations, both latent and manifest⁴⁴ (psycho-social political relations) which are necessary for cohesive group membership, survival, and harmony- trading justice for harmony,⁴⁵ and finally; 6) group self-interest through which the maintenance of internal solidarity, internal and external influence (power) is assured, including economic standing, political and group legitimacy, increasing membership and maintenance is assured. Therefore, Cube II deals with the relational (group) sites in which agency and structure dialectics (tensions) are the most intimate, contradictory and ambiguous.

A. Group Process

Tensions and emotions escalate during social change or perceived political crisis. The tendency is for each group, large or small, to portray the “other” opposing group as an out-group. This is often accomplished through negative

41. Tajfel & Turner, *supra* note 20; *Social Categorization and Intergroup Behavior*, *supra* note 20; DIFFERENTIATION BETWEEN SOCIAL GROUPS, *supra* note 20; HENRI TAJFEL, SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY: EUROPEAN STUDIES IN SOCIAL PSYCHOLOGY (1982) [hereinafter SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY].

42. Critical consciousness and full humanity—autonomy and self-determination. See generally FRIERE, *supra* note 4.

43. See generally VAMIK D. VOLKAN, BLOODLINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM (1997).

44. See SIMMEL, *supra* note 1.

45. L. Nader, *Trading Justice for Harmony*, NIDR FORUM, at 12-14 (Winter 1992) (National Institute for Dispute Resolution).

behavioral attributions and negative characterizations, facilitated by infused rhetoric and language.⁴⁶ Such processes rally group solidarity, reinforcing group differentiation, in-group and out-group opposition creating positive and negative group identities, which in turn, create marginalization for some. Each group attempts to maintain a positive group identity by constructing the “other” as a perceived negative group identity, attributing negative behavior, devalued cultural capital and causal fault.⁴⁷ Pseudospeciation is often a result.⁴⁸ Remember, group process occurs within and between family units, organizations and nation-states.

B. The Psychodynamic Group Process: Creating Ethnic or Identity Tents

When personal and group identity is threatened—whether perceived or real—and/or when such tension is exacerbated by the persistence of past trauma—an imposed duty to avenge by consensus—and/or when personal and group/national identity are intertwined, collective memory often ensues and group survival becomes critical. Violence often results. The “group identity” supercedes the individual identity as they merge into one super-ordinate identity. Multiple contextual identities, which may mediate the conflict, are ignored.⁴⁹ Dichotomized Manichean distinctions become the perceived reality. The psychodynamic group process begins to overwhelm the conflict. Difference and dominance becomes key.

Symbolic referents become indicators and markers of differences.⁵⁰ Such referents assist and reinforce the persistence of difference. They exacerbate group tensions and cause acting-out behaviors. Behavioral projections and articulations of symbolic battles lost or won, heroes and heroines, war wounds, trauma and abuse, create and sustain an us versus them context. Oftentimes, consensually pressured group ground rules are issued for survival, face and solidarity. Dominance of one group “over” the other is acted out.

46. Tajfel & Turner, *supra* note 20; *Social Categorization and Intergroup Behavior*, *supra* note 20; DIFFERENTIATION BETWEEN SOCIAL GROUPS, *supra* note 20; SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY; *supra* note 41.

47. BOURDIEU, *supra* note 39; ROBERT JERVIS, PERCEPTIONS AND MISPERCEPTIONS IN INTERNATIONAL POLITICS (1976).

48. Pseudospeciation is the exercise of characterizing one group as sub-human, a subspecies, to one's own group. See ERIK H. ERIKSON, CHILDHOOD AND SOCIETY (2d ed. 1963) [hereinafter CHILDHOOD AND SOCIETY]; ERIK H. ERIKSON, IDENTITY AND THE LIFE CYCLE (1980) [hereinafter IDENTITY AND THE LIFE CYCLE].

49. Tajfel & Turner, *supra* note 20; *Social Categorization and Intergroup Behavior*, *supra* note 20; DIFFERENTIATION BETWEEN SOCIAL GROUPS, *supra* note 20; SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY, *supra* note 41.

50. VOLKAN, *supra* note 43.

Negative attributions of the behavior and motivations of the “other” evolve into Cartesian sites of contamination for “them” and sites of purity for “us.” Such sites create justifications and rationalizations which can then be the bases for perceived or real irrational actions and violence against the “other.” These sites may cause structural, cultural, and/or physical violence.⁵¹ New frames of conflict, new contextual metaphors, evolving narratives,⁵² transformed identities of victim/hero/heroine/victor, objectification of the other, abstraction and dehumanization are the dynamics that may follow. Reification of “our” group culture, language, and practices reigns supreme over “theirs.”

The narcissism of the supreme winner or ultimate loser/victim and a reified sense of community (tribalism) may ensue. It becomes the “the superior virtue of the oppressed.”⁵³ A closely defined sense of who “they” are and who “we” are results. Stunning examples of such conflictual group dynamics can be found in Northern Ireland’s divided societies, i.e., Catholics versus Protestants, Republicans versus Loyalists, the perpetual intergroup conflict. Other examples are South Africa’s Apartheid past, Afrikaners versus indigenous peoples. In the United States as well as pockets throughout the world, The Aryan Brotherhood’s “white power” movement and its discrimination against homosexuals, Jews, Catholics, and non-whites articulates the dynamics of dehumanization through group psychodynamics. These dynamics have been used and continue to be used to justify the slavery of Africans, of women (Taliban), of the Chinese, of Jews and of the Irish, among others. And finally, gender discrimination and hegemonic male androcentrism—a male centered universe—has been extant.⁵⁴ Add to this, the overarching social affects and effects of such group behavior and the strategic social constructions based on these dynamics which ultimately form regenerative and oppressive environments into perpetuity, until the status quo is broken.

Narrative⁵⁵ and early childhood socialization generates emergent thematic phenomenological and psycho-cultural subjective expressions of hatred, resentment, and alienation.⁵⁶ Expressions of hatred and marginalization are created by the transgenerational transmission of trauma⁵⁷ instrumentalized

51. GALTUNG, *supra* note 4.

52. VOLKAN, *supra* note 43.

53. BERTRAND RUSSEL, UNPOPULAR ESSAYS: 12 ADVENTURES IN ARGUMENT BY THE WINNER OF THE 1950 NOBEL PEACE PRIZE FOR LITERATURE (1967). See also MICHAEL LERNER & CORNEL WEST, JEWS AND BLACKS: A DIALOGUE ON RACE, RELIGION, AND CULTURE IN AMERICA (1996); STEPHEN STEINBERG, THE ETHNIC MYTH: RACE, ETHNICITY AND CLASS IN AMERICA (1989).

54. See, e.g., DEBEAUVOIR, *supra* note 37; THE ARCHEOLOGY OF KNOWLEDGE; *supra* note 13.

55. See VOLKAN, *supra* note 43.

56. CHILDHOOD AND SOCIETY, *supra* note 48.

57. See VOLKAN, *supra* note 43.

through folklore, and myth (hero/heroine worship) especially found within closed sectarian systems or bifurcated conflicts.⁵⁸ Perceptions of history, real or imagined are mirrored in stories and myths creating tropes from which children mirror adult behaviors.⁵⁹ Regenerated oral and written history establishes a mythologized sense of grandiosity,⁶⁰ group purity, solidarity, the creation of not only physical but psychological boundaries, peace walls, sectarian enclaves, a sense of siege and separateness.⁶¹ Indeed, the power of infused rhetoric, which often creates social knowledge is a profound context in which agency/structure considerations are negotiated.⁶²

The obsession with difference and dominance (superiority and inferiority) can be traced to the formation of negative and positive group identities which empower and dis-empower groups and individuals. "Victimhood" or "Victorhood" becomes a way of life, "chosen trauma" and "time collapse," rule the decision-making process.⁶³ Only winners and losers can be actors in such drama. There is no room for ambiguity.⁶⁴ It becomes an "us versus them" group drama dynamic. Group memory, residing in the past, defines the future.

Ethnic, group tents and group identities often create "imagined communities."⁶⁵ Such identity tents are imbued with a real sense of collective and/or metaphoric memory that can be problematic. Retold narratives, differing perceptions and hermeneutics can lead to exaggeration, factual errors, and "hidden transcripts" benefiting one side against the other.⁶⁶ Through storytelling the group creates a collective history, culture, artifacts, symbols, and rituals, which prove the group's uniqueness and chosenness. This dynamic stratifies values: "ours" are more legitimate than "theirs" and legitimates dominating behaviors.

Ingroup/Outgroup dichotomies reign supreme and are reinforced through communal consensus (pressure), building behavioral roles and rules for group

58. See, e.g., PREPARING FOR PEACE, *supra* note 4; BUILDING PEACE, *supra* note 4; VOLKAN, *supra* note 43.

59. JERVIS, *supra* note 47.

60. See ALICE MILLER, THE DRAMA OF THE GIFTED CHILD: THE SEARCH FOR THE TRUE SELF 37-57 (Ruth Ward, trans. 1997).

61. See Byrne & Cartner, *supra* note 2.

62. See, e.g., THE ORDER OF THINGS, *supra* note 13; FOUCAULT, *supra* note 17.

63. VOLKAN, *supra* note 43.

64. See generally SIMONE DE BEAUVOIR, THE ETHICS OF AMBIGUITY (1948).

65. See BENEDICT ANDERSON, IMAGINED COMMUNITIES: REFLECTION ON THE ORIGINS AND SPREAD OF NATIONALISM (1991).

66. JAMES C. SCOTT, DOMINATION AND THE ARTS OF RESISTANCE: HIDDEN TRANSCRIPTS 145 (1990).

membership.⁶⁷ These behavioral roles can oftentimes create oppressive dynamics and intra-group tensions more devastating than the conflictual tensions outside the group. Examples of this can be seen in the violence and killings inside sectarian groups in Northern Ireland (intra-group conflict), the Real IRA versus the Provisional IRA on the Catholic/Republican/Nationalist side.⁶⁸ Conversely, the killings and violence persist between the UDA and the UDF on the Loyalist/Protestant/Unionist side of the conflict. They police themselves. Within these sectarian cohorts, there are cases of “punishment beatings” and “kneecappings” which alert group members to the rules of the group and the consequences of breaking group rules - losing the public face of the organization. Therefore, power relations within the group are structurally constrained and delineated. Indeed, groups can be just as violent to their own as they are to their adversary.⁶⁹ Othering does occur within groups, as well. Difference within the group unhinges the status quo.

C. Othering

Erikson coined the term “pseudospeciation,” the tendency to portray one’s own tribe or ethnic group as human while describing other groups as sub-human, a subspecies.⁷⁰ This ingroup/outgroup othering can occur in relation to nation, race, culture, family, gender dynamics, religion, social group, etc. Othering creates markers and characteristics of distinction and symbolic referents, *i.e.*, supposed genetic characteristics, gang colors, uniforms, status symbols, practices, language, clothing, flags, and murals, which project stereotypes: negative for “them” and positive for “us.” Dichotomized thinking, syllogistic attributions and perceptions attribute all negative behavior to the other *i.e.*, gay versus straight, Catholic versus Protestant, Republican versus Democrat, male versus female (biological essentialism), Black versus Hispanic, Serb versus Croat, etc. The other is innately evil. The group identity and behavior becomes synonymous with self-identity.

The sense of group identity becomes inextricably linked to one’s self-identity (their core identity) which we will discuss as we move from Cube II to Cube III. This begs the question, is then our self-identity a singular and static one? Or is identity negotiable? Often the trauma experienced in Cubes I and II may have damaged the sense self-efficacy, human dignity and integrity of the individual, as a member of a group, to a point in which human agency is barely

67. See generally DIFFERENTIATION BETWEEN SOCIAL GROUPS, *supra* note 20.

68. Russ-Trent, *supra* note 12.

69. *Id.*

70. See, *e.g.*, CHILDHOOD AND SOCIETY, *supra* note 48; IDENTITY AND THE LIFE CYCLE, *supra* note 48; ERIK H. ERIKSON, THE LIFE CYCLE COMPLETED (1997) [hereinafter THE LIFE CYCLE COMPLETED].

existent. Resistance, “going against the grain,” is difficult.⁷¹ A threat to the group is a threat to the individual. We will return to this issue later.

Any threat to the group identity jeopardizes the status quo and threatens group cohesion. The group becomes hypervigilant, acutely aware of differences and tends to concentrate on minutia, which Freud called the “narcissism of minor differences.”⁷² Groupthink takes hold and imposed consensus can ritualize and mythologize leadership. Charismatic leaders are thus bred. Charismatic leadership may, in turn, use the vulnerability of its membership, often in the absence of any sense of individual identity. Ingroup repression, justifications for violence, irrational actions, primitive behavior and a sense of shared anxiety may be created in our group and against groups other than our own. The group members rally for protection under their collective tent, since their self-identity is lacking.⁷³ Members often revert to symbolism, tropes of motherland, fatherland, the mother tongue, ethnicity, family and metaphorical memory, which then can become exploitative, if not checked.

Leaders such as Hitler, Chausescu, Malosovic, Pol Pot, and Idi Amin, leapt into the breach and exploited their people in such a way. Similarly, leaders of certain religious/ideological organizations and cults have exploited their membership. On the other hand, positive (or ambiguous) leadership can also exploit and propagandize victimization to different degrees. Examples include Irish Republican Army’s political wing of Sinn Fein leader, Gerry Adams and Protestant, Reverend Ian Paisley.⁷⁴ The dynamics will include infused rhetoric, hidden transcripts, metaphor, unbending group-solidarity and power-over. Groups often become “trapped” in a time warp. These characterizations depend on whose side you choose.

As discussed, “time collapse,” based on “chosen trauma” through generational narrative, modeling, rituals, martyr-making, victimhood, monument and memorial building, public rhetoric, and tradition-making, continually replay the original trauma. In fact, they often exaggerate and regenerate it. Anecdotes become myth. Myths become embedded into daily living and childhood development, which can be devastating.⁷⁵

Early childhood can become imbued with the sense of “Victimhood” in a group sense, as well as an individual one. There may be great pressure and duty to avenge ancestors in order to remain a valued and respected nascent member of the group. Daily rituals and narratives reinforce this duty. The suspension of critical faculties in which present becomes linked to the past in an obsessive

71. For further discussion, see Russ-Trent, *supra* note 12.

72. See SIGMUND FREUD, *TOTEM AND TABOO* (1950) [hereinafter *TOTEM AND TABOO*].

73. See VOLKAN, *supra* note 43.

74. Russ-Trent, *supra* note 12.

75. See SCOTT, *supra* note 66.

way, often reinforced by symbolism, may cause dysfunctional behavior and violence.

Cultural symbols, familial/kinship symbols, symbolic rituals, and practices, including differentiating each group from the other in deferential patterns, is the general dramaturgy of ingroup/outgroup behavior. Symbolism of material and non-material significance can create the sense of intra-group commonality. Conformity can promote prejudice, invoking group traditions embedded in the minds of group members and manifest ingroup behavior.⁷⁶ As discussed, striking examples of this are the Aryan Resistance and Neo-Nazi groups throughout the globe who display Nazi regalia, uniforms and swastikas, who march, assemble, and articulate hateful rhetoric long after the Third Reich's demise of 60 years ago. The hateful message is mourned and perpetuated. Another example is ethnic cleansing seen around the world. In smaller groups, perhaps dysfunctional families, the drama may be less identifiable, yet just as dramatic, traumatic and meaningful for its members.

D. Ritualizing Trauma

Ritualized mourning, identification with the dead, perennial mourners, preoccupation with emotion, linking objects, places, and persons with the deceased are a collective response.⁷⁷ In the United States, for the "baby boomer" generation, my generation, we need only to revisit the funeral procession of President John F. Kennedy. I can still hear the footsteps of the funeral procession, the dreaded drum beat and the clapping hooves of "Black Jack," the riderless horse, his Masters boots turn backward at his side. Lee Harvey Oswald was shot in real time while I was watching TV, innocence lost. How many times have we seen such images, including the deaths of Martin Luther King, Robert Kennedy, and Gandhi, which have been re-articulated again and again into the public consciousness, in books and films?

In Northern Ireland, the 1981 hunger strike, "dirty protest" and subsequent death of Republican political prisoner Bobby Sands, while in Long Kesh prison, looms large in Republican, Catholic and IRA legend, in Ireland and indeed around the world for supporters of a "United Ireland." On a research trip of August 2000 in Belfast, Northern Ireland, I saw Sand's image displayed on public murals, in pubs and restaurants, community centers and in homes. I was also privy to the depth of despair, humiliation, mourning, and generational revenge in the eyes of family members who lost loved ones during the "troubles." Images of the "fallen" hang proudly in family homes, many lit by candles like sacrificial alters. The same holds true in Loyalist quarters.

76. See Byrne & Cartner, *supra* note 2.

77. See VOLKAN, *supra* note 43.

So too, during the Vietnam War era, at dinner every evening, news reports displayed body bags taken from military transports. These were fallen United States men and women who, some believe, lost their lives in an undeclared war. I vowed, "never again" . . . not for my son. Such visuals will forever remain with these cohorts. Indeed, Holocaust footage, narratives, books and frozen traumatic memories are revisited and sometimes relived by its victims in body memories.⁷⁸ Family trauma can also be a site of the psychodynamic group process. Dysfunctional and traumatic family memories and symbols can include, jewelry, estates, toys, memorabilia, smells and tastes.⁷⁹ In religious contexts, the Crucifix, the Star of David, the Bible, the Torah, religious veils/habits/attire, Passover feasts, etc., imbue a group's sense of belonging, a shared identity and right to mourn, sometimes obsessively. This transgenerational transmission of trauma ascribes a higher meaning to the original trauma and reifies it throughout the generations.⁸⁰ Oftentimes, survivor guilt originating from trauma helps the narrative to evolve.⁸¹ Other times, "victimhood" or "survivor guilt" can divide families, groups, communities, and nations.

The attendant behaviors of group trauma and Complex Post Traumatic Stress Disorder (CPTSD) are internalization/externalization behaviors both positive and negative, which may include: projection, repetition, compulsion, grandiosity, psychological dysfunction, hypervigilance, and obsession, to name a few.⁸² Group psychodynamics, under the "tent of victimhood" defines destinies, distorts or re-ignites memories, fuels the fires of ancient hatreds and group humiliations.⁸³ "Victimhood" becomes a way of life, a habitat⁸⁴ creating negative prospects for future, self, family, group, or, national development and happiness. This negative habitus creates negative behaviors such as fantasized low expectations. The reverse can also result, i.e., grandiosity and entitlement. However, negative habitus usually enables group dynamics such as intense feelings of hatred, self-loathing, defensive or offensive posture/behavior. Often these feelings are considered justifications for revenge and the duty to avenge ancestors, which leads to extermination, ethnic cleansing, purification, discrimination, abuse, and violence. The circle of trauma then creates another generation of "chosen people" as well as "chosen trauma" syndrome. Material representations become important markers and articulators of trauma.

78. JUDITH LEWIS HERMAN, *TRAUMA & RECOVERY* (1992).

79. *Id.*

80. See VOLKAN, *supra* note 43.

81. See SCOTT, *supra* note 66.

82. See MILLER, *supra* note 60. See also HERMAN, *supra* note 78 (discussing CPTSD).

83. VOLKAN, *supra* note 43.

84. See BOURDIEU, *supra* note 39.

Transitional objects become infused with the memory of ancestor's trauma: fetishes, symbols, signs, group colors, accoutrements, and attachments to rituals.⁸⁵ During slavery, singing and dancing manifested dissidence, resistance, and existential ethos, albeit latent and strategically hidden from their masters. Indeed, women have been "living strategically" since the beginning of time.⁸⁶ In the Catholic religion, children become metaphorical "soldiers of Christ" on their confirmation. During Easter, the Lilly becomes a sign of resurrection, rebirth, and life-affirming martyrdom (death brings life). Nazis had their swastikas and finely appointed uniforms.⁸⁷ The list is infinite. From Goffman's dramaturgy,⁸⁸ to symbolic interactionism⁸⁹ and the concept of "the generalized other," to expectations and perceptions,⁹⁰ all combine at different points to articulate a group's ethos. And "nesses" of we-ness are formed.⁹¹

"Nesses" get in the way of transformative conflict resolution. We-ness, Jewish-ness, Black-ness, female-ness, male-ness, white-ness, British-ness, Irish-ness, become abstractions, and imagined creations of shoulds or oughts—not what "is."⁹² A stone becomes a profound Palestinian symbol of empowerment, group ethos and group-determination, especially for its generationally humiliated youth. Chosen glories, past traumas, infused rhetoric, and metaphoric memories become shared reservoirs of identity and create a sense of belonging that has the power to exacerbate, mediate or resolve conflict.⁹³ Children observe the adults as they act out this drama. They internalize adult behaviors.

Children's cognitive development, observing adult behaviors, form children's self-identities positively, negatively, or ambiguously. A child's existential experiences inform their development and fashion their core identity.⁹⁴ Contextual and multiple identities are thus grounded and evolve into an idealized sense of self⁹⁵ as it relates to ingroup positive identity, or in the

85. VOLKAN, *supra* note 43.

86. Russ-Trent, *supra* note 12.

87. See DERRIDA, *supra* note 11; PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; Hooks, *supra* note 11.

88. See, e.g., PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; BEHAVIOR IN PUBLIC PLACES, *supra* note 22.

89. MEAD, *supra* note 1.

90. See JERVIS, *supra* note 47.

91. See VOLKAN, *supra* note 43.

92. ANDERSON, *supra* note 65.

93. VOLKAN, *supra* note 43.

94. CHILDHOOD AND SOCIETY, *supra* note 48.

95. See, e.g., CHILDHOOD AND SOCIETY, *supra* note 48; IDENTITY AND THE LIFE CYCLE, *supra* note 48; SIGMUND FREUD, MOSES AND MONOTHEISM (1939); TOTEM AND TABOO, *supra* note 72.

alternative, self-hatred and alienation due to trauma⁹⁶—a negative sense of one's self, one's social identity,⁹⁷ cultural capital,⁹⁸ and life-world.⁹⁹ Results may include dissociative identity disorder (DID), repression, projection, or any of a number of psychological dysfunctions affecting the next Cube III, the actor. The "narcissism of minor differences" leads to reductionist decision-making, psychologized differences, bureaucratized hatred, malignancy, and prejudices, which eats at the very core of the individual.¹⁰⁰

Myth, belief systems, and collective memories are legitimized through social dominance orientation, in-group favoritism and/or out-group derogation.¹⁰¹ Such legitimization is experienced by organizations, cultures, kinship relations, as well as, national relations. This is the reason for Integrative-Inductive Social Cubism's three cubes and their eighteen facets continuously interfacing in a negotiated and infinite dance. Transgenerational transmission of trauma¹⁰² and Post Traumatic Stress Disorder among other realities, are salient in both large and small group contexts.¹⁰³ Traumatic memories of horrendous events or perceived trauma based upon perceived, yet "trivial" events, affect group harmony and cohesiveness. Narratives which articulate and frame trauma are tools which generate painful or joyous memories, oftentimes establish additional metaphoric memories, create martyrs, heroes and heroines. Often these narratives are Manichean, therefore, dichotomous, by design.

"Us versus them" dichotomous creations of conflict lead to the Manichean struggles to justify right versus wrong, good versus evil—the forces of light versus the forces of darkness. Integrative-Inductive Social Cubism suggests that ambiguous shades of gray are ever extant and therefore must be included in the analyses of all conflict, context by context. Objectifying and rationalizing a conflict for the sake of clarity, or a positivistic stance, only muddies the water and poses a subject/object bifurcation, in opposition, that will never solve the underlying interests, issues and motivations of one and the other.¹⁰⁴ Therefore,

96. See HERMAN, *supra* note 78.

97. SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY, *supra* note 41.

98. See BOURDIEU, *supra* note 39.

99. THE PHILISOPHICAL DISCOURSE OF MODERNITY: TWO LECTURES (1987) [hereinafter THE PHILISOPHICAL DISCOURSE OF MODERNITY]; J. HABERMAS, MORAL CONSCIOUSNESS AND COMMUNICATIVE ACTION (1996).

100. See TOTEM AND TABOO, *supra* note 72.

101. Shana Levin & Jim Sedanius, *Social Dominance and Social Identity in the United States and Israel: Ingroup Favoritism or Outgroup Derogation?*, in POLITICAL PSYCHOLOGY (1999).

102. See VOLKAN, *supra* note 43.

103. See HERMAN, *supra* note 78 (discussing PTSD).

104. See HUSSERL, *supra* note 4.

Cubes I, II, and III must be seen as relative to each other and dynamic. Analyses are multi-causal. Their resolution and/or prevention must be considered multi-dimensional, integrative, relational, therefore, complex.

E. Case Example: Ingroup/Outgroup Dynamics, Nazi Germany, and the Treaty of Versailles—Dramaturgy, Symbolic Interactionism, and Social Identity

An example of this multi-dimensional interplay is the case of Nazi Germany during post-World War I. The Peace Treaty of Versailles stood as a living document of shame for the German people. It humiliated a nation, and by extension, each German citizen. This created not only a negative identification for their own group (and each member of the group) but it inspired a nation, and a man, Hitler, to recreate a positive in-group identity from these humiliating circumstances. The German people recreated themselves, actor by actor, as an in-group, in solidarity, with symbols and rituals which reinforced this new in-group. This stands as an example of the dialectical relationship between structure and agency, from nation to group, from group to individual and back again, which occurs in conflictual contexts. Once we include Cube III (to come)—the individual development of human agency—we will see how the three cubes relate specifically in this context. Our exemplar will be Reichsfuherer Heinrich Himmler. What stands out is the way that material and psychological [I would add, behavioral-group and actor -driven] dimensions interact to maintain or mitigate inter-group conflict.¹⁰⁵ Nazi Germany was created over time by a spiral of national, collective and individual rationalizations. We will now see how the actor, interfaces, intersects and integrates into this triadic and infinitely dynamic analysis of Integrative-Inductive Social Cubism.

VI. CUBE III: THE ACTOR'S ETHOS: INTEGRATIVE-INDUCTIVE SOCIAL CUBISM

Cube III determines where the actor places herself or himself in relation to society, existential predicaments and conflict. This includes mental products—critical thinking, dialectics, human agency—in relation to the material world and praxis in it.¹⁰⁶ This is determined by the way in which one identifies and differentiates her/himself during the ongoing interplay of ideas

105. Byrne & Cartner, *supra* note 2, at 66.

106. See BOURDIEU, *supra* note 39 (discussing "praxis"); JURGEN HABERMAS, *THE THEORY OF COMMUNICATIVE ACTION. VOL. 2. LEWORLD SYSTEM: A CRITIQUE OF FUNCTIONALIST REASON* (1987) [hereinafter *THE THEORY OF COMMUNICATIVE ACTION*].

and politics. These politics can also include daily strategic living.¹⁰⁷ Self-esteem, self-efficacy, self-determination, and critical consciousness—Freire's conscientization and full humanity¹⁰⁸—are socialized concepts which are integrated, embedded into each individual's conscious intentionality.¹⁰⁹ These include mental schemas, normative prescriptions and shared understanding, habitus (the interior sense of future prospects), and internalized mental cognitive structure by which people deal with the social world. This is usually based on the existential realities, which are produced by, and themselves produce society.¹¹⁰ The history of the individual is played out in real time, affecting his or her immediate kinship, organization, group membership or nation. Social theorists have called this individual behavioral construction, "social performances."¹¹¹ I call it "strategic living."¹¹²

Performative interpretations¹¹³ and phenomenological intentions¹¹⁴ suggest that how we understand and come to know ourselves, and others, cannot be separated from how we represent and imagine ourselves—our core individual self. We must reaffirm individual narratives as an integral component of memory-work and the need for people to speak affirmatively and critically out of their own histories, traditions, and existential experiences, to make visible and to challenge the, often grotesque, inequalities, deferential hegemonic patterns, and intolerable oppression(s) of the present moment in order to prevent those future moments.¹¹⁵ Moreover, identities are always in transition, mutation, change, and often become more complicated as a result of chance encounters, traumatic events, or unexpected existential collisions.¹¹⁶ Personal biography, Cube III, can and does turn into social text.

Cube III includes 1) self-identity, 2) ingroup/outgroup membership in relation to self, 3) social identity in relation to self, 4) individual psychology or

107. Russ-Trent, *supra* note 12.

108. See FREIRE, *supra* note 4.

109. See HUSSERL, *supra* note 4

110. See, e.g., THE THEORY OF COMMUNICATIVE ACTION, *supra* note 106; BOURDIEU, *supra* note 39;

111. See, e.g., PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; BEHAVIOR IN PUBLIC PLACES, *supra* note 22.

112. Russ-Trent, *supra* note 12.

113. See, e.g., PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* note 10; BEHAVIOR IN PUBLIC PLACES, *supra* note 22; DERRIDA, *supra* note 11; Hooks, *supra* note 11.

114. See HUSSERL, *supra* note 4

115. Henry Giroux, CRITICAL PEDAGOGY AS PERFORMATIVE PRACTICE: MEMORIES OF WHITENESS, IN SOCIOLOGY OF EDUCATION: EMERGING PERSPECTIVES 147, (Carlos Alberto Torres & Theodore R. Mitchell, eds., 1999).

116. *Id.* at 149.

pathology, 5) individual existential history and experiences,¹¹⁷ and 6) self-interest and survival. Each one of these issues of pure individual agency must be integrated in relation to—not against—society, group, family or nation. This suggests integration among Cubes I and II and is the infinite negotiational dance introduced at the onset of this analysis.

Hence, Integrative-Inductive Social Cubism makes no hierarchal distinctions between the eighteen facets of the three cubes when attempting to understand and analyze conflictual behavioral and social dynamics. Uniqueness—subjectivity, intra-subjectivity and inter-subjectivity—is the key to the overall model. Moreover, objectification is seen as a dangerous exercise—in this instance, the exception is the rule—exceptional individual agency can and does create change and transformation. We are both objects and subjects of our own existence.¹¹⁸ In fact, for those who believe that structural constraints lead to oppression and conflict, and structure can never be controlled, I suggest that we consider the agency of the oppressed, the oppressors, and the always extant “middle tier” who play one side against the other.¹¹⁹ Group and/or structures exist by the leave of and with the concurrence of individuals in them, to varying degrees, through complicity and/or collusion. The agent who voices concerns and resistance, which may lead to the end of the oppression or violence, cannot be ignored.¹²⁰ The absence of such a voice permits violence either to be fed or to be mediated into cessation. Otherwise, the concept of transformation is mere fantasy.

Whether the structure can be superseded is often determined by the individual actors of the structure. Without individuals such as Gandhi, King, Maude Gonne, Steinem, Eleanor Roosevelt, de Beauvoir, Hovel, Adams, Paisley, Hitler, along with unknown heroines, heroes, heretics, and hate-mongers, social change—for the better or worse—would never have occurred. Critical thinkers, critical sites/spaces and dissonant voices “going against the grain” can create change.¹²¹ The “life world” would be a hopeless and static one without resistant voices.

117. See, e.g., HUSSERL, *supra* note 4; THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY, *supra* note 21; SMITH & SMITH, *supra* note 21; John-Paul Sartre, *Consciousness and Society*, in THE PHILOSOPHY OF JOHN-PAUL SARTRE 255-260, 415-423 (Random House, ed., 1965). See also Blumer, *supra* note 4; DE BEAUVOIR, *supra* note 37, at 78, 129.

118. THE ORDER OF THINGS, *supra* note 13.

119. See BUILDING PEACE, *supra* note 4.

120. Russ-Trent, *supra* note 12.

121. See, e.g., FEMINIST THEORY, *supra* note 37; Russ-Trent, *supra* note 12.

The “life world” is, however, a social world.¹²² There is a social nature to knowledge.¹²³ There is a relationship between the phenomenology, the themes.¹²⁴ Patterns, and essence of living, negotiating and adjusting—what individuals think—which is integrated into the ethnomethodology of what individuals actually do in their daily living, especially in conflictual contexts.¹²⁵ There is an infinite dialectical relationship between the habitus and the field of individual experience and social reality.¹²⁶ It begins in childhood.

A. *Early Childhood Development of Human Agency*

Cognitive development and the capacity for critical thinking is the overarching context of Cube III: the actor’s ethos. It begins in early childhood development. Piaget’s work proffers that intellectual development evolves through stages and schemas of knowledge. Ongoing development is integrated and re-synthesized through to a critical thinking stage. These schemas are programs or strategies that individuals use as they interact with the environment—what I have coined “strategic living.”¹²⁷ With experience, negotiation, mediation, and critical thinking, decisions are made. Human agency is developed and social actors act. Actors transform their existential predicaments (Aretxaga 1997).

Piaget further suggests that the development of the mental schemas or structures occurs in the same order in all of us and at a relatively predetermined rate—a rate governed by our physiological maturation. Until requisite neurological structures are developed, these schemas cannot appear.¹²⁸ Indeed, conceptual intelligence, “symbolic function,” imitation, play, intuition, rationality, transductive, deductive, and inductive activity, concrete operational thought allowing one to integrate with other actions, relate and re-synthesize, reflect, display empathy, infer, and negotiate the next “optimal” decision, are intricacies which can be disrupted by trauma, neglect, abuse, or apathy in early childhood and adolescence.¹²⁹ Furthermore, these functions of cognition, trust,

122. See *The Theory of Communicative Action*, *supra* note 110; *THE PHILISOPHICAL DISCOURSE OF MODERNITY*, *supra* note 99.

123. FOUCAULT, *supra* note 17. See also JAMES, *supra* note 1; PARADOXES OF GENDER, *supra* note 14; LORBER, *supra* note 14; DEBEAUVOIR, *supra* note 37.

124. See HUSSERL, *supra* note 4.

125. See HUSSERL, *supra* note 4; *THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY*, *supra* note 21; SMITH & SMITH, *supra* note 21; SCHUTZ, *supra* note 4.

126. See BOURDIEU, *supra* note 39.

127. Russ-Trent, *supra* note 12.

128. B. JOYCE & M. WEIL, *MODELS OF TEACHING* 281-82 (5th ed. 1996).

129. See HERMAN, *supra* note 78; *CHILDHOOD AND SOCIETY*, *supra* note 48; *IDENTITY AND THE LIFE CYCLE*, *supra* note 48.

intention,¹³⁰ and judgment are fundamental to intellectual development, complex levels of thinking and problem solving.¹³¹

The social environments in which the above constituent complexities of intellectual development occur are critical. The reality is that, in many instances, childhood development is not nurtured. It is often neglected or traumatized in societies in which ethical considerations, human dignity, equality and personhood is devalued. Justice is denied, and hope is often based in becoming your oppressor. The self is therefore, traumatized, including the cognitive structures from which human agency and decision-making emanates. Positive or negative group psychodynamic processes are often the triggers which influence the actor.

B. Case Study: Henreich Himmler, Reichsfuherer, SS: Early Childhood Influences: Human Agency Develops

[I]n the right hand corner he has put his name followed by his title. *Heinreich Himmler, Reichsfuherer, SS. Make no mention of the special treatment of the Jews, he says, use only the words, Transportation of the Jews Toward the Russian East. A few months later, this man will deliver a speech to a secret meeting in the district of Posen. Now you know all about it, [the final solution] and you will keep quiet, he will tell them. Now we share a secret and we should take our secret to our graves.*¹³²

Reichsfuherer Heinrich Himmler was profoundly influenced by his father, Gebhard. His father "loomed large to his son."¹³³ Father, Gebhard, strictly followed the child rearing experts of the day. "Crush the will," they wrote. "Establish dominance. Permit no disobedience. Suppress everything in the child." Griffin begs, "What could make a person conceive the plan of gassing millions of human beings to death?"¹³⁴ Could the answer be childhood development?

As a man who made history, Heinrich Himmler shaped many childhoods . . . And an earlier history, a history of governments, of wars, of social customs, and ideas of gender, the history of a religion lending to the idea of original sin, shaped Heinrich Himmler's

130. See HUSSERL, *supra* note 4.

131. JOYCE & WEIL, *supra* note 128, at 285.

132. S. GRIFFIN, *A CHORUS OF STONES: THE PRIVATE LIFE OF WAR* (1992).

133. *Id.* at 120.

134. *Id.*

childhood as certainly as any philosophy of child raising. One can take for instance any formative condition of his private life, the fact that he was a frail child, for example, favored by his mother, who could not meet masculine standards, and show that this circumstance derived its real meaning from a larger social system that gave inordinate significance to masculinity.¹³⁵

At a certain stage we begin to define ourselves, to choose an image of who we are. In time we forget our earliest selves and replace that memory with the image we have constructed at the bidding of others.¹³⁶ How can we grasp the "inner state" of Himmler's being, his phenomenological intentionality—Cube III?¹³⁷ At the train station, young Heinrich hears singing and sees valiant men in fine uniforms. He wants to be a soldier. More than anything, he wants a uniform. Heinrich also wants to control. He needs to control, as he was controlled by his father. The thoroughness of father Gebhard's hold over his family came alive through his daily procedures: every package, letter or money order to pass through the door was, by Gebhard's command, to be duly recorded. And his son followed suit.

Every single piece of paper issued with regard to . . . [the SS] office will pass over Heinrich Himmler's desk, and to each page he will add his own initials. No detail will escape his surmise or fail to be recorded.¹³⁸

Indeed, Himmler felt, what Germany needed was a "man of iron," a man like his father. The Treaty of Versailles was taken as a humiliation. An unforgivable weakness, he argued, has been allowed to invade the nation. A man should be a man and a woman a woman.¹³⁹

A real man should love a woman as a child who must be admonished perhaps even punished, when she is foolish, though she must also be protected and looked after because she is so weak.¹⁴⁰

Further signs of Himmler's developmental dysfunction and the agency which emanated from it, can be evidenced. Once he is Reichsfuherer, he will

135. *Id.* at 121.

136. *Id.* at 122. See also *IDENTITY AND THE LIFE CYCLE*, *supra* note 48; *THE LIFE CYCLE COMPLETED*, *supra* note 70; *JAMES*, *supra* note 1; *SIMMEL*, *supra* note 1.

137. See generally *HUSSERL*, *supra* note 4

138. Griffin, *supra* note 132, at 133.

139. See generally Griffin, *supra* note 132 (featuring excerpts from Himmler's diary).

140. *Id.* at 134 (quoting from Himmler's diary, 1920-1923).

set certain standards for superiority that, no matter how heroic his efforts, he will never be able to meet. A sign of the *Übermensch*, he says, is blondness. But he himself is dark. He says he is careful to weed out any applicant for the SS who shows traces of a “Mongolian” ancestry. But he himself has the narrow eyes he takes as a sign of such a descent. “I have refused to accept any man whose size was below six feet because I know only men of a certain size have the necessary quality of blood,” he declares, standing just five foot seven behind the podium.¹⁴¹

Indeed, his denigrating views on homosexuality are evidenced as he states “Germany’s forebears knew what to do with homosexuals. They drowned them in bogs.” This was not punishment, he argues, but “the extermination of unnatural existence.”¹⁴² However, one of his heroes, Henry the Great, was a homosexual.¹⁴³

In the larger sense, Nazi Germany and the relational and intersecting accounts of WWI and WWII are prime exemplars of how the decision-making of a few individuals impacted the lives of millions. More interestingly, the decisions made were, in part or in whole, based upon such personal histories as that of Himmler. If we were to explore the personal lives of the actors of WWII, such as Roosevelt, Mussolini, Toynbee, Eden, Churchill, Chamberlain and Hitler, we would detect critical incidents, existential histories and “lived experiences” which influenced the decisions they later made on the world stage.¹⁴⁴ Thus, Cubes I, II, II interrelate with one another in dynamic integrative contexts. On President Wilson:

it did not occur to [President Wilson] that questions of property and peace might be subordinated to those of national pride and resentment; that the Germans might be driven to restore their honor and the power needed to recover it, by whatever means necessary.”¹⁴⁵

Machiavellian solutions were defensible, therefore Hitler, one individual, was able to continue his reign of terror, through the individual efforts/actions, individual rationale, subject/object dichotomization, and intentioned human agency, by extension, the collective approval of the German citizenry—one actor at a time. Therefore the preceding case study, exhibits the forces of the eighteen facets of I-ISC which motivated a nation (Cube I); a group/nation/state,

141. *Id.* at 141-42.

142. *Id.* at 142.

143. *Id.* at 142-43.

144. JERVIS, *supra* note 47.

145. DONALD KAGAN, *ON THE ORIGINS OF WAR* 376 (1995).

The Nazi Party (Cube II); and each German citizen/actor (Cube III), to commit the atrocities of the Holocaust.

C. Case Study: Gerry Adams, Leader of Sinn Fein

In more recent times, we can learn from the psycho-cultural and psychosocial development of Gerry Adams, leader of Sinn Fein, the political wing of the Irish Republican Army (IRA). Recent research has established that the development of one's personality and individual persona influences negotiating behavior.¹⁴⁶

A behavioral profile was done on Adams through a content analysis of his spontaneous interviews, proffering a link between individual characteristics and expected behavior. Some themes and patterns cited were that he would stand his ground at all costs, believing that his position is the correct one. His complexity may mediate these dominant traits, making him more receptive to the views of others.¹⁴⁷ Adams also has a high need for affiliation, making him concerned with how others view him. This, in turn, would lead him to seek normalized relations with the opposition.¹⁴⁸ In a tense Post-Good Friday (1998) Peace Agreement environment, Adams continues to engage in the politics of the process, wanting to be viewed as a man of peace. Despite signing the peace accord, Adams did not really concede much, and he continues to have an impact on the future governing arrangements of the region.¹⁴⁹

Reading Adam's book *Cage 11* provides insight into his intentioned actions.¹⁵⁰ Furthermore, during my August 2000 archival research in Belfast, Northern Ireland, interviewing male and female Republican (Irish Republican Army, or IRA) ex-political prisoners and their families, I witnessed attestations of Adam's personal charisma. Some had spent time with him in Long Kesh prison. They literally would die for him, men and women alike, as they believe he would for them. This evinces a strong personal influence, demonstrating the power of the individual actor in sectarian (group) contexts, whether you agree with Adam's politics or not. This also attests to the influences, positive or negative, which charismatic leaders (individual actors) have on the conflict resolution or exacerbation process.

146. See, e.g., Elena Mastors, *Gerry Adams and the Northern Ireland Peace Process: A Research Note*, POL. PSYCHOL., Vol. 21, No. 4, 839-46 (2000); M.G. Hermann & T. Preston, *Presidents, Advisors, and Foreign Policy: The Effect of Leadership Style on Executive Arrangements*, POL. PSYCHOL., 15, 75-96 (1994).

147. See DONALD A. SYLAN & STEVE CHAN, *FOREIGN POLICY DECISION MAKING: PERCEPTION, COGNITION, AND ARTIFICIAL INTELLIGENCE* (1984).

148. M.G. HERMANN, *A HANDBOOK FOR ASSESSING PERSONAL CHARACTERISTICS AND FOREIGN POLICY ORIENTATIONS OF POLITICAL LEADERS*. (1987) (Ohio State University mimeo).

149. Mastors, *supra* note 146, at 844.

150. See GERRY ADAMS, *CAGE ELEVEN* (1984).

VII. CONCLUSION

Integrative-Inductive Social Cubism (I-ISC) attempts to provide an integrative and complex analysis of conflict from the micro levels through the macro levels, intersecting along the way, in a dynamic and nonlinear affect and effect. I-ISC is in constant re-synthesis. At the Cube I, structural level, the analytic demands are focused on macro-facets, the Social Cubism Model of Byrne & Carter.¹⁵¹ At the Cube II, structure/agency level, the analytic demands are focused on the relationships relative to inter group and intra group conflict. At the Cube III, the agency/actor level, conflict analysis concerns are focused on individual decision-making ability and intentionality, and the development of individual human agency.

We must be aware of the emerging and interfacing eighteen facets of this model, Cubes I, II and III, (see Figure 2) in a dynamic negotiation with each other at different time orientations, different contexts, and different power relationships/constructs. The three cubes are separate and at the same time, they are one. The symbolic nature of internalization and integration, the three Rubik's Cubes®, and the sign for infinity in designing this inductive model, are meant to be simply complex and ultimately, purposeful. Conflict is filled with ambiguity, contradiction, and surprise. Complex critical thinking and processes are required to manage it, mediate it, negotiate it, or exacerbate it. Conflict can also be productive.¹⁵² We must never lose sight of this. Were it not for conflict, social justice would be an oxymoron. However, conflict must always be seen as complex, dynamic, and transformative.

Conflict = attitudes/assumptions + behavior + contradiction/content.¹⁵³ In Integrative Inductive Social Cubism, conflict is articulated as a dynamic triadic construct. As Galtung suggests, we cannot assume that a gender, a generation, a race, a world, a state, or super-state, has "goals," per se.¹⁵⁴ These are merely abstractions. However, certain elites, decision-makers, and charismatic leaders may have goals, often clearly formulated ones, which are "power over" models. Being cognizant of the realities of such power brokers, conflict analysis must be complex rather than dyadic, Manichean, syllogistic, and Cartesian. "Conflict is about life, pointing straight to contradictions as life-creative and life-destructive."¹⁵⁵ Therefore, a working theory of conflict will have to be located

151. See generally Byrne & Carter, *supra* note 2.

152. See, e.g., LOUIS KRIESBERG, *CONSTRUCTIVE CONFLICT: FROM ESCALATION TO RESOLUTION* (1998). See also GALTUNG, *supra* note 4; JAY ROTHMAN, *RESOLVING IDENTITY-BASED CONFLICT IN NATIONS, ORGANIZATIONS, AND COMMUNITIES* (1997); SIMMEL, *supra* note 1.

153. GALTUNG, *supra* note 4, at 72.

154. See GALTUNG, *supra* note 4.

155. *Id.* at 71; ROBERT MERTON, *Manifest and Latent Functions*, in *SOCIAL THEORY AND SOCIAL*

and articulated at the phenomenological level, which is the essence of the Integrative Inductive Social Cubist Approach. Meaning-making is the key to the eighteen facets as they relate to each other. Moreover, there is a manifest and latent side to conflict, the manifest side being identified with behavior, and the latent aspect with attitude and contradiction.¹⁵⁶

In part, this suggests the necessity for cultural workers to develop collective projects in which traditional bifurcations of margin/center, unity/difference, local/national, public/private can be reconstituted through more complex representation of identification, belonging, and community. This implies a fundamental redefinition of the meaning of sociologist and theoretician as artist and public intellectual. As public intellectuals, we must define ourselves not merely as marginal, avant-garde figures, professionals, or academics acting alone, but as cultural workers whose collective knowledge and actions presuppose insurgent visions of public life, community, and moral accountability. What is crucial is a conception of the political that is open yet committed, respects specificity without erasing global considerations, and provides new spaces for collaborative work engaged in productive social change.¹⁵⁷ We must create an "integrative critical language" through values, ethics, and social responsibility."¹⁵⁸ The time has come for artists, educators, and other cultural workers to join together to defend and construct those cultural sites and public spheres that are essential for a viable democracy and an emancipatory project.¹⁵⁹

There is no doubt in my mind that this theory can and will be re-synthesized, deconstructed, and/or expanded in a new and vital way. The dialectic process must not only continue. It must never end. Just as I have built on Byrne & Carter,¹⁶⁰ I hope that someone will build further on my construction. The articulation of an "emancipatory empiricism" is the project that I am suggesting.¹⁶¹

The most naïve fallacy in the field (of peace research) is not only to believe in global architectonics, that the structure can be constructed and filled with any kind of actors; equally naïve is to believe that structure is independent of culture. I would add that it is equally naïve to ignore individual human agency

STRUCTURE (Free Press 3d ed. 1968) (1949).

156. GALTUNG, *supra* note 4, at 71.

157. Giroux, *supra* note 115, at 152.

158. *Id.* at 152; SUZANNE LACY, MAPPING THE TERRAIN: NEW GENRE PUBLIC ART 20 (Suzanne Lacy, ed., 1995).

159. See Giroux, *supra* note 115, at 152; Lacy, *supra* note 158, at 43.

160. See generally Byrne & Carter, *supra* note 2.

161. See H.R. ALKER, REDISCOVERIES AND REFORMULATIONS 338 (1996); HO-WON JEONG, THE NEW AGENDA FOR PEACE RESEARCH 3-12, 233 (1999).

and its individual development—as would suggest, “the intersection of the personal and the systemic.”¹⁶²

Indeed, “[The] greatest resource for sustaining peace in the long-term is always rooted in the local people and their culture ...emerging often from their own experience of pain.”¹⁶³ Finally, Gandhi’s words are, in effect, the phenomenological essence of this transformative conflict resolution project called Integrative Inductive Social Cubism:

suffering is infinitely more powerful than the law of the jungle for converting the opponent and opening his ears, which are otherwise shut, to the voice of reason. Nobody has probably drawn up more petitions or espoused more forlorn causes than I, and I have come to this fundamental conclusions that if you want something really important to be done you must not merely satisfy the reason, you must move the heart, also.¹⁶⁴

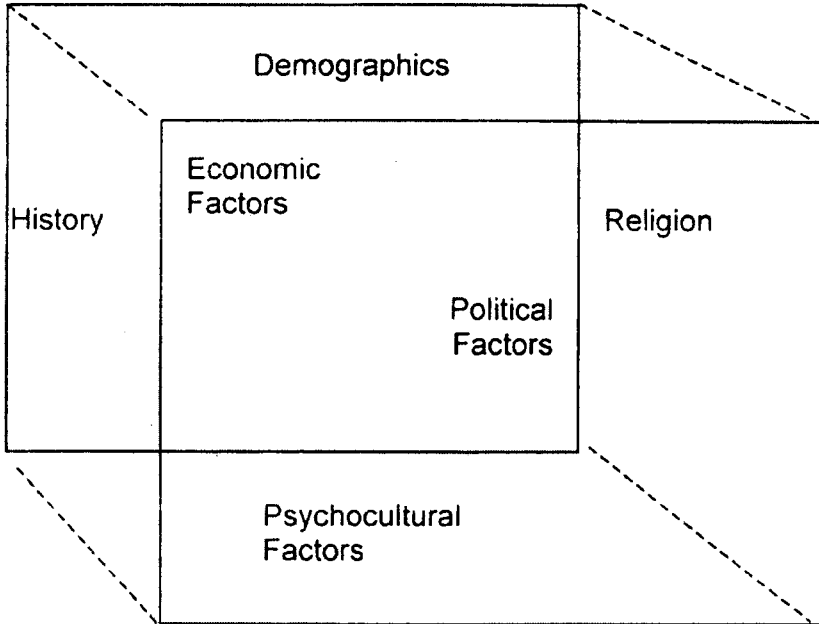
162. PREPARING FOR PEACE, *supra* note 4, at 21.

163. BUILDING PEACE, *supra* note 4, at 94.

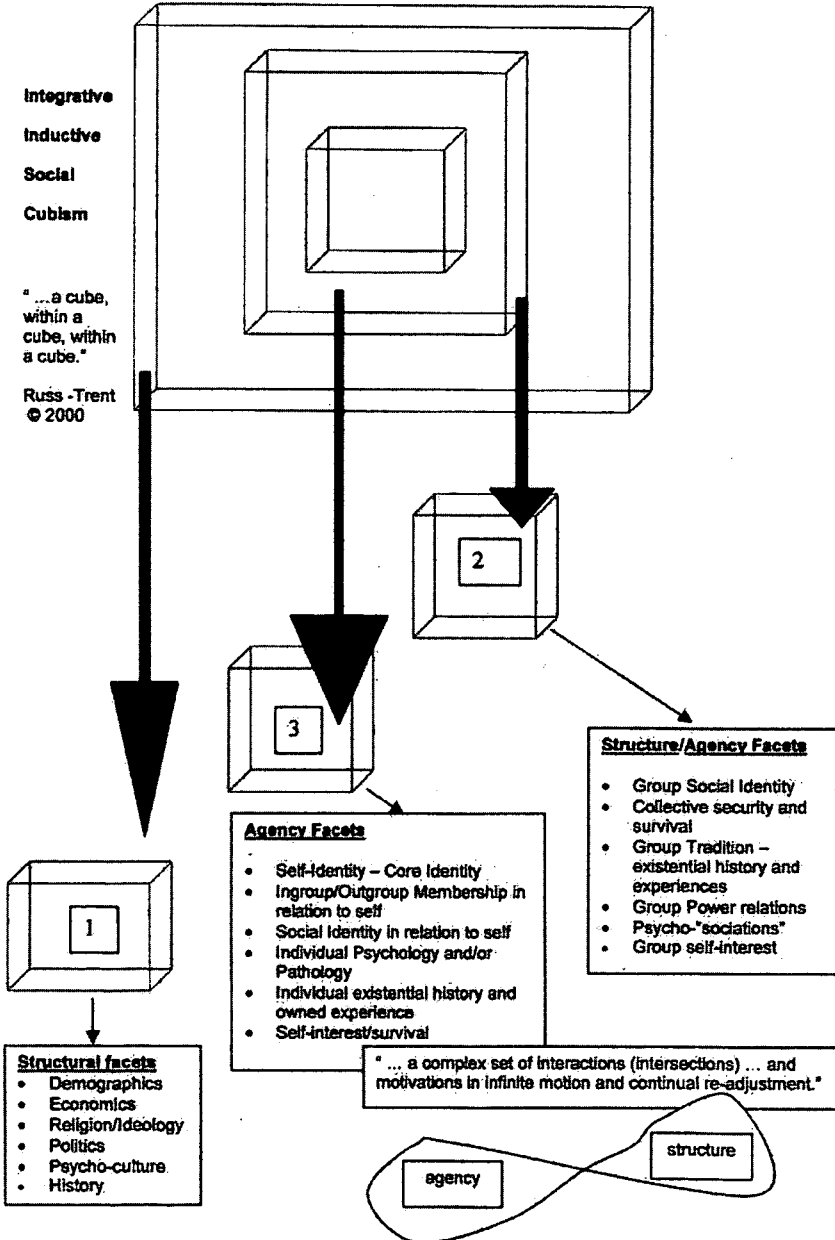
164. MAHATMA GANDHI, THE COLLECTED WORKS OF MAHATMA GANDHI (1958).

IX. APPENDICES

A. Figure 1: *The Social Cube* (Byrne & Carter 1996)



B. Figure 2: Integrative Inductive Social Cubism (Russ-Trent 2000)



C. *Integrative Inductive Social Cubism at a Glance*

Integrative Inductive Social Cubism is based upon the original work of Byrne and Carter's Social Cubism.¹⁶⁵ Integrative Inductive Social Cubism is based upon the following assumptions:

1. There is an interconnectedness, or at minimum, an inter-relatedness among human beings, and between the self, kin, local, national, and global levels. Therefore, this analysis is based in a relational, postmodernist and feminist foundation.
2. The unit of analysis in this theory is multiple based and simultaneous, moving in and out from cube to cube to cube, from the individual to groups, then societal structures, then in again. Conflictual forces are in a state of constant motion, pressure and undulation. This includes the psychological (agency), psycho-social (agency/structure) and psycho-cultural (structural/political) contexts: the individual's human agency is in constant tension with the external societal structures around her and can be both subtle (latent) and profound (manifest).¹⁶⁶
3. A continuum of empowerment and dis-empowerment exists, ranging from authoritarian control (Machiavellianism, nationalism, dictatorship), colonialism, patriarchy, domination (sometimes by dysfunctional consensus), oppression, exploitation, structural violence—cultural, familial, communal,¹⁶⁷ innuendo—ingroup/outgroup stereotyping/discrimination, unkindness, and individual incongruence in mind/body connections (Gandhi's, 1970/76 satyagraha). Psycho-cultural, psycho-social and psycho-political/cultural factors affect both low and high politics, and decision-making in collectivities and individuals.
4. Just as we are discovering the wonders of DNA in biology, DNA based computers and "String Theory" in quantum physics, discovering their complex relational working structures and constituents, in the hope that the world will be better if it is better understood, so too, in conflict analysis, we can atomize the analysis down to its smallest constituents in order to phenomenologically understand the relational and contextual complexities and intersections extant in it, micro to macro, at the global (structural) as well as mid-range (ambiguous agency/structure sites) and individual (agency) levels

165. See Byrne & Carter, *supra* note 2.

166. GALTUNG, *supra* note 4, at 71; MERTON, *supra* note 155 at 73-138.

167. See GALTUNG, *supra* note 4.

D Resources for Further Reading

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TOWARD A MULTIDIMENSIONAL MODEL OF SOCIAL INTERACTION AS RELATED TO CONFLICT RESOLUTION THEORY

*S. Michael Hare**

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I. ABSTRACT

One of the themes in the study of social theory, throughout its history, has been the examination of the social forces of agency and structure. This has been true both of the micro and macro levels of social interaction and has also been discussed in a number of differing applications to social problems in local, national and international contexts. Although the classical social theorists offered varying emphasis at both ends of the spectrum, they also seemed clearly

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concerned with understanding the linkages that connected them together. More recently, some theorists have focused more upon the extreme positions of opposing paradigms in an apparent pursuit of theoretical purity. However, there now appears to be a renewed interest in integrating and synthesizing social theories toward a more holistic and balanced paradigm. This article will briefly review some of these considerations and attempt to encourage further investigation and development of adequate social theory models, especially as they relate to conflict and to its resolution in local, national, and international applications. Specifically, three concepts will be proposed as progressive steps toward this goal. The first step relates to a theoretical broadening of perspective in light of C. Wright Mills's concept of Sociological Imagination.¹ The second recommended step is inspired by George Ritzer's interest in meta-theories and examines the integration of ideas from his Major Levels of Social Analysis model.² The final suggestion concerns the exploration of new dimensions and considers the dynamics of the Social Cubism model by Seán Byrne and Neal Carter.³

II. INTRODUCTION

One of the rarest of all commodities in this life seems to be that of finding adequate *balance*. Aristotle sought to find a happy median in the *Golden Mean*.⁴ Philosophers have long been debating whether each individual person is a free agent or whether each one is totally and helplessly locked into an endless chain of deterministic causes and effects. Varying philosophical speculations place the answers to these questions at both extremes and at several places in between.⁵ Biologists design experiments to try and ascertain whether nature or nurture wields the strongest influences in guiding human behavior and both possibilities find their ardent supporters.⁶ Theologians have argued for centuries about whether the human destiny of every person is divinely and absolutely fixed prior to one's birth or whether the choices that we exercise in this life represent genuine acts of freedom. Likewise, whole religious denominations

1. See CHARLES LEMERT, *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS*, 348 (2000).

2. See GEORGE RITZER, *SOCIOLOGICAL THEORY* (4th ed., 1996).

3. See SEÁN BYRNE & NEAL CARTER, *Social Cubism: Six Social Forces Of Ethnoterritorial Politics In Northern Ireland And Quebec*, 3(2) *PEACE AND CONFLICT STUDIES*, at 52-71 (1996).

4. See O. JOHNSON, *ETHICS: SELECTIONS FROM CLASSICAL AND CONTEMPORARY WRITERS*, 67-77(1989).

5. See R. SOLOMON, *INTRODUCING PHILOSOPHY: A TEXT WITH INTEGRATED READINGS* 495-537 (4th ed. 1989).

6. See JOHN J. MACONIS, *SOCIETY: THE BASICS* 124-125 (4th ed. 1997).

have grown up around exactly how one might think that this question should be answered.⁷ It seems that incomplete or partial knowledge can easily lead one toward the acceptance of an extreme position in any number of areas. For example, embracing one end or the other of opposite extremes on any continuum often seems to represent an imbalance in rationale that ultimately leads to isolation and disunity. Yet, the choice to accept such a position seems common in almost every discipline. So, in trying to answer the questions of structure and agency in social theory, whether at the local, national, or international level, social theorists are following a long line of similar inquiry in many other disciplines. Social scientists also, as they study the structures and institutions of any given society, and the individual's actions within them, are engaged in a very real quest to understand where agency factors leave off and where structural ones begin.⁸ Often, those of us theorizing about these issues initially only find partial answers to our questions. Therefore, in general, any one theory often can only provide a very small part of the explanation to these rather large and complex questions. The search for balance can usually be satisfied only through the comparing, contrasting and synthesizing of ideas and concepts while seeking a well-rounded and integrated whole.⁹ Nowhere is this more evident than in the analysis of social conflict and in the search for its resolution at all levels and across all cultures.¹⁰

Although the study of conflict, and conflict resolution theory, is of necessity multidisciplinary in scope¹¹, it is also clearly grounded in the social sciences.¹² Because of this, and because of the complexity of the subject matter itself, the connection between social theory and the need for simple and practical models becomes obvious.¹³ Conflict seems to be as complicated as it is prevalent.¹⁴ The sources of conflict sometimes seem almost infinite and the consequences, when they are not adequately managed or resolved, can be horrific.¹⁵ Examples such as the genocide practiced in Bosnia and Rwanda

7. See SPERRY LEWIS CHAFER, *SYSTEMATIC THEOLOGY* 183-198 (1974).

8. Cf. RITZER, *supra* note 2, at 531.

9. *Id.* at 633.

10. Cf. Byrne & Carter, *supra* note 3.

11. See J. NOLAN-HALEY, *ALTERNATIVE DISPUTE RESOLUTION IN A NUTSHELL*, 5-6 (1992).

12. See L. COSER, *THE FUNCTIONS OF SOCIAL CONFLICT*, 5 (1956).

13. See C. COSTANTINO & C. MERCHANT, *DESIGNING CONFLICT MANAGEMENT SYSTEMS: A GUIDE TO CREATING PRODUCTIVE AND HEALTH ORGANIZATIONS* xiii (1996).

14. See D. WEEKS, *THE EIGHT ESSENTIAL STEPS TO CONFLICT RESOLUTION: PRESERVING RELATIONSHIPS AT WORK, AT HOME, AND IN THE COMMUNITY* ix (1994).

15. Cf. LEMERT, *supra* note 1, at 148.

illustrate just how deep-seated these sources of conflict can be when experienced in protracted situations in local, national, and international contexts. Conflict occurs at all levels of social interaction, from the largest of society's structures to the smallest of human groups.¹⁶ With these things in mind, a better understanding of micro and macro sociological theory, along with deeper insights into agency and structure relationships, can offer much toward an integrative understanding of conflict and toward the development of more holistic models for finding resolution.¹⁷

As in the case of micro- and macro-sociological theory, questions of structure and agency are sometimes viewed as polar opposites, and may even be seen as mutually exclusive concepts.¹⁸ Although there are certain valid distinctions, that sometimes need to be made, to differentiate macro issues from structural ones, and micro issues from those of agency¹⁹, their general similarities are sometimes offered together here for purposes of simplification. It is my contention that a balanced and holistic theoretical approach requires an integrated sociological worldview. This perspective needs to be one in which structure, agency, micro and macro sociological issues can all be considered as interrelated concepts held together by a natural tension that could best be conceptualized as an integrated multi-dimensional design. In other words, for there to be a comprehensive understanding of such events as the recent protests at the World Trade Organization (WTO) meetings, the tensions between structure and agency must be taken into account. This becomes especially evident considering the starkly contrasting opinions that exist as to how one nation's economic policies can empower or disempower individuals and nations around the world.

Much as Ritzer's diagram of social analysis (see figure 1 below) of the micro/macro-level issues includes both vertical and horizontal axes, with multi-directional and multi-level interplay between objective/subjective and micro/macro continuums, so also structure and agency issues require similar frameworks for a comprehensive evaluation.²⁰ And, just as Byrne and Carter's social cube model demonstrates the importance of viewing the interconnections, relationships and the interaction between many social variables (see figure 2 below)²¹, so, also, this article will illustrate the complexity, emphasize the

16. See W. WILMOT & J. HOCKER, *INTERPERSONAL CONFLICT*, 33 (1998).

17. Cf. COSTANTINO & MERCHANT, *supra* note 13, at 22.

18. See G. MARSHALL, *THE CONCISE OXFORD DICTIONARY OF SOCIOLOGY*, 10-11 (1994).

19. Cf. RITZER, *supra* note 2, at 522.

20. *Id.*

21. Cf. Byrne & Carter, *supra* note 3.

necessity and encourage the development of better, more comprehensive conflict analysis and resolution models. Truly helpful conflict intervention systems designs require the capacity both to analyze complex social interactions and to offer clarification to both structural/agency and micro/macro-sociological influences in social theory (and in conflict resolution theory). But they also need to provide the simplicity with which to offer real help to the conflict resolution practitioners who will be seeking to apply them to ordinary cases in the international, as well as to local and to national settings.

III. BROADENING PERSPECTIVES

Because of the limitations inherent in a person having only incomplete information and perspective, the hope for progress toward more integrative designs challenges us to widen our fields of view. The interface between agency, structure, micro and macro factors in the determination of ultimate causes of conflict is complicated in part due to the invisible nature of macro-structural level influences upon individuals and upon groups. For example, the universal international law principle of human rights is not perceived culturally in the same light in China as in the democracies of the West. This divergence of cultural values contributes to conflict escalation between countries at the international level. In addition, there is further complexity added because of the multidimensional considerations of each.

For example, Martin Luther King, Jr. demonstrated, in both his writings and in his life, the society-changing potential of non-violent resistance.²² But how could one best analyze and explain just how such individual and corporate actions positively impact a society? On the one hand, each individual act of resistance could be considered agency at its most basic level. Dr. King illustrates this beautifully when he quotes Henry David Thoreau on the slavery issue, "aye, if one honest man, in the state of Massachusetts, ceasing to hold slaves, were actually to withdraw from the copartnership, and be locked up in the county jail therefore, it would be the abolition of slavery in America."²³ Indeed, history provides us with a plethora of examples in which the actions of single individuals have had profound social import. But then, in contrast, Dr. King also acknowledges the necessity of a larger agency when he states that the success of nonviolent protest depends upon a "mass movement" to accomplish its goals.²⁴ He further magnifies the importance of linkage between the two

22. See J. FAHEY & R. ARMSTRONG, *A PEACE READER: ESSENTIAL READINGS ON WAR, JUSTICE, NON-VIOLENCE AND WORLD ORDER*, 113-128 (1992).

23. Cf. LEMERT, *supra* note 1, at 347.

24. *Id.* at 345.

when he writes that it is “not a struggle between people at all, but a tension between justice and injustice.”²⁵

Although individual agents take part (and are vital to this movement) a complete understanding of what is really at work extends to the larger framework of analyzing structures and value systems of the society as a whole. Dr. King’s philosophy clearly integrates the involvement of individuals with groups to move the conscience of the larger society and even of the world. Although it is possible to isolate and to compartmentalize his individual statements and concepts in ways in which they might be categorized as either micro or macro in nature, the overview leaves one with a sense of the need to see the whole as an interconnected range of ideas on a continuum between the two.

Similarly, the questions of structure and agency are likewise difficult to separate.²⁶ At what juncture does the agency of the individual end and the influence of the group become primary? A model with the capacity to graphically illustrate and bring meaning to these relationships could be most helpful for building new holistic and balanced perspectives. A relatively recent example of the interface between agency and structure issues, resulting in positive conflict management and resolution, is found in the multilevel impact of the Truth and Reconciliation Committee’s (TRC) efforts between 1994-1996 to heal the inter-group conflict between Blacks and Whites in South Africa. This effort represents a structural intervention within a society with a goal of transforming relationships between ethnic groups down to the micro level of individual interaction and cooperation.

There is no doubt that the dynamics of nonviolent actions taken by many people during the civil rights movement in this country impacted America at every level. Individuals and families were changed forever.²⁷ So were whole cities and eventually our entire nation and the world.²⁸ The changes were imperfect and incomplete. The new conflicts have replaced the old. And the new questions raised, and not yet answered, remain for further study and analysis. What really caused the conflicts in the first place? Are the answers to be found in our history? In our religion? Are they causes that originated in individuals or in groups? What social structures contributed to and facilitated these problems? What cultural and psychological factors accelerated the acts of violence and what factors contributed to inhibiting them? Why did similar

25. *Id.*

26. Cf. RITZER, *super note 2*, at 521.

27. See M. EDELMAN, *LATERNS: A MEMOIR OF MENTORS* (1999).

28. See e.g. JESSICA SENEHI, *VIOLENCE PREVENTION* (2000) available at <http://webct.nova.edu/adrd6170senehi/syllabus.htm>.

actions not have the same effect in other settings? Why do differing strategies seem to work more effectively in one culture than in another?

IV. AVOIDING EXTREMES

Avoiding the extremism caused by focusing only upon a narrow field of partial information is not always a simple matter. In trying to negotiate paradoxical forces in social relationships, some have tended toward theoretical polarization through retreating to one end of the continuum or the other. One clear example can be found in the work of David Riesman as he attempts to explain why individuals act in society in specific ways. He quotes from Erich Fromm regarding the connections between social structures and the development of individual human character. He concludes that the very desires and motivations of individuals seem to be wholly and absolutely determined at the macro-structural level by society's indoctrination implemented through the socialization process. He goes so far as to extend this idea, of social influence over individuals, to include all "mode[s] of conformity—even be it one of rebellion."²⁹

If applied uniformly and universally, his inferences would seem to extend in concept even to the nonviolent resistance movements of leaders like Vaclav Havel, Nelson Mandela, Corazon Aquino, Shimon Peres, Mohandas Gandhi and Martin Luther King, Jr. If one accepts this premise, one would seem to be forced to conclude that even as individuals might choose to rebel, in one form or another from the dominant culture, the character-shaping influences of that culture are causing the individual actors to "want" to rebel. All individual human agency seems to have been thereby denied and each individual consequently reduced to a mere passive receptacle of the larger structural forces.

How is this actually accomplished according to Riesman? His theory seems to imply an ability of a given society to pre-determine what is necessary for its own best interests and to bring about the desired results.³⁰ This is accomplished through the shaping of the character of individuals within it through the social institutions of family, schools, and government. The individual person therefore seems passive. He or she seems to merely be a conduit of these forces and then ultimately to become a vehicle to support and reproduce them. Other social theorists seem to draw similar conclusions, accepting macro-sociological determinism, in even more concise terms. Bruce Mayhew, for example, states, "In structural sociology, the unit of analysis is always the social network, *never the individual*."³¹ The nature of the apartheid

29. Cf. LEMERT, *supra* note 1, at 322.

30. *Id.* at 321.

31. Cf. RITZER, *supra* note 2, at 494.

system in South Africa illustrates how the structural violence of the state toward Blacks, Asians, Coloreds and Whites can be institutionalized within a society and internalized within individuals. But once again, the question remains, where does the responsibility for this evil reside? Can it be wholly the result of structural forces alone...or do individuals share in the blame? Mayhew, and others like him, would seem to conclude ultimately that an individual's choice cannot be separated from the macro-forces of the society to which one belongs.

On the other side of this issue lies another theoretical pole. Some neo-Marxian theorists clearly rejected the parallel concept of "mechanical determinism" which seemed to be implied by writers like Engels in speaking of "the inevitable decline of capitalism."³² Rather than considering structural influences as some kind of irresistible force in history, theorists like Georg Lukacs and Antonio Gramsci proposed "a subjective orientation" to offset "the early Marxist at the objective, material level."³³ The *Critical Theory* School, as a whole, further criticized the positivism of sociology for allowing the scientific method to legitimize the status quo.³⁴ If one rejects these principles thoroughly enough, there can be no chain of cause and effect and thereby no possible deterministic structural forces, only *subjective* ones.

Why such extremism? Lewis argues that the resistance to a more integrated paradigm is not so much theoretical as political because opposition to existing theory is often the inspiration that many theoretical approaches draw from. In other words, an integrated theoretical framework threatens their more independent and extreme approaches.³⁵ Perhaps this is indeed correct in some cases. But another possible, more fundamental, flaw in rationale could come from the tendency in all of us to want to achieve total comprehension of any subject matter under consideration. It arises from the basic reductionistic tendencies that accompany our human condition out of this desire to understand and explain reality in an absolute fashion in spite of our own limited experience, knowledge, and perspective. For example, seeking to understand the Israeli-Palestinian conflict in isolation is an exercise in futility. One needs to consider the wider regional context of the Arab-Israeli conflict. Similarly, a study of the multifaceted cold war politics of the United States-Russia rivalries certainly serves to illustrate the necessity of understanding and unraveling the complex and interrelated layers of local, regional and international conflict contexts. Oversimplification, at best, only postpones the real work of analysis and achievement of mutual understanding.

32. *Id.* at 272.

33. *Id.*

34. *Id.* at 277.

35. *Id.* at 228-229.

With the limitations of our own individual abilities and experiences, we can suffer from intellectual tendencies toward narrowing the field to a manageable range, especially in regard to paradoxical problems. Interestingly enough, ancient wisdom literature addresses these very concerns with amazing insight. In philosophy, the definition of paradox carries the idea of implicit contradiction.³⁶ But in Judeo-Christian theology, a paradox is defined as a condition in which there is only an *apparent* contradiction.³⁷ In other words, just because one cannot fully comprehend the breadth, height or depth of an issue, this does not necessarily require that it is in itself contradictory. Further, the commendation of one old Hebrew proverb encourages rather that a person attempt to accept both sides of the paradox even without a total comprehension of the issue. Specifically in this context, addressing some of the perplexing questions related to the existence of good and evil, it states: "It is good that you grasp one thing, and also not let go of the other . . ."³⁸ To paraphrase, it is acceptable in the quest for greater understanding for a person to allow an apparent contradiction to stand while one continues to pursue the wisdom and knowledge necessary to grasp them both at the same time. So, to apply these insights to social theory, perhaps we should be more willing, than we often are, to tolerate some cognitive dissonance long enough to continue the search for balance and completion rather than succumb to the temptation to settle for one extreme or the other. Opportunities to exercise this kind of open mindedness toward diverse viewpoints are plentiful in such events as the religious wars of our own day. Islamic Fundamentalist and Israeli Zionists interests often seem to be mutually exclusive. The polemical positions that have frequently been presented to justify ethnic cleansing in such places as the Balkans and Rwanda illustrate the need for new paradigms of analysis and for a stretching of perspectives to comprehend rationales. Certainly this is not intended to suggest that wholesale accommodation of such rationales would necessarily be appropriate but rather that a movement toward the creation of better frameworks in which we can analyze, comprehend and adequately address such conflicts would be more constructive and encourage more collaborative solutions.

V. HARMONIZING CONCEPTS

Writers like C. Wright Mills also seem to offer concepts that could potentially help bridge the chasm between extremes positions or concepts. His idea of "sociological imagination" provides a theoretical description of how a person might perhaps extricate him/herself from the structural stream long

36. Cf. SOLOMAN, *supra* note 5, at 40.

37. See W. ELWELL, *EVANGELICAL DICTIONARY OF THEOLOGY*, 826 (1984).

38. See *ECCLESIASTES* 7:18.

enough to gain some objectivity and to rise above the invisible forces of cultural indoctrination and paradox. "It enables him [the possessor] to take into account how individuals, in the welter of their daily experience, often become falsely conscious of their social positions"³⁹ thereby clarifying ones vision and allowing that person to gain a new outlook unobscured by cultural myopia. Mills suggested that those that have been successful at doing this have done so through asking several key and searching questions. His material is quoted here at length because of its direct importance regarding the need for a complex model for analyzing conflict and because it will be used later in this article to illustrate the significant value that Byrne and Carter's model provide to this discussion:⁴⁰

First, what is the structure of this particular society as a whole? What are its essential components, and how are they related to one another? How does it differ from other varieties of social order? Within it, what is the meaning of any particular feature for its continuance and for its change?

Second, where does this society stand in human history? What are the mechanics by which it is changing? What is its place within and its meaning for the development of humanity as a whole? How does any particular feature we are examining affect, and how is it affected by, the historical period in which it moves? And this period---what are its essential features? How does it differ from other periods? What are its characteristic ways of history making?

Third, what varieties of men and women now prevail in this society and in this period? And what varieties are coming to prevail? In what ways are they selected and formed, liberated and repressed, made sensitive and blunted? What kinds of human nature are revealed in the conduct and character we observe in this society in this period? And what is the meaning for 'human nature' of each and every feature of the society we are examining?⁴¹

Notice the way in which Mill's questions lead an observer to analyze different levels of social interaction and the reciprocal nature of how they interrelate. Notice also the contextualization of placing the inquiry into its unique historical and cultural setting and the reflexive and reflective requirements of providing complete responses. Assuming that we can be successful enough in doing this to begin the analysis of agency/structure and micro/macro integration and linkage issues, what types of models permit a multi-dimensional, multi-layered and multi-faceted approach that would be comprehensive enough to deal with all of these questions and yet simple enough to offer practical assistance to conflict interveners? Perhaps a brief consideration

39. Cf. LEMERT, *supra* note 1, at 348.

40. Cf. Byrnes & Carter, *supra* note 3.

41. Cf. LEMERT, *supra* note 1, at 349.

of some ideas from the past can help in illustrating what capacities these new models might require.

VI. LEARNING FROM THE PAST

Looking back to the classical social theories of the past can potentially be of help to us in at least two regards. First, we can more clearly recognize the helpful insights gained by these social theorists toward a better understanding of the linkage between micro/macro and structural/ agency concerns. Secondly, we can also potentially discover those factors that have already been seriously considered in social theory analysis and, by omission, those that clearly have not. Although some sociologists and conflict theorist have tended to characterize the classical social theorists as primarily residing on one side or the other in this debate, George Ritzer notes that they generally demonstrated a concern for gaining a better understanding of micro-macro linkages.⁴² The following sections will attempt to summarize representative portions of some of their writings to help illustrate this point. In doing so, we can learn how these social thinkers contributed to the integration of these concepts, on the one hand, and yet failed to think comprehensively enough on the other. Perhaps by recognizing some of the shortcomings of their own attempts to account for all of the relevant social factors, we can avoid making similar mistakes ourselves and thereby add new perspectives to these past contributions.

A. *Karl Marx*

We begin with Karl Marx precisely because of the macro-sociological and conflict emphasis he seemed to place upon a relatively narrow field of causal factors, specifically economics. His dialectical approach was in many respects revolutionary in its potential for overcoming some of the barriers and linear thinking of other theorists. He demonstrated an integration of historical and subjective factors in his writings that were exceptional. However, in his divisions of the social classes and in his analysis of social conflict, he seemed to consider economic factors as almost singularly responsible for all of society's ills as well as potentially the best arena in which to find solutions. So, in spite of the opportunities presented by this dialectical approach, Marx nevertheless seemed to accord to economic factors the lion's share of value as compared to all other social considerations and categories. Secondly, he seemed to discount the importance of certain other social forces, for example, religious factors in escalating conflict. He acknowledged the reality of religious influences in

42. Cf. RITZER, *supra* note 2, at 494.

society but seemed to minimize their significance especially toward finding positive solutions.

Because of these dynamics, Marx has often been interpreted as an extreme structuralist.⁴³ These realities illustrate further the need for models that can offer dialectical and multidimensional theoretical approaches. Although Marx's argument about class conflict does indicate the importance of economic issues in escalating international conflicts, there remains a need to allow for a more balanced value to be assigned to a variety of relevant social factors, and to the interplay that they have at the multiple levels of society. A modern example of this complexity can be seen in the critical conflicts between the G-7 Nations and the group of seventy-seven. Certainly economics is central to the many tensions existing between the wealthiest of developed and the poorest of developing nations. But at the same time, complexities of greatly divergent value systems further compound and complicate finding parity and justice in a way that can be understood as equally satisfactory to all. Economic considerations are clearly key to the conflicts but not easily interpreted in the vacuum of mono-culturalism. Rather, much can be learned through looking at cultural perspectives through a number of lenses before drawing final assessments.

B. Emile Durkheim

Emile Durkheim clearly concerned himself with macro-sociological and structural issues and with the effects that these social forces exerted upon the individuals in a society. In fact, his criticisms of the sociology of his own day related to its failure, at several levels, to significantly differentiate itself from other academic disciplines, especially psychology. This further revealed his interest in the macro/structural realm and in the keeping of society together through cultural and legal norms. One of his primary points related to sociology's apparent inability to identify a domain that it could call its own. In *Sociology and Social Facts* he writes, "Sociological method as we practice it rests wholly on the basic principle that social facts must be studied as things, that is, as realities external to the individual . . . there can be no sociology unless societies exist, and . . . societies cannot exist if there are only individuals."⁴⁴

In comparing sociology with psychology in this context, he was clearly demarcating the subject matter of the former as it specifically related to objects wholly separate in existence from mere individuals in society and indicating that psychology should be the social science discipline that claims the individual, in like manner, as its own. He therefore, in one sense, places sociology squarely

43. *Id.* at 271.

44. *Cf. LEMERT, supra* note 1, at 73.

in the domain of macro/structural theory. Even while doing so, Durkheim is not theoretically and categorically divorcing micro and macro, structural and agency concerns from one another. Instead, he goes on to offer significant ideas related to their linkage. This is demonstrated in his works on anomie and suicide. For example, in his *Anomie and the Modern Division of Labor*, he expresses concern at the macro-level about a diminishing influence of moral restraint and guidance in modern society. He is dealing with the subjective macro-social and structural forces in the ongoing development of norms and values in modern society. And yet, in the very same context, he connects this particular social phenomenon—the collective conscience—to the agency of the individual person as having a real effect upon society.⁴⁵

In spite of the macro realities of both objective and subjective social structures, at the micro level, individual liberty, evidently according to Durkheim, wields very real consequences in its linkage to the greater structural problems of a society. Moreover, Durkheim's functionalist model later became the philosophical framework for the 1948 development of the European Coal and Steel Community (ECSC). This movement, by pooling the coal and steel industries of Germany and France, proved successful in preventing them from going to war with one another. Scientific and economic cooperation created norms of interdependence that have spilled over into the political realm through the expanded membership of the European Economic Community (EEC). This integration of forces, at both the macro and micro levels, brought about a working relationship and peace system that has also resulted in a political and economic regional superpower, the European Union (EU).

What are the linkages between these varying levels? In *Suicide and Modernity*, the very core of Durkheim's thesis relates to identifying the social factors, beyond the individual, that influence people in society to take their own lives. In this connection, the correlation of suicide rates to external social factors necessitates the consideration of macro-structural dynamics in relationship to this issue. Durkheim does this in part by correlating the various suicide rates of different nations by occupational categories.⁴⁶ He does it in principle by connecting determining factors to some force exterior to the individual.⁴⁷ Ultimately, the agency for suicide is eminently recognized at the micro-level of individual choice and behavior as social norms break down and anomie results in the increase of suicide. Durkheim certainly seems to acknowledge this when he speaks of man's "free combinations of the will."⁴⁸

45. *Id.* at 70.

46. *Id.* at 81.

47. *Id.* at 75.

48. *Id.* at 74.

Therefore again, both macro/structural and micro/agency forces exist. How exactly do they interrelate? Durkheim causes us to ask the right questions, but fails to integrate them in such a way as to help us understand linkages. More complex models, with the capacity to help establish these relationships are needed for further clarification of all of the variables in society and how they interact with one another at different levels.

C. Max Weber

Max Weber is also known primarily for his grand narratives regarding the ever-growing bureaucracies of the modern age.⁴⁹ The very nature of the subject itself has an intrinsic, collective component that depends upon masses of individuals for its very existence and function. "Bureaucracy is *the* means of carrying 'community action' over into rationally ordered 'societal action'" and the individual bureaucrat "is only a single cog in an ever-moving mechanism."⁵⁰ Yet, Weber is also apparently keenly aware of the significance of individual agency, even in the largest bureaucracy. As he discusses leadership and authority, he addresses both macro-structural and micro-agency types of legitimate authority in society. The *Rational* and *Traditional* forms of leadership find their power in the structural institutions of rational-legal authority and sacred societal traditions. However, when he comes to his last type, *Charismatic Authority*, he states that its basis resides upon "devotion to the exceptional sanctity, heroism or exemplary character of an individual person . . ."⁵¹ Thus, his theories reveal a belief that the largest imaginable bureaucracy can still be affected by the agency of one person but also that the individual lives in an "iron cage". However, conflicts between bureaucracies and individuals seem to clearly trouble Weber.⁵² Other factors must be involved. But what are they and how are they interrelated? Weber's theories seem inadequate to answer many of these questions but, at the same time, serve to illustrate the lack of critical thinking in our world.

Today, similar tensions would seem to exist with such developments as the explosion of the Internet and e-commerce. Global communications have been speeded up, thereby dissolving geographical boundaries into a global village of sorts. However, rational technology seems to have not only provided undeniable benefits to humankind but also to have brought about an eradicating of differences of culture, an inhibiting of critical thinking and an effecting what

49. *Id.* at 199-124.

50. *Id.* at 109.

51. *Id.* at 115.

52. *Id.* at 100-104.

has been called the “the McDonaldization of society”⁵³ . . . or, to borrow from Weber’s terminology, the creation of a global “iron cage.”

VII. SYNTHESIZING IDEAS

The reality of this complex interaction of individuals and groups has inspired efforts to develop social interaction models that could perhaps shed new light on just how these differing elements interrelate. What appears to be lacking, however, are conflict analysis models that provide adequate frameworks capable of demonstrating holistic and balanced paradigms of social interaction, especially as related to the complexities of social conflict between individuals and groups, nationally and in the global arena. One approach has been developed through the practice of comparing social theories among themselves in a new field called meta-theoretical analysis.⁵⁴ This integration of theories has provided social scientists with new frameworks with which to discover and consider relationships previously unexplored.

George Ritzer offers a diagram of *Major Levels of Social Analysis* designed to integrate micro and macro aspects of interaction.⁵⁵ This two-dimensional chart shows two axes, one vertical and the other horizontal. The vertical axis provides a continuum from macroscopic to microscopic. The horizontal axis offers a similar continuum from objective to subjective. This divides the overall graph into four quadrants with the following categories: Macro-objective, macro-subjective, micro-objective and micro-subjective. Arrows pointing both directions connect each of the quadrants to all of the others indicating multidirectional linkage interconnecting every part of the diagram into dialectical relationships. This provides for a range on the horizontal axis “from material phenomena like individual action and bureaucratic structures to nonmaterial phenomena like consciousness and norms and values . . .” and on the vertical axis “from individual thought and action to world-wide systems.”⁵⁶ This model encourages the researcher to consider the larger framework as a whole rather than any single component in isolation. It further graphically places each of the four quadrants in equal relationship and implies equity of significance to each dynamic (see figure 1).

Using Ritzer’s diagram to analyze Mohandas Gandhi’s nonviolent disobedience movement could place, for example, Gandhi’s own personal values of justice and injustice in the micro-subjective category. His actual

53. *Id.*

54. *Id.*

55. *Id.* at 497.

56. *Id.* at 496-499.

personal protest activities could be considered in the micro-objective theoretical quadrant. The larger society's acceptance of some of these values could be considered a part of the macro-subjective phenomena and any actual resulting civil rights legislation that was enacted by the British colonial power, in the macro-objective category. So, in considering individuals and groups, their beliefs and actions, their impact on cultural values and legislative enactment, we can move through all four analytical frameworks while maintaining a continuous and very interconnected theoretical network of interaction. This model provides a great step toward a more holistic perspective capable of drawing upon multiple sociological levels of analysis.

VIII. EXPLORING NEW DIMENSIONS

Another model offering potential for an even more comprehensive analysis is Byrne and Carter's Social Cube,⁵⁷ which has six facets compared to Ritzer's four. It provides potentially more dialectical dynamics while maintaining relative simplicity of design. It is graphically presented as a simple cube with each of its six sides representing different faces or facets of social reality. It includes demographics, religion, history, economic factors, political factors and psycho-cultural factors. Its design is tailored to the consideration of ethno-territorial politics with a stated goal of providing a more complete view of social phenomena. "Only when one considers the interrelations among the faces of the puzzle can one progress toward a more holistic solution."⁵⁸ A further key to its usefulness is found in an emphasis, not on rigid categories, but on inter-relationships. Their focus is intentionally directed away from concentrating upon any single category exclusively, and toward gaining a greater understanding of the interplay existing between them.⁵⁹ The social cube model is applied to both the Northern Ireland and Quebec conflicts illustrating the complex set of relationships between Protestants and Catholics in Northern Ireland, and Anglophones and Franco-phones in Quebec.

IX. BYRNE AND CARTER'S SOCIAL CUBE

Returning again, for illustration, to the general consideration of Mohandas Gandhi and his involvement in the human rights non-violent protest movement in India, we can compare its characteristics to the criteria of the social cube. The dynamics now offered move from the four categories found in Ritzer's two-dimensional model to the six categories found in Byrne and Carter's three-

57. Cf. Byrne & Carter, *supra* note 3.

58. *Id.* at 1.

59. *Id.* at 2.

dimensional model. But something else also seems to develop. In writing on ethno-territorial conflicts in Northern Ireland and Quebec, Byrne and Carter note the tendency of some to focus upon one category or another rather than considering combinations or even competitions between the various factors. "People concentrating on only one aspect, or side of the puzzle, are unlikely to produce a complete solution or picture of the problem."⁶⁰ In using the three-dimensional model, it becomes much more clear just how dialectical in nature social conflict theory must be in order to adequately analyze the different levels and categories of factors discovered, especially in social conflict. For example, rather than simply attempting to place different levels of social realities in one or another of the four categories of Ritzer's model and then trying to visualize some kind of abstract linkage between them, Byrne and Carter's analysis moves to a more complex examination of the *relationships* between differing aspects of a conflict rather than merely focusing on the position which it holds on the model.

For example, the social cube model could easily encourage one to consider not only, in this case, the subjective, micro-level considerations of the personal beliefs, norms and values of Mohandas Gandhi but also to further analyze them in the framework of the other facets of the cube as applicable. Ritzer acknowledges that his model, in general, provides only a "'snapshot' in time."⁶¹

The three-dimensional social cube seems to do more than that (see Figure 2). While certainly, the model can represent a single moment in time, its very design and purpose is to encourage a more continuous and dynamic analysis of events unfolding while also considering the fluctuations and interplay between those factors. For example, using only three of the six factors (for simplification) in Byrne and Carter's *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec* to illustrate the point, a comparative analyses of the historical aspects of both of the conflicts under consideration can also be correlated to the religious aspects of these conflicts and further correlated to psycho-cultural factors. In this example these three factors—history, religion and psycho-cultural considerations—when combined reveal contrasting results in the two cultures due to the differences *created* by their respective combinations (for an extended modification of this model see also Russ-Trent, in this special issue). The following portions of the paper are quoted to simply illustrate how these factors are intertwined and actually fluctuating through time and space to create a dynamic, ongoing, and ever-changing social environment helpful in the study of the conflicts in both Northern Ireland and in Quebec:

60. *Id.* at 1.

61. *Cf.* RITZER, *supra* note 1, at 638.

“History, recounted by those involved in conflicts, sets the context for current ethno-territorial politics.”⁶² “Today, religion has more salience as a social category in Northern Ireland than in Quebec.”⁶³ “Tensions and emotions have often escalated during social change or perceived political crisis between Protestants and Catholics in Northern Ireland and between Anglephones and Francophones in Quebec.”⁶⁴

In these sample observations, the importance of historical context, the changes in religious factors and the psychological impacts of social tensions are all noted. The resulting dynamics of the conflicts in these two seemingly similar cultural confrontations take on notably different characteristics because of the differences in history and religion in each culture. And although the third statement seems to indicate that the result of these tensions on psycho-cultural factors are the same, one has only to look at how these tensions manifest themselves differently in each ethnic setting to realize that these considerations are different too. The section on terrorism, under Political Factors, in Byrne and Carter’s article clarifies this point. The differences in the frequency and intensity of terrorist acts of violence found in both Northern Ireland and Quebec, for example, find their origins in the interplay between a number of the factors including differing levels of access to political institutions historically.⁶⁵ (For additional insights into the analysis of similar cultures in order to discover subtle variables that can dramatically alter outcomes, see Jay MacLeod’s *Ain’t No Makin’ It*).⁶⁶

Another impressive aspect of the *Social Cubism* model is found in its potential to achieve what C. Wright Mill’s quotation above stated must happen in order to objectively study one’s own culture through the use of *sociological imagination*.⁶⁷ Notice his emphasis on the study of relationships (see quotation above). In the first question he offered as a necessary ingredient, in order for one to gain insights into the structures of a society, the finding of the “essential components” of those structures and the information required to understand . . . how they are related to one another?”⁶⁸ Second, Mills addresses the question of history and its significance in relationship to both the culture itself and to

62. Cf. Byrne & Carter, *supra* note 3, at 4.

63. *Id.* at 7.

64. *Id.* at 12.

65. *Id.* at 10-11.

66. See J. MACLEOD, *AIN’T NO MAKIN’ IT: ASPIRATIONS AND ATTAINMENT IN A LOW-INCOME NEIGHBORHOOD* (1995).

67. Cf. LEMERT, *supra* note 1, at 348-352.

68. *Id.* at 349.

other cultures. Third, Mills includes questions about "human nature" as related to the culture in much the same way as Byrne and Carter address the "psycho-cultural factors" in their Social Cubism model. Finally, he references the word "change" throughout his questions demonstrating the need, in each of the areas of inquiry, to follow the ever-changing dynamics of the flow of social events in cultural study.

Using the Social Cubism model to consider again the nonviolent example of Gandhi would seem to stimulate a whole host of additional questions for analysis, both at the micro and at the macro levels. What was the history of this conflict in India? What is the relationship between this conflict and the history of British colonialism? How does it relate to the histories of other non-violent protest movements? What are the structures surrounding these events? What are the religious factors? What are the political factors? What is the relationship of these factors to the people on the other side of this conflict? What about the personal histories of the individual leaders on both sides of the protest? How have the leaders influenced the other protestors and the society and by what means? How do economic factors relate to the society, the subgroups and the individuals involved? What is changing and what is not? What connects all of these events together and in what social patterns?

X. CONCLUSION

Theoretical models help us to organize information and to better relate concepts and ideas together. Social conflict theories are always finite, and partial in nature, due to the limitations of the theorist's own abilities, experiences and perspectives. Social conflict theory models that inspire integration and synthesis of seemingly opposed viewpoints can trigger insights into the commonalities and compatibilities between them and help social scientists to envision new and better models and theories. The models discussed in this article help us to ask more probing questions into the interrelationships between the social structures around us and the individuals who create and comprise them. Through broadening perspectives, synthesizing ideas and exploring new dimensions, we can build upon the labors of the past and hopefully discover relationships that can potentially reveal more holistic solutions to social problems locally, nationally and globally. Social conflict poses one of the most complex and difficult social problems of all for social theorists to analyze, understand and resolve. Perhaps some of the insights gained through the discussion and utilization of these multidimensional models will result in the development of even more practical tools for the future in the field of social conflict theory and in their application to social conflict and conflict resolution.

XI. APPENDICES

A. Figure 1: Ritzer's Diagram of Social Analysis

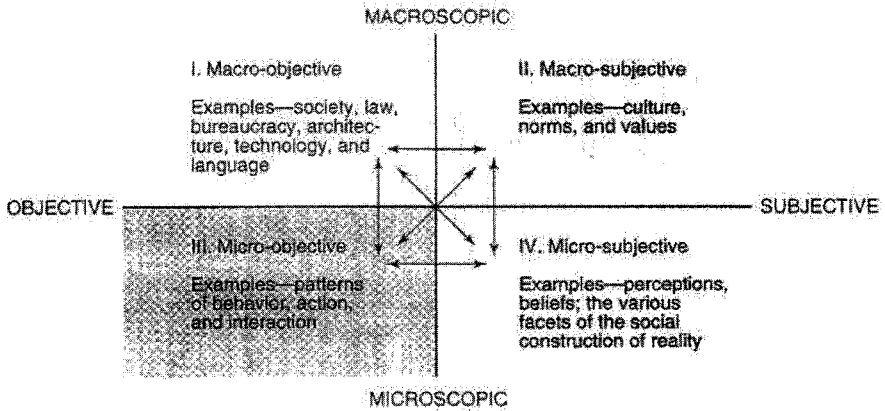
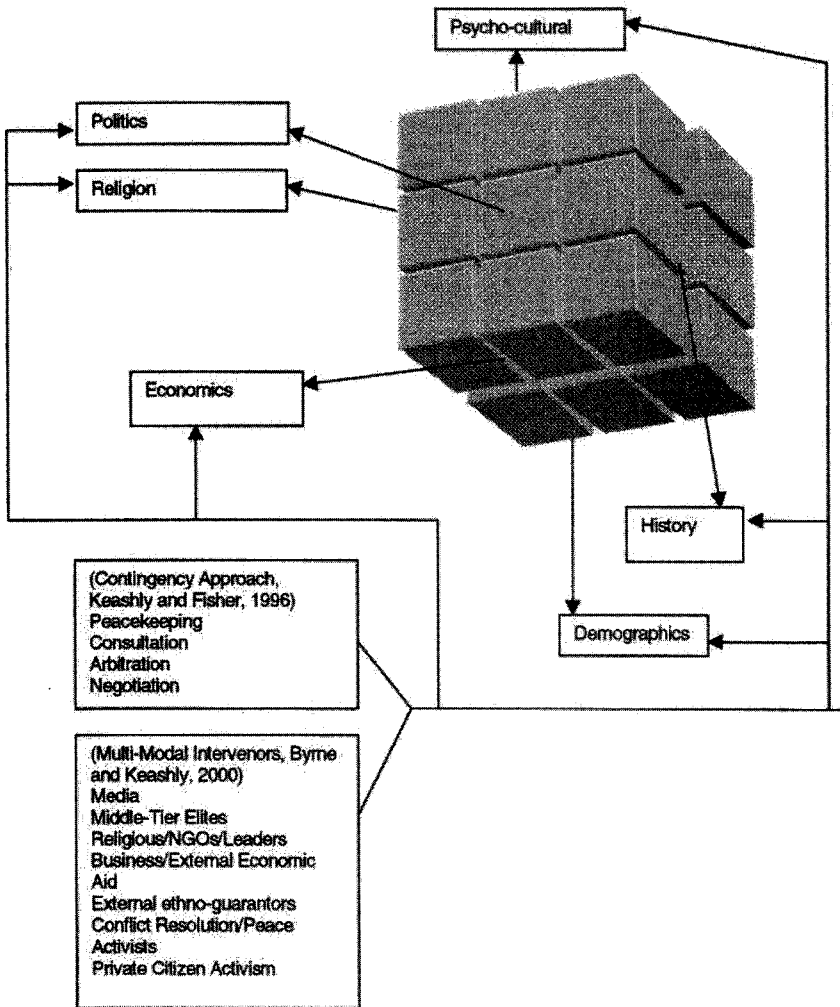


FIGURE 14.1
Ritzer's Major Levels of Social Analysis*

*Note that this is a "snapshot" in time. It is embedded in an ongoing historical process.

B. Figure 2: Early Warning-Contingency “Social Cube” Escalators/De-escalators (Byrne & Carter 1996, Byrne & Keashley 2000)



A CONCEPTUAL FRAMEWORK FOR A MULTI-FACTOR, MULTI-LEVEL ANALYSIS OF THE ORIGINS OF WORKPLACE VIOLENCE

*Bini Litwin**

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I. INTRODUCTION

Violence is an issue that is often chronicled throughout the world, with media stories depicting violence in the home, streets, schools and workplace. Although no sector of society is immune from violence, “stories about workplace violence have inundated the media . . . shock has supplemented hysteria about crime in the streets.”¹ A report issued in 2000 by the Third European Survey on Working Conditions notes that over fifteen million people reported violence, sexual harassment or bullying in the European workplace, with large numbers of workers complaining of stress and burnout.² Of the fifteen million incidents reported, thirteen million were reports of intimidation and bullying and two million were reports of workers subjected to physical

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1. AMERICAN PSYCHOLOGICAL ASSOCIATION, *VIOLENCE ON THE JOB: IDENTIFYING RISKS AND DEVELOPING SOLUTIONS* (Gary R. VandenBos & Elizabeth Q. Bulata, eds., 1996).

2. Press Release, Working Conditions in Europe Not Improving, According to Survey, European Foundation for the Improvement of Living and Working Conditions (Dec. 14, 2000) available at <http://www.eurofound.ie/newsroom/press3.htm> (last visited Feb. 8, 2002).

violence from people belonging to their workplace.³ Data from the 1993 Northwestern National Life Insurance Company (NWNL)⁴ notes that violence and harassment in the United States workplace are also pervasive, with more than two million Americans victims of physical attack at the workplace, six million threatened, sixteen million harassed. The issue of workplace violence is clearly global, “crossing borders, work settings and occupational groups.”⁵ The 1999 United States Department of Labor (DOL) *Futurework Report* notes that 50,000 United States workers die every year from occupational diseases. These numbers are staggering, but relay only part of the problem. Clearly, direct violence affects worker morale, productivity and ultimately, the organization’s economic resources and profitability. However, indirect structural violence must also be considered when one looks at the origin of workplace violence.

The origin of violence can be described along a continuum that often begins as latent dissatisfaction and escalates to open conflict and ultimately violence. Violence along a continuum might span “competitive pressures, loss of personal autonomy, surveillance, cumulative physical and mental reactions, fatigue and changing workplace demographics.”⁶ These organizational issues create a cultural milieu that permeates the workplace and in turn, socializes the workforce into a given paradigm of thinking and behaving that can lead to escalation within the continuum of violence.

In analyzing the wide range of actions that encompass violence, one can begin by defining the factors that contribute to violent actions. Byrne and Carter⁷ identified six social forces, described as social cubism that interact to create a climate of violence. Although the Byrne and Carter social cubism model was applied to ethno-political conflict, the multi-factor, inter-relational model can also be utilized to develop a conceptual framework to analyze social forces that create workplace conflict. These social forces that inter-relate in the workplace can be analyzed from the following six perspectives: demographics, historical, psycho-cultural, balance of power, political and economic (Fig.1). In order to ultimately apply these causative forces to conflict interventions, one must also consider the micro-macro link across multiple levels of analysis as

3. *Harassment & Violence*, European Foundation for the Improvement of Living and Working Conditions, at <http://www.eurofound.ie/working/harassment.htm> (last visited Feb. 8, 2002).

4. NORTHWESTERN NATIONAL LIFE, FEAR AND VIOLENCE IN THE WORKPLACE 6 (1993).

5. Duncan Chappell & Vittorio Di Martino, *The Real Image of Violence at work* (Asian-Pacific Newsletter), Jan. 1999, available at <http://www.occuphealth.fi/e/info/asian/ap199/violence04.htm> (last visited Feb. 8, 2002).

6. Mary Carroll, *The Violence-Prone Workplace: A New Approach to Dealing with Hostile, Threatening, and Uncivil Behavior*, BOOKLIST, Dec. 15, 1999, at 743.

7. Seán Byrne & Neal Carter, *Social Cubism: Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, J. Peace & Conflict Studies, 3 (2), at 52 (1996).

used by Byrne and Keashly,⁸ which in this analysis will consider the individual, the organization and society at large.

II. WORKPLACE VIOLENCE DEFINED

There is "no agreement on what constitutes workplace violence."⁹ Violence within the workplace can be viewed from multiple perspectives, with the broadest definition including all acts of aggression against an individual within the workplace environment. This definition would include "any form of behavior by individuals that is intended to harm current or previous coworkers or their organization."¹⁰ This definition includes all forms of aggression, including both violent and non-violent acts such as thefts, incivility or spreading of rumors. Additionally, one might consider violence from the perspective of acts that are generated directly from within the work environment as well as those which are incidental to the organization i.e. family disputes that might occur at the workplace but are not related to the work environment itself.

For the purposes of this analysis, workplace violence will be viewed as a continuum of behaviors that arise directly out of the work environment. The multi-factor analysis will be based on Galtung's description of violence as a conflict triangle that is comprised of direct, structural (indirect) and cultural violence. According to Galtung, direct violence would include injury inflicted or directed from one individual towards another, such as physical injury, sanctions and/or detention.¹¹ Structural violence is that which comes from the structure itself and includes those actions that attempt to harm the worker or organization through non-physical methods, i.e. exploitation, marginalization, emotional duress/harm. The use of organizational power over its workforce to elicit worker compliance is commonly manifested through gender inequality within traditionally patriarchal organizational settings. A third form of violence, cultural violence, includes "those aspects of culture . . . that can be utilized to justify or legitimize direct or structural violence."¹² According to Galtung, cultural violence allows acts of violence to be accepted as the norm, which rationalizes latent or manifest approval of either direct or structural violence. These forms of violence have differing time relations; "direct violence is an

8. Seán Byrne & Loreleigh Keashly, *Working with Ethno-political Conflict: A Multi-modal Approach*, in INTERNATIONAL PEACEKEEPING 97 (Michael Pugh ed., 2000).

9. VIOLENCE ON THE JOB, *supra* note 1, at 1.

10. *Id.* at 2.

11. JOHAN GALTUNG, *PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT, DEVELOPMENT AND CIVILIZATION* (1996).

12. *Id.* at 197.

event, structural violence is a *process* with ups and downs and cultural violence is an *invariant*, remaining essentially the same for long periods.”¹³

Violence in its various forms can be seen as a dynamic process that needs to be analyzed from various perspectives and levels of analysis. Such multi-level analysis provides a framework to develop appropriate interventions that are needed to effectuate a workplace climate of positive peace, defined by Galtung¹⁴ as the absence/reduction of violence of all kinds.

III. VIOLENCE IN THE WORKPLACE-TRENDS AND OCCURRENCE

Violence in the workplace is not a phenomenon unique to any particular country or culture. Reports of workplace violence and harassment emanate from all quarters of the globe, with violence becoming an everyday reality for many workers according to the recent International Labor Organization (ILO) *SafeWork* report.¹⁵ According to the ILO report, “understanding has grown that violence at work is not just an episodic, individual problem, but a structural, strategic issue rooted in wider social economic, organizational and cultural factors.”¹⁶ Although perceptions and susceptibility to violence may vary greatly from country to country, it can nevertheless be found in both developing and industrialized nations.¹⁷

Workplace violence was described in 1984 by then United States Surgeon General C. Everett Kropp as a public health problem of significant proportion, which has “indeed assumed the proportion of an epidemic.”¹⁸ Since then there has been considerable data generated concerning direct violence in the workplace, with trends showing increases and decreases over the years. Although recent trends show a decrease in workplace homicides in the United States, there is an increase in reporting of intimidation and bullying within the European community, albeit variations are noted among work sectors and individual nations. Increases in workplace violence and harassment may also be a reflection of greater public awareness and concern throughout the world about the real and potential hazards of workplace violence. Whether real or a

13. *Id.* at 199.

14. *Id.*

15. See Vittorio Di Martino, *Violence at the Workplace: the Global Challenge* (International Labour Organization), Nov. 2000, available at <http://www.ilo.org/public/english/protection/safework/violence/violwk/violwk.htm>.

16. *Id.* at 8.

17. *Harassment & Violence* (European Foundation for the Improvement of Living Working Conditions), at <http://www.eurofound.ie/working/harassment.htm> (last visited Feb. 8, 2002).

18. MITTIE D. SOUTHERLAND ET AL., *WORKPLACE VIOLENCE: A CONTINUUM FROM THREAT TO DEATH* I (1997).

factor of increased reporting, this heightened awareness has increased efforts to identify the origins and possible strategies to address organizational conflict.

According to the ILO *SafeWork* report, there are a number of examples that illustrate the "scope, dimensions and types of violence associated with workplaces in many parts of the world"¹⁹ including:

In South Africa, some surveys report that as many as four out of five workers have experienced hostile behavior at the workplace.

In the United Kingdom, a 1994/95 survey found that over 11,000 retail staff had been the victims of physical violence and over 350,000 had been subject to threats and verbal abuse.

In France, over 2,000 attacks were reported on the personnel of the Paris transport system in 1998.

In Japan, a bullying hotline received more than 1,700 requests for consultation during two short periods in June and October, 1996.

In Germany, a 1991 survey found that 93% of women questioned had been sexually harassed at the workplace.²⁰

A recent United States Department of Justice report notes that; "approximately one thousand employees are murdered (in the United States) yearly while performing their work duties...there are two million incidences of workplace violence reported, including one million simple assaults and 400,000 aggravated assaults...the vast majority go unreported."²¹ The numbers are clearly staggering and call out for a response.

A conspiracy of silence surrounds workplace violence, with workers often denying the risks and accepting the violence as part of the job.²² A study by the Society for Human Resources Management found that "48 percent of employees surveyed experienced a violent incident in the workplace...including verbal threats (39 percent), pushing and shoving (22 percent) and fist fights (14 percent)."²³ Women appear particularly vulnerable to workplace violence, with women thirty-nine percent more likely than men to be the victims of workplace homicide.²⁴ The International Crime Victim Survey (ICVS),²⁵ which first

19. See Di Martino, *supra* note 15.

20. See Pascal Paoli, *Safework, Violence at Work in the European Recent Finds*, at <http://www.ilo.org/public/english/protection/safework/violence/eusurvey/eusurvey.htm> (last visited Feb. 8, 2002).

21. William Atkinson, *The Everyday Face of Workplace Violence*, 21/00 RISK MGMT. 12 (2000).

22. See Frema Engle, *Violence, Crime and Trauma at Work: An Overlooked Problem*, EAP DIGEST, July/Aug. 1987.

23. Atkinson, *supra* note 21.

24. SOUTHERLAND, *supra* note 18.

25. See *Safework, Introduction to Violence at Work*, at <http://www.ilo.org/public/english/>

reported victimization at the workplace in 1996, notes that women across all continents report a higher incidence of assault directed against them in comparison to those reported by men, with women in the United States reporting a higher incidence of harassment than men by twenty-three percent to sixteen percent.²⁶ With an estimated 16 million instances of harassment just in the United States workplace,²⁷ the depth and breadth of the situation is evident. One must wonder whether the vast majority of violence that goes unreported is a consequence of latent structural violence, which suppresses victims who fear loss of their jobs if sexual harassment is reported.

The impact of workplace incidents beyond direct physical harm cannot be ignored. The effect on worker health, manifested through stress-related complaints and the costs associated with absenteeism must also be considered. The Third European Survey on Working Conditions reported in 2000²⁸ that forty percent of European workers exposed to physical violence experienced stress, forty-seven percent exposed to bullying experienced stress and forty-six percent exposed to sexual harassment experienced stress. Additionally, thirty-five percent of workers exposed to physical violence, bullying and sexual harassment reported absenteeism of thirty-five percent, thirty-four percent and thirty-one percent respectively during the prior twelve months period.²⁹ The costs of such incidents have been estimated through various studies among countries throughout the world, with wage-loss claims from acts of violence by hospital workers in Canada increased by eighty-eight percent since 1985 and direct costs of psychological violence in one German company estimated at \$112,00 (US) and indirect costs of \$56,000.³⁰

Indeed, the problem may be greatest in newly developing nations, where reporting of workplace conditions are first beginning to emerge and the voice of the emerging working class has not been consistently heard. According to He Qinglian, author of *The Pitfalls of China's Development*, the working class of China have been marginalized and "for now, inequality is growing fast, and in the years ahead, as China further opens its markets under World Trade Organization rules, labor strife-and questions from abroad about fair labor practices-are likely to increase."³¹

protection/safework/violence/intro.htm (last visited Feb. 8, 2002).

26. NORTHWESTERN NATIONAL LIFE, *supra* note 4, at 12.

27. Atkinson, *supra* note 21.

28. See Paoli, *supra* note 20.

29. *Id.*

30. See Di Martino, *supra* note 15.

31. Erik Eckholm, *Workers' Rights Suffering as China Goes Capitalist*, NY TIMES, Aug. 24, 2001, available at <http://www.freeseerbia.net/articles/2001/workers2.html>.

The United States marketplace is no stranger to the costs of workplace violence. The NWNL report notes that United States victims of violence or harassment "experienced twice the rate of stress-related conditions, including depression, anger, insomnia, headaches and ulcers...and were twenty times more likely to say their productivity was reduced."³² It has been estimated that United States workplace violence has resulted in \$55 million in lost wages annually, not including days covered by sick and annual leave.³³ The costs related to lost productivity, liability settlements and security costs are not as readily quantifiable, but nonetheless, need to be considered a result of workplace violence.

Data related to the incidence of structural violence in the workplace is primarily qualitative in nature, particularly from the perspective of workplace equality issues, unfair or unsafe employment practices, exploitation and/or cultural organizational behaviors, many of which are based in gender and minority issues. Although some gains in workplace equality have been realized for women and minorities as the wage gap has narrowed, there is considerable evidence that discrimination persists. A comprehensive global analysis of occupational segregation by sex notes that occupational segregation is extensive throughout the world, with male-dominated occupations surpassing female dominated occupations. This is particularly troublesome, as female occupations tend to be lower paying, have lower status and fewer opportunities for advancement. Based on the survey, it has been concluded that the current labor market situation is not ideal for women.³⁴ According to the DOL *Futurework* report,³⁵ United States women and minorities continue to earn less than their white male counterparts. The DOL report also notes earnings of African-American and Hispanic women are sixty-five and fifty-five percent, respectively. White women earn about seventy-five percent for every dollar earned by white men.

Although some wage inequities can be explained by differences in education, experience or skills, the differences "appear to be largely the product of stubborn discrimination."³⁶ The changing labor force, comprised of more minorities and women, has changed workplace dynamics and created conflict, as psycho-cultural needs of workers have changed and power balances have

32. NORTHWESTERN NATIONAL LIFE, *supra* note 4.

33. VIOLENCE ON THE JOB, *supra* note 1, at 14.

34. Jennifer Tikka, *Women and Jobs*, MONTHLY LABOR REV., Oct. 1998, at 38 (reviewing RICHARD ANKER, *GENDER AND JOBS: SEX SEGREGATION OF OCCUPATIONS IN THE WORLD*).

35. See U.S. DEP'T OF LABOR, *FUTUREWORK*, CH. 5—WORKPLACE CONDITIONS, available at <http://www.dol.gov/asp/futurework/report/chapter5/main.htm> (last visited Feb. 8, 2002). [hereinafter *FUTUREWORK*].

36. *Id.*

shifted. How an organization responds to the individual and collective needs of its workforce can be considered a precursor to the development of conflict within the organizational environment. It is this organizational behavior (culture) displayed over time that will ultimately determine the level of cultural violence within the organization. In order to link the micro and macro factors that create direct, structural and cultural violence, it is necessary to explore the origin and nature of conflict producing forces and to examine their inter-relations across multiple levels of analysis more specifically.

Although the following analysis is primarily directed towards a case story based on data compiled within the United States, the application of the analysis transcends the geographic boundaries of the United States, with application of the analysis global in nature as reflected by the universality of the origins of workplace violence.

IV. DEMOGRAPHIC FORCES

Organizational populations tend to be a microcosm of society, often reflecting the mix of racial, ethnic, gender and cultural diversity evident within the society at large. Population trends, particularly in the United States, estimate increased diversity within the workforce compatible with an increasingly diverse population. Although this assumption is somewhat industry specific, with education, skills and experience often creating job opportunities within specific work environments, one cannot deny that the global workforce is changing. Organizations that are essentially a reflection of their societal environment must respond to those changes. "One of the more crucial aspects of any organization regardless of size or design is the interconnectedness of all its parts . . . it's human parts."³⁷

In order to understand the dynamics of organizational behavior, both functional and dysfunctional, one must begin by looking at the composition of an organization's workforce. According to the 1999 DOL report,³⁸ recent United States workforce trends reflect the following:

3 out of 4 women with children and 6 out of 10 women are now in the workforce.

The proportion of single-parent families has more than doubled over the last 30 years, up from 11% in 1970 to 27% of family households with children today.

In 1996, 20% of the population provided informal care to a relative or friend age 50 or over. This is expected to rise as baby boomers reach age 65.

37. CONFLICT AND DIVERSITY 140 (Claire Damken Brown et al., eds., 1997).

38. *Id.*

Immigration trends project 2 out of 3 of the projected 820,000 immigrants entering the United States annually will enter the workforce upon their arrival.

By 2006, nearly half of all United States workers will be employed in industries that produce or intensely use information technology, products, and services.

Whites will have a declining share of the total population and minorities are projected to rise from one in every four Americans to almost one in every two. By 2010, Hispanics will be the largest minority group.

There will be an increased incidence for "homework," creating the potential for abuse of normal working hours, duties and benefits.

Baby boomers currently make up 47% of the work force, which will increase the 55+ age group in the workforce over the next 20 years.

1 in 5 Americans work 49 hours/week (or more) and $\frac{3}{4}$ of workers report more on-the-job stress than a generation ago.

The DOL report³⁹ demonstrates a national population that will be increasingly diverse with a concomitant need to provide equal educational and job training opportunities for women and minorities as they gain a corresponding increased presence in the workforce. Data from the DOL report notes that educational attainment varies across racial and ethnic lines, with high school completion rates lower for foreign born as compared to native born Americans (65% to 84%). To meet the demands of an increasingly less industrial and more service, technologically oriented economy, these new workers will need equal access and opportunities for training and education.

Provisions for child and elder care will also be needed to meet family care needs related to the increasing numbers of women in the workforce. Given the changing face of American workers, organizations need to reconcile the increasing diversity and associated needs of its workforce with job expectations. Increased demands on workers to respond to home/family and work obligations create the potential for increased stress and dissatisfaction. The impact of an increasing number of women in the workforce is not unique to the United States. According to a British study, "working mothers were the most dissatisfied group of people in society, thanks to the pressure of running a modern family."⁴⁰

According to a National Institute of Occupational Safety and Health study in the United States, "job stress can be defined as the harmful physical and

39. *Id.*

40. Finola Lynch, *Can Mothers really have a career? If you think things have improved for working mothers, think again. As Finola Lynch discovers, many employers still believe women should choose between work or children*, THE GUARDIAN NEWSPAPER, Jan. 24, 2000 (Manchester, U.K.)

emotional responses that occur when the requirements of the job do not match the capabilities, resources, or needs of the worker. Job stress can lead to poor health and even injury."⁴¹ There is considerable documentation on the linkage between perceived job stress and counterproductive behavior and worker dissatisfaction. Dissatisfaction has ultimately been linked to job performance and thus to the macro effect on organizational outcomes and relationships.⁴²

Conflict also arises from demographic differences related to social, ethnic and cultural identities with customs, values, language and beliefs creating us and them in-groups and out-groups, described by Simmel⁴³ as a source of conflict. "Demands from minority action groups, government mandates, and immigration (both legal and illegal) mean that those available and trained for employment come from a myriad of linguistic and cultural backgrounds."⁴⁴ These differences have the potential to create socio-cultural communication barriers,⁴⁵ which can "adversely affect the quality and quantity of worker output."⁴⁶

V. BALANCE OF POWER FORCES: GENDER AND MINORITIES

The issue of power, both real and perceived, must also be given consideration when looking at potential conflict i.e. the individual's socio-cultural identity influences how they will interpret, conceive and utilize power in relation to the organization and society at large.⁴⁷ For minorities and workers in newly emerging economies where the "supply of labor vastly exceeds the demand,"⁴⁸ the workplace often mirrors societal perspectives and stereotypes, which places limits and encourages feelings of low self-esteem, powerlessness, and alienation. As the individual is excluded and kept outside the established power structure, the opportunity for others to exploit, exclude, and suppress their inclusion is re-enforced. Bennett proposes that the perceived powerlessness and lack of control over one's environment acts as an agent of direct violence that is manifested as employee deviance and results in "attempts to regain control (corrective function) and in hostile aggression (retributive

41. See Janice Marra, *Profile: Profiling Employees and Assessing the Potential for Violence*, PUBLIC MGMT., Feb. 1, 2000, at 25.

42. ROBERT A. GIACALONE & JERALD GREENBERG, *ANTISOCIAL BEHAVIOR IN ORGANIZATIONS* (1997).

43. Georg Simmel, *The Stranger*, in *SOCIAL THEORY* 184 (Charles Lemert, ed., 2d ed. 1999).

44. *CONFLICT AND DIVERSITY*, *supra* note 37, at 139.

45. See RAYMOND COHEN, *NEGOTIATING ACROSS CULTURES: COMMUNICATION OBSTACLES IN INTERNATIONAL DIPLOMACY* (1991).

46. *CONFLICT AND DIVERSITY*, *supra* note 37.

47. COHEN, *supra* note 45.

48. See Chappell & Di Martino, *supra* note 5.

function).⁴⁹ Volkan notes that the perception of power imbalances increases the likelihood of primitive ways of behaving, which promotes organizational conflict.⁵⁰

Behaviors that result in workplace deviance including behaviors such as lateness, tardiness, incivility and undermining of the company, as well as more physically harmful acts, is a costly and pervasive problem.⁵¹ Considerable attention, particularly in the United Kingdom, has been given to the issue of workplace bullying, which has been defined by the Manufacturing, Science and Finance Union as “persistent, offensive, abusive, intimidating, malicious or insulting behavior, abuse of power . . . which make the recipient feel upset, threatened, humiliated, or vulnerable (and) . . . which may cause them to suffer stress.”⁵² A 1994 study conducted by the Staffordshire University Business School noted that 1 in 2 UK employees had been bullied at work during their working life, which causes distress to the individual as well as to the organization.⁵³ Secondary related stress related disorders have been linked to heart disease, alcoholism, as well as mental and emotional disturbances, with twenty-five percent of accidents at work in the UK involving workers under the influence of alcohol. Although workplace bullying may take many forms such as sexual harassment, bullying in the workplace remains a clear example of the abuse of power stemming from an imbalance of power between two individuals.⁵⁴

Demographic changes emphasize the need to address workplace inequality specifically in relation to the changing face of the worker, which reflects a growth particularly in the number of women, minorities and persons over 55 in the United States workforce.⁵⁵ As the workforce continues to mirror the general population, and women and minorities increase their visibility, issues of gender and racial conflicts can be expected to escalate. In their effort to seek recognition, women have become both agents and recipients of hostile and dysfunctional behavior. The advent of the men’s movement has reflected a need

49. Rebecca J. Bennett, *Perceived Powerlessness as a Cause of Employee Deviance*, in *DYSFUNCTIONAL BEHAVIOR IN ORGANIZATIONS: VIOLENT AND DEVIANT BEHAVIOR* 221 (Ricky W. Griffin et al. eds., 1998).

50. See VAMIK VOLKAN, *BLOOD LINES, FROM ETHNIC PRIDE TO ETHNIC TERRORISM* (1997).

51. BENNETT, *supra* note 49.

52. See Andy Ellis, *Workplace Bullying*, STRESS UK (1997) at <http://www.stress.org.uk/bullying.htm>.

53. *Id.*

54. *Id.*

55. See FUTUREWORK, *supra* note 35.

by men to deal with perceived changes in a patriarchal society in response to the increased visibility of women and minorities throughout society.⁵⁶

As the number of women in the workplace increase, the potential for gender related conflict also increases. Reports of sexual incidents in the workplace by women span all continents; noted as 5.4% in Western Europe, 7.5% in the New World, 5.2% in Latin America, and 3.7% in Africa.⁵⁷ A report on the increased vulnerability of women in the United States workforce conducted by the Society for Human Resource Management, notes that forty-five percent of workplace victims were women in 1999 compared to forty-one percent in 1996.⁵⁸ Race and ethnicity increase an individual's vulnerability to harassment, with minority women perhaps most vulnerable. The impact of cultural perceptions and willingness to report assault and/or harassment may be reflected by the low reporting of such incidents by Asian workers with four percent of men and one percent of women reporting assaults, and only 1.3% of Asian women reporting sexual incidents.⁵⁹ Clearly, the effect of real or perceived changes in power and control resulting from changing workplace demographics can be a source of conflict as the dynamics of the established system is challenged.

The incidence of job segregation according to gender reflects continuing patriarchal limitations established by societal beliefs and stereotypes. Occupational segregation by sex on a global basis is extensive according Richard Anker, who notes gains in the world as a whole have not been observed in East Asian, most Middle Eastern and North African countries, and some transition economy countries.⁶⁰ According to a British study, equal pay and opportunity has primarily been realized by an elite of well-educated women, with those in low wage occupations, having had little impact from gender wage equality initiatives.⁶¹ Similarly United States women may have increased their visibility and numbers in the workplace, albeit they have not increased their equality.⁶² Regardless of gains made in their workplace presence, women continue to be described in terms of what they wear, rather than what they

56. MICHAEL A. MESSNER, *POLITICS OF MASCULINITIES: MEN IN MOVEMENTS* (1998).

57. See *Safework*, *supra* note 25.

58. Alisa Tang, *The Workplace Can Be Threatening, Especially for Woman*, N.Y. TIMES, Dec. 15, 1999.

59. See Chappell & Di Martino, *supra* note 5.

60. Tikka, *supra* note 35.

61. Alexander Kronemer, *Narrowing the Wage Gap*, MONTHLY LABOR REV., Nov. 1, 1999, at 79 (reviewing HEATHER JOSHI & PIERELLA PACI, *UNEQUAL PAY FOR WOMEN AND MEN: EVIDENCE FROM THE BRITISH BIRTH COHORT STUDIES* (1998)).

62. See *FUTUREWORK*, *supra* note 35.

accomplish.⁶³ The influence of societal and organizational patriarchal beliefs are inherent in oppressed group inequality on a global basis and thus need to be factored into the demographic forces that create conflict in the workplace through job segregation, lack of inclusion and opportunity offered based on the individual's demographic classification rather than abilities.

An additional balance of power factor arises from relationship issues inherent in the integration of cultures, languages and religious beliefs that are associated with current and projected growth of immigrants (and minorities) in global workforces. As economies become more inter-related on a global perspective, integration of workforces that may be increasingly more culturally diverse, with differing beliefs concerning group affiliation, respect for authority, norms and customs as well as varying levels of communication skills will continue to challenge work environments. The challenge presented is to create an environment sensitive to these changing dynamics and avoid the potential for conflict to arise from distrust and ignorance of others and their respective cultures.

Class differentiation within a hierarchical organizational structure may create animosity, distrust and an adversarial environment. The ability of the organization to address and recognize the inherent self-worth of the individual and provide opportunities for inclusion in organizational practices has the potential to either mitigate or escalate conflict. Through commitment to a participative, transformational organizational structure, the differences that exist within the organizational community can be utilized to solidify and develop group consensus as opposed to creating group disharmony and alienation.

VI. HISTORICAL FORCES

The historical forces that contribute to organizational conflict need to be analyzed from both the individual and organizational perspective with past experiences creating a climate within which the individual and organization form a relationship and develop a mutual identity. The individual thus brings their individual history to the organization, which is a product of the biological, cultural and societal self.⁶⁴ In turn, individual behaviors become a function of unique individual perspectives that are influenced by the organization's perspectives. The melding of the individual and organizational identity forms the organization's culture which has been defined as "time-tested, adaptive, consciously and unconsciously shared knowledge and values that direct normally developed from the top down, the organization's informal culture is

63. Jill Elikann Barad, *Beleaguered Mattel CEO Resigns as Profit Sinks*, L.A. TIMES, Feb. 9, 2000 at B-6.

64. See generally E. Goffman, *On Face-Work*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS* (C. Lemert, ed., 1999).

often a product of practices and beliefs that have developed as norms over time. The organization perception, thinking, and feeling."⁶⁵ Although an organization's formal structure is thus develops a unique history, upon which a corporate culture forms with an established set of organizational behaviors, including norms, values and beliefs.⁶⁶

A values-based paradigm has been proposed which suggests that the structure, norms and culture of an organization will affect the ethical behavior within that organization. The values established by the organizational leadership will influence behavior throughout the organization i.e. adherence to a truthful approach.⁶⁷ One might also propose that an organization's lack of values or adherence to accepted societal norms, i.e. unethical/unsafe practices, would influence the behaviors of its workers towards each other as well as towards the organization in general. The relationship between the various organizational constituencies is thus influenced by the disparity or commonality of the culture within that organization as well as by the individual and societal beliefs that the individual brings to that organization.⁶⁸ Organizational identity thus serves as a framework within which the workforce is expected to function, with the organizational structure placing limits upon the worker through bureaucratic processes that create a rational legal authority over the worker's domain and daily functions.⁶⁹ Robinson and Kraatz note "organizational culture can often serve the same function as formal structure by generating informal pressures for compliance with organizational norms . . . or informally sanctioning deviance."⁷⁰ The formal structure of an organization i.e. how they handle grievances, dysfunctional behavior, and incivility, will accordingly influence the level of conflict and violence within that organization. "Employees who said their employers have grievance, harassment and security programs reported lower rates of workplace violence . . . (as well as) lower levels of dissatisfaction with their jobs and lower levels of stress-related illnesses."⁷¹ Company practices regarding the use of mediation, employee advisory groups, ombudsmen or similar avenues to redress dissatisfaction or

65. SETH ALLCORN, *ANGER IN THE WORKPLACE: UNDERSTANDING THE CAUSES OF AGGRESSION AND VIOLENCE* 102 (1994).

66. Max Weber, *The Bureaucratic Machine (1909-1920)*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS* (C. Lemert, ed., 1999).

67. GIACALONE & GREENBERG, *supra* note 42.

68. See WILLIAM L. URY ET AL., *GETTING DISPUTES RESOLVED, DESIGNING SYSTEMS TO CUT COSTS OF CONFLICT* (1988).

69. WEBER, *supra* note 66.

70. Sandra L. Robinson & Matthew S. Kraatz, *Constructing the Reality of Normative Behavior: The Use of Neutralization Strategies by Organizational Deviants*, in *DYSFUNCTIONAL BEHAVIOR IN ORGANIZATIONS: VIOLENT AND DEVIANT BEHAVIOR* 204 (Ricky W. Griffin et al. eds., 1998).

71. NORTHWESTERN NATIONAL LIFE, *supra* note 4.

disputes, can be instrumental in preventing small grievances from escalating into larger conflict or violence.⁷²

The historical relationship an organization has with its external environment is often indicative of that shared with its internal constituency. The policies and practices exhibited internally as well as externally serve as a reflection of the organization's beliefs and established culture i.e. social justice and ecological sensitivity. The organization, as well as the individual worker, thus has the potential to accept or reject societal mores and norms as they interrelate within their own organizational community as well as with the external community. By establishing and maintaining ethical, trustworthy and considerate policies and practices, the organization provides a model by which the individual is encouraged or discouraged from supporting a civil and cooperative work environment. The organization thus has the capacity to serve as a role model for how its internal constituency is expected to behave, with dysfunctional behavior often a reflection of destructive behaviors exhibited by those in power and/or authority.

The historical relationship and cultural beliefs of an organization often mirrors that of society in general, creating an atmosphere within which cultural violence arises. In so doing, the organization condones behavior and/or organizational beliefs that can potentially contribute to structural and/or direct violence. For those organizations that choose, either through ignorance or denial, to ignore the needs of its workforce, the potential exists for disparities and structural inequalities to create organizational conflict. These practices in turn create an environment ripe for both direct and structural violence as workers are denied recognition of their individual worth and unique abilities.

The style and structure of management, common beliefs, myths and rituals as well as organizational commitment to truth, honesty and respect for others creates an environment that encourages or negates conflict. How clear the beliefs are and how strongly they are shared will influence the harmony and stability of the organization.⁷³ Based on work done by Secord and Backman (1964) and Sherif (1969), Robinson and Kraatz propose that in ambiguous environments individuals are less likely to rely on objective standards. As a result, individuals will accept "actions and cues from others . . . with deviant actors more likely to employ defiant strategies."⁷⁴ Non-specific "unacknowledged, undiscussable, but nonetheless powerfully aggressive negative organizational influences lead to employee alienation."⁷⁵ It is clear the

72. See generally CATHY A. CONSTANTINO & CHRISTINA SICKLES MERCHANT, *DESIGNING CONFLICT MANAGEMENT SYSTEMS: A GUIDE TO CREATING PRODUCTIVE AND HEALTHY ORGANIZATIONS* (1996).

73. Robinson & Kraatz, *supra* note 70.

74. *Id.* at 74 at 213.

75. ALLCORN, *supra* note 65.

individual and the organization cannot ignore the historical past of either, which is ultimately influenced by societal culture as well.

VII. ECONOMIC FORCES

The economic reality of living in a competitive, global economy requires that organizations maintain their financial viability, often relying on worker productivity to maintain a competitive advantage. Regardless of the specific organizational product, ultimately all organizations are held accountable for their efficiency and effectiveness. How an organization obtains and maintains that efficiency and effectiveness is based on acquisition and distribution of its resources. The policies and practices by which economic goals are accomplished can have a profound effect on those affected by acquisition and distribution of resources, namely the workforce. Although the quantitative and qualitative financial impact of violence and conflict on organizations has been previously noted, further exploration of the relationship between the individual, organization and society is warranted in order to establish a broader perspective of how economic forces give rise to workplace conflict.

Direct economic costs related to structural and direct workplace conflict have been documented in numerous studies that quantify decreased productivity, prevention and intervention strategies, litigation, lost wages, health and injury benefits. The DOL report links economic costs of conflict to the health and injury of United States workers i.e. 1 in 5 Americans work 49 hours or more a week with resultant sleep deprivation linked to lost productivity, absenteeism, illness and injury, costs of which range up to \$18 billion annually. The DOL reports goes on to report that 50,000 United States workers die every year from occupational diseases, thirty-eight percent of nurses endure back injuries during their career and healthcare workers suffer 600,000 needle-stick injuries each year, with concomitant debilitating or fatal results for these workers. Coal miners with black lung disease cost the United States economy \$1 billion annually. Lost workdays cost United States employers \$15-20 billion each year in workers' compensation costs.⁷⁶ The National Safe Workplace Institute has estimated annual costs to United States organizations as high as \$42 billion for workplace violence. Buss, (1993) and Camara and Schneider, (1994) note a \$40 to \$120 billion cost for theft and embezzlement and Murphy, (1993) has estimated the costs of a range of delinquent organizational behavior at \$6 to \$200 billion.⁷⁷ The costs in other countries are comparatively as staggering as those in the United States, with the costs of alcohol and drink related diseases estimated to cost the United Kingdom economy approximately

76. See FUTUREWORK, *supra* note 35.

77. Robinson & Kraatz, *supra* note 70.

1.7 billion pounds and 8 million lost works days. A United Kingdom study noted that 1 in 8 (around 3 million) had been bullied at work in the prior five years, leading to stress related disorders with the concomitant costs associated with such disorders. One-third to one-half of all stress related illness is directly attributable to bullying at the workplace, which in turn has been linked to the incidence of heart disease, alcoholism, mental breakdowns, job dissatisfaction, accidents, family problems and certain forms of cancer.⁷⁸

The increased reliance on technology to improve efficiency and productivity has also been linked to increased work related stress levels due to loss of privacy and increased isolation from telecommuting that creates potential exploitation and abuse as well as demands for increased productivity.⁷⁹ The influence of technology on worker stress levels is not specific to the United States. The International Labor Organization reports that "Automation, subcontracting, teleworking, networking and the 'new' self employment are leading to an increase around the world in the number of people working alone,"⁸⁰ creating similar potential for worker exploitation and isolation as that identified in the United States by the DOL report.

Although indirect costs associated with worker dissatisfaction, hostility, stress, illness and anger as well as workplace inequality, injustices, illegal practices are less well quantified, qualitative, experiential research has substantiated the economic impact of employee and organizational dysfunctional behaviors. Kacmar and Carlson have noted the relationship between behaviors perceived as dysfunctional (structural violence on the worker) and the outcomes of that behavior on the worker (actor) and the organization. Political behaviors related to inefficient use of resources i.e. hiring, firing, assignments, demotions, and raises were linked to poor morale as well as negative external perceptions of the organizations studied, with inefficiency and low morale responsible for 90% the reported dysfunctional organizational outcomes.⁸¹

How resources are acquired and distributed by an organization needs to be examined closely as a factor in organizational conflict. Organizations are increasingly looking at mergers and acquisitions as a method to increase available resources and ensure financial stability. Although often a benefit to the long-term viability of an organization, the emotional toil taken on all participants, represents "a significant and potentially emotional and stressful life

78. Ellis, *supra* note 52.

79. See *FUTUREWORK*, *supra* note 35.

80. Chappell & Di Martino, *supra* note 5, at 4.

81. K. Michele Kacmar & Dawn S. Carlson, *A Qualitative Analysis of the Dysfunctional Aspects of Political Behavior in Organizations*, in *DYSFUNCTIONAL BEHAVIOR IN ORGANIZATIONS: NON-VIOLENT DYSFUNCTIONAL BEHAVIOR* 195 (Ricky W. Griffin et al. eds., 1998).

event.”⁸² The emotional effect is often portrayed through anger, hostility, and alienation that result in poor morale, dissatisfaction, and decreased productivity. The impact to both the individual and the organization is inextricably linked, with potential for structural inequalities leading to direct violence undermining the economic benefits achieved through merger and acquisition. Issues related to merging of corporate and global cultures, loss of jobs, change of status and work group relationships serve as a source of employee anger and potential violence. The drive for economic advantage also leads to downsizing and worker assimilation of job functions. The association between downsizing and medically certified sick leave has been shown to be significant in a study conducted on workers in Finland, with major downsizing associated with high levels of perceived job insecurity, increased psychological and physical demands of work, decreases in aspects of control over work, and impaired relationships with colleagues.⁸³ How an organization and individual responds to these issues is often a reflection of core beliefs and systems, as well as external pressures exerted through third parties i.e. unions, governmental regulations.

There is considerable documentation on the linkage between perceived job stress and counterproductive behavior and worker dissatisfaction.⁸⁴ Dissatisfaction has ultimately been linked by Gruenberg to job performance⁸⁵ and thus to the macro effect on organizational outcomes and relationships. Indeed, working conditions in Europe are not improving and many workers in Europe are working under difficult circumstances, perhaps a reflection of increased global demands for productivity and competition that reflects the intensification of work that has occurred over the past ten years.⁸⁶

How resources are distributed also influences workplace conflict. Structural violence demonstrated through the inequitable distribution of resources, wages, benefits and opportunities can create a frustrated, hostile, aggressive workforce that display anti-social (dysfunctional) behaviors and latent sabotage of the organization. As workers perceive themselves as victims of the system, with a concurrent loss of power and identity, they may become

82. SUE CARTWRIGHT & CARY L. COOPER, *MERGERS AND ACQUISITIONS: THE HUMAN FACTOR* 35 (1992).

83. Jussi Vahtera et al., *Effect of Downsizing on Health of Employees: What are the Moderators?*, in AMERICAN PSYCHOLOGICAL ASSOCIATION, *WORK STRESS AND HEALTH 99 ORGANIZATION OF WORK IN A GLOBAL ECONOMY—ABSTRACTS* (2001), at <http://www.apa.org/pi/wpo/niosh/abstract12.html>.

84. GIACALONE & GREENBERG, *supra* note 42.

85. Julia Morrison Chambers, *The Job Satisfaction of Managerial and Executive Women: Revisiting the Assumptions*, J. EDUC. FOR BUS., Nov. 1, 1999, at 69.

86. Working Conditions in Europe Not Improving, *supra* note 2.

increasingly hostile and alienated.⁸⁷ Such behaviors may be demonstrated through theft, property damage, and whistle blowing that are triggered by management practices⁸⁸ and which ultimately will impact the economic resources of the organization. According to Volkan, when an individual is confronted with an inability to withstand conflict, they will experience a sense of hopelessness, fear, and humiliation.⁸⁹ The net effect to the organization is one of disharmony, decreased productivity, and ultimately loss of competitive advantage in the marketplace.

An organization's commitment to the self worth and value of its workers and how it distributes its economic resources has the potential to create conflict through practices related to wage and benefits, hiring and firing, counseling, promotions, and communication practices. As workers vie for limited resources and their own piece of the pie, competition and power imbalances develop and allegiances shift from the group to the individual. Personnel policies are a reflection of how the organization perceives the value of its workforce and as such, can create a dehumanizing, inequitable environment, ripe for employee dissatisfaction and conflict. This conflict can be either manifest or latent, occurring as intra-group or inter-group conflict, as well as between management and workers. Although these conflictual behaviors may be a manifestation of societal behaviors, as well as individual cognitive processes, one cannot ignore the linkage between organizational practices and individual actions and behaviors.

The influence of third party players who have an economic stake in the individual and/or the organization also has the potential to contribute to the conflict experienced within the organization. Union intervention in management/worker conflict can serve to blur the issues and fuel the conflict rather than serve to mediate for a peaceful resolution of issues. Governmental intervention through regulatory bodies may also contribute to creation of an "us" versus "them" orientation within an organization through practices such as a Medicare whistle blower policy in the United States that encourages the workforce to identify organizational misdeeds. For those who seek to create change or address perceived wrongs, the whistle blower who is willing to speak out and break the code of silence is often viewed as disloyal and ostracized from the group. Factions for and against a cause create an environment of hostility and strife. Although established as a protective mechanism, such regulatory interventions often serve as a conduit for conflict and increased organizational dysfunction.

87. PAULO FREIRE, *PEDAGOGY OF HOPE: RELIVING PEDAGOGY OF THE OPPRESSED* (Robert R. Barr trans.) (1999).

88. GIACALONE & GREENBERG, *supra* note 42.

89. VOLKAN, *supra* note 50.

VIII. PSYCHO-CULTURAL FORCES

There is myriad of issues encompassed within the context of psycho-cultural forces exerted within an organization. These issues include those that are generated by the social, behavioral, and psychologically constructed milieu within which an individual relates at the inter-group and intra-group organizational level.⁹⁰ How the individual responds to a situation within the context of their particular environment is often a factor of the psycho-cultural forces that determine behavior and impact relationships.⁹¹ Although psycho-cultural factors are often responded to from the individual perspective, the linkage to the organization's historical culture must be considered as a sum of its parts. However, for the purpose of this analysis, the psycho-cultural forces will be viewed primarily at the level of the individual and their relationship to the group. Individual psycho-cultural factors, such as gender, race, ethnicity, cooperation, control, stereotypes, and group processes influence the individual perceptions of reality, which in turn establish the basis for human behavior.

The social construct theory proposes that an individual will respond to a given situation and make decisions about their actions based upon influences exerted by their social environment. Lederach, building on work done by Schulz and Blumer, notes that "social conflict emerges and develops on the basis of the meaning and interpretation people attach to actions and events...conflict is connected to meaning, meaning to knowledge, and knowledge is rooted in cultural."⁹² Examples of low-conflict communities demonstrate "distinctive psycho-cultural [factors that] produce shared interpretations of the world and facilitate the management of differences without resort to violence."⁹³ Who we are is a reflection of our societal experiences, the norms and expectations of society and how we have been conditioned to respond. Our prior experiences influence our present actions, which are similarly influenced by the societal group whom we relate to on an organizational level.

In looking at behavior, one must also consider the unconscious influence of human emotions that arise from the Id, Ego and Superego, over which, according to Freud, man has little control. Freud's theory of psychical

90. See generally IRVING L. JANIS, *GROUPTHINK: PSYCHOLOGICAL STUDIES OF POLICY DECISIONS AND FIASCOES* (1982).

91. See generally ROBERT JERVIS, *PERCEPTION AND MISPERCEPTION IN INTERNATIONAL POLITICS* (1976).

92. JOHN PAUL LEDERACH, *PREPARING FOR PEACE, CONFLICT TRANSFORMATION ACROSS CULTURES* 8 (1995).

93. MARC HOWARD ROSS, *THE MANAGEMENT OF CONFLICT, INTERPRETATIONS AND INTERESTS IN COMPARATIVE PERSPECTIVE* 35-36 (1993).

apparatus describes coping behaviors such as hostility, aggression, withdrawal, and despondency, which are often utilized to deal with internal and external turmoil.⁹⁴ Although "large social forces such as sexism, racism, heterosexism, and class inequality shape our biographies, (but) it is as individuals that we experience and make sense of our lives."⁹⁵ Ultimately, each individual develops relationship(s) from their unique perspective, with commonality of past history and grouping along racial, ethnic, gender, sexuality, age influencing a group's solidarity. Thus, the individual and their social environment are inextricably linked, with individual behaviors shaped by societal expectations and classifications as well as by unconscious forces.

An organization's ability to compete in the marketplace, whether on a local or global level, is often a reflection of the organizational commitment and sense of common purpose. Durkheim describes the loss of equilibrium (anomie) that occurs when groups' established beliefs and values are challenged.⁹⁶ Conflict ensues and group solidarity and identity is jeopardized. Recent theorists, such as Vanik Volkan,⁹⁷ propose that group cohesion and stability is bound to a common culture, with group identity based on a shared vision. Volkan has proposed that groups will regress when under stress and fall back on primitive ways of behaving, particularly when a power imbalance is perceived to exist. Given that the organization is a microcosm of society, these societal forces impact group consensus or disharmony within the organization. In-group and out-group designations create power imbalances and competition, which if left unchecked, can lead to escalation of conflict and undermining of organizational goals i.e. structural violence directed towards the organization. Real or imagined perceptions of inequality increase divisions and limit the ability of groups to work in a cooperative, team environment.

Perceptions of powerlessness among oppressed groups may be encouraged by organizational policies and practices that disproportionately affect minorities, the aged and women i.e. unequal pay, opportunities, sexual harassment. Such perceptions of powerlessness often create divisions among work groups with a "worker's perceived lack of control over his/her environment ... proposed as a cause of workplace deviance."⁹⁸ Locus of control (LOC), a person's beliefs about control over life events, has been shown to have a direct relationship to

94. Sigmund Freud, *The Psychological Apparatus and the Theory of Instincts (1900-1939)*, in SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS (C. Lemert ed., 1999).

95. Judith Lorber, "Night to His day:" *The Social Construction of Gender*, in FEMINIST FRONTIERS IV 33(L. Richardson et al. eds., 1997).

96. Emile Durkheim, *Anomie and the Modern Division of Labor*, in SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS (C. Lemert ed., 1999).

97. VOLKAN, *supra* note 50.

98. BENNETT, *supra* note 49.

worker satisfaction and prediction of behavior in organizational settings.⁹⁹ People with an internal LOC feel they are responsible for what happens to them, whereas those with external LOC feel that they have no control over what happens. LOC has been reported to be one of three psychological indicators that are most likely to show the potential for angry and/or violent behavior on the job. An individual's lack of control over their circumstances can create high levels of stress, and ultimately lead to irrational or violent action against themselves or others. Job stress and negative affinity (attitude) are identified as the 2 other indicators of dysfunctional behavior on the job. Indeed, "criminal and violent offenders have a much lower need for affiliation than non-offenders (who) don't necessarily view interactions with others as positive experience . . . and are less likely to care that their actions may hurt other people."¹⁰⁰ Thus, for those within the organization that are alienated and hostile to group processes, the potential for dysfunctional and/or violent behavior may be exacerbated by the perception of diminished LOC and/or job stress.

Substance abuse as well as prior aggressive behavior can be considered psycho-cultural factors that have been linked to workplace violence.¹⁰¹ Such workplace behaviors are often manifestations of aggressive behavior exerted outside the work environment, i.e. family violence. Bennett and Lehman¹⁰² report a linkage between drug and alcohol usage on the job and low affinity for group cohesion, higher levels of antagonism and violence in the workplace. "Substance abuse has been linked to poor relationships with supervisors and coworkers . . . that can lead to workplace violence and to unsafe acts that may endanger coworkers."¹⁰³

IX. POLITICAL FORCES

As we move into the twenty-first century, pressure on organizations to remain competitive in an increasingly high tech, global environment continues to escalate. Ultimately, organizations must rely on the nature of the relationships that exist among its various stakeholders, including Board members, workers, customers, regulatory agencies, and the public, to meet

99. Markku Riipinen, *Extrinsic Occupational Needs and the Relationship Between Need for Achievement and Locus of Control*, 128 (5) J. OF PSYCH. 577 (1994).

100. Janice Marra, *Profile: Profiling Employees and Assessing the Potential for Violence*, PUBLIC MGMT., FEB. 1, 2000, AT 25.

101. VIOLENCE ON THE JOB, *supra* note 1.

102. Joel B. Bennett & Wayne E. K. Lehman, *Alcohol, Antagonism, and Witnessing Violence in the Workplace: Drinking Climates and Social Alienation—Integration*, in AMERICAN PSYCHOLOGICAL ASSOCIATION, VIOLENCE ON THE JOB: IDENTIFYING RISKS AND DEVELOPING SOLUTIONS (Gary R. VandenBos & Elizabeth Q. Bulatao eds., 1996).

103. FUTUREWORK, *supra* note 35.

desired organizational outcomes and maintain economic viability. The nature of these relationships requires that alliances and group processes be established and nurtured, which in turn dictates how successful the organization will be in meeting the needs of its various stakeholders. The actions taken by the organization's stakeholders to meet these demands can be considered political in nature, referring to those behaviors that might be considered shrewd or prudent.

Organizations rely on political processes to achieve their goals, which can be either functional or dysfunctional. Functional organizational politics are those that support the organization in reaching its goals, serving the organization, not the individual making the decision. Dysfunctional organizational politics are those that are self-serving and non-sanctioned by the organization. The use of power and/or control over another to accomplish one's own goals at the expense of the other(s) is considered to be a negative use of political behavior.¹⁰⁴

The interaction of the various actors and how groups are formed within the workplace environment sets the stage for political behaviors evident within the organization. Often these interactions will be determined by the power and actions of established in-groups and out-groups. The group process ultimately differentiates those with power from those that are less powerful to effect change within the organization, with the ultimate power of the organization more often resting with a defined and select group. How those in power utilize their power and exert political influence will set the agenda for the organization through the actions and behaviors exhibited by the politically powerful. These actions ultimately create or at the least, influence the culture, vision and mission of the organization. The potential for dysfunction arises through alliances and political behaviors exhibited by those who have the power to formulate and enforce policy that may be perceived as unfair or unjust by those less powerful. Unfair and often duplicitous actions by the politically powerful can lead to an environment of distrust, confusion and/or open rebellion among the workforce i.e. strikes, turnover, low morale, hostility.

The pressure to achieve organizational goals may lead to a culture that is steeped in a winner take all warrior mentality, forcing competitive win-lose strategies that promote winning at all costs.¹⁰⁵ Competition is a learned phenomenon and cooperation is at least as integral to human nature as is competition. Competition in its raw state often requires one to lose in order for the other to win.¹⁰⁶ Such competition may be a sign of emerging conflict, particularly "when generated by uncontrolled, aggressive competition between

104. Kacmar & Carlson, *supra* note 81.

105. CONSTANTINO & MERCHANT, *supra* note 72, at 7.

106. See ALFIE KOHN, *NO CONTEST: THE CASE AGAINST COMPETITION* (1986).

or among work units or colleagues.”¹⁰⁷ The political culture of such warrior organizations “is [often] mirrored as well in the methods employed to control and fight the threat of conflict.”¹⁰⁸ Such an environment promotes dissension throughout the organization, leading to conflict between and among management and its workforce. Ultimately, the agenda is controlled by those in power, with power derived by the one who is less dependent on the other.¹⁰⁹

Simmel has argued that group cohesion arises from both harmony and disharmony within a group, with conflict seen as having a duality of purpose and unity achieved when both harmony and disharmony exist. Nevertheless, power imbalances and individual political agendas that interfere with group cohesion ultimately disrupt the stability of the organization. As individuals lose their sense of cohesion, they are more apt to have their reason clouded with emotion, which makes them more prone to irrational acts based on that emotion.¹¹⁰ Kacmar and Carlson have studied the relationship between political behaviors and organizational outcomes, looking at behaviors such as favoritism, nepotism, gender discrimination, use of power and self-serving behavior. The political behaviors identified in the Kacmar and Carlson study demonstrated a forty percent dissatisfaction rate and thirty-one percent turnover rate among those surveyed with organizational outcomes affected through dissatisfaction, turnover, distrust, and low productivity. According to Kacmar and Carlson, these behaviors all directly impact the bottom line of an organization, which is further compounded if unfair treatment is documented and legal action taken.¹¹¹

The responsiveness of the organization to its external environment similarly has the potential to increase conflict between the organization and its external stakeholders i.e. regulatory agencies and consumers. When an organization’s financial goals are placed above that of its environment and/or its workforce, short-term gains may be realized at the expense of achieving long-term strategies. The emphasis on individual self-preservation encourages destructive competitiveness in place of more productive collaboration over the long term.

There is a clear need for organizational behavior that applies fair and equitable political processes and proposes. As Alexis Herman, former United States Secretary of Labor, notes:

In this new economy, we have to think of family-friendly policies in a new way. Not as fringe benefits. Not as perks. But for what they

107. CONSTANTINO & MERCHANT, *supra* note 72, at 6.

108. *Id.* at 7.

109. See URY ET AL., *supra* note 68.

110. Simmel, *supra* note 43.

111. Kacmar & Carlson, *supra* note 81.

really are-good ideas that are good for workers and good for business. Make no mistake. Companies succeed in the global marketplace when workers succeed around the kitchen table.¹¹²

X. CONCLUSIONS, SYNTHESIS & POLICY IMPLICATIONS

The global workplace has become an increasingly complex entity, reflecting not only an organization's systems and beliefs, but also those of its workforce and society in general. As a microcosm of society, organizations are exposed to a myriad of forces, which influence its relationships both internally and externally. These forces, which have the potential to create a climate of conflict and subsequently violent behaviors, have been identified as demographic, historical, balance of power, economic, political, and psycho-cultural. Each of these forces inter-relate on a systemic organizational level as well as at the level of the individual worker who is similarly a product of and an agent of the forces identified. Ultimately, as part of the society at large, both the individual and organization are part of the larger societal system that in turn, impacts the organizational environment.

Given the dynamic nature of the inter-relationships established within an organizational environment and the multiple factors that challenge that environment, one must acknowledge and understand how these factors can create the potential for destructive conflict. It is through awareness and acceptance of these factors that the organization can begin to identify and develop strategies to respond to conflict in a positive, non-adversarial manner. A multi-modal, multi-level level approach must be applied to the design of dispute systems that are required for the organization, the worker and society to respond productively to the myriad of conflicts presented.

The approach to designing appropriate dispute systems is predicated on a careful analysis of the organization, identifying both structural and relationship sources of conflict and what factors, if any, are impacting the organization's ability to achieve its stated goals. Sandole recommends a three-pillar approach be used to comprehensively map conflict. In so doing, one can identify whether the conflict is latent or manifest and identify the parties, issues and objectives used to achieve goals as well as the environmental orientation to the conflict. Identifying the actors in the conflict, including both internal and external stakeholders, allows one to determine the forces that are influencing the dynamics of relationships and the source(s) of conflict. Mapping the conflict also allows one to define the level of the conflict, whether individual, organizational and societal in nature and whether conflict is steeped in the

112. U.S. DEP'T OF LABOR, FUTUREWORK, CH. 8—FRAMING THE DEBATE, *available at* <http://www.dol.gov/asp/futurework/report/chapter8/main.htm> (last visited Feb. 8, 2002).

organizational structure or within interpersonal relationships. The overlap between structural and nonstructural issues must be noted, particularly those related to relationship, beliefs, values, and control over resources. The non-structural issues are often manifested within the framework of the organization's culture and balance of power, requiring the system designer to identify which forces are the source of conflict.¹¹³ The complexity of identifying sources of conflict can be seen in such structural issues as ambiguous lines of authority, which may paradoxically be the source, as well as the result, of relationship issues based on hierarchical power imbalances. Once issues have been identified, it is equally important to address all levels of the organization when designing systems. Lederach (1998) proposes that organizational goals and change can best be accomplished by involving actors at all levels, including upper, middle and lower tiers.

The range of potential strategies can be viewed along a continuum, which include preventive, facilitated, fact-finding, advisory and/or imposed methods. Prevention strategies can be applied to conflict such as that steeped in gender and minority issues. Such strategies should be geared towards developing a collaborative, transformative environment built on human resource policies that emphasize processes such as team building and cross cultural training. Employee development can be addressed through workshops that deal with interpersonal relations, assertiveness training, guest relations, stress management, communication skills, anger management, and violence prevention programs, which support the development of positive behaviors and action among those experiencing inequities and loss of voice. Such prevention strategies are useful in increasing the ability of stakeholders to gain control and influence the source(s) of conflict on an internal basis, as individual workers gain skills that enable them to impact on negative forces exerted. These strategies are geared towards building team processes and empowering those who are disenfranchised by power imbalances.¹¹⁴ Zero tolerance for violent and aggressive acts and early warning programs that identify potential violent behavior can be implemented to mediate dysfunctional behavior. Such programs should be a reflection of organizational beliefs and culture and be clearly communicated to all within the organization. Policies enforcing acceptable behavior should be initiated across all levels of the organizations, including upper management and should stipulate the consequences of non-compliant actions.¹¹⁵ Employee assistance programs should be available to assist in handling problems requiring counseling, substance abuse and or family

113. Dennis J.D. Sandole, *A Comprehensive Mapping of Conflict and Conflict Resolution: A Three Pillar Approach*, 5 (2) *PEACE AND CONFLICT STUDIES* 1, 1-30 (1998).

114. See CONSTANTINO & MERCHANT, *supra* note 72.

115. Atkinson, *supra* note 23.

conflict. VanDer Wall has suggested a seven step preventive approach to dealing with workplace conflict including; obtaining support from the top, performing a workplace violence audit, developing policies and procedures, conducting training in policies and procedures, arranging for easy access to employee assistance programs, including mental health professionals, and having clear, commonsense policies and procedures for terminations and layoffs.¹¹⁶

Not all forces exerted on an organization can be resolved through preventive strategies. Interventions such as mediation, negotiation, and ombudsperson programs provide opportunities to address many of the conflict that may be embedded deep within societal forces exerted on the organization. The strategies developed by the organization to deal with these forces must be reflective of the sources of conflict identified at all levels through thorough assessment and analysis. These strategies must also be compatible with the organization's resources and philosophy. Designing a comprehensive dispute system that includes both structural and relationship issues will allow application of appropriate strategies to fit the individual needs of the organization.

Considering the complexity of forces that create conflict within an organization, a multi-tier, multi-modal approach is needed to identify sources of conflict and develop appropriate interventions to promote a state of harmony within the organization (Figure 2). Such an approach can create a synergistic organism, capable of responding dynamically to conflict as "a necessary part of life, (creating interventions which) need not be waged destructively,"¹¹⁷ In so doing, an organization has the opportunity and ability to be a positive agent of change, one that can create a transformative environment of positive peace, capable of meeting individual, organizational and societal needs.¹¹⁸

116. Stacy VanDer Wall, *Preventing Workplace Violence: A Guide for Employers and Practitioners*, HR MAGAZINE, FEB. 1, 2000, AT 152.

117. LOUIS KRIESBURG, CONSTRUCTIVE CONFLICTS, FROM ESCALATION TO RESOLUTION I (1988).

118. See generally ELISE BOULDING, BUILDING A GLOBAL CIVIL CULTURE, EDUCATION FOR AN INTERDEPENDENT WORLD (1990).

XI. APPENDIXES

A. Figure 1: Origins of Violence in the Workplace

CONFLICT FACTOR	DIRECT VIOLENCE (physical)	STRUCTURAL VIOLENCE	CULTURAL VIOLENCE
DEMOGRAPHIC	Cultural, gender, ethnic diversity, power imbalances, and stress leading to physical abuse/harm.	Cultural, gender, age discrimination and inequalities. Communication barriers, stereotypes based on "identity," home/family pressures.	Institutional policies and practices that ignore cultural, gender, ethnic identities of workforce; exclusionary practices.
HISTORICAL	Individual mores that utilize physical violence as a means to accomplish "ends." Dissatisfaction, stress, power imbalances; uncertainty about behavioral norms lead to physical abuse/harm, aggression.	Individual, organization, society values, beliefs, mores in disharmony or ambiguous that create stress, dissatisfaction, hostility, dysfunctional behavior i.e. theft, absenteeism; grievance procedures; harassment	Institutional policies and practices that condone (enforce) unethical, unsafe, unhealthy, uncivil, dehumanizing conditions; hierarchical, patriarchal organization structure.
ECONOMIC	Unfair/unequal distribution of resources creating dissatisfaction, anger, frustration lead to physical abuse/harm/aggression. Third party intervention fueling conflict. Physical sabotage of organization.	Unfair/unequal acquisition and distribution of resources-unethical, unfair practices leading to decreased productivity, absenteeism, stress, health/injury rates/ Benefits; mergers/ Acquisitions-reduction/changes in workforce; non-physical sabotage of organization.	Institutional practices that enforce inefficient, unequal/unsafe acquisition and distribution of resources. Individual, societal mores, beliefs concerning equality/justice of others.
BALANCE OF POWER	Physical violence, sexual harassment; verbal abuse; job stress; overwork; health issues; high turn-over; strikes	Lack of opportunities; pay inequities based on gender, minority status; discrimination practices.	Policies & practices that ignore and/or punish diversity; exclusionary practices

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CONFLICT FACTOR	DIRECT VIOLENCE (physical)	STRUCTURAL VIOLENCE	CULTURAL VIOLENCE
POLITICAL	Individual agendas; denial of worker needs to meet organizational needs; abuse of environment	Disharmony among stakeholders; lack of clear organizational mission; mixed agendas	Duplicitous behavior of management; disharmony of beliefs, culture between workers & management
PSYCHO-CULTURAL	Power imbalances (LOC), inter/intra-group conflict, dysfunctional behaviors, substance abuse, job stress, negative affinity led to acts of violence/aggression directed towards others.	Demands of technology creates isolation, psych, substance abuse; poor communication; lack of grievance processes, demographic, class, gender, race, ethnicity "distrust"/animosity	Social construct of organization, individual behavior; expectations of behavior, lack of common beliefs, respect for authority, respect for others.

B. Figure 2: Strategies for Violence in the Workplace

CONFLICT FACTOR	INTERVENTIONS		
	PREVENTATIVE	NEGOTIATED ADR	FACILITATED ADR
DEMO-GRAPHIC	Partnering; team building; training communication; guest relations; affirmative action; anger & stress mgmt; assertiveness training; cross cultural training	Union negotiations; human resource processes; hiring practices; wage & hour policies/practices; organ. policies & procedures; family leave policies	Ombudsperson; brainstorming; mediation by 3rd party; strategic planning; consensus building; employee advisory groups; grievance procedures
HISTORICAL	Training and development in org. culture & practices & job requirements; org. commitment to environmental/social justice; support of societal mores/practices; civil workplace	Practices related to cultural/family needs of workforce; fair & equitable work practices; strategic planning inclusion of all levels internal and external to organization.	Worker inclusion in org. mission & practices; grievance procedure, compliance processes
ECONOMIC	Fair & equitable distribution of resources; clearly stated fiscal practices; quantitative & qualitative productivity measurements; fair retention & recruitment practices; tech training, support; stress & anger management; job matching to experience & training; wellness programs; smoking cessation	Union negotiated and/or employee work groups input into fair and equitable HR practices & benefits, outcome measurements; task force input into organizational financial, productivity goals, strategic planning; consumer input into established policies & practices.	Governing body, community, accountability of organization to internal & external consumers, reg's, laws; ombudsperson programs; 3rd party mediation for disputes; mediated cultural merging with acquisitions/mergers
BALANCE OF POWER	Fair & equitable human resources policies & practices; employee development & training programs; team building/ communication programs; open door management policies; guest relations program	Violence prevention programs; peer review; negotiated process for review of grievances & disputed job performance appraisals	Mediated review of org. practices, processes; grievance procedures; support of whistle blower policies; ombudsperson; compliance program

Continued on next page

CONFLICT FACTOR	INTERVENTIONS		
	PREVENTATIVE	NEGOTIATED ADR	FACILITATED ADR
PSYCHO-CULTURAL	Employee assistance programs (EAP) programs; health benefits; team building; assertiveness, anger, stress management training/support; alignment of worker to org. tasks; cross cultural sensitivity training; EAP, substance abuse programs; zero tolerance for weapons/violence	Grievance procedures; union/employee works groups input into work practices	Employee suggestion programs; ombudsperson/work task force input into org. structure and practices
POLITICAL	Alignment of org. goals, practices with internal & external stakeholders beliefs, norms, values; management accountability to constituents	Negotiated human resources practices, advancement opportunities; equal & fair work practices	3rd party mediation for workplace grievance i.e. gender equality; advancement within all levels of org.

LOOKING THROUGH A GLASS DARKLY: APPLYING THE LENS OF SOCIAL CUBISM TO THE POLICE-MINORITY GROUP CONFLICT IN AMERICA

*K. Michelle Scott**

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I. ABSTRACT

In recent years, there has been a steady stream of growing concern in nations throughout the world about police officers' use of excessive, brutal, and sometimes deadly force where circumstances do not warrant such actions. In the United States, many such concerns have arisen out of an emerging awareness of a pattern of excessive police violence targeted at members of racial and ethnic minority groups, including Native Americans, African Americans, Asian Americans, and Hispanic Americans.

A significant amount of the literature on the police-minority group conflict in the United States focuses on racism as the driving force behind most instances of police use of excessive force. However, there is a negative consequence associated with limiting the analysis of the inter-group conflict between police and minority groups to the racial dynamic. When this narrowed lens of analysis is used, it yields too little viable and substantive information to support an adequate understanding of the conflict and its resolution. Further, it does not adequately address the proliferation of international accounts of police violence against citizenry in those nations where racism is a lesser dynamic and where the police and citizens often share one racial heritage, *e.g.*, Jamaica, Mexico City, and Brazil.

To encourage a more comprehensive analysis of the many factors that produce protracted inter-group conflict at the international level, Byrne and Carter propose a theoretical framework labeled "social cubism." The social cubism perspective approaches inter-group conflict as a complex puzzle of social dynamics that combine as an integrated unit to sustain the conflict behaviors. This paper utilizes the social cubist paradigm to broaden the analysis

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of the complex and protracted conflict between law enforcement officials and minority groups in America. Ultimately, it should become apparent how this analytical paradigm may be aptly applied to any protracted inter-group conflict involving state-sponsored violence, regardless of where it resides.

Whether in Mexico City, Sao Paulo, Los Angeles, or Jamaica, it has become apparent that police throughout the world are seeking new ways to legitimize their power and influence by carrying out arbitrary acts of violence similar to vigilantism or "popular justice."¹ In many cases, police violence is inflicted upon an implicitly designated citizenry, often distinguishable by its poverty, class, skin color, religious affiliations, and/or political beliefs. Through what are often unspoken historical, institutional, and cultural arrangements, such state-sanctioned violence has been likened to barbarism and terrorism where global accounts of human rights abuses share one dynamic: there is a protracted, violent, and sometimes deadly inter-group conflict between the police and the citizenry they have been designated to protect.

During the past few years, mounting reports by international watch groups and news services have painted a horrid picture of police abuses on nearly every national front. Their reports include the following accounts:

- On July 25, 2001, Kenyan police surrounded a bus and ordered seven passengers who were suspected robbers to lie on the ground. Each of the seven was then shot in the back by the police.²
- In January 2001, Tanzanian police officials used gas and ammunition to break up a political demonstration and kill at least thirty-seven people. This incident came on the heels of compelling reports of police beatings and rapes of citizens on the island of Pemba.³
- In April 1999, BBC broadcasts filmed South African security forces that used lethal force against individuals who had surrendered. The police inflicted beatings, cigarette burns, electric shocks, and suffocation upon the suspects and restricted their access to medical attention.⁴

1. Paul Chevigny, *Law and Order? Policing in Mexico City and Kingston, Jamaica*, NACLA REP. ON THE AM., 24, 24-30 (1996).

2. Amnesty International, *Kenya: Police Execute Seven People in Cold Blood* (2001), at <http://web.amnesty.org/802568F7005C4453/0...19B!>.

3. Amnesty International, *Zanzibar Dar es Salaam: Amnesty International Calls On The Authorities To Respect the Freedom Of Assembly*, (2001) at <http://web.amnesty.org/802568F7005C4453/0...95B!>.

4. Amnesty International, *South Africa: Torture and Misuse Of Lethal Force By Security Forces Must End*, at <http://web.amnesty.org/802568F7005C4453/0...C07!> (last visited Jan. 22, 2002).

- In March 1997, Australian police were filmed brutally punching and kicking Aborigines while other police officials were holding them down.⁵
- In June 1995, violence erupted when Mexican police were arrested in connection with killing seventeen people who were on their way to a political protest.⁶
- "Between 1983 and 1993, the police killed an average of 182 persons each year in Jamaica; in fact, the police killed many more people than they wounded."⁷

The list of police indiscretions goes on. The British police were recently charged with racial abuse and frame ups against its Black citizens;⁸ the National Police of Israel has repeatedly come under attack for its use of excessive physical force;⁹ members of the Guatemalan police force were charged with torturing and killing five children in a case brought before the Inter-American Human Rights,¹⁰ and the Brazilian police have a lengthy association with proliferating accounts involving the infliction of deadly violence upon Afro-Brazilians.¹¹ Consequently, one of the most frequently reported types of human rights violations occurring throughout the world involves those abuses exacted by police officers.

The widespread reports of state-sponsored atrocities compel our analysis of the motivations for such acts. Certainly they suggest an unrelenting, complex, and endemic conflict dynamic between the institution of policing and select groups of people. Accordingly, it behooves us, in the consideration of the police-minority group conflict in America, to examine the magnitude of social forces that serve to fuel and maintain such conflicts to the degree that they are manifest throughout the world. Thus, the beauty of the social cubist framework rests in its allowances for the close examination of these forces.

As Max Weber said in 1918, "Specifically, at this present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it."

5. Amnesty International, *Australia: Police Use Excessive Force Against Aborigines No Isolated Incident*, at <http://web.amnesty.org/802568F7005C4453/0...DE9!> (last visited Jan. 22, 2002).

6. Kevin A. O'Brien, *National notations: Mexico*, 24 PEACEKEEPING & INT'L REL. 11, 11-17 (1995).

7. Chevigny, *supra* note 1, at 27.

8. Darcus Howe, *How the British Police Became Brutes*, 130 NEW STATESMAN 22 (1996).

9. Sergio Herzog, *Is There a Distinct Profile of Police Officers Accused of Violence? The Israeli Case*, 28 J. OF CRIM. JUST. 457, 457-71 (2000).

10. Ann Birch, *Guatemala on Trial For Torture, Assassination Of Children*, 32 NACLA REP. ON THE AM. 4 (1999).

11. Michael J. Mitchell & Charles H. Wood, *Ironies Of Citizenship: Skin Color, Police Brutality and the Challenge to Democracy in Brazil*, 77 SOC. FORCES 1001, 1001-20 (1999).

- In November 1998, six Kansas City police officers fatally shot Timothy L. Wilson, a thirteen-year old African American male who was driving a borrowed pick-up truck.
- In April 1999, a Hartford police officer fatally shot Aquan Salmon in the back. Aquan was an unarmed fourteen-year-old African American youth suspected in an attempted street robbery.
- In June 1999, LaTanya Haggerty, a nineteen-year-old African American woman, was fatally shot by Chicago police officers following a traffic stop. The officers reported that they mistook her cell phone for a handgun.¹²

In recent years, there has been a steady stream of growing concern in nations throughout the world about police officers' use of excessive, brutal, and sometimes deadly force where circumstances do not warrant such actions. In the United States, many such concerns have arisen out of an emerging awareness of a pattern of excessive police violence targeted at members of racial and ethnic minority groups - including Native Americans, African Americans, Asian Americans, and Hispanic Americans.

For many Americans, it is an embarrassing and indeed frightening concept that within its borders, people of color are routinely subjected to a form of legitimized oppression inflicted by some police officers. In a land which has long boasted of a "moral conscious" thought to elevate American society above the fray of nations where human rights seem forever at a premium, we have come to realize that American society is not entirely unlike others where state-sanctioned repression of selected citizens exists. For indeed, it is from the state that excessive and brutal police violence against minorities receives its stimulus.

Like Myrdal's concept of the "Negro problem,"¹³ unwarranted police violence targeted at racial and ethnic minorities in America causes a moral uneasiness that represents one of many paradoxes in our "democratic" system. In one of its most recent reports of police brutality in America, entitled *United States of America: Race, Rights and Police Brutality*, Amnesty International noted that:

[t]here continue to be frequent disturbing reports of unjustified police shootings, with officers firing on unarmed suspects fleeing non-

12. Amnesty International, *United States of America: Race, Rights and Police Brutality*, at <http://www.amnesty.org/ailib/aipub/1999/AMR/25114799.htm> (last visited Jan. 22, 2002).

13. Gunnar Myrdal, *The Negro Problem As A Moral Issue*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS* 245, 245-47 (Charles Lemert ed., Westview Press 2d ed. 1999) (1944).

violent crime scenes, during traffic stops, at the end of pursuits or in other questionable circumstances. In some cases suspects have been hit with multiple police gunfire. In most of the cases, the victims were African American or other minorities, and some were children.¹⁴

Several months preceding the release of this report, United States Attorney General Janet Reno spoke at a National Press Club Luncheon about police brutality targeted at minorities in America. She said that

[t]he issue is national in scope and reaches people all across this country. For too many people, especially in minority communities, the trust that is so essential to effective policing does not exist because residents believe that police have used excessive force, that law enforcement is too aggressive, that law enforcement is biased, disrespectful, and unfair.¹⁵

Skolnick and Fyfe observe that, "every social order is at some level maintained by the threat of punishment...but somewhere deep in the American experience is the idea that the legal order and its system of punishment are inadequate to cope with the problem, whether defined as crime, as immigrants or as minority groups."¹⁶ In fact,

evidence of discriminatory treatment and bias in police contacts with members of the Black, Latino, and Asian communities is widely documented by NGOs, commissions of inquiry, in court cases and lawsuits...such treatment is contrary not only to the United States Constitution, but also the United States obligations under international law to eliminate all forms of racial discrimination.¹⁷

As a result, the discrepancy between the human rights protections explicated in the laws of the United States and the human rights abuses committed by some police officers fuels the growing hostility between minorities and the police. Indeed, "police brutality, particularly against minorities, is one of the most serious, enduring and divisive human rights violations in the United States."¹⁸

14. Amnesty International, *supra* note 12, at 6.

15. *Id.* at 2.

16. JEROME H. SKOLNICK & JAMES J. FYFE, *ABOVE THE LAW: POLICE AND THE EXCESSIVE USE OF FORCE* (1994).

17. Amnesty International, *supra* note 12, at 6.

18. Jim Lobe, *Police Brutality Found To Be Institutionalized*, at http://www.oneworld.org/fips2/jul98/21_21_070.html (last visited Jan. 22, 2002).

In America, as in most other nation-states throughout the world, the police and the military are the only groups entrusted with the authority and capacity to use violence for the protection or destruction of life. But unlike the military, “the police are not sequestered on bases - they are spread throughout the community.”¹⁹ Equipped with uniforms, badges, weapons, ammunition, chemical sprays, teargas, dogs, restraint holds, electro-shock weapons, and clubs, some police officers patrol the streets not only “to protect and serve,” but often times to inflict tyranny and repression.

Not surprisingly, the great majority of police-citizen encounters where the police officer is in an official capacity are rarely free from the nuance of conflict. From the very start, two sources of conflict are inherent in each of these encounters. The first involves the circumstance that brought the two together, and the second involves the significant power disparities between the officer and the citizen. Add to this existing micro-conflict an encounter that brings together the police officer and the problem (the minority citizen) in a social milieu where stereotypes, negative perceptions, distrust, and fear interact in the midst of structural oppression, and it becomes apparent why hostilities between members of the police force and minority groups continue to exist. Still, this does not answer succinctly the question: What leads to the police abuse of power, particularly against minority citizens, and particularly in America, where the virtues of equality and liberty are promulgated in nearly every national symbol?

II. THE SOCIAL CUBIST FRAMEWORK

A significant amount of the consideration given to the police-minority group conflict in the United States focuses on the surface issue of racism as the driving force behind most instances of police use of excessive force. In fact, the American Civil Liberties Union recently observed that, “police abuse, especially against people of color, is as deeply entrenched as ever, and seems impervious to reform.”²⁰ However, “while race is a key factor in police brutality, it is not the sole problem. Police use of excessive force and questionable shootings are reported with alarming regularity in a variety of situations, sometimes cutting across racial lines.”²¹

Certainly, “there is a racial divide between Anglo and African Americans in the United States—a divide so pronounced that even the apparently strong culture of policing does not transcend it.”²² However, there is a negative

19. George Kelling, *Broken Windows and Police Discretion*, THE NAT'L INST. OF JUST., at 5 (1999).

20. American Civil Liberties Union, *Action: The Antidote To Despair* (2000), at <http://www.aclu.org/issues/criminals/police.html>.

21. Amnesty International, *supra* note 12, at 6.

22. David Weisburd et al., *Police Attitudes Toward Abuse Of Authority: Findings From A National*

consequence associated with limiting the analysis of the inter-group conflict between police and minority groups to the racial dynamic. For when this narrowed lens of analysis is used, it yields too little viable and substantive information to support an adequate understanding of the phenomenon. This is not intended to suggest that racism is not a major factor in the police-minority group conflict; but instead, it suggests that a narrowed focus on racism in the analysis of much of this conflict threatens to obscure from our awareness the complex ways in which other social forces combine to manifest the conflict.

To exemplify the idea that racism, in and of itself, is merely a tool—and not necessarily a cause of oppression. Steinberg aptly highlights this quote from the character Tshembe in Lorraine Hansberry's play *Les Blancs*. "Race—racism—is a device. No more. No Less. It explains nothing at all ... I said racism is a device that, of itself, explains nothing. It is simply a means. An invention to justify the rule of some men over others."²³ Subsequently, "what often appears to be an eruption of 'traditional hatreds' [such as that associated with race] on closer examination turns out to involve political and economic issues that are real and immediate."²⁴ For this reason, we cannot afford, in the examination of inter-group conflict, to ignore ways in which a variety of social issues combine to influence the conflict. When inter-group conflict is the outgrowth of numerous systemic practices reflected in societal inequalities, proposed resolutions to the conflict must involve an adequate consideration of those practices.

Furthermore, a concentration on racism does not take into account the role of minority groups as participants (passive and/or active) in the inter-group conflict. After all, the accumulated anger, cynicism, rage, and alienation felt by minority groups in response to perceived biases in police conduct "give rise to witnesses who fail to cooperate with the police, citizens who view prosecutors as the enemy, lawyers who disdain the rules they have sworn to uphold, and jurors who yearn to 'get even' with a system that has in their eyes, consistently mistreated them . . ." ²⁵ Thus, the conflict is intensified by the sentiments and hostilities of members representing both groups.

Finally, a concentration on racial and ethnic differences as the impetus for police brutality does not adequately account for those occurrences of police abuse where the officer and citizen share the same racial and ethnic heritage. For although the great majority of reports of excessive police violence in

Study, THE NAT'L INST. OF JUST., at 6 (2000).

23. STEVEN STEINBERG, *THE ETHNIC MYTH: RACE, ETHNICITY AND CLASS IN AMERICA*, (1989) (quoting LORRAINE HANSBERRY, *LES BLANCS* (Robert Nemiroff ed., New American Library 1973) (1972)).

24. *Id.* at 170.

25. Randall Kennedy, *Suspect Policy*, THE NEW REPUBLIC ONLINE (Sept. 9, 1999) at <http://www.tnr.com/archive/0999/091399/coverstory091300.html>.

America have been associated with encounters between white officers and citizens who are members of minority groups, there have been instances where minorities have felt equally fearful of abuse during encounters with police officers who are also members of minority groups. In many of these instances, abuse has come in the form of an officer's support of the "code of silence" by "thinking blue" and looking the other way when their peers carry out abuses. Subsequently, long-held fears about police brutality have resulted in a generalized anxiety where minorities have become concerned about abuse from any police officer, regardless of the officer's race.

Evidence of this dynamic was presented to the New Jersey Black Law Students' Association when Delacy Davis, an African American and ten-year veteran of the New Jersey police force, reported a letter that he had received from a fellow African American officer in response to his [Delacy's] activism on behalf of minority citizens. According to Delacy, the letter was "filled with obscenities urging him to 'think blue'."²⁶ During his presentation to the law students, Davis, who founded Black Cops Against Police Brutality, acknowledged that there are some minority officers who will not look out for minority citizens.²⁷

To encourage a more comprehensive analysis of the many institutional factors that form to produce protracted inter-group conflict, Byrne and Carter propose a theoretical framework labeled "social cubism."²⁸ And although the social cubist framework does not presume to cover the entire spectrum of factors related to the manifestation of an inter-group conflict, it effectively "highlight[s] some of the most salient issues of these complex conflicts."²⁹

The social cubism model approaches inter-group conflict as a complex puzzle of social dynamics that combine as an integrated unity to sustain the behaviors of inter-group conflict. The six dynamics (or pieces of the puzzle) are:

a) historical; b) religious; c) demographic; d) political; e) economic; and f) psychocultural factors. Where the social cube of conflict is applied, each dynamic is dissected and analyzed to produce a holistic picture of the conflict. Once such a picture exists, it becomes easier to perceive of the complexity of the conflict, and quite possibly, less difficult to address its resolution. Thus, given the complex nature of the protracted conflict

26. Jennifer Johnson, *New Jersey Police Officer Speaks About Police Brutality, Violence*, THE CAVALIER DAILY, Mar. 8, 1995.

27. *Id.*

28. Sean Byrne & Neal Carter, *Social Cubism: Six Social Forces Of Ethnoterritorial Politics in Northern Ireland and Quebec*, 3 J. OF PEACE AND CONFLICT STUDIES 29, 52-71 (1996).

29. *Id.* at 52.

conflict between the police and members of minority groups in America, the social cubist paradigm will be used to broaden our analysis of this conflict.³⁰

- In July 1998, an unarmed Mexican national, Pedro Oregon, was fatally shot six times in the back, twice in the head and once in his hand, by six Houston police officers who entered his home during a drug raid.
- In October 1998, Donta Dawson, a nineteen-year-old, unarmed African American youth was fatally shot by a Philadelphia police officer who approached the youth as he sat in a stationary car with the engine running.
- In May 1999, New York City police shot and critically injured Dante Johnson, an unarmed sixteen-year-old black male, after the youth ran away from the three officers who stopped to question him.³¹

Since the first night watch patrol was established in Boston in 1631,³² hundreds of books, studies, articles, scholars, and practitioners have addressed the historical relationship between American police and its citizenry. Historically, the police in America have represented a hierarchy (although in and of themselves, they are not the hierarchy), established and supported by public opinion for the social restraint of power and the maintenance of societal discipline and order. However, such restraint and discipline have the potential for abuse³³ since they are designed to control access to social and economic power by maintaining the status quo of class distinctions.³⁴

The history of the police-minority group conflict in America clearly reflects the class divisions promulgated by in-group/out-group idealism and theories of social dominance. Lobe observes that when the National Advisory Commission on Civil Disorders studied the race riots of the 1960s, it found that police had come to symbolize “white power, white racism and white repression,” (symbols of the privileged status group’s domination) to many of the nation’s minorities.³⁵ But minority group distrust and disdain for the police in America is not rooted in the 1960s, nor is police distrust and disdain for America’s minorities. The hostilities between these groups began more than two centuries before in the legacies of colonialism, vigilantism, and slavery.

30. *Id.*

31. Amnesty International, *supra* note 12.

32. BRYAN VILA & CYNTHIA MORRIS, *THE ROLE OF POLICE IN AMERICAN SOCIETY* (1999).

33. Emile Durkheim, *Suicide and Modernity*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS* 74, 74-82 (Charles Lemert ed., Westview Press 2d ed. 1999) (1897).

34. Kelling, *supra* note 19.

35. Lobe, *supra* note 18.

"In America, police targeting of black people for excessive and disproportionate search and seizure is a practice older than the Republic itself."³⁶ In fact, one could say that the history of policing in America was founded on the policing of racial and ethnic minorities. Skolnick and Fyfe observe, "American Indians were unquestionably the first 'alien' group to feel the combined assault of private and officially sanctioned violence. Regarded as threatening and exterminable, the native population of what was to become the United States was subjected to massive and sustained violence by private groups and government soldiers."³⁷

In 1704, following the formal designation of police forces, the slave patrols were formed as one of the first official police duties in America. These patrols were a precursor to modern police forces.³⁸ Slave patrols authorized police to arbitrarily search slave quarters, randomly detain Blacks on the streets, and "enter the house of any Black person who kept his lights on after nine p.m. and fine, flog, and extort him."³⁹ Maclin observes that some of the slave patrol practices are not entirely unlike today's police practice of racial profiling.⁴⁰

During the early 1900s, police were frequent participants and/or approving observers in the Southern lynchings of Blacks.⁴¹ Later, in the 1960s, Americans throughout the country were witnesses, (with the help of television), to the brutality and violence inflicted upon Blacks during the civil rights movement. Not surprisingly, "the commissions investigating the riots and civil disorders of the 1960s found that police routinely used excessive force, especially against Blacks."⁴² The commissions' findings however, were not news to the nation's Black citizens who already knew that they were more likely than Whites to feel the wrath of law enforcement.

A 1965 Gallup poll revealed that thirty-five percent of the African American men surveyed believed that police brutality occurred in their communities, while only seven percent of white men believed that there was police brutality in their communities.⁴³ Just two years later in 1967, a Detroit-based study conducted by the Urban League revealed that eighty-two percent of the residents believed that there was some form of police brutality in their communities.⁴⁴ Some twenty-four years after the Detroit study, a 1991 poll

36. Tracey Maclin, *Race and the Fourth Amendment*, 51 VAND. L. REV. 333, 333 (1998).

37. SKOLNICK & FYFE, *supra* note 16, at 26.

38. VILA & MORRIS, *supra* note 32.

39. Maclin, *supra* note 36, at 34.

40. *Id.*

41. SKOLNICK & FYFE, *supra* note 16.

42. *Id.*

43. American Civil Liberties Union, *supra* note 20.

44. *Id.*

conducted by the Los Angeles Times revealed that thirty-three percent of Latinos and forty-four percent of African Americans considered the brutality rendered against Rodney King by Los Angeles police to be very common police conduct, while only nineteen percent of Anglos considered the behavior to be very common.⁴⁵ These findings reiterate long-held minority beliefs that account for much of the group's angst and rage related to police bias and brutality. Media images have routinely reinforced these beliefs. In fact, images of police-led attacks on non-violent protesters continue to be replayed in the minds of many Americans. Add to these images pictures of Miami's 1980 Liberty City riot which followed the acquittal of police in the fatal beating of African American insurance executive Arthur McDuffie, and the 1992 Los Angeles riots which followed the acquittal of police charged with the brutal beating of motorist Rodney King, and it is easy to understand how minority group "mistrust and hostility predictably follow upon abuse and repression."⁴⁶

Contributing to the historical rift between minority groups and the police are deeply embedded stereotypes held by members of both groups and maintained through transgenerational discourse. For example, a police training guide distributed during the 1940s by the State of California's Department of Justice noted the following:

[p]olice officers will notice certain distinctive behavior traits of Negroes as a group, and of other minority groups . . . Members of minority groups are more than usually sensitive and defensive . . . they become apprehensive and continually fearful of insult or discrimination . . . Negroes and Mexican-American youth, as groups, seem more inclined to react aggressively to discrimination...The Southern Negro is compelled to be subservient to the white man in all ways. In trying to cast off this life-long habit of subservience, he is often likely to be rude and arrogant, or at least ill-mannered.⁴⁷

Thirty-three years later, Bayley and Mendelsohn's study⁴⁸ of the Denver police force supported police stereotypes of the belligerent minority. Their study revealed that although police "understand that minorities have not received a fair deal in American society...they [the police] are nonetheless

45. SKOLNICK & FYFE, *supra* note 16.

46. *Id.*

47. Davis McEntire & Robert B. Powers, *A Guide To Race Relations For Police Officers*, in *THE URBAN POLICEMAN: A PSYCHOLOGICAL AND SOCIOLOGICAL VIEW* 74, 74-82 (John R. Snibbe & Homa Snibbe, eds., 1973).

48. DAVID BAYLEY & HAROLD MENDELSON, *MINORITIES AND THE POLICE: CONFRONTATION IN AMERICA* (1969).

offended by the militancy and assertiveness of them [minorities]."⁴⁹ Bayley and Mendelsohn observed,

[t]here can be little doubt that policemen are sensitized to minority people . . . [the police] believe that the involvement of minorities with crime is greater than for other ethnic groups; that minorities involve policemen in mediating very ambiguous and very emotional situations, and not infrequently involving crimes against persons; that hostility toward policemen is greater among minority people, particularly in the form of resisting arrest, and that physical attacks on officers are more common in these areas than elsewhere⁵⁰

This suggests that some police may enter an encounter with a minority with an expectation of confrontation. Stereotypes supporting these notions have changed little over the years.

Like the historical discourse among police about minorities, minority group members have also maintained a historical discourse about the police. Through the years, such discourse has served to transmit truths, myths, and stereotypes of the "other," thereby exacerbating the conflict between the two groups. For example, over fifty years ago McEntire and Powers quoted a representative of Richmond's Attorney General's office who observed, "the average Negro believes that if he gets arrested he will immediately get his head beaten in with a club. Far too many Negroes believe that they will get the worst of it every time they get arrested."⁵¹ Subsequently, each new story of police abuse reinforces "the belief by minorities that they are targets of abuse—a belief that historically has sparked major outbursts of violence against the police."⁵²

Minority group beliefs about being the targets of police violence have been documented throughout much of American history. In fact, their complaints of abuse have been far out of proportion to their representation in the population.⁵³ Certainly, findings on patterns of police brutality suggest that minority group concerns are warranted. Over thirty years ago Bayley and Mendelsohn reported that, "physical abuse [at the hands of police] is more commonly experienced by minorities,"⁵⁴ and still today, there is "evidence that racial and ethnic minorities [are] disproportionately the victims of police misconduct, including false arrest and harassment as well as verbal and physical abuse."⁵⁵ However, only a small

49. *Id.* at 150.

50. *Id.* at 97.

51. McEntire & Powers, *supra* note 47, at 322.

52. Lobe, *supra* note 18, at 2.

53. *Id.*

54. BAYLEY & MENDELSON, *supra* note 48, at 127.

55. Amnesty International, *supra* note 12, at 3.

number of white officers recently surveyed believe that minority citizens are treated worse than white citizens.⁵⁶

Discrepancies in group perceptions are reinforced and legitimized based on historical recounts by opposing groups.⁵⁷ Consequently, the reality of each individual experience will be subjective, to a degree, based on the preconceived notions of the collective's perceptual constancy. Ultimately, this means that each group will hold on to its stories and perceptions, for it is through these recounts that each reinforces the legitimacy of its position. The consequence is that the two groups have become further and further polarized.

- In December 1998, Tyisha Miller, a nineteen year-old African American woman, was shot twelve times by four white Riverside (California) police officers after they found her unconscious in her locked car with a gun on her lap.
- In June 1999, New Jersey police officers fired twenty-seven shots into a vehicle driven by Stanton Crew, an unarmed African American male, as he tried to maneuver around two police cars that had blocked his vehicle in following a police chase. Crew was killed by the gunfire.
- In August 1999, a California SWAT team in the midst of a drug raid burst into the home of a Mexican immigrant family and fatally shot, Mario Paz, an unarmed elderly man, in the back.⁵⁸

Schribner and Fusarelli note that the degree to which religion impacts society and shapes political culture is unclear and open to dispute.⁵⁹ This dispute is complicated based on the elusive concept of religion and the difficulty in determining its precise impact on public policy. Social and political institutions link to religion to foster bipolar societies and preserve a way of life.⁶⁰

In the nineteenth century, Durkheim proposed that the passions of the individual need to be regulated by an external force.⁶¹ Otherwise, the insatiable and unlimited desires of the individual would lead to social disruption. For much of the history of mankind, both religion and the state have served as regulating forces of human behavior. Subsequently, God's law and man's law work concurrently to maintain societal discipline and order. Both church and

56. Weisburd et al, *supra* note 22.

57. Byrne & Carter, *supra* note 29.

58. Amnesty International, *supra* note 12, at 3.

59. Jay D. Schribner & Lance D. Fusarelli, *Rethinking the Nexus Between Religion and Political Culture: Implications For Educational Policy*, 28 EDUC. & URB. SOC'Y 279, 279 (1996).

60. Byrne & Carter, *supra* note 29.

61. Durkheim, *supra* note 33.

state have a low tolerance for deviance. Furthermore, they have traditionally competed or worked in collusion for access to power, privilege and persons. Each institution is intent on producing the ideal society based on the maintenance of the established social order.

Principles manifesting authoritarian values are also inherent in religious and state ideals of preeminence, supremacy, and rule. Consequently, religious ideology fortifies many of the repressive sanctions evident in society. In fact, it is based on religious doctrine and myths that much of society first conceded to the concept of hierarchical relationships involving subordinate and superordinate beings. In this regard, religious principles of obedience, especially as they may be applied to the subordinated in society, are linked to the social and political institution of law and order. Tenets of superior and subordinate beings are apparent in law enforcement's disparate treatment of citizens. For example, Chevigny observes that

[a]ll police brutality, including beatings such as the famous clubbing of Rodney King in Los Angeles, shares [a] relation [to] subordination; it is apparent in the police practice of forcing the person to lie on the ground... The use of deadly force, except when the officer acts in defense of himself or another, is a limiting case, like torture - the officer makes nothing out of the victim he kills. He tells society through the shooting that the victim's life is worth less than the assertion of authority and control.⁶²

Although social scientists may not always agree on the value of religion, most agree that religious institutions serve to benefit "individuals, society as a whole, or some social group within a society."⁶³ Gamarra proposes, "religion is linked to power as a disciplinary order and system of ethics... it is internalized by people [and] institutionalized in the minds of individuals."⁶⁴

This concept is consistent with the ideology of the police state that exists in American society. After all, our leaders know that "if the state is to exist, the dominated must obey the authority claimed by the powers that be,"⁶⁵—a concept consistent with religious ideology.

62. PAUL CHEVIGNY, *EDGE OF THE KNIFE: POLICE VIOLENCE IN THE AMERICAS* 12 (1995).

63. JAMES PEOPLES & GARRICK BAILEY, *HUMANITY: AN INTRODUCTION TO CULTURAL ANTHROPOLOGY* 223 (2000).

64. Jeffrey Gamarra, *Conflict, Post-Conflict and Religion: Andean Responses To New Religious Movements*, J. OF S. AFR. STUD. 271, 272 (2000).

65. Max Weber, *What is Politics?*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSICAL READINGS* 110, 110-15 (Charles Lemert, ed., Westview Press 2d ed. 1999) (1918).

- In December 1998, Franklyn Reid, an unarmed Jamaican immigrant wanted for parole violation, was chased and fatally shot in the back of the neck at close range by a Connecticut police officer. Reid was on his knees when he was shot.
- In April 1999, New York police officers shot Gidone Bush, a mentally ill homeless man, twelve times as he wielded a hammer at them.
- In May 1999, Margaret Mitchell, a fifty-four-year-old homeless woman pushing a shopping cart, was fatally shot by Los Angeles police officers when the officers thought that she was trying to attack them with a screwdriver.⁶⁶

As noted earlier, there are valid arguments to counterclaims that racism is the sole factor in America's protracted police-minority group conflict. The social cubist argument, for one, might propose that the racism manifest in this conflict (and others) is a symptom of deeper, more endemic conflicts. Still, there is no denying that the persistence of racist ideology in America is salient to the protracted nature of the police-minority group conflict.

An examination of the racial and socioeconomic demographics associated with reports of police violence clearly demonstrates the role of these variables in police subjugation and mistreatment of minorities. One could argue that police bias based on the racial and socioeconomic dynamics of America's citizens is written between the lines of American history for the purpose of maintaining a caste system. This line of thinking is consistent with conflict theory, which according to Cureton, "implies that discriminatory application of the law against subordinates reflects rulers' perception of threat (posed by subordinates) to their power, resources and interests."⁶⁷

An analysis of the historical treatment of racial and ethnic minorities in the United States could not withstand the scrutiny of conflict theory, which presumes that maintaining the disparate distribution of power is at the root of much "racial" conflict. For even after the African Americans had been officially released from the bonds of slavery and the Native Americans had been apportioned land for reservations, enormous distortions based on theories of racial superiority were used to justify the discriminatory treatment of racial minorities and to maintain their subordination in the caste system.⁶⁸ Like the African and Native Americans, other racial groups too have long suffered based on the American caste system. For example, Skolnick and Fyfe observe that during the nineteenth century, state-sanctioned laws in the Western United

66. Amnesty International, *supra* note 12.

67. Steven Cureton, *Justifiable Arrests or Discretionary Justice: Predictors of Racial Arrest Differentials*, 30 J. OF BLACK STUD. 703, 704 (2000).

68. SKOLNICK & FYFE, *supra* note 16.

States were used to fuel vigilante group terrorization of Mexican and Chinese persons.⁶⁹ The authors conclude that, "the pursuit of 'law and order' in the West prompted - as it sometimes does today—a special effort against minority groups considered dangerous to constituted arrangements, moral values and racial dominance."⁷⁰ Thus, conflict theory holds that "because law enforcement officers are an extension of rulers' power, the job of the police is to suppress or contain the perceived threat that subordinates represent."⁷¹ Beyond theory, this is the lived experience of minorities in America.

It should be noted at this point that concerns about police use of excessive force are rooted less in the force deemed necessary to fulfill an officer's job duties and more in the degree of bias to which such force is applied. For certainly, "as long as some members of society do not comply with law and resist the police, force will remain an inevitable part of policing,"⁷² about this there is little disagreement. However, "research showing that Black to White arrest [or imprisonment, abuse, and fatality] differentials are associated with group characteristics such as race, age, low socioeconomic status, large percentages of concentrated Blacks, and unemployment can be considered evidence of discretionary discriminatory practices."⁷³ In fact, there is significant evidence of such disparities in treatment. Statistics reported by the Institute on Race and Poverty⁷⁴ clearly reveals a racial bias in the application of law enforcement policies. According to the Institute's findings:

- In Minnesota, a black man is twenty-seven times more likely than a white man to be in prison;
- Although African American drivers account for sixteen and nine-tenths percent of the drivers on I-95 in the state of Maryland, they account for nearly seventy-three percent of those stopped and searched by Maryland police, and
- Although African Americans constitute only thirteen percent of the country's drug users, they represent thirty-seven percent of those arrested, fifty-five percent of those convicted and seventy-four percent of those in prison for drug related offenses.

These are just a few examples of the disparities in law enforcement's treatment of minorities in the United States. Establishing statistical trends to

69. *Id.*

70. *Id.* at 27.

71. Cureton, *supra* note 67, at 704.

72. SKOLNICK & FYFE, *supra* note 16, at 37.

73. Cureton, *supra* note 67, at 704.

74. Institute on Race and Poverty, *Racial Profiling Data Collection Status Report* (2000), at <http://www1.umn.edu/irp/ARB%20.html>.

reflect a pattern of disparate treatment is a daunting task however, since not every instance of perceived maltreatment is reported. "There is evidence to suggest that Blacks are being discriminated against by police who are using their personal discretion rather than responding to actual criminal conduct"75

Probably no recently acknowledged police practice demonstrates the role of racial demographics in this inter-group conflict more so than that of the long-standing practice of racial profiling whereby "police-initiated action relies upon the race, ethnicity or national origin of an individual rather than the behavior of that individual."⁷⁶ And although numerous analysts have concluded that racial profiling is a by-product of the nation's 1980s-initiated war on drugs, there is historical evidence that minorities in America were held in suspicion, (and thus "profiled"), long, long before the nation even acknowledged that there was a drug problem. As American history demonstrates, racial and ethnic demographics alone have traditionally been enough to suspect, arrest, and convict people of color.

In further consideration of how demographic forces affect this protracted inter-group conflict, one must take into account the role of America's changing demographic structure. Using data gathered from the 1999 United States Population Data Sheet, Pollard concludes that, racial and ethnic minorities now account for one-fourth of the United States population. By 2015, projections indicate that minorities will make up one-third of all Americans.⁷⁷ These numbers reflect a dramatic increase in the nation's minority population. However, this information concludes more than an increase in the number of minorities. It also proposes an increase in the dominant class' perception of threat from these growing minorities. Consequently, social sanctions—such as those associated with the law—will be applied more harshly upon those posing the threat. With increases in the number of minorities in the United States, it will not be surprising to find parallel increases in the number of cases of reported minority abuse at the hands of the police - the most apparent institution of social control.

Looking through the lens of demographics to examine the police-minority group conflict, it would be helpful to confirm the percentage of minorities on the nation's community-based police force relative to the representation of racial and ethnic groups in these communities. For instance, to what degree is minority representation in the police ranks proportionate to minority representation in American society? Certainly, an examination of this number

75. Cureton, *supra* note 67, at 705.

76. Institute on Race and Poverty, *supra* note 74, at 1.

77. Kelvin M. Pollard & William P. O'Hare, *America's Racial and Ethnic Minorities*, 54 POPULATION BULL. 1, 7 (1999).

would be critical to advancing or retarding the notion of conflict theory as explained by Cureton,⁷⁸ and analyzing its relevance to the police-minority group conflict.

Drawing on data procured by the United States Department of Justice, Lott⁷⁹ conducted an extensive study of the racial and gender composition of police department demographics in 189 cities. He concluded that although "city police departments vary greatly in their racial and gender makeup, and there have been large increases in the proportion of [B]lack and women officers . . . most departments have no [B]lacks, Hispanics, or Asians . . ."⁸⁰

There is little doubt that a proportionately equivalent representation of minorities in policing, to that in American society, could have a critical impact on the degree of police violence directed to minorities. Lott observes,

[t]he potential law enforcement advantages from multiracial or female officers seem obvious. Minority police officers may be more effective in minority areas simply because residents could be more forthcoming about information that will lead to arrests and convictions... Trust is also important for other reasons, as reports of riots erupting after white police officers have shot a black man may attest.⁸¹

Statistics available from the 1999 United States Census Bureau Statistical Abstract indicate that in 1998, Black officers accounted for over nineteen percent of the nation's public service police and detectives while Hispanic officers accounted for almost nine percent.⁸² However, these statistics can be misleading in any effort discern the representation of minorities on the police forces of individual cities. It could be for example, that a larger number of minority officers are employed in only a few cities and states while a relative dearth of minority officers are employed in the great majority of cities and states. A prime example of how the percentage of minority officers could influence the police-minority group conflict is the state of New Jersey, which has recently received a host of negative publicity related to its disparate racial profiling and abusive police practices targeted towards minority drivers. Zolper reports that in 1998, only fourteen percent of New Jersey police officers were minorities, as compared with a statewide minority population of twenty-six

78. Cureton, *supra* note 67.

79. John Lott, Jr., *Does A Helping Hand Put Others At Risk? Affirmative Action, Police Departments and Crime*, 38 ECON. INQUIRY 239, 239-77 (2000).

80. *Id.* at 241.

81. *Id.* at 239.

82. UNITED STATES CENSUS BUREAU, EMPLOYED CIVILIANS BY OCCUPATION, SEX, RACE AND HISPANIC ORIGIN (1999).

percent.⁸³ This type of vast discrepancy encourages an in-group/out-group mentality based solely on race.

- In June 1998, Antoine Reid, an unarmed "squeegee man" was shot in the chest by an off-duty New York City police officer when Reid insisted on washing the windshield of the officer's car.
- In January 1999, Luis Enrique Hernandez died after he was hog-tied by three officers of the Fort Worth Police Department.
- In May 1999, Lewis Rivera, a homeless man, was arrested by police officers who sprayed him with pepper spray, kicked him, bound his hands and feet, and drug him to a police car. Less than an hour after the assault he was found dead in a holding cell.⁸⁴

Closely aligned with demographic factors is the influence of economics upon this inter-group conflict, which is fueled by perceptions of institutional favoritism and disparities in the distribution of economic resources. Economic disparities inherent in the American caste system reproduce the dominant and subordinate class structure. Since the role of law enforcement is constructed to maintain a deliberate social order, the police are viewed by subordinated classes as enforcers of class designations.

Where a caste system exists, the quality of a person's existence is based on his position in the production cycle of society. This will determine his political power.⁸⁵ Consequently, where minorities are relegated by institutionalized discrimination to the lower production scales of society, the value placed on the condition of their existence is subordinate to that placed on the existence of members of the dominant class. This produces a cycle of oppression which manifests itself as the justifiable ill treatment of those perceived to be less productive and subsequently, less valuable to society. The alienation experienced by the subordinated class and the superiority felt by the dominant class ignites inter-group conflict and polarizes group positions. This polarization correlates strongly to the police-minority group conflict.

Where subordinated classes are concerned, Travis observes that "racial, ethnic, and socioeconomic groups differ substantially in their beliefs about the legitimacy of law; a higher proportions of blacks (twenty-nine percent) and

83. T. Zolper, *5,000 Applying For State Police*, TRENTON BUREAU, at <http://www.bergen.com/news/police07199912077.html>. (last visited Jan. 23, 2002).

84. Amnesty International, *supra* note 12.

85. Karl Marx, *The Two Factors Of a Commodity: Use-Value and Value*, in SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS, 51, 51-59 (Charles Lemert, ed., Westview, Press 2d ed. 1999) (1867).

Latinos (thirty-one percent) than whites (nineteen percent) view legal norms as not binding."⁸⁶ Furthermore, Travis notes that, "residents whose SES (socio-economic status) is low are twice as likely as those whose SES is high to report high levels of 'legal cynicism'."⁸⁷ This suggests that the cynicism felt by America's economically subordinated minorities about the role of law enforcement is largely a by-product of their resentment of widespread social disparities. Lipschutz notes:

It is not about the size of one's piece of the pie...it is about who is entitled, under the terms of the [social] contract, to participate in the division of the pie. And it is not primarily about ethnic minorities demanding enhanced rights or returns; it is mostly about elements of the white majority fearful of losing in what they see increasingly as a zero-sum game.⁸⁸

Based on Lipschutz's comments, when the privileged status group perceives its economic and social prospects under challenge by the subordinated group, an inter-group conflict will arise.⁸⁹ The inter-group conflict between police and minorities, is a microcosmic representation of a more widespread, systemic conflict in American society.

The manifestation of this conflict is also apparent in the pattern of police presence in communities. Cureton observes that, "there is evidence that police operations and services are concentrated in certain criminogenic, low-income, mostly non-White areas . . . [and], police concentration in [these] low-income, socially disorganized areas may increase the probability of arrests for residents in those areas."⁹⁰ Consequently, the increased concentration of police in lower SES areas will increase the likelihood that discretionary violence will be inflicted upon minority residents.

Of course, one of the primary arguments for a greater police presence in lower income neighborhoods involves reports of higher criminal behavior in these areas. In fact, Rand notes that, "persons from households with lower incomes [are] more vulnerable to violent crime than those from higher income households."⁹¹ However, that there is a higher incidence of violent crime in

86. JEREMY TRAVIS, *Attitudes Toward Crime, Police and the Law: Individual and Neighborhood Differences*, NAT'L INST. OF JUST. (1999), at <http://www.ncjrs.org/txtfiles1/fs000240.tx>.

87. *Id.* at 3.

88. Ronnie Lipschutz, *From "Culture Wars'" To Shooting Wars: Culture Conflict in the United States*, at <http://escholarship.cdlib.org/ias/crawford/crawford11.html>. (last visited Jan. 23, 2002).

89. *Id.*

90. Cureton, *supra* note 67, at 704.

91. Michael Rand, *Criminal Victimization in the United States*, 1994, UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS (1997).

low-income neighborhoods, and thus, an explicit demand for increased police presence in these communities, could also be presumed to reflect the economic disparities of American society. Merton hypothesized that “aberrant behavior may be regarded sociologically as a symptom of dissociation between culturally prescribed aspirations and socially structured avenues for realizing these aspirations.”⁹²

The following question, poignantly posed by Merton, prompts one to consider more strongly the influence that a disparate economic structure has on criminal behavior. Merton asks, “What, in short, are the consequences for the behavior of people variously situated in a social structure of a culture in which the emphasis on dominant success-goals has become increasingly separated from an equivalent emphasis on institutionalized procedures for seeking these goals?”⁹³

Merton’s views are not offered as excuses for criminal behavior, but instead, as a possible theory for the causes of such behavior when it is so obviously associated with the economic disparities among groups. In effect, his conclusions are not dissimilar to earlier studies of impoverished immigrant populations conducted by Thomas and Znaniecki, who found that the criminal behavior of “peasants” may be “the tragic solution of some difficult social situation involving powerful individual tendencies.”⁹⁴ Consequently, there may be an inherent pressure towards deviation among those in the lower economic strata.⁹⁵

- In 1997, Frankie Ann Perkins, an African American woman, died after police choked her and kned her in the chest.
- In September 1997, Jeremiah Mearday, an eighteen year-old African American male, suffered a broken jaw after being hit in the face with a flashlight wielded by a Chicago police officer.
- In 1994, Shirley Alejos, a Hispanic woman, was handcuffed and beaten by Chicago police to the degree that her face was unrecognizable in photos taken afterwards.
- In June 1999, Gregory Riley died after being placed in a chokehold by Chicago police officers.⁹⁶

92. Robert K. Merton, *Social Structure And Anomie*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS*, 229, 229-41 (Charles Lemert, ed., Westview Press 2d ed. 1999) (1938).

93. *Id.* at 235.

94. W. Thomas & F. Znaniecki, *Disorganization and the Polish Immigrant*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS*, 248, 248-53 (Charles Lemert, ed., Westview Press 2d ed. 1999) (1918).

95. Merton, *supra* note 92.

96. Amnesty International, *Summary of Amnesty International's Concerns on Police Abuse in Chicago* (1999), at <http://www.amnesty.org/ailib/aipub/1999/AMR/25116899.htm>.

Amnesty International reports a pattern of police abuse perpetrated by members of the nation's police forces. For example, in their October 1999 report that focused on the city of Chicago, Amnesty officials revealed the findings of a study of the twenty-year period between 1972 and 1992.⁹⁷ According to this study, Chicago police officers routinely engaged in the systematic torture of suspects during interrogations. The study revealed that officers mentally and physically abused suspects by involving them in torturous games, such as Russian Roulette, suffocating, choking, punching, and shocking (electrical) them. Amnesty reports that, "most of the victims were African American or other minorities and the officers involved were white."⁹⁸

It is interesting that instances of "police brutality often give us the impression that the police are 'out of control,' that they are not obeying the bureaucratic-legal norms of the state..."⁹⁹ when in fact they may very well be obeying state norms. Certainly, the repeated allegations of police brutality and the millions of dollars spent each year by law enforcement to settle claims and award damages for undue harm inflicted by officers suggests the institutionalization of norms related to excessive force.

Chevigny observes that "the police are the chief players in a political drama that is always a tense one for us in liberal democracies: the balance between violence and order."¹⁰⁰ He adds,

[n]evertheless, we recognize that violence is used directly to control people and impose order...defiance of the police...is tantamount to defiance of order. But the level of violence the police will use varies all the way from merely arresting a defiant person to shooting him or to torturing [him] . . .¹⁰¹

There is no doubt that the policing of America represents a political institution. In fact, "the term 'police' was originally synonymous with all internal governance of the state, including keeping order."¹⁰² However, the authority to maintain state sanctioned social order is rarely applied to all citizens on an equal basis, since "... it is rare and risky for the police to try to subordinate those who are not subordinate, [or] to use degrading violence

97. *Id.*

98. *Id.* at 1.

99. Chevigny, *supra* note 62, at 28.

100. *Id.* at 11.

101. *Id.* at 11.

102. *Id.* at 10.

against people who are middle or upper class or who are not from a minority.”¹⁰³ Consequently, policing is an institution whose operations are legitimized by the government to the degree that it fulfills its authority to regulate behavior and maintain social control of the lower classes. “The policeman is, by the nature of his calling, a defender of the status quo.”¹⁰⁴ Therefore, it is by design that the authority given to police officers to enforce the law immediately distinguishes them from the “ordinary” citizens who are obligated to obey the law. This empowerment leads to distinct and separate group identities between those who enforce the law and those who must obey the law. The question then becomes, to what degree does the power bestowed upon those to enforce the law develop in them the elitist attitudes of the dominant class?

One elitist attitude of police was most apparent among those officers in New York City’s infamous Street Crimes Unit (SCU) who were associated with the fatal shooting of African immigrant Amadou Diallo in 1999. In this case, the SCU’s motto, “We Own the Night,” may not only have given “the police the mind-set of a soldier, who doesn’t spend much time thinking about the rights of his enemy,”¹⁰⁵ but also suggests their superior mindset. This motto reflects a police culture clearly alienated from democratic values¹⁰⁶ and an institution where tolerance for abuse is reinforced by an association with the values of the dominant class.

Chevigny observes that, “controlling the level of violence is the essential problem of human rights in ordinary police work.”¹⁰⁷ This becomes an increasingly complex challenge when presented with the charge given to law enforcement officers by the American political institution. On one hand, “citizens, politicians and vested interest groups have always pressured police to “do what has to be done”¹⁰⁸ to enforce order, while on the other hand American society boasts of being a nation where human rights are paramount. Consequently, the boundaries between authority and restraint could be perceived as relatively ambiguous, except to those who intentionally assert their authority with bias and malice.

- In March 1991, motorist Rodney King was brutally beaten, receiving more than fifty-six blows at the hands of Los Angeles police officers, for failing to stop during a police pursuit..

103. *Id.* at 12.

104. BAYLEY & MENDELSON, *supra* note 48, at 28.

105. Anonymous, *United States: The Thin Blue Line*, THE ECONOMIST, May 6, 2000, available at <http://proquest.umi.com/pdqweb?TS=973030>.

106. KELLING, *supra* note 19.

107. CHEVIGNY, *supra* note 62, at 11.

108. KELLING, *supra* note 19, at 11.

- In August 1997, Abmer Louima, a Haitian immigrant, was beaten and sodomized with a broomstick following his arrest by New York City police officers.
- In February 1999, an unarmed African immigrant, Amadou Diallo, was fatally shot by New York City police officers who fired forty-one shots and pierced his body with nineteen bullets after they mistook his wallet for a gun.^{109 110}

Probably more so than any other recent reports, the high-profile cases of Rodney King, an African American motorist, Abner Louima, a Haitian-immigrant, and Amadou Diallo, an African immigrant, most succinctly characterize the overwhelming concerns about police brutality and excessive force targeted at minorities in America. In each case, these incidents pitted the police force against the minority population, clearly reflecting the depths of group distinctions. Skolnick and Fyfe observe that as a group, "...police often identify themselves as a moral force, protecting innocent and productive members of the public against those who would brutalize and victimize ordinary decent citizens."¹¹¹ Certainly, there are thousands of morally conscious police officers that put themselves in harms way each day to protect others. In the wake of the King, Louima, and Diallo tragedies, minorities across America came one step closer to identifying as the victims of a "moral force" gone awry.

Boudreau observes that, "in this age of ambiguity, individuals and groups often look for a reassuring refuge in a unique and historical group identity."¹¹² Thus, collective group identities are created based on the shared historical experiences of groups. These separate identities reinforce perceptions of in-group and out-group boundaries whereby hostilities provide groups with reciprocal positions to preserve intra-group cohesion.¹¹³ In this case, the police force and the minority community find a sense of identity, strength, and solace within their group membership, while subconsciously using such memberships to radically distinguish themselves from the other. The psychocultural factors inherent in the police-minority group conflict are most apparent in each group's expressed distinctions from the other.

Where there is no equality in group status, such distinctions amplify the degree to which the disenfranchised and marginalized group members are

109. SKOLNICK & FYFE, *supra* note 16.

110. Shaila K. Dewan, *City and Louima Lawyers Continue Settlement Talks*, N.Y. TIMES, Dec. 5, 2000, at B3.

111. SKOLNICK & FYFE, *supra* note 16, at 92.

112. Tom Boudreau, *Intergroup Conflict Reduction Through Identity Affirmation: Overcoming the Image of the Ethnic or Enemy 'Other.'* (1999) (unpublished) (on file with author).

113. Georg Simmel, *Conflict and the Web of Group Affiliations*, in ON INDIVIDUALITY AND SOCIAL NORMS 70, 70-96. (University of Chicago Press, 1971) (1955).

excluded from attaining access to society's power and privilege. Since the police are empowered to an immense degree, and minority groups remain effectively un-empowered, police have historically represented the interests of "privileged status groups" while minority groups have historically represented society's problem. Consequently, as one group vies to control the other and the other struggles to resist being controlled, a clash emerges between the empowered and the un-empowered, the oppressor and the oppressed, the dominator and the dominated.

Whether through the projection of one's power over the other (as in the case of the police) or the acknowledgement of one's victimized existence (as in the case of the minority community), the polarization between the groups becomes more prominent each time a controversy involving brutality or excessive force on the part of police erupts. The polarization manifests itself in the form of cultural symbols and norms. For example, police concepts of "a code of silence," "thinking blue," the "blue curtain," and the "blue wall," represent a shared belief system designed to reinforce group ties. Skolnick and Fyfe observe that, "the fundamental culture of policing is everywhere similar, which is understandable since everywhere the same features of the police role—danger, authority, and the mandate to use coercive force—are everywhere present. This combination generates and supports norms of internal solidarity, or brotherhood."¹¹⁴

Similarly, the minority group concept of a shared victimization draws members closer together. In fact, it is this idea of a shared victimization that permits us to make this analysis of the police-minority group conflict whereby the minority group is singular. Otherwise, the distinctions between minority groups are so prominent that any attempt to group them together would be marred.

Some social scientists have theorized that the police are an example of a minority group. For example, McEntire and Powers note that since "a minority group is any group toward which others have prejudices,"¹¹⁵ the police could be considered a minority group based on the prejudices associated with the occupation. Also, Bayley and Mendelsohn conclude that "there are several minority groups in America, and one of them is the police."¹¹⁶ These conclusions, however, are lacking since they ignore that the primary distinctions between minorities and other groups in America are the tradition of domination shared by members of the majority group and the tradition of victimization shared by members of minority groups. As a group, minorities in America represent members of a traditionally victimized collective—that is, people of

114. SKOLNICK & FYFE, *supra* note 16, at 92.

115. MCENTIRE & POWERS, *supra* note 47, at 316.

116. BAYLEY & MENDELSON, *supra* note 48, at 55.

color who constitute "the powerless segments . . . the working and/or lower classes, the poverty stricken, the semiskilled and/or unskilled, and the under and uneducated."¹¹⁷ This characteristic of victimization is a crucial concept associated with the psychocultural issues at the heart of the conflict. And like the police concept of thinking blue, the minority group sense of victimization cannot be ignored, minimized, or shared with the enemy other.

"Relations of conflict do not by themselves produce a social structure, but only in cooperation with unifying forces."¹¹⁸ In 1936, Karl Mannheim wrote, "the principle thesis of the sociology of knowledge is that there are modes of thought which cannot be adequately understood as long as their social origins are obscured."¹¹⁹ Consequently, this analysis of the inter-group conflict between America's police and minority communities has attempted to broaden the lens through which the police-minority group conflict is perceived so as to reduce such obscurity.

A society that sanctions the domination of one man over another is the same society that sanctions the unequal allocation of power, the unequal distribution of wealth, and the unequal confirmation of human rights. Finally, this is the same society through which there exists a collective and hegemonic social contract within which its citizens agree to be dominated and controlled, for they are convinced of the necessity for social restraint. In this case, the socially-sanctioned state exercises a system of oppression where human activity is never truly free, but only thought to be so. This is a particularly salient concept for the minority in America.

This paper has utilized the social cubist paradigm to broaden our analysis and understanding of the complex and protracted conflict between the institution of law enforcement and minority groups in America. It should also be clear from this analysis that the inter-group conflict between police and citizenry throughout the world, regardless of the nation, can never be reduced to one or two social dynamics. The application of the social cubist paradigm in this regard should support efforts to understand the structural nature of police violence and hopefully, produce a series of peace-making designs to re-structure the paradoxical role of police in a world where their presence is often met with a sense of need and a sense of fear.

117. Cureton, *supra* note 67, at 705.

118. Simmel, *supra* note 113, at 77.

119. Karl Mannheim, *The Sociology of Knowledge and Ideology*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS*, 217, 217-21, (Charles Lemert ed., Westview Press 2d ed. 1999) (1936).

THE USE OF SOCIAL CUBISM IN THE ANALYSIS OF COMMUNITY CONFLICTS

Judith McKay*

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I. INTRODUCTION

The theory of Social Cubism,¹ a theory originally designed for the analysis of international ethnoterritorial conflict, may be used in the analysis of micro-conflicts in other settings, such as American communities. Many American communities are multi-ethnic and multi-cultural. Moreover, in some areas of the United States, such as South Florida, communities may have much more ethnic diversity than is found in other parts of the world. This presents a variety of challenges in the analysis of issues confronting the community.

Unlike other theories that may look at an issue from only one or two perspectives, social cubism directs the researcher to look at an issue from a multiplicity of perspectives and to acknowledge that at different times, under different circumstances and in different settings, the factors will interrelate in dynamically different ways. In a community which contains a number of ethnic groups, Social Cubism has the ability to interact dynamically and consider a

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1. Seán Byrne & Neil Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, Vol 3 No.2. J. OF PEACE & CONFLICT STUD. 52-71 (1996).

wide spectrum of factors in a multiplicity of changing and evolving circumstances.

This application of social cubism in a local United States community is unique and will contribute to the fields of ethnoterritorial conflict resolution and strategic community planning. The results of such an inquiry will inform the community, and will enable law enforcement, political and civic leaders, educational, and service providers to have input into a strategic community plan. It will also enable communities to analyze other conflicts and problems beyond those related solely to ethnic conflict. Issues such as violence prevention, intervention within families, neighborhoods, and schools would be appropriate examples of the use of this analytical framework.

Other international theories such as Multi-Modal Intervention Theory,² Lederach's Integrated Nested Paradigm,³ Boulding's shared vision of peace,⁴ and Diamond and McDonald's Multi-Track Diplomacy,⁵ may then significantly contribute to the structure of conflict management and resolution models in United States communities. Thus, international peace keeping theory may have broader implications than previously envisioned.

II. THE THEORY OF SOCIAL CUBISM

Many nations struggle with ongoing difficulties ranging from internal strife to war, whose origins can be traced to ethnic conflict.⁶ The internal strife may be minimal, felt on an almost unperceivable level. Other internal strife may surface, but will be addressed, thus remaining on a dispute level, never rising to a conflict. "Most possible conflicts do not become manifest, and of those that do, most are managed using means regarded by the participants as legitimate."⁷ This may be due to a number of factors, including alternative means of coping

2. Seán Byrne & Loreleigh Keashley, *Working with Ethno-Political Conflict: A Multi-Modal Approach*, in *PEACEKEEPING AND CONFLICT RESOLUTION* (2000).

3. JOHN PAUL LEDERACH, *BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES* (1997).

4. ELISE BOULDING, *BUILDING A GLOBAL CIVIC CULTURE: EDUCATION FOR AN INTERDEPENDENT WORLD*, 95-117 (1988).

5. LOUISE DIAMOND & JOHN MCDONALD, *MULTI-TRACK DIPLOMACY: A SYSTEMS APPROACH TO PEACE* 11-25 (1996).

6. Examples have included: Afghanistan, Angola, Armenia, Azerbaijan, Bangladesh, Belgium, Bhutan, Bosnia-Herzegovina, Burma, Burundi, Estonia, Ethiopia, Georgia, Guatemala, India, Indonesia, Iraq, Latvian, Lebanon, Liberia, Mali, Moldova, Niger, Northern Ireland, Pakistan, the Philippines, Romania, Rwanda, South Africa, Spain, Sri Lanka, Sudan, Tajikistan and Turkey. See MICHAEL E. BROWN, *ETHNIC CONFLICT AND INTERNATIONAL SECURITY* 3 (1993).

7. LOUIS KRIESBERG, *CONSTRUCTIVE CONFLICTS: FROM ESCALATION TO RESOLUTION* 52-53 (1998).

such as acquiescence, emigration, minor resistance, or a fatalistic sense that there is nothing to do.⁸

Despite the sense that the vast majority of disputes do not manifest into conflict, a number do break out around the world. Due to the number of such conflicts, their tendency to be protracted, the particular fervor with which some of them are fought, the impact on the participants, and the impact on others in the global community, theories have been developed to examine, analyze, manage, or resolve international ethnic conflicts.

One such theory is Social Cubism, designed as an analytical framework for the study of international ethnoterritorial conflict.⁹ While this theory was designed to be used in the analysis of international conflict, upon closer scrutiny, its application can be seen as vital to the understanding of micro-conflicts, including those within communities, organizations, and even families in the United States. When one considers the number of ethnic groups that comprise many American communities, this notion becomes both intriguing, as well as logical. Many American communities are comprised of a number of ethnic groups. This presents issues of culture and how different groups see, react to, and resolve conflict. Additionally, some of these groups may have come from regions where ethnoterritorial conflict has played a significant part in their socialization. Thus, even when emigrating to the United States, some of these perceptions of opposing groups may emigrate also and result in the continuation of ethnic conflict in American communities. Some of these communities may have been previously unfamiliar with these conflicts and therefore lack an understanding of their origins.

Designed for the study of ethnoterritorial conflict, Social Cubism proposes a model for analysis of conflict that emphasizes the interaction of various factors, rather than merely the study of one or several factors. Literally using the image of Rubic's Cube, the theory recognizes a "social cube of conflict as having six interrelated facets or forces: history, religion, demographics, political institutions, non-institutional behavior, economics, and psychocultural factors."¹⁰

By assigning one of these factors to each side of the cube, and seeing that the cube is dynamic, constantly in motion as the factors interact, one can easily picture the sides of the cube interacting at various times with different and changing forces. Like the Rubic's Cube, each side is not only in contact and relationship with four other contiguous sides simultaneously, but rather, parts of each side may move, and serve as catalysts for other factors and sub-factors or facets. Thus, like the puzzle of the Rubic's Cube, the social cube may appear

8. Byrne & Keashley, *supra* note 1.

9. *Id.*

10. *Id.* at 52.

to be configured in a variety of ways depending on the interplay of each situation, circumstance, location, participant, and conflict.¹¹

Social cubism is seen by this researcher as dynamic. As such, it is a living, breathing framework that is constantly in interaction and motion. This is a strength of Social Cubism. One may take new information and add it to the appropriate facet, thus expanding the analytical framework and making it more current. Thus, even when outside agents or forces are in play on a contextual field, the framework, which is designed to be dynamic, can accommodate this new activity. This flexibility became even more apparent as the researcher considered a number of other theoretical bases.

Moreover, this researcher believes the cube may be used in analyzing sublevel and subgroup conflict, because it is reproductive. By that, the cube may be used to analyze the conflict within specific segments of a community or even with individuals. For example, as a subject for further study, it is hypothesized that a family forms a new cube, utilizing the cube of each side of the family and cube of the community. New data not only informs and alters the cube, it can reproduce the cube so that when a new family is formed, the framework (cube) each brings forms a new family cube. It also then impacts the cube from each home of origin. Therefore, one may use the social cube as a tool of analysis for conflict within a particular family. That concept is suggested as a subject for future study, and this researcher intends to pursue that topic upon the completion of this study.

In viewing its strengths, the comprehensiveness and adaptability of the theory has become apparent. The following theories serve as examples of ways to see the dynamic ability of the cube. For instance, some of the major criticisms of structural functionalism include its failure to deal with change, conflict,¹² and history¹³. Social cubism, designed as an analytical framework for ethnoterritorial conflict deals with all three aspects: 1) the dynamic aspect permits new information to be added, thus addressing the change factor; 2) it is a framework for conflict, which is the basis for what it may be used to analyze; and 3) history is included as one of the six factors.

Conflict theory, as advanced by Dahrendorf,¹⁴ addresses large social structures and issues such as latent and manifest interests. However, like structural functionalism, it does not view the individual, but rather takes a more

11. Byrne & Carter, *supra* note 1.

12. GEORGE RITZER, *SOCIOLOGICAL THEORY* 250-51 (5th ed. 2000) (citing Jonathan Turner and A.Z. Maryanski).

13. *Id.* at 250.

14. *Id.* at 259-263 (citing Ralf Dahrendorf).

macroscopic view.¹⁵ Social cubism, this researcher hypothesizes, permits a cube to be used for an individual.

Interestingly, conflict theory as advanced by Collins, does include the microscopic, and it is Collins' contention that conflict theory more broadly views society, its stratifications, and conflicts, within groups and organizations.¹⁶ This integrated aspect can contribute to social cubism. However, social cubism takes conflict theory and gives it the analytical framework and structure that was missing. From a pragmatic perspective, the cube enables one to create a blueprint for conflict analysis that conflict theory suggests, but does not provide.

Neo-Marxism, seen as the theoretical answer to the deficiencies of Marxism, and modern critical theory, both fail to view conflict from the comprehensive, more holistic factors of the cube.¹⁷ Even systems theory, touted as one of the most significant theories today, deals primarily with the conflict between systems, and does not necessarily consider the vast interplay within the systems and all the contributing factions.¹⁸ Social cubism, which can address systems, is not limited to artificially designed systems, nor does it preclude the issue of conflict within a system or subsystem. This enables it to be used for the analysis of intrasystem conflict, which would be particularly useful within communities and organizations.

III. APPLYING SOCIAL CUBISM IN THE ANALYSIS OF COMMUNITY ISSUES

Since it has been proposed that the theory of Social Cubism may be applied in the analysis of conflicts found in United States communities, it would prove useful to briefly explore how such a framework would prove useful. One problem communities grapple with is the issue of violence. Violence can be broken down into many layers and levels, can originate from several sources, and can become manifest in a variety of contexts: family, neighborhood, workplace, and from beyond the local setting in regional, national and international. If a community wished to address the issue of violence, Social Cubism could be used as the analytical framework and the researcher could apply it using various sources and contexts.

For the purposes of this brief illustration, the social issue of violence will be used, and the micro-context of family violence home will be the unit of analysis. The first side of the social cube to be identified is history.

15. *Id.* at 259-260.

16. *Id.* at 264-268 (citing Ralf Dahrendorf).

17. RITZER, *supra* note 12, at 284-287.

18. *Id.* at 317-336.

A. First Side: Historical Background

If a community wished to analyze the social issue of violence, an understanding and consideration of history would prove useful. What does history tell about family violence and how it has been experienced?

The question is often raised as to whether family violence is a product of our modern society. Increased violence reported in the media and by the media can lead one to the supposition that family violence is the product of movies, television, episodic copycat events, and other contemporary occurrences.¹⁹ However, despite well-publicized recent trends in family violence, this violence is neither new, nor solely a product of, our modern society.

Viewed historically, violence within the family against women can be traced back through the ages and codified in both secular laws and religious writings.²⁰ "The premise of the relation inherited from past centuries was unequal power, without any question. Men were supposed to make the rules . . . and to rule as father of the family at home."²¹

The doctrine of family privacy, another creation of English common law, established that the home was subject to privacy and was not to be interfered-with by the government.²² This and the doctrine of coverture were imported by early colonists and became part of American legal tradition and public policy.²³

The 1800s saw both the legal recognition of the male prerogative in the early years, and the beginnings of limitations in abuse by the 1870s. However, by the end of the 1800s, the issue of family violence was again underground. Some theorize that economic conditions, followed by World War I, prompted Americans to turn their attentions elsewhere.²⁴

Thus, authorities were conditioned to turn a blind eye to domestic violence as well as child abuse. It also explains the anathema felt by law enforcement officials whenever they had to respond to complaints of "domestic disturbances," and the delay in enacting laws that protected women and children.

Hence, the history behind gender and family violence is one supportive of men being in charge of women, with women and children having lesser status,

19. DEBORAH PROTHROW-STITH, DEADLY CONSEQUENCES: HOW VIOLENCE IS DESTROYING OUR TEENAGE POPULATION AND A PLAN TO BEGIN SOLVING THE PROBLEM 29-47 (1991).

20. Jerry Von Talge. *Victimization dynamics: The Psycho-Social and Legal Implications of Family Violence Directed Toward Women and The Impact on Child Witnesses* 27 W. ST. U. L. REV. 111-172 (2000).

21. MONA HARRINGTON, WOMEN LAWYERS. 5 (1993).

22. SANDRA LIPSITZ BEM, THE LENSES OF GENDER: TRANSFORMING THE DEBATE ON SEXUAL INEQUALITY 63 (1993).

23. *Id.*

24. Kathleen O'Connell Corcoran and James C. Melamed, *From Coercion to Empowerment: Spousal Abuse and Mediation*. Vol. 7 No. 1 MEDIATION QUARTERLY, 303, 304 (1989).

be it in the home or beyond the walls of the home.²⁵ The history factor in the social cube can be seen as a dynamic element, touching upon all the other factors that influence the way society has grown accustomed to viewing, reacting, and responding to violence within the home. This pervasive, enveloping notion of women being seen as less than men has shaped how the community thinks, plans, and acts.²⁶

B. *Second Side: Religion*

Religious writings underscored the concept of male domination and supplied a rational basis and justification for the patriarchal system:

The Old & New Testaments of the Bible see "man" as the direct creation of God, made in God's own image, whereas "woman," was created as an after thought, to "assist" man and created from his body. Even in the New Testament, the maleness of Jesus has been interpreted by many Biblical scholars and theologians to support male authority over women.²⁷

This divine revelation served to explain why women were not on man's level, and to discourage followers from tampering with God's plan for humanity. This belief was supported in the mythology of various cultures, including Greek mythology and philosophy.²⁸ Like the Old Testament, Greek mythology depicts woman has being created after man and as the source of death, illness, and chaos in the world.²⁹

The United States was a nation founded primarily on the principles of English common law, and English common law was very much influenced by Judeo-Christian concepts. Accordingly, it becomes clear that religion has had an influence on the belief that women and children should come under the control and rule of men. Likewise a number of current religious practices and beliefs support the notion that men should be in control of the home.³⁰

25. JUDITH LORBER, & SUSAN A. FARRELL, *THE SOCIAL CONSTRUCTION OF GENDER* (1991).

26. Von Talge, *supra* note 20.

27. LIPSITZ BEM, *supra* note 22, at 46-47.

28. *Id.* at 49-56.

29. *See id.* at 46-56, the discussion of the Old Testament's depiction of Adam and Eve, with Eve eating the apple as the cause of human beings being expelled from the Garden of Eden. This is paralleled with the Greek tale of Pandora, the first woman, who opened the box that released death, illness and other woes upon the world. In both, women are viewed as the source of evil and suffering, thus explaining why they need to be controlled by men.

30. *Id.*

Therefore, when one views the social cube of gender and family violence, the religion factor lends support and justification to the notion of male supremacy and God's divine plan for the genders. Since religion touches upon the very essence of one's value system, it makes it even more difficult to address, confront, and change.

C. Third Side: Psychocultural

Culture plays a significant role in forming the lens through which individuals and groups perceive the world.³¹ Culture is central to how individuals and families psychologically and emotionally organize their life experiences. It influences how they seek assistance, how they define the problem, what they understand as the causes of family difficulties, and their overall subjective experience of conflict and violence.³² "Conflict is universal yet distinct in every culture; it is common to all persons yet experiences uniquely by every individual."³³

Likewise, the way each culture views women, children, and the family unit will impact how they perceive conflict within the home, who they believe is responsible for that conflict, how the conflict may be resolved, and how appropriate it is to seek or accept help from beyond the family unit or group. Culture will influence what is seen as "normal," versus what level of conflict, or even violence, within the home is seen as extraordinary.³⁴ "A normal pathway for de-escalating a conflict in one society—fleeing the scene of an accident—constitutes a serious offense in another. Human boundaries are cultural creations—social boundaries, legal boundaries, and emotional boundaries are all drawn according to each culture's values, myths, and preferences."³⁵ According to Lederach, "a person's common sense and accumulated experience and knowledge are the primary basis of how they create, understand, and respond to conflict."³⁶

Many communities in the United States have residents from various cultural backgrounds. Thus, an examination of the cultures represented in a community would contribute significantly to an understanding of an issue such as family violence. Not all residents will perceive it the same way, experience

31. DAVID W. AUGSBURGER, CONFLICT MEDIATION ACROSS CULTURES: PATHWAYS AND PATTERNS 21-23 (1992).

32. *Id.*

33. *Id.* at 18.

34. JOHN PAUL LEDERACH, PREPARING FOR PEACE: CONFLICT TRANSFORMATION ACROSS CULTURES. (1995).

35. AUGSBURGER, *supra* note 31, at 23.

36. LEDERACH, *supra* note 34, at 9.

it the same way or wish intervention in the same way. Accordingly, any interventions should be designed with cultural considerations.

As an example, Broward County in Southeastern Florida presents a variety of socioeconomic, cultural and other demographic circumstances that can contribute to family violence. The county attracts newcomers and transients from throughout the United States and the world. This can add stress and pressure, especially to young families raising children without the emotional support of their extended families, and sometimes without even the benefit of their cultural norms. In addition, some cultures may view conflict and violence within the family not only as a private matter, but as acceptable behavior.³⁷

Moreover, South Florida presents many other factors usually attending situations of family violence, including: few outlets beyond their immediate families for people who are venting and coping with their rage; a multi-cultural community in which some members neither understand nor appreciate the issues and needs of neighboring cultural and ethnic groups; and low income and poverty. These are factors that Social Cubism would consider in its dynamic framework.

D. Fourth Side: Political Institutions and Non-Institutional Behavior

Domestic violence legislation being introduced, debated, and codified into law in the United States was a reflection of the shift in public policy that had spanned the centuries. Carl J. Friedrich, defines policy as "a proposed course of action of a person, group, or government within a given environment providing obstacles and opportunities which the policy was proposed to utilize and overcome in an effort to reach a goal or realize an objective or purpose."³⁸ Anderson asserts that policy must entail purposeful behavior in addressing an issue or problem, and he establishes six criteria in consideration of the implication of public policy.³⁹

First, the policy be deliberate and purposeful, not something that was done randomly or by chance. Second, the actions are taken over time by government officials. Third, public policies emerge as a response to calls for action or inaction regarding specific issues made by individual citizens, public officials, legislators, groups, etc., upon government officials and government agencies. Fourth, policy deals with action, with what the government actually does, and not with mere intent. Fifth, public policy must be specific action, positive or negative, versus non-action, because a matter has not become a public issue.

37. AUGSBURGER, *supra* note 31, at 130-142.

38. JAMES E. ANDERSON, *PUBLIC POLICYMAKING* 9 (1997).

39. *Id.* at 10-12.

Sixth, in its positive form, public policy is authoritative, based on law and carrying with it legitimacy, recognition, and enforcement capabilities.⁴⁰

In essence, public policy reflects intentional action undertaken by the government, generally in response to issues raised by one or more groups, such as citizen action, special interest, etc. It is subject to change as the perception of the issue changes. Public opinion, therefore, may become public policy, which in turn effects our laws and judicial processes.⁴¹ This supports Sharp's contention that political power flows from the interaction between all or some of the following sources: 1) authority; 2) human resources; 3) skills and knowledge; 4) intangible factors; 5) material resources; and 6) sanctions.⁴²

The current woman's movement, which began in the 1960s, also challenged the old paradigm.⁴³ Realizing the power of the vote, women's groups were formed to exercise their right to vote by beginning concerted efforts to elect women or men who were supportive of women's issues and concerns. Consequently, the perception of elected officials began to change in response to the power of these voting blocks.⁴⁴ Contemporaneously, universities began to offer courses and eventually majors in women's studies. This impacted the new generation of women who entered adulthood with vastly different expectations than those of their mothers, grandmothers, or indeed any previous generation in American history. It also impacted the new generation of men whose own self-perceptions and expectations began to shift.⁴⁵

As a response, domestic violence legislation came into the forefront in many states in the mid to late 1970s and early 1980s. This codified the recognition that violence within the home would not be condoned and constituted illegal behavior. Subsequently, most states expanded their domestic violence laws to include violence of an emotional and psychological nature.⁴⁶

How our government and other institutions perceive family violence is a significant consideration in the analysis of violence. In light of legislative and judicial action, a number of non-political institutions, such as non-profit organizations, began to devote themselves to addressing this issue and new agencies, and centers were initiated specifically in this area.⁴⁷

40. *Id.* at 12.

41. *Id.* at 10-12.

42. GENE SHARP, *THE POLITICS OF NONVIOLENT ACTION: PART ONE POWER AND STRUGGLE* 11-12 (1973).

43. HARRINGTON, *supra* note 21, at 3-12.

44. *Id.*

45. LIPSITZ BEM, *supra* note 22, at 39-42.

46. Von Talge, *supra* note 20, at 111-130.

47. SHARON HERZBERGER, *VIOLENCE WITHIN THE FAMILY*, 188-208 (1996).

E. Fifth Side: Demographics

The United States is experiencing an epidemic of family violence (the terms *family violence* and *domestic violence* are used interchangeably herein) in communities and neighborhoods in every region of our country. According to Herzberger, even the current statistics do not accurately reflect the rate of this occurrence and "they dramatically underestimate the true incidence of maltreatment."⁴⁸

Violence in the home has caused thousands of women and children to flee their homes in fear for their safety, and indeed for their very lives. This flight results in displacement and significantly contributes to homelessness.⁴⁹

The effect of family violence on society appears in incidents of workplace violence. Abusive parties sometimes come to the workplace to harass and threaten victims either in person, through telephone calls, faxes or the internet. These women may lose their jobs or believe that resigning is the only way to cut off another point of contact with the abuser. Likely, they will have to apply for unemployment benefits or public assistance.⁵⁰

Family violence encompasses not only the traditional notion of domestic violence between spouses or partners, but also abuse by any family member against another, such as abuse of parents by their children, or brothers and sisters against each other. While the trends in family violence point to increases in spousal/partner abuse, the most startling statistics relate to abuse by juveniles.⁵¹ By impacting the succeeding generations, violence can literally be bred within the home.⁵²

Demographically, by understanding the composition of a community, one can see the number of new families, various age groups, cultures and therefore should be able to better analyze problems and design interventions.

F. Sixth Side: Economics

"Throughout the history of western culture, three beliefs about women and men have prevailed: that they have fundamentally different psychological and sexual natures, that men are inherently the dominant or superior sex, and both male-female differences and male dominance are natural."⁵³ As such, their beliefs become adaptable as the norm not only by men, but also, at least externally, by women.

48. *Id.* at 5.

49. JERRY LEE BRINEGAR, *BREAKING FREE FROM DOMESTIC VIOLENCE* 1-11 (1992).

50. R. EMERSON DOBASH & RUSSELL DOBASH, *VIOLENCE AGAINST WIVES*, 233-243 (1979).

51. HERZBERGER, *supra* note 47, at 5-17.

52. *Id.*

53. LIPSITZ BEM, *supra* note 22, at 1.

Due to the aforementioned limitations on women, women were in a different category than men economically. This is an important consideration in the analysis of family violence, the disproportionate earnings of women in many cases, and as such, the relationship to both power within the relationship, as well as access to alternatives in addressing family violence.⁵⁴ If women do not have such access, they do not have the economic power, despite appearing to have wealth. But how can women produce, control, and have access to surplus resources when society's rules, created by and for men, perpetuate a de facto discrimination against women.⁵⁵

How society values work and one's contribution goes to the heart of the gender issue. "Gender divisions within the work force have played an important role in perpetuating women's low pay."⁵⁶ If women are kept in low paying jobs, then their production, control, and access to surplus resources is limited or even impossible.

Bern, using the term "androcentrism" to note the tendency to see the male experience as the normative, points out that employers have the tendency to set standards for men and women based on the male experience that while one is working each day, the home and children are being taken care of by someone else, usually a wife.⁵⁷ When she is also employed, she is more often still primarily responsible for child care, care of the home, cooking, etc. Even when outside help such as babysitters, housekeepers, and so on have been hired, the woman remains responsible for the schedules, hiring, supervising help, and making arrangements when "her" help does not work out or is occasionally unavailable. Moreover, in many households, even when both partners have outside employment, women do, and are expected to do, a disproportionate share of household chores.⁵⁸

Of significance are two areas: the first is for the individual family, the second for the community. For the family, an analysis of economics helps with an understanding of what resources are available for assistance in dealing with violence. Such assistance may include resources for therapy, attorneys, and housing expenses for a displaced family member.

54. See Judith Buber Agassi, *Theories of Gender Inequality: Lessons from the Israeli Kibbutz*, in *THE SOCIAL CONSTRUCTION OF GENDER*, *supra* note 25, at 313-334 (Judith Lorber & Susan A. Farrell eds., 1991).

55. *Id.* at 316-317.

56. See Johanna Brenner, *Feminization of Poverty and Comparable Worth: Radical Versus Liberal Approaches*, in *The Social Construction of Gender*, *supra* note 25, at 205 (Judith Lorber & A. Farrel eds., 1991).

57. LIPSITZ BEM, *supra* note 22, at 62-65.

58. *Id.*

In the second area, knowing the economics of a community will assist in the analysis of what resources the community has available for its residents, and which residents may need additional resources.

IV. USING INTERNATIONAL PEACEBUILDING THEORY IN THE DESIGN OF COMMUNITY SOLUTIONS

In addition, in examining international peace building principles, Lederach, indicates that "change will require a rebalancing of power in the relationship by which all those involved recognize one another in new ways. Such recognition will increase the voice and participation of the less powerful in addressing their basic needs and will legitimate their concerns."⁵⁹ He further indicates that weaker parties, when their own self awareness increases, as well as their understanding of relationships and context, will usually demand change.⁶⁰

Curle contends that the movement toward peace can be understood through the emerging roles in a typical progression of conflict and that progression goes through four stages: 1) a latent or hidden stage in which conscientization is needed; 2) confrontation, in which the conflict is no longer hidden; 3) negotiation, which may occur when levels of awareness of interdependence have taken place between the parties; and 4) a restructuring, in which successful negotiation and mediation have resulted in a relationship restructuring. Curle refers to this final stage as "increased justice."⁶¹

Lederach points out that movement along this matrix may at times be stalled or may jump forward or backward. Likewise, not all conflict may be resolved in such a way that sustainable peace may be easily achieved.⁶² However, as Curle points out in his matrix, latent conflict cannot be resolved until there is acknowledgment of the conflict's existence.⁶³

In viewing aspects of international peace building and peacekeeping, Lederach uses a pyramid as a means to describe the types of actors and the approaches that may be seen. Level One is top leadership, such as military, political leaders and elites; their approaches tend toward processes led by highly visible, single mediators and involve cease fires and high level negotiations. Level Two represents leaders who are known in particular sectors, such as intellectuals, ethnic and religious leaders, NGOs, and middle tier elites. Their approaches tend toward insider-partial teams, peace commissions, workshops and training. Level Three contains local leaders, grassroots leadership,

59. LEDERACH, *supra* note 3, at 65.

60. *Id.* at 64.

61. LEDERACH, *supra* note 3, at 64-66 (citing Curle).

62. *Id.* at 66.

63. *Id.* at 64-66.

community developers and heads of indigenous NGOs. Their approaches tend toward postwar trauma reduction, grassroots and local training, prejudice reduction, and psychosocial efforts.⁶⁴

Lederach suggests that each of these levels has a significant role to play in the peace effort and that the higher the level, the greater access one has to information, and the greater impact one's decisions will have on the whole, while on the lower the level of leadership, the greater experience one will have with victimized people and the results of the large scale decisions, but the less the ability will be to see the broader picture.⁶⁵ Using this pyramid in community safety and violence intervention, one can see that the communication between the levels is essential in establishing policies and practices in family violence mediation intervention whereby the local experts and leaders have greater opportunities to pass on their expertise, and where middle and upper level leaders and policy makers can consider carefully this information. Victim safety may be increased when additional safeguards are put into place on the local level, but to do this, support and backing in terms of financial programs, laws, and policies must come from above.

V. COMMUNITY PARTNERSHIPS & INTERVENTIONS

Byrne and Keashley suggest that in international situations there is an art to being able to specifically identify problems, and that this could result in a blueprint of problems that points toward possible solutions.⁶⁶ This concept could assist in problem identification in the area of violence prevention and intervention projects, and could enable evaluation of pitfalls and problems. Lederach's "nested paradigm" in international peace building, for example, points to four stages, depicted as circles, which may be useful for viewing conflicts in terms of time frames and planning for peace.⁶⁷ His approach is holistic, and views the peace building process in stages from ending the violence through the establishment of a long term vision, spanning a period of twenty or more years.⁶⁸

The first circle is the actual "crisis intervention," which requires immediate action, short-term action which, on the international level, often means emergency aid and relief, and in cases of violence, cessation of those hostilities and cease fires. This usually take place over a two- to six-month period of time

64. *Id.* at 74-80.

65. *Id.*

66. Byrne & Keashley, *supra* note 2.

67. LEDERACH, *supra* note 3, at 63-80.

68. *Id.*

and focuses on immediate solutions.⁶⁹ When dealing with family violence, the first circle represents instead law enforcement's response to the immediate crisis of violence. That response would be immediate, though it may also happen repeatedly over a period of time.

The second circle, that of "preparation and training," has become increasingly more popular in conflict resolution. This involves skills training and preparatory activities so that future conflict may be better addressed. It usually occurs over a one- to two-year time span and is seen as short range planning.⁷⁰ In a community, police officers could be trained so they would better understand conflict resolution and periodic meetings provide a context to discuss the role of conflict resolution and mediation in family and community peacekeeping and peace building.

Such meetings are also helpful in bringing information into the design of future trainings. The elicitive training model encourages the use of input from participants in the goals, objectives, and design of training.⁷¹ Conversations with law enforcement officers prior to designing training for them can result in training that was more relevant and could be described by participants as more useful.

The third circle, "design of social change," links crisis experience with the need for better prospective planning, and involves a time frame of five-ten years. This is seen as "decade thinking," and is the time period during which many dispute systems designs are conceived.⁷²

This is at the core of this study, the need for a viable and meaningful community partnership based on strategic community planning for peace. Rather than merely responding to episodic family violence outbreaks in individual homes, or neighborhoods and having officers watch escalation trends without a community program in place, this circle promotes long range planning and design.

Lastly, the fourth circle, that of "desired future," is for long term vision, taking place over twenty or more years. During this time, generations are being considered in terms of conflict and violence prevention and harmony.⁷³ During this period, envisioning Boulding's shared future of peace is generated.⁷⁴ It is hoped that once a viable community peace building partnership can be established, a long term vision would be the natural outcome. This is the ultimate goal, the desired future.

69. *Id.* at 76-80.

70. *Id.*

71. LEDERACH, *supra* note 34, at 55-62.

72. LEDERACH, *supra* note 3, at 63-80.

73. *Id.*

74. BOULDING, *supra* note 4.

This framework allows communities to begin to strategically plan and not wait for problems to escalate. This will enable them to identify anticipated problems and emerging issues, and begin the process of planning and appropriating needed resources. Consequently, early warning systems designers should develop liaisons with other organizations so that early warning systems may be improved, and umbrella groups may be formed.

This concept could be of use in planning strategically for long range solutions to family violence, which has demonstrated to have far-reaching community implications. As previously established, family violence and its effects are felt far beyond the walls of the home. Thus, communities that wish to address this issue can learn much from the application of international peace building concepts and early warning systems.

Three ideas come to mind in using the concepts of international peace building in a model for family violence planning and strategy. First, reluctance against early action and intervention may be overcome. This paradigm shift would require placing a higher priority on educational and systemic changes that would result in recognizing violence and its potential in at-risk families, as well as in all families. At risk families include those with low income, and those experiencing life-crisis situations such as divorce, relocation, etc.

By looking beyond the myths of violence, early warning systems can be modified so that: 1) potential victims and their families can be referred to appropriate agencies for assistance; 2) families being helped by agencies for other matters can be more closely monitored for abuse; and 3) intervention decisions can be made, based on the level of violence, culture, and other contextual considerations, for situations in which abuse has been identified. This would also be of assistance in setting guidelines for the use of mediation and other types of intervention.

Second, Lederach found that the planning and strategizing assisted in establishing long term changes,⁷⁵ and Byrne and Keashley indicated that liaison with other groups was an effective means for addressing change.⁷⁶ Studies and practice suggest that the most successful strategy for promoting change is not one strategy at all, but rather involves a combination of strategies that best fit the individuals and groups.⁷⁷ This would be supported by international peace building theory, including Diamond and McDonald's multi-tiered diplomacy.⁷⁸ Thus, if a community is to address the issues of family violence with an eye toward sustainable change, it must deal with a number of strategies and have supportive services for follow-up treatment.

75. LEDERACH, *supra* note 3.

76. Byrne & Keashley, *supra* note 2.

77. DIAMOND & McDONALD, *supra* note 5.

78. *Id.*

Third, Byrne recommends the inclusion in the peace process of all relevant stakeholders so the promotion of understanding, tolerance, and dialogue may result in a true opportunity for third party facilitators to aid parties in providing for their superordinate goals and perceiving the identity of their real needs.⁷⁹

When family violence is viewed more fully through Social Cubism and through international peace building theory, it becomes clear that most services currently available in the community are found in the first circle, that of crisis intervention, with a few found in the second. Victims are usually encouraged either to leave, to have the perpetrator removed, or to tolerate the situation. Often this encouragement to tolerate violence within the home is born of cultural, psycho-cultural, and religious norms and values. And even when a victim leaves, or has the abuser removed by judicial mandate, local experts will attest to the high rates of reconciliations in which, without ongoing service options, little transformation will occur, and thus there will be limited sustainability for that change. Without sustainable change, patterns of violence are more likely to eventually resume, continue and even escalate.

The need for a community response and for viable community partnerships has also been seen as vital in modern law enforcement. This is congruent with international peace building theory, which encourages collaboration between various stakeholders on different levels or tiers.

In light of the aforementioned, it becomes clear that concepts typically related to ethnopolitical conflict and international peace building may be of use in examining how and in what way a community analyzes and responds to social issues, such as violence.

79. Sean Byrne, *Conflict Regulation or Conflict Resolution: Third Party Intervention in the Northern Ireland Conflict- Prospects for Peace*, Vol. 7 No. 2 J. OF TERRORISM & POL. VIOLENCE 1-24 (1995).

TRAUMATIZED SOCIETIES: SOCIAL CUBISM AND THE PREDATORY STATE OF HAITI

*Karen Jenkins, M.A.**

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I. INTRODUCTION

The end of the twentieth century has seen an increase in societies devastated and traumatized by mass violence. Traumatized societies develop when severe inter-ethnic conflicts cause drastic shared losses, humiliation by the enemy, and helplessness that prevents positive adaptation to the situation.¹ We see examples of this resulting from the genocide in Rwanda and Bosnia, the brutal militarism in Haiti, and the ongoing clashes between Palestinians and Israelis in the Middle East. While many of these societies no longer appear traumatized on the surface, these events may still affect societal processes.²

For more than 200 years, Haiti has suffered such traumas. Slavery and colonization, a succession of predatory dictatorships, and economic sanctions and international isolation continue to plague Haiti. In this post-Cold War setting, the daunting challenge for conflict resolution scholars and practitioners, government officials, and non-state actors is to develop multi-modal and multidimensional mechanisms for dealing with failed states and traumatized societies. This chapter will examine the effectiveness of social cubism as an analytical framework for dealing with the multifaceted conflict in Haiti.

According to Byrne and Carter, studies of ethno-territorial politics typically examine political and economic structures, to emphasize the competing interests

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1. VAMIK VOLKAN, *BLOOD LINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM* 43 (1998).

2. *Id.*

of groups, or use a psychoanalytic approach to emphasize psychological and cultural forces.³ Byrne and Carter advocate the perspective of “social cubism,” emphasizing the interaction of both the material and psychological mechanisms. The social cube of conflict has six interrelated facets or forces: history; religion; demographics; political institutions; economics; and psychocultural factors.⁴

Social cubism evokes images of the Rubic’s Cube, which, if one twists or turns the cube in any direction, that move will alter the interaction of various elements of the game. These six social forces, when combined, produce differing patterns of intergroup behavior or interaction. No one force can be isolated to explain its relation to the other forces, nor can one stand alone as a single cause of a conflict. For example, one dilemma for international policy makers is that they do not have a scientific methodology for assessing the cultural, political, and social meanings of trauma in the lives of civilian populations and how these traumatic experiences alter the everyday lives of the affected individuals. Little empirical research is conducted for assessing outcomes, and humanitarian goals are often subordinated to political agendas. Although the magnitude of such problems are becoming clearer, methods of prevention and reconstruction of damaged societies have remained elusive. Consequently, the enormous burden of human suffering and loss of social and economic productivity remains hidden behind a veil of neglect, ignorance, and denial.⁵

Social cubism offers an analytic framework for assessing the cultural, political, and social meanings of trauma. I will use the six forces to examine the state of Haiti today. Can this perspective shed new light on efforts to rebuild a traumatized society in ways that promote economic development, civil society reconstruction, justice, democracy, and human rights, and prevent a relapse into new rounds of crisis and chaos? My contention is that neglecting the interaction between these six forces, as well as the collective psychology of people displaced from their homes and their country, along with the economic and political reconstruction of the community, cannot support a lasting resolution. Resolution of the ongoing political conflict in Haiti requires not only political settlement, but also a wider healing of the traumatized society. Transformation of this material and psychological anomaly requires short-term and long-term efforts by many actors.

3. Seán Byrne & Neal Carter, *A Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Québec*, 3 *J. PEACE & CONFLICT STUDIES* 52, 52-66 (1996).

4. *Id.*

5. Richard Mollica, *Trauma and Reconstruction in Kobe, Bosnia-Herzegovina, and Columbia*, 16 *Harvard School of Public Health* 1, 1-4, available at <http://www.cgp.org/cgplink/vol16/articlesvol16.html> (last visited Jan. 19 2002).

Haiti is a country of extreme political polarization, class divisions, a fractured national identity, and stark socioeconomic contrasts.⁶ Elites who artificially perpetuate the extremes of the nation's colonial traditions have proven unwilling to relinquish their status and wealth (and therefore power) in post-independence Haiti. These divisions have exacerbated cultural rifts manifested in language, religious practices, and attitudes toward skin color, which can only impede the transition to democracy that the Haitian government is now trying to effect.⁷

Haiti has endured many horrendous events in its brief history. Perhaps the perpetuation of these traumas down throughout its history, without the benefit of healing as a nation, inhibits Haiti's development today. Volkan describes the transgenerational transmission of trauma as

when an older person [or group] unconsciously externalizes his traumatized self onto a developing child's [or group's identity] personality. A child then becomes a reservoir for the unwanted, troublesome parts of an older generation. Because the elders have influences on a child [or community], the child absorbs their wishes and expectations and is driven to act on them. It becomes the child's task to mourn, to reverse the humiliation and feelings of helplessness pertaining to the trauma of his forebears.⁸

Volkan uses the term "chosen trauma" to describe the collective memory of a calamity that once befell a group's ancestors. It is, of course, more than a simple recollection; it is a shared mental representation of the event, which includes realistic information, fantasized expectations, intense feelings, and defenses against unacceptable thought.⁹ He maintains that the word "chosen" fittingly reflects a large group unconsciously defining its identity by the transgenerational transmission of injured selves infused with the memory of the ancestors' trauma. I contend that Haiti as a country suffers from a transgenerational transmission of trauma. I will use social cubism to analyze the various social forces that interlock to produce the crisis in Haiti today.

6. Jennifer L. McCoy, ROBERT ROTBERG, HAITI, RENEWED: POLITICAL & ECONOMIC PROSPECTS 1-26 (Robert I. Rothberg ed., Brookings Institution Press, 1997) (1997).

7. IRWIN P. STOTSKY, SILENCING THE GUNS IN HAITI: THE PROMISE OF DELIBERATIVE DEMOCRACY 17 (1997).

8. VOLKAN, *supra* note 1, at 43.

9. *Id.* at 48.

II. HAITI: AN OVERVIEW OF A TURBULENT HISTORY

Perhaps the single most important element to understand about contemporary Haiti is that it remains the only nation in history to have been founded by slaves who overthrew their masters . . . This unique aspect of Haitian history is both an asset and a liability.

Chetan Kumar

Haiti was the first country in the Caribbean to win its independence, when the French were expelled in 1804, and only the second republic of the hemisphere after the United States. Haiti, earlier known as Saint-Domingue, shares roughly a third of the island of Hispaniola with the Dominican Republic.¹⁰ Modern Haitian history began in 1492, when Christopher Columbus landed on Haiti near Cape Haitien on the north coast of Hispaniola.¹¹ The island became an important colony and the seat of Spanish government in the New World until Spain lost interest in Haiti because its obsession with gold had exhausted that natural resource on the island.

Within fifty years of enslaving the island's inhabitants, half a million Arawak Indians had been exterminated in the Spanish gold mines.¹² The genocide of the native Indians did not go unnoticed in Spain, however. The missionary Bartolome de las Casas campaigned against Indian slavery, achieving its abolition in 1542. Yet not only was the measure too late to prevent the extinction of the Arawaks, but it also brought about the beginning of African slavery in the New World.¹³ By 1517, Charles V authorized the export of 15,000 African slaves to San Domingo, and thus priest and King launched on the world the American slave trade and slavery.¹⁴

After nearly one hundred years of Spanish, British, and French fighting over the island, Spain ceded Saint Dominique, now Haiti, to the French in 1695 by the Treaty of Ryswick.¹⁵ By 1789 the French West Indian colony of San Domingo supplied two-thirds of the overseas trade of France and was the greatest individual market for the European slave trade. Slavery was an integral part of the economic life of the age in the greatest colony in the world, the pride

10. DAVID MALONE, *DECISION-MAKING IN THE UN SECURITY COUNCIL: THE CASE OF HAITI 1990-1997* 40 (1998).

11. Leslie A. Benton, & Glenn T. Ware. *Haiti: A Case Study of the International Response and the Efficacy of Nongovernmental Organizations in the Crisis*, at <http://www.law.emory.edu/EILR/volumes/spg98/benton.html> (last visited Jan. 19, 2002).

12. JAMES FERGUSON, *PAPA DOC, BABY DOC: HAITI AND THE DUVALIERS* 1 (1987).

13. *Id.* at 2.

14. C. L. R. JAMES, *THE BLACK JACOBINS: TOUSSAINT L'OUVERTURE AND THE SAN DOMINGO REVOLUTION* (Vintage Books 1989) (1963).

15. *Id.*

of France and the envy of every other imperialist nation. The economic structure rested wholly on the labor of half a million slaves.¹⁶ San Domingo was also noted for being the world's most repressive colony engendering a caste system of French domination and set the stage for the social discord and political exploitation that remains today.¹⁷

Social discord between whites and black widened when the French slave owners and their black female slaves produced a new class, the mulattos, also known as *gens de couleur* or *affranchis*. This new class's social status rested between those of whites and blacks. The plantation owners usually educated their progeny and often signed over land titles to them, so in spite of institutional discrimination against them, many mulattos became wealthy landowners, establishing themselves as a viable class.¹⁸ Cruel and abusive racial discrimination, however, was the hallmark of French colonization in this three-tiered society of whites, mulattos, and blacks.

The modern nation of Haiti is the product of a revolution against slavery and colonialism beginning in 1791. In the fifty years or so leading to the 1791 slave revolution in Haiti, black slaves began to react to the brutal treatment of their masters. The continuing racial strife, bolstered by the inspiration of the French revolution, contributed to the outbreak of a revolution. During this period of civil war, Toussaint L'Ouverture emerged as the dominant black leader¹⁹ of the first large-scale successful slavery revolt in the Americas. L'Ouverture eventually gained command of the entire island. In 1802, however, Napoleonic forces sent to depose L'Ouverture took him to France, where he later died in prison. Nevertheless, Napoleon and his troops, having been exhausted and defeated in Europe, finally conceded to the Haitian rebellion.²⁰

Haiti proclaimed independence on January 1, 1804. It emerged as a nation under the successive leadership of two figures, Toussaint L'Ouverture and Jean-Jacques Dessalines. After two centuries of Spanish and French colonial rule, and in the wake of the French revolution and a new government based on the "Rights of Man," Haiti's slave population began to struggle for political rights equal to those possessed by the island's white and mulatto elites.²¹ The world's first free black republic was therefore characterized by racial hatred and corruption. The slave revolution virtually eliminated the white population and

16. JAMES, *supra* note 14, at 6.

17. Benton & Ware, *supra* note 11.

18. *Id.*

19. *Id.*

20. *Id.* at 2.

21. CHETAN KUMAR, BUILDING PEACE IN HAITI (1998).

degenerated into a ten-year entanglement of atrocities known as the "War of the Castes."²²

After Dessalines's rule, the desperate competition between blacks and mulattos manifested itself in the eventual division of Haiti; a northern kingdom under black Henry Christopher (King Henry I of Haiti), who ruled harshly from a Cape Haitian palace, and a southern republic under mulatto Alexandra Petion's laissez-faire rule at Port-au-Prince.²³ After Petion died in 1818, the republican senate selected the commander of the Presidential Guard, General Jean-Pierre Boyer, as the new president for life. President Boyer then invaded San Domingo following its declaration of independence from Spain, with the entire island controlled by Haiti until 1844.

Upon King Henry's death in 1820, Boyer was able to consolidate Haiti and establish a government remarkable only for its relative stability over a twenty-five year rule. After decades of Haiti's isolation from the international community, France agreed to recognize Haitian independence in exchange for a financial indemnity of 150 million francs. Most nations, including the United States, shunned Haiti for almost forty years, fearful that its example could stir unrest there and in other slaveholding countries. Over the next few decades Haiti was forced to take out loans of seventy million francs to repay the indemnity in hopes of gaining international recognition. Under Boyer, the economy stagnated and the division between blacks and mulattos widened. Boyer's rule gave way to a succession of twenty-two heads of state between 1843 and 1915, when the United States invaded Haiti.²⁴

Since its first independence, Haiti's form of government has been, practically speaking, a dictatorship. The main method of changing dictators has been by coup, abetted by execution or exile. In 1915, United States Marines invaded Haiti with an average force of 2000 to control the country. Although legalistic reasons were given, the practical reasons were to protect United States business interests and to keep Germany away (World War I had started and the waters between Haiti and Cuba are the main ocean passage from the east to the Panama Canal).

After twenty years of occupation, political stability, and some improvements to Haiti's infrastructure, the United States withdrew. The United States occupation had few lasting effects other than to reinforce racism between the blacks and mulattos because the Marines granted mulattoes political power over black Haitians.²⁵ In the absence of established political or social institutions, the military remained the only cohesive institution in the country,

22. STOTSKY, *supra* note 7, at 18.

23. Benton & Ware, *supra* note 11, at 2.

24. MALONE, *supra* note 10.

25. *Id.*

and the tool by which future governments would rule. Many Haitians refer to the United States' withdrawal as Haiti's second independence.²⁶

After several attempts in the late 1950s to move toward democratic governance ultimately failed, military-controlled elections lead to victory for Dr. François Duvalier. The accession of the *noiriste* Duvalier, "Papa Doc" broke with the tradition of the mulatto elite ruling the country but did nothing to improve services that the state offered its citizens. In 1964, Papa Doc declared himself President-for-Life and formed the infamous paramilitary force, the *Tontons Macoutes*. Duvalier's regime was marked with terror and corruption, as tens of thousands of Haitians were killed or exiled. The Duvalier reign of terror finally fell apart twenty-nine years later, in February 1986, when his son, Jean-Claude, was escorted into exile by the United States.²⁷

In December 1990, Jean-Bertrand Aristide, a charismatic Roman Catholic priest, won sixty-seven percent of the vote in a presidential election that international observers deemed largely free and fair. Aristide took office in February 1991, but was overthrown by dissatisfied elements of the army and was forced to leave the country in September of the same year. It is estimated that between 300 and 500 Haitians were killed in the days following the September coup, and 3000 in the following three years. The coup created a large-scale exodus from the country; in fact, the United States Coast Guard rescued a total of 41,342 Haitians from 1991 to 1992, more than the combined number of rescued refugees from the previous ten years.²⁸

The political and human rights climate continued to deteriorate as the military and the *de facto* government sanctioned repression, assassination, torture, and rape in open defiance of the international community's condemnation. An American military intervention that restored Aristide to his office in 1994 demonstrated once more that violence remained the decisive element in Haitian politics; it represented the only viable means of ending redictatorialization.²⁹ The intervention, however, has had contradictory consequences. While it resuscitated the difficult process of democratization and facilitated the relative emasculation of the repressive organs of the state, it also protected the old balance of class power and set out constraining parameters for economic transformation. The result was a change of regime rather than the

26. ROBERT DEBS HEINL, JR. & NANCY GORDON HEINL, *WRITTEN IN BLOOD: THE STORY OF THE HAITIAN PEOPLE, 1492-1995* 489 (1996).

27. FERGUSON, *supra* note 12, at 119.

28. UNITED STATES DEPARTMENT OF STATE, *Background Notes: Haiti, March 1998*, at http://www.state.gov/www/background_notes/haiti_0398_bgn.html (last visited Jan. 19, 2002).

29. Robert Fatton, Jr., *The Rise, Fall and Resurrection of President Aristide*, in *HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS* 1, 136 (Robert I. Rothberg ed., 1997).

creation of a new state.³⁰ In the November 1995 elections, René Préal, formerly a minister in Aristide's administration, was elected in the second free election in Haiti's history. Conditions in the country, however, remained volatile over the next five years.

Aristide won his bid for re-election in November of 2000 with an overwhelming ninety-two percent of the vote (although it is estimated that only ten percent of the population participated in the election). The elections, however, were plagued with controversy. Many of the major opposition parties and six unknown candidates (too scared to participate) boycotted the election.³¹ Opponents accused Aristide of rigging the elections, inciting violence, intimidating opponents, and even using bombings against political rivals. The international community has yet to recognize the elections as legitimate. The air of conflict contrasted with the public euphoria that accompanied the former priest's election victory in 1990, when he became Haiti's first freely elected president.

Haiti's past and present exemplifies a society traumatized by violence, poverty, and a predatory state apparatus. If the country is to heal from its past, it must dismantle the remnants of the predatory regime, replacing it with a humane, democratic government that can respond to the needs of the nation. Next, the interlocking relationship between history, demographics and the political structure will be considered to better understand Haiti's psychocultural trauma.

III. DEMOGRAPHICS: THE LAY OF THE LAND

Haiti's only ties with its hemisphere are latitude and longitude. Think rather of Haiti as a fragment of black Africa, a fragment dislodged from the mother continent that drifted across the Atlantic and grounded in the Antilles.

Heinl & Heinl

Approximately 700 miles southeast of Florida, Haiti shares a Caribbean island with the Dominican Republic. Haiti is located between the islands of Cuba, Jamaica, and Puerto Rico. The geographic proximity raises questions of national security in the region, with Haiti as a democratic buffer, leaving Cuba the only country in the hemisphere still under a dictatorship. The proximity of Haiti to the United States has led to a large American expatriate community of

30. Fatton, *supra* note 29.

31. David Gonzalez, *Final Haitian Vote Tally Shows Aristide Winning 91.69%*, N.Y. TIMES, Nov. 30, 2000, at A15.

Haitian citizens and an influx of Haitians seeking political and economic asylum.³²

Demographic factors continue to be a wedge between the Haitian people reminiscent of post-colonial Haiti. About ninety percent of all Haitians (*noirs*) are ebony black. The remaining ten percent have varying traces of Caucasian blood and are known as *jaunes* or *mulâtres*. This racial division, Haitians call it exactly that and speak of "the two races," is the most important fact of life in Haiti. It dominates the country's whole existence. It is also, in the words of one of Haiti's ablest thinkers, Alcuis Charmant, "the supreme evil of our Republic, the virus that ravages it, and the road to its ruin."³³ Indeed, it is based upon opposing ideologies concerning the form of government best suited to the country.³⁴

Two-thirds of Haiti's 7.5 million citizens live below the national poverty level with an average annual income of less than \$250, while a small group of military and civilian elites continues to oppress the population.³⁵ Human security in Haiti is dangerously weak, not only from a political standpoint, but also more importantly from a health standpoint. The United Nations Development Program (UNDP) reports that life expectancy at birth is only fifty-six years, compared with seventy-six in Costa Rica and the United States.³⁶ Haiti has an overwhelmingly rural population with only thirty percent living in urban areas.

The physical infrastructure of the cities has also decayed due to financial constraints, which intensified from 1991 to 1994, swollen populations, and environmental degradation. The Inter-American Development Bank reports that less than forty percent of the water needs of the capital are being met and that erratic gathering and disposal of solid waste in Port-au-Prince and Cape Haitien contribute to deplorable sanitation conditions. Soil erosion and poor watershed management damage roads and infrastructure in urban and rural Haiti.³⁷

Haiti has the highest rate of illiteracy in the Western hemisphere and one of the highest in the world. Roughly sixty-five percent of all Haitians are illiterate. The other thirty-five percent, among whom a superbly educated elite boasts degrees from the world's greatest universities, can read and write.³⁸

It is an old saying that Haiti is eighty percent Catholic and 100 percent Voodoo (also written Vodun or Vodoun). This may not be the literal truth, but

32. McCoy, *supra* note 6, at 21; HEINL & HEINL, *supra* note 26.

33. HEINL & HEINL, *supra* note 26, at 5.

34. STOTZKY, *supra* note 7, at 22.

35. KUMAR, *supra* note 21; McCoy, *supra* note 6, at 2.

36. McCoy, *supra* note 6, at 2.

37. *Id.*

38. HEINL & HEINL, *supra* note 26, at 5.

it is doubtful whether more than fifteen percent of Haiti, including a small but vigorous Protestant community, practices Christianity exclusively. As Judaism had in Israel and Shinto in Japan, Vodun helped define the Haitian nationality and ethos even though Roman Catholicism, in its French variant, remained the official religion until 1987.³⁹

IV. THE PREDATORY STATE: POLITICAL STRUCTURES IN HAITI

The Haitian state has traditionally functioned as a parasitic force, siphoning off economic resources from the peasantry through draconian taxes and other means, and enforcing its will through a multiplicity of controls, including the threat and the use of force.

Donald Schultz

During Haiti's history of governance by forty-two emperors, kings, presidents, and other heads of state, all but three ended their term in office in a bloody coup d'état, violent death, or exile.⁴⁰ In Haiti a deeply embedded culture of predation has fostered autocracy and corruption, extreme social injustice, and economic stagnation. "It is in this sense that one speaks of the state versus society, with the military operating as both a repressive arm of the government and as a semiautonomous actor with interest of its own."⁴¹ As North and Rothberg describe it, "the predatory state extracts income from constituents in the interest of one group or class without regard to the impact on the wealth of the society as a whole. Throughout the history of independent Haiti, the presidency served as a source of private income for the rulers."⁴² Characterized by few productive expenditures or none, the state became, as Mats Lundahl comments:

at once too small and too big: too small in the sense that it has failed to create a policy environment conducive to productivity and growth; too large if one takes into account the number of public sector employees who have been taken into the service of kleptocrats to assist in the creation of private ruler income or have served solely as

39. Patrick Bellegard-Smith, *Resisting Freedom: Cultural Factors in Democracy; the Case of Haiti*, in HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS 1, 28 (Robert I. Rothberg ed., Brookings Institution Press 1997) (1997).

40. ELIZABETH D. GIBBONS, SANCTIONS IN HAITI: HUMAN RIGHTS AND DEMOCRACY UNDER ASSAULT 177 THE WASH. PAPERS 1, 2 (1998).

41. Donald E. Schultz, *Political Culture, Political Change, and the Etiology of Violence*, in HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS 1, 93 (Robert I. Rothberg ed., 1997).

42. McCoy, *supra* note 6, at 9.

recipients of public funds without performing duties other than backing the ruler politically.⁴³

In this sense, Duvalierism was not an aberration but rather the culmination of a particular set of historical experiences, including those provided by traditional African culture, slavery, a bloody war of liberation, the reimposition of elite dominance and mass submission, chronic cycles of tyranny and chaos, and the effects of a prolonged United States occupation. The result has been the development of an elaborate syndrome of destructive and self-destructive political behavior marked by authoritarianism, paternalism, personalism, patronage, nepotism, demagoguery, corruption, cynicism, opportunism, racism, incompetence, parasitism, rigidity, intolerance, rivalry, distrust, insecurity, vengeance, intrigue, superstition, volatility, violence, paranoia, xenophobia, exploitation, class hatred, institutional illegitimacy, mass apathy, aversion, and submission.⁴⁴

The democratization of Haiti has been a slow and arduous process. The decline in the predatory state began with the 1986 fall of the Jean-Claude "Baby Doc" Duvalier dictatorship. Five different subsequent governments preceded the internationally observed elections of December 1990, in which Aristide, candidate of the Front National pour la Convergence Democratique (FNCD) captured sixty-seven percent of the popular vote. The transition from authoritarianism to populism was a function of the ascendancy of civil society. The 1991 coup that followed suggests, however, that the old balance of class power, as well as the vital repressive organs of the Duvalierist state, survived the departure of Jean-Claude Duvalier and instigated the redictatorialization of Haitian society.⁴⁵

The coup represented yet another setback for the aspiration of ordinary Haitians due to an American economic embargo instituted to oust the ruling military regime. "The motivations for this intervention were ostensibly the restoration of democracy and human rights, but there may have been an underlying motive in that the stabilization of Haiti was the only politically acceptable way to avoid a politically unacceptable influx of Haitian refugees into the United States."⁴⁶

Either the return of a populist leader like Aristide or the stabilization of military rule, was acceptable to the American government, provided the refugee problem was 'handled,' even if handling meant

43. *Id.*

44. Schultz, *supra* note 41, at 95.

45. GIBBONS, *supra* note 40, at 1.

46. RICHARD FALK, PREDATORY GLOBALIZATION: A CRITIQUE 58-9 (1999).

forcible repatriation, brutal means to discourage the outflow, and resettlement in already overburdened countries in Central America and the Caribbean.⁴⁷

At the heart of the current Haitian national crisis is an incendiary conflict between leadership groups inside and outside the government over the direction of national politics generally, and economic reform specifically. Politically, Haiti's leadership is torn between supporters of President Aristide and his "Fanmi Lavalas" and supporters of the Lavalas Political Organization (Organisation Politique Lavalas, OPL) led by Gerard Pierre Charles. Both political parties grew out of the broad populist Lavalas movement originally led by Aristide. OPL is now opposed to the Aristide's perceived influence over Haitian politics and vaguely accuses him of having anti-democratic tendencies. The first step toward democracy must be to dismantle the old state controls and the public and private monopolies that formed the basis of the predatory state.⁴⁸ As long as these mechanisms are in place, regional security in the Caribbean and the placement of refugees will remain a central issue.

Behind the values, attitudes, beliefs, and behavior that foster political violence and a predatory state in Haiti are stark economic needs and relationships. While the military-institutional bases of violence have been destroyed, the economic substructure remains largely intact. The critical issues here, both for democracy and political stability, are poverty, inequality, economic growth, and class conflict.⁴⁹

V. ECONOMIC STRUCTURE: WILL IT EVER ADD UP?

Haiti's economic structure may be locked into a low-level equilibrium that offers no easy way out ...even well-intended governments with a purged, honest, bureaucracy have a Herculean task in this respect.

Mats Lundahl

Haiti has long held the dubious distinction of being the Western Hemisphere's poorest nation. In an economy with only a 9/10 percent per capita annual growth between 1965 and 1980, -2 2/5 percent rate between 1980 and 1992,⁵⁰ a thirty percent drop in GDP during the 1991 to 1994 military

47. FALK, *supra* note 41, at 59.

48. McCoy, *supra* note 6, at 5.

49. Schultz, *supra* note 41, at 101.

50. McCoy, *supra* note 6, at 6.

period, and a 2 2/5 percent rate for 1999,⁵¹ and the need for massive economic reconstruction is starkly clear. About eighty percent of the population lives in abject poverty. Nearly seventy percent of all Haitians depend on agriculture, which consists mainly of small-scale subsistence farming and employs about two-thirds of the economically active work force.⁵²

Haiti has yet to recover from the United States economic embargo launched in 1993 to force out the government of Raoul Cedras. The embargo devastated the nation's miserable economic base. During the three-year military rule, conditions in all areas of Haitian life noticeably worsened. Infectious diseases such as cholera and tuberculosis were rampant, with only forty percent of the population having access to modern medicine. Free schools were available to only ten percent of Haitian children. Deforestation and over-farming severely eroded the land, and the country of 7.5 million had one of the highest population densities in the world. The economy shrank more than two percent annually during the 1980s, then plummeted thirty percent during military rule. Streets were pocked with craters, most prisons had no water or electricity, and some judges were without pencils or paper.⁵³ "The military government was incompetent, corrupt, and violent with 3000-4000 deaths attributed to state violence during that period. When Operation Restore Democracy was initiated in the autumn of 1994, Haiti was an economic wasteland."⁵⁴

The embargo was a double-edged sword:

While the United Nation-sponsored action undoubtedly applied pressure on the military junta running the country, the poorest Haitians suffered its worst effects. Moreover, the negative consequences of the embargo created a great many new challenges for those seeking to help Haiti recover. United States assembly companies that had been in Haiti, and then moved out at the request of the United States government wanted recompense. Haitian infrastructure deteriorated badly during the embargo and would cost much more to repair. In short, the embargo, arguably useful in the short-term to defeat the military regime, devastated Haiti economically, making the longer-term United States objective of restored growth much more complicated.⁵⁵

51. United States Central Intelligence Agency, CIA World Factbook (2000), available at <http://www.cia.gov/cia/publications/factbook>.

52. *Id.*

53. DAVID J. ROTHKOPF, *THE PRICE OF PEACE: EMERGENCY ECONOMIC INTERVENTION AND U.S. FOREIGN POLICY 15-6* (1998).

54. *Id.* at 16.

55. *Id.* at 16-17.

External aid is essential to Haiti's future economic development. Comparisons of social and economic indicators show that Haiti has been falling behind other low-income developing countries (particularly in the hemisphere) since the 1980s. Haiti's economic stagnation is the result of earlier inappropriate economic policies, political instability, a shortage of good arable land, environmental deterioration, continued use of traditional technologies, undercapitalization, migration of large portions of the skilled population, and a weak national savings rate.⁵⁶ Domestic and foreign private investment has been slow to return to Haiti due to concerns about political conditions and economic reform, even though international financial institutions and donor agencies have committed substantial sums to assist Haiti in restoring and expanding its physical infrastructure. High domestic interest rates and poorly developed internal capital markets are other factors restraining economic performance.⁵⁷ Today, the military institution is gone but the oligarchy remains. Prospects for economic development and a substantive improvement in living conditions are problematic. The redistribution of economic power in favor of the poor majority does not seem likely. Although Mintz has argued that hardly any beneficial long-term political change can be accomplished without such a redistribution, this is an explosive issue.⁵⁸ More than any other single factor, the threat of class warfare led to the coup that overthrew Aristide in September 1991. A resurrection of that specter would have repolarized Haiti, risked more violence, and frightened away investors. Economic reconstruction is critical to the continued expansion of democracy in Haiti. In addition to the economic and political difficulties, however, a more difficult obstacle to democracy in Haiti may be psychological and cultural influences. The tradition of a predatory, oppressive state has left Haitians deeply distrustful of government and of foreigners.

VI. PSYCHOCULTURAL FACTORS: CREATING A COHESIVE COMMUNITY

We're All in the Same Boat, and This Boat Isn't Going to Florida.

Jennifer McCoy

The history of Haiti is one of sharply opposed interests, starkly competing visions of state and nation, and a rigid class structure. If "the Haitian mind" or attitude is meant to signify the political, economic, and social positions of the majority, Haitians have been of one attitude only twice in their history. Their

56. UNITED STATES DEPARTMENT OF STATE, *supra* note 28.

57. *Id.*

58. Schultz, *supra* note 41, at 102.

first coming together as a people was in the period 1791-1804, when they bravely united against slavery and French colonialism. The second was in 1990, when a majority of at least sixty-seven percent elected Jean-Bertrand Aristide to the presidency in the country's first democratic and free elections. Events since that election, however, reflect the deep divisions that developed in this society between these two defining moments.⁵⁹

While pride in their historic accomplishment allows Haitians to think of themselves as one nation despite the yawning social gulf that divides the top from the bottom, this same pride also creates an inward focus that prevents many Haitians from learning from others.⁶⁰ All Haitians sincerely consider themselves members of the African race and claim bonds of brotherhood with black Africans. Nevertheless, educated Haitians have always shared the Europeans' paternalistic disparagement of things African.⁶¹ The fundamental issue is how to create a sense among Haitians that they are all in the "same boat," and that if one group or class goes overboard, the whole boat will sink.

The problem is that Haitian elites honestly believe, and have believed for a century and a half, that they can survive without the poor, rural majority of Haiti. Class structure, not merely income, and historical tides, not simply the immediate past, are at the root of Haiti's modern crisis. Indeed, a positive resolution of this crisis is impossible unless these cultural and historical issues are understood and confronted.⁶²

The solution, Trouillot contended, involves a social contract between the state and society, which lays out the obligations of each to the other. For Haiti, as for most countries, the state preceded the nation at independence. But, unlike other emerging democracies, the Haitian state did not achieve a social contract that could produce a sense of national identity. Instead, in nineteenth century Haiti, elites reacted to the rise of the peasantry not with a package of social benefits that would have led the majority to believe that they were actually in the same boat as the elites, but with a form of social apartheid. Elites have believed that they could survive even if the majority did not. Thus, a sense of sameness across class lines, a sense of nationhood, was never achieved in Haiti.⁶³

This cultural division among Haitians has created an internalized violence in relation to the ethnic diversity of the population. Variation in skin color is

59. McCoy, *supra* note 6, at 10.

60. See KUMAR, *supra* note 21.

61. STOTZKY, *supra* note 7, at 23.

62. *Id.* at 18.

63. McCoy, *supra* note 6, at 4.

perhaps the most “real” of the agents of cultural strife. There exists in Haiti a historical tension between the older “mulatto” elites and the “black” middle class. This is a complex issue, however, no aspect of Haitian history is more confusing than the physical appearance of its people. Haiti is said to be divided by color, but that is a gross simplification. It is closer to the truth to say that consciousness of color varies between social classes and also within each class, and that for many people light skin is symbolically important. But this statement merely skims the surface. “The skin color of people must be seen as part of a perceptual whole that includes hair type, nose type, lip type, eye color, ear size and other features, such as amount of body and facial hair, and body type.”⁶⁴ As important as color is to Haitians, however, it is not clear that this determined the identification that emerged of a ruling class, so much as did education, military records, and personal connections. Thus, while color is a significant cultural issue, it was not, at the birth of the nation, nor today, so neatly a defining marker that social groups can safely be described in color terms.

Similarly, variation in the use of language is one manifestation of cultural division. All Haitians speak Haitian Creole to one degree or another. Eight to ten percent of the population (the elites) speaks French well enough to claim fluency, however, only a tiny minority within the elites is truly bilingual in both French and Creole. More important than bilingualism is the messages given to elite children that it is unacceptable for members of their class to speak Creole.⁶⁵ Until Aristide’s reinstatement to office, French was the official language in schools and in the court systems. In this way, language is an effective social barrier that denies majority participation in certain state institutions, thus ninety percent of Haitians are excluded from power. Furthermore, there are subtle nuances of meaning within Haitian Creole that illustrate cultural prejudices and cynicism. For example, the word *leta* in Creole means both “the state” and “bully.” The urban people, in turn, refer to the rural peasants a *mounn andewò*, which means “outsiders.”⁶⁶

Language manifests itself in the cultural divide as a tool of domination. Whether one imagines hegemony to be relatively open or relatively closed, the essence of the concept is not manipulation but legitimation. The ideas, values, and experiences of dominant groups are validated in public discourse; those of subordinate groups are not, though they may continue to thrive beyond the boundaries of received opinion.⁶⁷

64. STOTZKY, *supra* note 7, at 21-22.

65. HEINL & HEINL, *supra* note 26, at 5; STOTZKY, *supra* note 7, at 21.

66. STOTZKY, *supra* note 7, at 21.

67. T.J. JACKSON LEARS, *The Concept of Cultural Hegemony: Problems and Possibilities*, 90 AM. HIST. REV. 567, 567-93 (1985).

The very things that brought Haitians together are the very things that keep them apart. Language and religion helped the Haitian peasants to face the power deficit between master and slave, oppressor and oppressed, and a dominant Europe and a subaltern Africa. In both Haitian language and Haitian religion, one finds the necessary compromises and subterfuges that the weak use to survive.

VII. RELIGION IN HAITI: VODOO OR CATHOLICISM— MUST THERE BE A CHOICE?

It is often said that Vodun kept Haiti backward. Probably the reverse is true: Vodun flourished because the rulers of Haiti denied their multitudinous citizenry a chance to transform a socially and economically stagnant rural life.

Robert Rotberg

Voodoo is deeply rooted in the Haitian culture; it is an amalgam of the animist cults of West Africa infused with Catholic ritual. Voodoo plays a central role in the life and history of Haiti, to disregard it is to foreclose serious understanding of these people. Haitian Voodoo is the dominant system of belief, therefore, an important national characteristic. The struggle between Voodoo and the leading Christian faiths of Haiti (Roman Catholicism and, more lately, Protestantism introduced by American missionaries) has been a constant element in Haiti's social evolution.⁶⁸

Religious convictions and their representations divide Haitians culturally. The elites proclaim their adherence to Christianity. Publicly, the elites associate folk religion with evil, and successive Haitian governments have persecuted many individuals who openly practice Vodun. Yet there is widespread evidence that many of the elites themselves consistently practice aspects of it behind closed doors. They thus claim for themselves a sense of cultural superiority based on adherence to Christianity and rejection of Vodun (they have even accepted the encouragement and support of the Roman Catholic hierarchy in the persecution of Vodun believers), while continuing to practice Vodun themselves.⁶⁹

A large number of the peasants, too, claim to be Roman Catholic Christians. Indeed, they practice it and follow the annual cycle of Roman Catholic events, but they also refer to themselves as "servants of the gods," members of the major Haitian folk religion Vodoun, Vodun or Voodoo (these

68. HEINL & HEINL, *supra* note 26, at 5.

69. STOTZKY, *supra* note 7, at 22.

terms will be used interchangeably). In Vodun, Catholicism is joined with Haitianized African religions to form an integrated system of beliefs and rituals. As one peasant put it, "one has to be a Catholic to serve the *loa* (Vodun spirits)."⁷⁰

Vodun is as much political as it is religious. President Aristide was conscious of both the symbol and reality of Voodoo when he took the oath of office in Creole, and received the presidential sash from a mambo (female priestess) in February 1991, with symbolic forms of greeting that resonated deeply within the population. His deliberate use of Creole indicated a break and discontinuity in cultural patterns that was strangely symbolic of the synthesis in Vodun, and dealt blows to both the elite language (French) and elite religion (Catholicism).⁷¹

Vodun has an exploitative side, however. Duvalier extended his control over the Haitian population through the use of Voodoo and the *Houngans* (male priests). Houngans had traditionally played an important role in the local community and had in the past often, but unsystematically, been exploited for political purposes by the Haitian governments, especially when elections had been imminent, while after elections Voodoo was often outlawed.⁷²

Duvalier made use of his knowledge of Voodoo and its influence over the masses to establish a more solid and enduring relationship with its leaders. Rotberg argues that because Voodoo presents a form of government in the rural areas since the country does not, Voodoo will only be replaced by development; Vodun is resilient. Without Duvalier, as without Soulouque, its links to the state will fade away. Its small, secure, parochial base of power will remain until that distant day when modernization, if it ever comes to innermost Haiti, erodes the very foundations of a protective security-giving cognitive universe.⁷³

Vodun became so closely associated with the Duvalier regime that once Duvalier fled, many *houngans* and *mambos* were killed in the ensuing popular uprising.⁷⁴

VIII. CONCLUSION

Healing the trauma that Haitians have experienced over the last 200 years is a herculean task. More importantly, the task is to understand that both the material (economic and political) and psychological (psychocultural)

70. Fatton, *supra* note 29, at 138.

71. Bellegard-Smith, *supra* note 39, at 29.

72. MATS LUNDAHL, POLITICS OR MARKETS?: ESSAYS ON HAITIAN UNDERDEVELOPMENT 278 (1992).

73. Robert I. Rotberg, *Vodun and the Politics of Haiti*, in THE AFRICAN DIASPORA 365 (Martin L. Kilson & Robert I. Rothberg eds., 1976).

74. Fatton, *supra* note 29, at 139.

dimensions interact to maintain or mitigate conflict in a society. Social cubism allows for the identification of various interrelated or interlocking social factors and their detrimental affects on Haiti. These factors must be examined in light of one another to initiate understanding of the conflict. Although the factors, when combined, may produce different patterns of importance or urgency, it is important not to allow one factor to overshadow the others just because it appears more salient at the time. According to Byrne and Carter, the interlocking nature of the cube also indicates that addressing only one dimension is unlikely to provide a settlement, and yet improvements in a single facet may ameliorate others as well.⁷⁵

If historical circumstances do not allow a new generation to reverse traditions of powerlessness. The mental representation of the shared calamity still bonds members of the group together. But instead of raising the group's self-esteem, the mental image of the events link people through a continuing sense of powerlessness, as though members of the group existed under the large tent of victimhood.⁷⁶ For Haitians as a society to emerge from this "tent of victimhood," it is important to analyze the present dilemma using the social cubism approach to intergroup conflict to account for how structural and psychocultural mechanisms interact to exacerbate or ameliorate political conflict, economic strife, and cultural divide that the country faces.

75. Byrnes & Carter, *supra* note 3, at 66.

76. VOLKAN, *supra* note 1, at 76.

SOCIAL CUBISM: A COMPREHENSIVE LOOK AT THE CAUSES OF CONFLICT IN SRI LANKA

*S. I. Keethaponcalan**

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I. INTRODUCTION

The conflict between the ethnic Sinhalese and the Tamils in Sri Lanka is one of the prominent ethnic problems in the world today. Sri Lanka is an island nation located in the Indian Ocean south of the Indian subcontinent. Its population of approximately eighteen million is comprised of three major social groups. According to the 1981 census, which was the last proper headcount undertaken, Sinhalese constitute 74.6 percent, and Tamils form 18.1 percent, of the total population.¹ A vast majority of the Sinhalese are religiously Buddhists. On the other hand, the Tamils are mostly Hindus. Muslims, who constitute 7.4 percent of the total population, include both Tamil-speaking and Sinhala-speaking Muslims.² However, as a religious minority the Muslims in Sri Lanka have developed a distinct identity different from that of the Sinhalese and the Tamils.³ Apart from these major social groups, there are small numbers

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1. For detailed description of demographic information, see SUNIL BASTIAN, *DEVOLUTION AND DEVELOPMENT IN SRI LANKA* (1994).

2. Most members of the Muslim population, the third largest social group in the country, speak Tamil but do not consider themselves as part of the Tamil community. Complexity of the Muslim status in the country lies in the fact that it neither belongs to Sinhalese nor Tamil ethnic groups with large number of especially urban Muslims embracing Sinhalese as their language and medium of education. Since, however, the Muslims in Sri Lanka have developed a distinct Muslim identity based on religion, they are considered as a separate social group. Theoretically, the Muslims remain neutral in the conflict. In practice however, their position always tilts toward the government of Sri Lanka.

3. See generally, S. I. Keethaponcalan, *Understanding the Ethnic Conflict in Sri Lanka: A Conflict Resolution Perspective*, in *CONFLICT RESOLUTION AND PEACE STUDIES: AN INTRODUCTORY HANDBOOK* (2000).

of indigenous people and Burgers. Christianity is professed by Sinhalese, Tamils, and Burgers, and it is the religion of approximately 8 percent.

The two major ethnic groups, the Sinhalese and the Tamil, are in conflict over territorial claims. The Tamils are in a war against the state of Sri Lanka for a separate state in the Northern and Eastern provinces of the island that they claim is their "traditional homeland."⁴ Although the confrontation between these groups could be traced to a historical and pre-colonial era, the post-independence period witnessed intense conflict and a war. The Sinhalese and the Tamils are two different ethnic groups with distinct characteristics. Linguistically, the Sinhalese speak Sinhala, which is described as an Indo-Aryan language. Tamil, which is spoken by ethnic Tamils, is Dravidian. The Tamils live mostly in the Northern and Eastern parts of the island while Sinhalese are concentrated in all other provinces, although the ethnic war has severely altered the demographic patterns in the recent past.

Sri Lanka was ruled by three western colonial powers (Portuguese, Dutch, and British) for almost four centuries. At the end of the British rule there emerged a Christianized, educated, and English-speaking elite comprised of members of both ethnic groups. This group represented not only cordial ethnic relations but also a successful forum for constitutional reform for the then-Ceylon.⁵ Differences began to emerge in the early 1920s and culminated in the mid-1980s with violent expression and the struggle for a separate state for the minority Tamils.⁶

The Tamil separatist movement resulted from a demand for greater Tamil autonomy in the Northern and Eastern provinces of Sri Lanka. Tamil dissatisfaction with the national politics of Sri Lanka, then called Ceylon, was expressed even before the island nation was granted independence in 1948. The cry for greater autonomy that provided the foundation for the separatist movement gained force with the emergence of S.J.V. Chelvanayakam, considered by many to be the founding father of Tamil nationalism.⁷ Chelvanayagam's movement for regional autonomy was fundamentally a nonviolent struggle very much modeled on the Gandhian way of *satyagraha*. The nonviolent struggle, which lasted for about thirty years, not only failed to produce any substantial results in favor of the Tamil but in later years forced the

4. For further details, see TULF, *Tamil United Liberation Front Towards Devolution of Power in Sri Lanka - Main Documents, August 1983 to October 1987* (1988) (Tamil United Liberation Front, Madras).

5. J.A. Wilson, S.J.V.CHELVANAYAKAM AND THE CRISIS OF SRI LANKAN TAMIL NATIONALISM, 1947 - 1977: A POLITICAL BIOGRAPHY 107 (1994).

6. *Id.*

7. See generally, J.A. Wilson, SRI LANKAN TAMIL NATIONALISM: ITS ORIGIN AND DEVELOPMENT IN THE NINETEENTH AND TWENTIETH CENTURIES (2000).

radical elements among the Tamils into the forefront of the national struggle.⁸ This state of affairs was in a sense caused by the belief of the Sri Lankan State, as well as in later years the belief of Tamil militants, that excessive violence resolved conflicts.

The vicious cycle of violence was perpetuated by the actions and reactions of the parties involved in the conflict, and the conflict turned into an intense war. The war, which has claimed tens of thousands of lives in both sides of the spectrum, is fought by the Sri Lankan armed forces and the Liberation Tigers of Tamils Eelam—the major fighting force among the Tamils. Because both parties lack the power to impose a military solution on the other and lack confidence on peaceful means to achieve their goals, the war has continued for about eighteen years without any signs of peaceful solutions.⁹

Because the predicament in Sri Lanka, apart from its internal implications, is highly dangerous regionally as well as internationally, a substantial academic attention is paid to analyzing the causes, consequences, and ways to deal with the conflict. These studies, however, either embrace a historical descriptive method or take one factor as the basic cause of the conflict and focus on that particular element. For example, economic factors are most often analyzed as the major cause of the conflict.¹⁰ This study, however, argues that psychology of the people is the fundamental factor for this conflict, and that all other factors influence the shape of that psychology.

II. SOCIAL CUBISM

Social Cubism provides a comprehensive tool to look at ethnic conflicts and understand the multiple forces behind them. Therefore, it is a useful framework for conflict analysis.¹¹ Moreover, Byrne and Carter consider “the social cube of conflict as having six interrelated facets or forces: history, religion, demographics, political institution and non-institutional behavior, economics, and psychocultural. These six facets or social forces combine to produce patterns of inter-group behavior.”¹² This article, therefore, analyzes the Sri Lankan conflict using the social cube as the framework. This chapter, however, does not embrace all the six forces as provided by the original cubism framework, because the Sri Lankan conflict requires a slightly modified framework for a better understanding of the conflict.

8. *Id.*

9. Keethaponcalan, *supra* note 3.

10. Perera, J., *Sri Lanka: History of Ethnic Relations, Formation of the Tamil National Identity and the Demand for a Separate State*, in SCANDINAVIAN J. OF DEV. ALTERNATIVES 9(2/3), at 67-84.

11. Sean Byrne & Neal Carter, *Social Cubism: Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, in PEACE AND CONFLICT STUDIES 3(2), 52-71.

12. *Id.* at 4.

One facet of the original cubism framework is demography. In Sri Lanka, although demography plays a prominent role in the origin of the conflict, it is very closely involved with geographic factors inside as well as outside of the island. Therefore, it is imperative to give equal weight to the geographical factors as well. However, because demographic and geographic factors are not two independent variables but are very much intertwined, I replace demography in the original cubism model with “geo-demography.” This enables the researcher to consider geographic and demographic factors equally.

The term “politics” or “political” is not only much-debated in scholarly literature but still remains vague as a concept. Byrne and Carter in 1996, although they did not define the “political facet” of the cube, discuss boundaries and terrorism as political factors.¹³ In this article, I take as political factors (1) (political) institutions and (2) constitutions. The original cubism framework is insufficient for the Sri Lankan conflict, as it does not provide space for discussion of the ethnic factors that form one of the fundamental facets in this conflict. Byrne & Carter apply Social Cubism to the Northern Ireland and Quebec conflicts that are primarily religion-based conflicts.¹⁴ Therefore, it is understandable that they used religion as a facet in their analysis. While the Sri Lankan conflict is primarily ethnic, it has a religious angle to it. In order to accommodate these different facets, I consider psychology separately from culture, and I expand civilization to include ethnic, racial, religious and cultural factors.

In essence, my cubism model includes the following six facets: (1) Geo-demography (geography and demography), (2) History, (3) Economics, (4) Politics (constitutions and institutions) (5) Civilization (ethnic, racial, religious and cultural), and (6) Psychology.

III. GEO-DEMOGRAPHY

I have argued elsewhere that the principal cause of conflict between the Sinhalese and the Tamils in Sri Lanka is the “fear of extinction,” intertwined with suspicion, and superior and inferior complexities. These factors will be analyzed in detail under the sub-title “psychology.” However, the psychological factors have been deeply influenced by other facets of Social Cubism. In that sense, the geography and demography of the country have played a crucial role in escalating the conflict between the protagonists.

As far as the demographic distribution of the country is concerned, the Sinhalese and the Tamils are the two major social groups. However, there are internal divisions within these groups. The Sinhalese are divided into (1)

13. *Id.*

14. *Id.*

Kandyan Sinhalese and (2) Low Country Sinhalese, depending on the geographical location of the people. Divisions between these groups were obvious and clear in the pre-independence period. However, after the independence these differences have largely disappeared.¹⁵ The Tamils, on the other hand, are divided into two social groups: 1) the “Ceylon Tamils” (or now the “Sri Lankan Tamils”) who consider themselves the original inhabitants of Northern and eastern regions; and 2) the so-called “Up-country Tamils” (or “Tamils of recent origin”) who were brought to the country by the British colonial administration to work in the tea plantations. Up-country Tamils are concentrated mainly in central Sri Lanka and urban areas such as Colombo, the capitol city. In spite of the commonalties between the Sri Lankan Tamils and the Up-country Tamils, they are officially considered two different groups. The Up-country Tamil do not have a direct role in the conflict. Therefore, when referring to “Tamil” in this article, I mean the Sri Lankan Tamils.

When Sri Lanka was granted independence by the British in 1948, the Tamils enjoyed absolute majority in the Northern and Eastern provinces of the country, which constitute nine provinces in total.¹⁶ The Tamils not only considered the Northern and Eastern provinces as their homeland but also had pushed for greater regional autonomy for Tamil majority areas even before independence—they were suspicious about the intentions of Sinhala leaders on the eve of independence. One of the circumstances that created much reaction from the Tamil people was, as they preferred to call it, the “state sponsored settlement” of Sinhala people by successive governments in the Tamil areas. The Tamils believed that the settlements were aimed at reducing the Tamil majority in these two provinces that were considered as fundamental for their survival as an ethnic group. Consequences of the settlement schemes, the Tamils feared, will lead to the weakening of their position politically as well as threaten their existence in the long term.

The Sinhalese, on the other hand, strongly disputed this claim and argued that it was necessary to establish settlements in order to accommodate the growing population in the south. The basis of the Sinhalese people’s argument is that it is unfair for a group that represents only twelve percent of the population to claim nearly one third of the total landscape of the country. Whatever the arguments by the competing groups, the net effect of the “state sponsored settlement” in the Northern and Eastern provinces is that it effectively reduced the Tamil dominance in the eastern province. Also, it broke the contiguity of Tamil majority areas and thus seriously challenged the homeland

15. This is not to suggest that these differences have disappeared completely. At a micro-level, one can still notice that people consciously refer to the cast differences within the Sinhalese society.

16. The Tamils currently have their demographic strength in the Eastern province.

concept and strengthened the threat perception that the Tamils had about their Sinhalese counterparts.

Threat perception does not only exist among the Tamils. Sinhalese also possessed a fear of Tamil dominance. The Sinhalese are, in a sense, a majority with a minority complex. Although the Sinhalese are the majority community within the state of Sri Lanka, regionally they become a minority to the Tamils: the Southern Indian State of Tamil Nadu constitutes approximately fifty-five million Tamils.¹⁷ Only a narrow water called Palk Strait divides Tamil Nadu and the northernmost point of Sri Lanka. The Tamils enjoy cultural, linguistic, as well as religious commonalities with their counterparts in Tamil Nadu. Interestingly, Tamil Nadu was the first state ever to openly demand separation from the Republic of India in the early 1960s. Although the separatist movement disappeared in the late 1960s, Tamil nationalism remained stronger. Some even suggested that the Tamil Nadu leaders' desire for separation did not totally fade away.

Relations between the Tamils in Sri Lanka and India were so strong that the Tamil militant movement in its early days enjoyed tremendous support from the people of Tamil Nadu. After the ethnic riots of 1983¹⁸ in Sri Lanka, in which the Tamils were brutalized, the political leaders in Tamil Nadu competed among themselves to support the Tamil militancy in Sri Lanka. The killing of the former Prime Minister of India Mr. Rajiv Gandhi, for which the Liberation Tigers of Tamil Eelam (LTTE) was blamed, to a great extent eliminated this support base. However, the collaboration between Tamils in India and Sri Lanka brought about a suspicion in the Sinhala psyche: they conceived the collaboration as a conspiracy to form a greater Tamil Eelam, centered around the separate state of Tamil Eelam in Sri Lanka. The Sinhalese basically apprehended the creation of Tamil Eelam in Sri Lanka as a launching pad for the creation of a greater Tamil state. In the Sinhalese mind, the greater Tamil state is a direct threat to the Sinhala state and race. The Sinhalese continue to resist any suggestion for devolution of power—the focal point of any attempt at conflict resolution—claiming that any devolved power would eventually lead to the creation of separate Tamil Eelam and greater Tamil state.

IV. HISTORY

History is one of the most debated factors in this conflict. It has been interpreted by the conflicting parties according to their positions and, to a greater extent, exploited to strengthen those positions. Analyzing the Tamil

17. See generally T.E. ANANDARAJAH, CENTER FOR REGIONAL DEVELOPMENT STUDIES. NO. 18, THE PROVINCIAL COUNCIL SYSTEM AND DEVOLUTION OF LAW AND ORDER (1994).

18. See generally JANI DE SILVA, CENTRIPETAL PRESSURES AND REGIME CHANGES IN THE POST-COLONIAL SRI LANKA IN BASTIAN (1994).

exploitation of history to justify their demands, Rajanayagam points out that “the more relations between the two groups deteriorated the more history became a weapon in the battle to justify Tamil demand for autonomy and, in principle, independence.”¹⁹ According to Nissan & Stirrat:

Both present the past in terms of the interaction of two opposed entities, Sinhala and Tamils, who have always been as separate as they are today. Second, they consist of arguments over events which allegedly occurred between the fourth century B.C and the tenth century A.C.D. Third, they present the two communities as historically and continuously opposed through warfare, joining an ancient past to the present with no regard for the hiatus of centuries. Fourth, the histories are both concerned with a “national people’s claim to its own territory. Finally each side presents the other as little more than barbarians. Both sides in the present political context back up their respective claims through selective and competitive use of archaeological evidence.”²⁰

Both parties claim that they are the original people of the island, and the others are invaders. Although, there is no evidence to prove who the original inhabitants are or who the first settlers are, one obvious fact that emerged from the existing theories is that both ethnic groups arrived on the island, probably from the Indian subcontinent, and settled in different parts. It seems there is no dispute over the concept that both ethnic groups settled on the island from India. However, some scholars believe that both groups arrived on the island approximately the same time. Regardless of the validity, these claims are providing moral foundations for the nationalist sentiments of both groups, and there are vicious debates about the rightful ownership of the land in printed literature as well as in public fora.

In 1815, Sri Lanka was brought under one administration only by the British. Prior to the arrival of western colonial powers, the island was under the control of several regional monarchs. For example, when the Portuguese arrived in 1505, the island constituted three kingdoms: two ruled by Sinhala kings and one by a Tamil king. The existence of a Tamil kingdom of Jaffna in the written history of the island provided the basic nucleus for the Tamil nationalism and still serves as the foundation for demand for the separate state of Tamil Eelam. On the other hand, the Sinhalese believe that there existed a

19. Dagmar Hellman-Rajanayagam, *The Politics of Tamil Past*, in *SRI LANKA: HISTORY AND THE ROOTS OF CONFLICT* 116 (Jonathan Spencer eds., 1990).

20. Elizabeth Nissan, & R.L. Stirrat, *The Generation of Communal Identities*, in *Sri Lanka: History and the Roots of Conflict* 21 (Jonathan Spencer eds., 1990).

pre-historic Sinhala kingdom in Sri Lanka that dominated the whole island. This is also used to justify the Sinhala right to political control.

In addition to its contribution to the nationalist sentiments on both sides, history also functioned as a source of fear psychology and victimization in the minds of both ethnic communities. For example, the history of the island suggests that the Southern Indian rulers from the Indian subcontinent, believed to be Tamil kings, invaded the island a number of times. There is evidence that the Chola kingdom was expanded to include parts of the island centuries ago.²¹ These arguments were used to depict the Tamils as invaders and to claim that the Sinhalese were victims of alien Tamil invasion. In the same vein, Tamils contend that the Sinhalese attempted to ethnically eliminate the Tamils from the island, even from the ancient time. For example, charging the Sinhala history as Genocidal, Vanniasingham—an ethnic Tamil—writes in his preface as follows:

according to Sinhalese chronicles, King Dutta Gemunu waged a Holy War against the Tamils, with a contingent of five hundred *bhikkus* actually accompanying the Army in its campaign. He killed the thirty-two Tamil sub-kings who acknowledged the suzerainty of King Ellalan, and ultimately Ellalan also, and established himself at Anuradhapura. However, in his last days he did not have any peace of mind: he was worried that his killing millions of Tamils would debar him from entering Heaven. Ultimately he was consoled by the Buddhist hierarchy that the Tamils whom he had caused to be killed had not embraced Buddhism and as such were equivalent only to beasts; killing them was no sin and thus he would not be debarred from entering Heaven. Obviously, the “millions of Tamils” does not refer to soldiers in the battlefield but to innocent civilians. Thus the Sinhalese records admit a genocidal attack on the Tamils in the second century before Christ carried on in the name of Lord Buddha.²²

The post-independent history of the country also has the same impact in the Tamil perception. Some of the laws and public policies formulated by the Sinhala dominated governments immediately after the independence, making the Tamils believe that the Sinhalese seek to reduce Tamils to second class citizens and eventually terminate their existence. For example, one of the first acts undertaken by the first post-independence government, headed by the late D. S. Senanayake, was to disenfranchise the “Tamils of recent Indian origin,”

21. R.A.L.H. Gunawardana, *The People of Lion: The Sinhala Identity and Ideology in History and Historiography*, in *SRI LANKA: HISTORY AND THE ROOTS OF CONFLICT* 45-86 (Jonathan Spencer, ed. 1990).

22. S. Vanniasingham, *SRI LANKA: THE CONFLICT WITHIN* ix (1988).

who are also called Estate Tamils. Although there are social differences between the Sri Lankan Tamils and the Indian Tamils, they share a similar culture, same language and religion.

The Indian Tamils were brought to the Island by the British to labor in the tea industry, mainly in the central region of the country.²³ Presence of Indian Tamils—who formed nearly seven percent of the total population—later posed a threat to the Sinhalese people as well as the ruling United National Party (UNP) Government. While the local Sinhalese people felt that the Indian Tamils were taking over their land, the ruling UNP, which is capitalist in core, considered them politically unfavorable because the Indian Tamils tended to vote with the leftist parties.²⁴ Therefore, the government intended to kill two birds with one stone and introduced the Citizenship Acts of 1948-49, which essentially made the Indian Tamils a stateless people.²⁵

The effect of this act on ethnic relations was that the Ceylon Tamils conceived this action as a step towards Sinhala dominance against all minorities, especially against the Ceylon Tamils. Although the predominant Tamil party at that time, the All Ceylon Tamil Congress (ACTC) headed by late G.G. Ponnambalam, failed to oppose the Citizenship Act, Ponnambalam's deputy Chelvanayagam did.²⁶ Chelvanayagam split from the ACTC and formed a new political party called the Federal Party (FP), which soon became the spearhead of Tamil nationalism and its demand for regional autonomy. When the Federal Party was warning the Tamil people of the move towards Sinhala domination by successive governments, the Sinhala Only Act was introduced strengthening the argument that the Tamils were made second-class citizens in their own land.²⁷

The 1956 Sinhala Only Act was a direct result of the election pledge made by the Sri Lanka Freedom Party (SLFP) that was formed by S.W.R.D. Bandaranaike, who defected from the UNP in the early 1950s. During the 1956 election for the national parliament, Bandaranaike promised the Sinhala people that if he were given a chance to form the government he would make Sinhala the only official language of the country. He kept his promise after a resounding victory in the election.²⁸ The Sinhala Only Act required the public employees to qualify in the Sinhala language if they wanted to continue in their

23. Perera, *supra* note 10.

24. *Id.*

25. Kumar Rupesinghe, *Ethnic Conflicts in South Asia: The Case of Sri Lanka and the Indian Peace Keeping Force*, in 25 JOURNAL OF PEACE RESEARCH 4, 337-350 (1988).

26. *Id.*

27. See generally K. LOGANATHAN, SRI LANKA: LOST OPPORTUNITIES, PAST ATTEMPTS AT RESOLVING ETHNIC CONFLICT (1996).

28. Rajanayagam, D.H., *Sri Lanka—A Current Perspective*, in ASIAN AFFAIRS 314-329 (1991).

positions. This Act, though, affected all non-Sinhala speaking (minority) groups, and it had serious repercussion for Tamils, who dominated the public sector employment.

In addition to ensuring the “rightful position” of the Sinhala people in the national life, the Act was intended to reduce the Tamil dominance in the public sector employment. It effectively fulfilled that expectation. “With the implementation of Sinhala as the language of government,” Mitra and Lewis claim, “the specter of Tamils being denied jobs in the government service and of Tamils losing their cultural heritage to the Sinhalese began to spread throughout the Tamil Community.”²⁹ The Tamils felt that by enacting the Sinhala Only Act, the government successfully pushed the Tamil language to an inferior position in terms of its relevance to national affairs.³⁰

The Tamil writers, most often than not, cite state-sponsored colonization schemes as one of the major milestones in the inimical relationship between these two communities. The Tamil community looked at the colonization schemes as a conspiracy to divide their paramount position in the Northern and Eastern provinces. Colonization of Sinhalese peasantry in the North-central and Eastern provinces was launched almost immediately after independence, with the Prime Minister D.S. Senanayake leading the campaign. It was argued that the colonization was imperative for the agricultural development of the country as well as for accommodating the fast-growing population in the south by successive governments.³¹ However, one major but hidden aim was to reduce the demographic dominance of the Tamil-speaking people in the Northern and Eastern provinces. Referring to the impact of colonization schemes, the most senior leaders of TULF (Mr. S. Sivasithamparam and Mr. A. Amirthalingam) claimed that “serious inroads have been made into these homelands by policy of planned colonization with Sinhalese carried out by successive Sinhala governments since independence.”³² The contiguous nature of these provinces supported the Tamil claim that these provinces were their homeland and formed the foundation of the proposed Tamil region.

By indulging in massive colonization schemes of Sinhala people in a region called *Manallaaru* or *Welioya*, the governments were successful in breaking this contiguous nature. *Manallaaru* or *Welioya* is still considered to be a highly strategic move by the government in its war against the LTTE. Nevertheless, the colonization programs strengthened the Tamil perception of

29. See generally SUBRATA K. MITRA & R. ALLISON LEWIS, SUB-NATIONAL MOVEMENTS IN SOUTH ASIA 44 (1996).

30. De Silva, *supra* note 18.

31. Mitra & Lewis, *supra* note 29.

32. The Tamil United Liberation Front (TULF) was the prominent democratic party representing the Tamils in the parliament in the 1960s and 1970s. See, TULF, *supra* note 4, at 19.

a “Sinhala conspiracy” to ethnically cleanse Sri Lanka, to make the Tamil people extinct, and to occupy the Tamil homeland.

Therefore, the history of this island has not only been used by parties to the conflict according to their interpretations, and to a greater extent to strengthen their positions, but it has also helped to reinforce their fears about the other ethnic group. Fear in turn forced the parties to take extreme measures in order to ensure their safety and, in a sense, their survival. The Tamil decision to lead a violent campaign against the State of Sri Lanka and many State policies against the minorities can be explained in terms of fear psychology.

V. ECONOMICS

Economics play a significant role in many modern ethnic and other deep-rooted conflicts.³³ The Sri Lankan conflict is no exception, as economic factors contributed vastly for the origin and development of the conflict as well as the escalation of violence. The economic facet of the conflict can be traced to the colonial period, especially to the British rule. When the British attempted to fill their administration in Sri Lanka with local white workers, who were considerably cheaper compared to their white counterparts on the island, the Tamils—particularly Jaffna Tamils—were in a favorable position to occupy public sector employment.³⁴ This was because of the educational advantages the Tamils had over their Sinhala counterparts. The Jaffna Tamils benefited immensely from American missionary activities centered on Jaffna during the colonial period.³⁵ At the initial stage, Sinhalese were not enthusiastic about English education, partly for religious reasons. Therefore, over the course of time, the Sinhalese were not able to compete with the Tamils for public sector employment. Commentators point out that at the time of independence the civil service had a disproportionate number of Tamils in it, especially at its higher ranks. Tamils comprised about 30 percent of the upper levels of the civil service while comprising only 22.7 percent of the population in the 1946 census. The Sinhalese comprised 69.4 percent of the population and 57.6 percent of the upper levels of the civil service.³⁶

The Sinhalese, however, conceived this state of affairs as the British favoring the minority over the majority. This was understood in terms of the British policy of “divide and rule” and Tamil collaboration with colonialists. Naturally this perception fueled Sinhala animosity against the Tamils.

33. SEAN BYRNE & CYNTHIA L. IRVIN, RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS 107 (2000).

34. See generally, BUDDHADASA HEWAVITHARANA, ECONOMIC CONSEQUENCES OF THE DEVOLUTION PACKAGE AND AN EVALUATION OF DECENTRALIZATION (1997).

35. See generally, DAVID LITTLE, SRI LANKA: THE INVENTION OF ENMITY (1994).

36. MITRA & LEWIS, *supra* note 29, at 148.

However, the Tamils continued to dominate public sector employment even after independence. According to Rajanayagam, the Tamils had found their living mainly in government service and the professions, and education was said to be Jaffna's major "industry." The soil there is arid and can be made fertile only with a lot of hard work. Even then it does not support the population, and as a result the youth are dependent on civil service jobs and the professions for a living. Under British rule, this had indeed led to a certain over-representation of Tamils in these sectors, particularly because the Sinhalese resisted the mission-based education more than the Tamils and were involved in trade and commerce to a greater extent.³⁷

Nevertheless, the Sinhalese conceived the Tamil dominance of public sector employment as a "historic injustice" committed against their race by the colonial masters with the assistance of the Tamil minorities.³⁸ With independence literally transferring state power from the British to the Sinhalese political leaders, the Sinhalese were in a comfortable position to compensate themselves for past "injustice."³⁹ Measures were introduced to ensure the interests of the Sinhalese community both within the legislative framework of the state and under the guise of public policy.

Unfortunately, these measures were proved to be detrimental to the aspirations of the minority communities. The language policies were of the utmost of importance in this regard. The 1956 Sinhala Only Act was, among other things, a major blow for the economic survival of the Jaffna Tamils because it required public sector employees to qualify in Sinhala language within a stipulated period. Tens of thousands of Tamils lost their employment as a result. Sinhala was further upgraded to be the language of the courts soon after.⁴⁰

What the Sri Lankan government called "standardization" was introduced in 1972 as an education policy to help Sinhala students obtain the bulk of the admissions to the universities. Essentially, standardization "meant that students from the Tamil stream had to have disproportionately higher entrance exam marks than those from the Sinhalese stream to get a place in the university. This was openly designed to reduce the allegedly over-representation of Tamils in the universities."⁴¹ In addition, Rajanayagam points out that it was the standardization policy that "hit the (Tamil) youth hardest, and it can be said that

37. Rajanayagam, *supra* note 28, at 316.

38. Hewavitharana, *supra* note 34.

39. Keethaponcalan, *supra* note 3.

40. De Silva, *supra* note 18.

41. Rajanayagam, *supra* note 18, at 316.

it triggered the subsequent violent conflict, because it virtually foreclosed their future."⁴²

The policy of "nationalization," which was characterized as "Sinhalesization" by the Tamils, also had the same effect on the economic survival of the Tamil population. The S.W.R.D. Bandaranaike's government introduced the nationalization process, and large number of institutions, including commercial establishments and educational organizations, were brought under the patronage of the government. According to Rupesinghe,

[w]ith the electoral victory of the SLFP in 1956, the pursuit of Sinhalese hegemony was provided with political power. This was used to introduce legislation against colonial economic interests, and to create the conditions for the Sinhalesization of the state. These policies are reflected particularly in language policy through the Sinhala Only Act, but also in other spheres such as education, employment, and land colonization.⁴³

These policies put the Tamils in a strongly disadvantaged position in competitions for employment in those institutions. Not only the business and educational establishments but also the state organs were radically "Sinhalesized" during Bandaranaike era and after. For example, the state's armed forces were filled with members of the Sinhala community. "From 1970 there was virtually no Tamil recruitment into the armed forces."⁴⁴ Even today, these institutions remain very much Sinhala establishments.⁴⁵

The resulting lack of economic opportunities not only frustrated the Tamil community, particularly the youth, but also forced them to think about alternatives that would ensure their power and development. At that point of time a separate state seemed a viable alternative. The Tamils also realized, probably from past experience, that only a violent campaign could help create such a state. The decision to take up arms was made at the height of the frustration among Tamil youth. Frustration leads to aggression.⁴⁶ This was proved to be true in the Sri Lankan Tamil case.

42. *Id.*

43. Rupesinghe, *supra* note 25, at 343.

44. *Id.*

45. James Manor & Gerald Segal, *Causes of Conflict: Sri Lanka and Indian Ocean Strategy*, in XXV ASIAN SURVEY 7, 1165-1185 (1985).

46. *See generally* TED ROBERT GURR, *WHY MEN REBEL* (1971).

VI. POLITICS

The political facet of Social Cubism includes constitutional as well as institutional factors, including party politics, in contributing to the evolution of ethnic conflicts. In Sri Lanka all these factors were involved in the increasing dissatisfaction of the Tamils towards the Sri Lankan State and the enmity between the two conflicting groups.

The 1946 Soulbury Constitution provided the foundation for the independence of the country in 1948. Although local concerns were taken into consideration, the Soulbury constitution was essentially designed by the British and was in effect until 1972.⁴⁷ In 1972 the new First Republican Constitution replaced this constitution. The Soulbury constitution provided some constitutional safeguards for the minorities because the Tamil had already began to raise their voices against Sinhala dominance in the body politics of the country. For example, the All Ceylon Tamil Congress (ACTC), the chief political party representing the Tamil people, put forward a proposal popularly known as "50:50." This proposal advocated a constitutional arrangement that would ensure that fifty percent of the parliamentary seats to go to all the minorities.⁴⁸ First, it did not conform to liberal democratic principles. On the other hand, the majority Sinhalese immediately rejected it. Therefore, this proposal enjoyed no major support at that time.

However, as mentioned elsewhere, the Soulbury constitution provided number of safeguards to the minorities against majority dominance. For example, Article 29 "specifically denied authority to the Parliament to make laws discriminatory against or in favor of any particular community. The Privy Council observed that this was an entrenched clause in that it was not within the power of the Parliament to amend or repeal the said clause."⁴⁹ Meanwhile, a Second Chamber (Senate) was also created in the parliament in order to, among other objectives, accommodate minority opinions.⁵⁰ Also the constitution ensured that the state would remain secular because it is a multi-religious community. Effectiveness of these arrangements was a subject of discussion, because the principles were violated on several instances. For example, the 1956 Sinhala Only Act was passed in the parliament in spite of the fact that the constitution did not allow any legislation that favored only one racial or religious community (Article 29).⁵¹

47. See generally SUMANTRA BOSE, STATES, NATIONS, SOVEREIGNTY: SRI LANKA, INDIA AND THE TAMIL EELAM MOVEMENT (1994).

48. See generally Perera, *supra* note 10.

49. Vanniasingham, *supra* note 22.

50. CONSTITUTIONAL STRUCTURE AND DEVOLUTION OF POWER (Victor Gunewardena & D. Wesumperuma, eds. 1987).

51. BOSE, *supra* note 47.

The First Republican Constitution of 1972 did not include Article 29, and it also abolished the second chamber in the parliament. This constitution made the country a unitary state.⁵² Buddhism was constitutionally given the foremost place, and the First Republican Constitution placed the responsibility on the state “to protect and foster Buddhism.”⁵³ Sinhala was retained as the only official language of the state. These features of the new constitution reinforced the Tamil view that they were made second-class citizens within the country. The 1978 constitution did not make any major changes to these controversial features except for language policy. Tamil was recognized as one of the national languages in this constitution.⁵⁴ Referring to the arrangement on Buddhism, Warnapala claims that “Chapter 11, which deals with Buddhism, is more or less the same as in the 1972 Constitution except that the word ‘Sasana’—the Buddhist dispensation – is included. The use of this traditional (Sinhala) description makes the chapter on Buddhism more effective.”⁵⁵

An important characteristic of these republican constitutions is that they centralized the state’s power to a greater extent both administratively as well as politically. Manor and Segal point out that “although Sri Lanka had an open, representative political system based on universal suffrage as far back as 1931, power was still grossly over-centralized. No representative institutions existed at any intermediate level between parliament in Colombo and the local level.”⁵⁶

Such a political environment left the Tamils with no power over either national affairs or their regional issues, because policymaking was and has been controlled from Colombo. Following the nonviolent struggle waged by the Federal Party led by S.J.V. Chelvanayagam, two pacts were signed.⁵⁷ The first was made between Prime Minister Bandaranayake and Chelvanayagam in 1957, and the second between Prime Minister Dudley Senanayake and Chelvanayagam in 1965. The Banda-Chelva pact, as it is called, provided for devolution of power on the basis of Regional Councils. The Dudley-Chelva pact also agreed that the District Councils would be the principle unites for devolution. Unfortunately both these agreements were unilaterally scrapped by the respective governments, forcing the Tamils to lose any faith they had in reaching agreements with Sri Lanka’s governments.⁵⁸

52. W. A. Wiswa Warnapala, *Sri Lanka’s New Constitution*, in XX ASIAN SURVEY 9, 914-930 (1980).

53. Perera, *supra* note 10.

54. Warnapala, *supra* note 52.

55. *Id.* at 917.

56. Manor & Segal, *supra* note 45.

57. Willson, *supra* note 7.

58. Loganathan, *supra* note 27.

The nature of party politics in the country also helped escalate the tension between these communities. Two major parties, namely the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP), represent the majority of Sinhala people. Both parties can be labeled as "Sinhala parties" in spite of the meager support they enjoy among the Tamil and Muslim populations, because their support base is predominately Sinhala.⁵⁹ The Sri Lankan Tamils were represented first by the All Ceylon Tamil Congress (ACTC) and then by Federal Party (FP). The Tamil United Liberation Front (TULF) was formed in the early 1970s as a combined force of Tamil people and enjoyed overwhelming support of the Tamils in Northern and Eastern provinces.⁶⁰ While Muslim people tend to vote with the so-called national parties (the UNP and the SLFP), the Sri Lanka Muslim Congress (SLMC) has represented them since the mid-1980s. The Indian Tamils predominantly supported the Ceylon Workers Congress (CWC), and its support base has been confined to tea estates in central Sri Lanka as well as areas where people of Indian origin live densely. As one can conceive, party politics in Sri Lanka has been sharply divided along ethnic as well as religious loyalties.⁶¹

This trend undoubtedly encouraged the political parties and their candidates to extensively employ ethnic and religious slogans in order to win the numbers game, which is an essential part of liberal democracy. Most often, ethnic and religious slogans turned against the "other" communities, and the "others" were depicted as foes. In fact, the political parties were competing to offer the strongest possible measure against the other communities if they were elected to power. The 1956 Sinhala Only Act, for example, was originally an election promise made by the SLFP.⁶² When the UNP also endorsed the one language policy, the SLFP leader promised the Sinhala people "Sinhala only within twenty-four hours" because (according to Vanniasingham) "Bandaranaike found that 'Sinhala only within twenty-four hours' would be the sure-fire-vote catcher."⁶³

Tamil parties, too, comprehensively manipulated racial slogans against Sinhala people and the state, particularly in Tamil majority areas. Thus, the resolution for a separate state of Tamil Eelam came into force as an election promise. Siriweera points out that "according to the TULF's election manifesto

59. See generally G.R. TRESSIE LEITAN, *POLITICAL INTEGRATION THROUGH DECENTRALIZATION AND DEVOLUTION OF POWER: THE SRI LANKAN EXPERIENCE* (1990).

60. W.I. Siriweera, *Recent Developments in Sinhala – Tamil Relations*, in *ASIAN SURVEY* 9, 903-913 (1980).

61. Leitan, *supra* note 59.

62. See generally S.S. MISRA, *ETHNIC CONFLICT AND SECURITY CRISIS IN SRI LANKA* (1995). See also Rupesinghe, *supra* note 25.

63. Vanniasingham, *supra* note 22, at 13.

[of 1976] the question to be resolved was whether the Tamils wanted their freedom or continued servitude to the Sinhala-dominated government."⁶⁴ This sort of shortsighted "vision" of political parties in this country helped only to increase the vacuum between the conflicting communities.

VII. CIVILIZATION

At least in their minds, the Sinhalese and the Tamils are two different groups of people originating from different civilizations. The conventional wisdom is that the Sinhalese are descendants of a north Indian Aryan race and the Tamils are Dravidians, whose geographical base is in South India. It is imperative to note that there exists an interesting academic discourse which advances a number of theories regarding the origin and inter-relations of these groups. For example, some scholars suggest that the Sinhalese and the Tamils are descendants of same racial stock, probably Dravidian, and others maintain that the Sinhalese are in fact descendants of aboriginal people called *Veddas* who still live in small numbers in the remote mountain areas of Sri Lanka. Yet, these academic debates in reality do not make any substantial changes in the perceptions one group holds about the other, which are fundamentally negative.

Moreover, there are obvious differences between these groups. The Sinhalese speak Sinhala and most of them are Buddhist. The Tamils, on the other hand, speak Tamil and are predominantly Hindus. There is a Christian community that includes both Sinhalese as well as Tamil. The common factor of Christianity failed to make any impact in bridging the gap between the ethnically different antagonists, because the Sinhala Christians and the Tamil Christians feel emotional proximity to Buddhism and Hinduism, respectively. This emotional attachment is based on their ethnic loyalties as well as on cultural appreciation of those religions. This trend has even influenced some Tamil Christians and Sinhala Christians to declare that they are culturally Hindus and Buddhists, respectively.

Nevertheless, the religious aspect of the conflict is somewhat complicated. It is safe to assume that this conflict is essentially an ethnic one rather than religious, even though the groups entangled are religiously different. To a certain extent, religious factors are involved. The Tamil language and Hinduism are not intertwined to the same degree as Sinhala language and Buddhism. For the Sinhalese community, their language and religion are one and the same. In other words, one cannot survive without the other. Rupesinghe points out that "the Buddhist revival was associated with the conception of the Sinhalese as an 'Aryan' race, and that Buddhism and Sinhalese were synonymous with each

64. Siriweera, *supra* note 60, at 903.

other.”⁶⁵ Sinhala Buddhism is the foundation of Sinhalese survival and well-being, and it is an integral part of Sinhalese identity. The Sinhalese believe that Buddha himself chose the island of Sri Lanka as a place where his teaching would flourish.⁶⁶ Therefore, it is the inviolable duty of the Sinhalese people to protect Buddhism in the land. Moreover, the Sinhalese also argue that the “Sinhala Buddhism” could be protected only in a unitary Sri Lanka. This argument is based on the presumption that any form of devolution of power will eventually lead to the separation of the country and cause the destruction of Sinhala Buddhism.⁶⁷

Tamil nationalism, on the other hand, does not represent a strong association with Hinduism. That may be one reason for the overwhelming support the separatist war extracts from Christian’s particularly Catholic masses in the war zone. The Tamil Catholic Church is highly critical of the Sri Lankan government for the manner in which the Tamil people were and are treated in the Northern and Eastern provinces. For their part, the Sinhala hard-liners in the south accuse the Tamil Catholic Church of assisting the LTTE.

VIII. PSYCHOLOGY

In the final analysis, what is important is the psychology of the people who are involved in a highly intense violent ethnic conflict. The “fear of extinction” plays a major role in pushing the people to extreme violence in many modern ethnic conflicts. Reiterer believes that this “fear of extinction” is fueled often by memories of century-old massacres and other horrible events in the history of mutual relations.⁶⁸ Groups have a “chosen trauma” that assists in the mobilization of their constituents.⁶⁹ This is true for the Sri Lankan situation as well.

There is a fear of total extinction in both Tamil and Sinhalese psyches, which is rightly called “crisis of confidence” by students of Sri Lankan politics.⁷⁰ Both groups lost faith that they can peacefully coexist within one system or even side by side. This fear is the fundamental reason for the Sinhalese desire to maintain tight control over the Tamil people and their affairs.

65. Rupesinghe, *supra* note 25, at 342.

66. J. BROW, NATIONALIST RHETORIC AND LOCAL PRACTICE: THE FATE OF THE VILLAGE COMMUNITY IN KUKULEWA, IN SPENCER 128 (1990).

67. Hewavitharana, *supra* note 34.

68. See generally Albert F. Reiterer, *Reducing Ethnic Conflicts: Contemporary Approaches to Conflict Resolution in Western Europe*, in ETHNIC CONFLICTS AND CIVIL SOCIETIES: PROPOSALS FOR A NEW ERA IN EASTERN EUROPE (1997).

69. See generally VAMIK VOLKAN, BLOODLINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM (1997).

70. Gunewardena & Wesumperuma, *supra* note 50.

Any effort to devolve powers to regional units or share power with their Tamil counterparts is resisted on the premise that such a situation will lead to the creation of separate Tamil Eelam and eventually cause the destruction of Sinhala Buddhist race. The belief that there is a Tamil conspiracy to establish a greater Tamil Eelam remains very strong in the Sinhala psyche.⁷¹

On the other hand, the Tamils believe that Sinhalese have reduced the Tamils to a second-class citizenry, primarily by using political power and imposing hegemonic policies over Tamil affairs. Examples of such tendencies are often cited from the distorted versions of Tamil history and culture in school textbooks to what is termed the "military occupation" of Sinhala armed forces in the North and East. Legislation and public policies affecting Tamil are seen as tools to reduce their presence in mainstream politics. The Tamil are convinced that all these oppressive policies will eventually lead to the extinction of their identity and people as an ethnic group. For them the only way to avoid such a predicament is to have the right to self-determination, or at least total control over their own affairs. Several options, including the creation of a separate state and the introduction of a federal structure, have been put forward on this supposition.

Therefore, the final positions of these groups are naturally diametrically opposed to each other. Fundamentally, the Sinhalese want to maintain the existing unitary status of the state, which ensures the central government's control of power over all units and levels. The Tamils want to create a unit that would ensure their survival and well being, be it within a separate state or a federal structure. This is where both the groups are stuck and are unable to move towards a peaceful solution. The nineteen-year-long war has proved that each parties lacks the power to impose a military solution on the other.⁷² Therefore, an end to the war must be achieved through political dialogue. However the ground situation in the country does not provide any cause for hope, at least in the sort term. It seems that a change toward a peaceful resolution to the conflict is not possible without a strikingly major change in the political milieu of the conflict setting.

IX. CONCLUSION

As in many other ethnic conflicts, the Sri Lankan conflict too evolved out of soft political demands into an all-out war. The civil war has so far claimed more than sixty thousand lives, in addition to causing damage to tremendous number of economic resources. Social and political institutions were not immune from the destruction, either. A negotiated political settlement is of

71. *Id.*

72. Keethaponcalan, *supra* note 3.

utmost importance to insure a peaceful resolution with justice to all groups involved. A just solution cannot be achieved without a proper understanding of the multiple dynamics of the conflict. Sri Lankan conflict, although essentially an ethnic one, it is multi-dimensional.

We have already discussed in great detail the various factors involved in the conflict and their impacts on the other factors. We have examined, for example, how the historical factors have influenced the psychology of the parties, and how the psychology had an impact on the policymaking in terms of economics, politics, and the decision to use violence in order to achieve goals. The Social Cubism theory of conflict allows us to examine varied facets of a conflict by providing a multi-dimensional framework. In this sense, it is a useful framework for conflict analysis and can be applied to any deep-rooted ethnic conflicts.

THE POLITICAL ECONOMY OF VIOLENCE AND INSECURITY IN THE BORDERLANDS OF NORTHERN KENYA: A SOCIAL CUBISM PERSPECTIVE

*Joshia Osamba**

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I. ABSTRACT

Since the 1980s, conflicts and violence involving pastoral communities in the borderlands of northern Kenya have become endemic. The violence has especially taken the form of banditry and cattle rustling. The emergence of cattle warlords among the pastoral groups has contributed to the internationalization and commercialization of cattle rustling activities. Acts of banditry and cattle rustling have led to loss of human lives, stealing of livestock,

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and displacement of populations. Thus violence and insecurity have become the order of the day in the region. This Chapter analyzes the violence and insecurity in the borderlands of northern Kenya using the social cubism perspective to demonstrate how issues in a conflict are often related and interlinked with one another. The Chapter also examines possible strategies for a third party conflict intervention to control or deescalate the violence.

II. INTRODUCTION

Since the 1990s communal conflicts have become endemic all over the World. There are both internal and external events and trends that have contributed to the emergence of these conflicts.¹ In Africa for example, conflict and violence seem to assume different dimensions, ranging from civil wars in Somalia, Liberia, Congo Democratic Republic and Sierra Leone to genocide in Rwanda and Burundi. Such conflicts have severely undermined the social cohesion of African states.

The last twenty years have witnessed an escalation of violence and insecurity in the form of banditry and cattle rustling (raids) in the borderlands of northern Kenya.² Generally speaking, cattle rustling between pastoral groups cuts across communal lines and national borders. The phrase, "borderlands of northern Kenya" is used in this article to refer to the region straddling the Kenyan, Ugandan, Sudanese, Ethiopian, and Somalian borders. The area is often referred to as "bandit zone" or "bandit belt" because of the illegal firearms in the hands of pastoral groups who are using them to create havoc in the form of cattle rustling and banditry.³ The term "pastoralists" is applied in the study to denote people whose main mode of production is the herding of livestock such as cattle, camels, goats, and donkeys on extensive bases or in combination with some form of agricultural activities.⁴ In Eastern Africa, such communities include the Turkana, the Pokot, the Samburu, the Somali, and the Borana of Kenya, the Toposa and the Merille of Ethiopia and Sudan, and the Karamojong and the Jie of Uganda.

1. TED ROBERT GURR & BARBARA HARFF, *ETHNIC CONFLICTS IN WORLD POLITICS*, (1994); RODERICK VON LIPSEY, *BREAKING THE CYCLE: A FRAMEWORK FOR CONFLICT INTERVENTION* (1997); WILLIAM I. ZARTMAN, *COLLAPSED STATES: THE DISINTEGRATION OF LEGITIMATE AUTHORITY* (1995).

2. John Mbaria, *Suguta Valley of Death*, *THE EAST AFRICAN*, Oct. 9, 2000, at 12; Makumi Mwangiru, *Borders, Frontiers and Conflict in the Horn of Africa: Some Preliminary Hypotheses* (2000) (unpublished seminar paper, University of Nairobi).

3. Alex Mwangangi, *Kenya's Pastoral Areas- An Arch of Conflict?*, *THE EAST AFRICAN*, September 15-21, 1999, available at <http://www.nationaudio.com/News/EastAfrican /130999/.../opinion2.html>; *Ferocious Tribal Warfare*, *WEEKLY REVIEW*, March 12, 1999: available at <http://www.africaonline.co.ke/weeklyreview/990312/kenya3.html>.

4. M. Mahmud Khan, *Market Based Early Warning Indicators of Famine for the Pastoral Households of the Sahel*, 22 *WORLD DEVELOPMENT* 2, 198 (1994).

Thus, a study of the political economy of violence and insecurity amidst challenges of globalization and the new World order is central to our understanding of ethno-political and communal conflict in Eastern Africa. We intend in this chapter, to address the following pertinent issues as they relate to violence and insecurity in the borderlands: What are the main causes of violence and insecurity in northern Kenya? Is the conflict resource or identity based? How can the conflict and violence be addressed? What level of conflict resolution intervention is necessary in the region?

This chapter examines and analyzes the political economy of violence and insecurity in the borderlands of northern Kenya with particular emphasis on the banditry and cattle rustling phenomena. Part One of the chapter provides a contextual background of the pastoral economy as it relates to conflict over resources, especially in the last thirty years or thereabout. Part Two provides an analysis of the conflict using the social cubism model. Part Three discusses what type of third party intervention may be useful in facilitating a resolution of the conflict. In the conclusion, the chapter provides a compressed discussion of the key ideas in the study.

III. BANDITRY AND CATTLE RUSTLING IN THE PASTORAL ECONOMY: A CONTEXTUAL BACKGROUND

Much of northern Kenya is semi-arid, and the area is only suitable for a pastoral mode of production. Available evidence shows that pastoralists have been able to eke out a frugal existence from the harsh climatic environment of the borderlands for centuries.⁵ Throughout their history livestock has been their economic and social lifeline. Some of the pastoralists such as the Turkana and the Pokot, however, practice transhumance, a settled form of pastoralism through which only animals are moved in search of pasture and water while the families settle “permanently” in given locations.

Historically, firearms seem to have not played a prominent role in the early military organization of East African pastoral and semi-pastoral communities. It was only in the late 19th century that the pioneer East African Coastal Arab-Swahili traders and the ‘Khatoumers’ ventured into the borderlands of Eastern Africa and the Nile headwaters thereby introducing firearms as a trade item.⁶ Undoubtedly, at present pastoralists in the borderlands are facing unprecedented

5. See Mohammed Ali Salih, *Agro-Pastoralism: An Underestimated Regional Food Production System*, in EASTERN AFRICAN SOCIAL SCIENCE RESEARCH REV. Vol. IX, No. 1, at 23 (1993); R. M. A VAN ZWANENBERG & ANNE KING, *AN ECONOMIC HISTORY OF KENYA AND UGANDA, 1800-1970* (1975); KATSUYOSHIO FUKUI & DAVID TURTON, *WARFARE AMONG EAST AFRICAN HERDERS* (1979).

6. See BETHUEL A. OGOT, *ECONOMIC ADAPTATION AND CHANGE AMONG THE JII-SPEAKING PEOPLES OF EAST AFRICA* (1996); *ETHNICITY AND CONFLICT IN THE HORN OF AFRICA* (Katsuyoshi Fukui & John Markakis, Eds. 1994); *THE WARRIOR TRADITION IN MODERN AFRICA* (Ali Mazrui, ed. 1997)

challenges in their long history that often lead to serious violent struggle for survival. In the last twenty-five years, for example, ecological cataclysms, droughts, famines as well as competition for resources have contributed to conflict and violence among pastoral communities.⁷ A majority of pastoral societies in the borderlands have therefore become militarized and increasingly rely on firearms.

However, Odegi-Awuondo contends that the root causes of the current socio-economic problems in pastoral areas can be traced to the policies of the British colonial Government.⁸ For instance, in its attempt to pacify these communities, the colonial Government adopted harsh policies, which contributed to the economic and political marginalization of these communities. For example, the Government favored the establishment of White settler plantation agriculture in Kenya at the expense of peasant economy. In order to make more fertile land available for alienation for White settlement, the colonial Government demarcated small 'tribal' reserves for African populations.⁹ Most pastoral communities were consequently pushed out of the most fertile land into the drier parts of the country. Moreover, colonial officials regarded pastoralism as a primitive mode of production and efforts were therefore made to discourage it. For instance, the first colonial Governor of Kenya, Sir Charles Eliot declared that pastoralism had no future in Kenya.¹⁰ Also colonial anthropologists propagated myths about the low status of pastoralism in the human social and economic evolution.

Since colonial times pastoral communities have faced State harassment and repression. For example, during the colonial period, northern Kenya was a closed district and was administered by military officers.¹¹ Free movement of people and animals in and out of the district was restricted. This policy was aimed at monitoring activities of the pastoral groups. The British referred to pastoral groups such as the Turkana and the Pokot as 'war-like', violent, and as recalcitrant communities. This stereotyping was a way of creating an enemy image and justification for counter aggression.¹² For example, the Government often sent punitive military expeditions against the pastoralists. Such expeditions often led to the killing of people, and confiscation of livestock.

7. ETHNICITY AND CONFLICT IN THE HORN OF AFRICA, *supra* note 6, at 147.

8. CASPER ODEGI-AWUONDO, LIFE IN THE BALANCE: ECOLOGICAL SOCIOLOGY OF TURKANA NOMADS 44 (1990).

9. R.M.A. VAN ZWANENBERG, COLONIAL CAPITALISM AND LABOUR IN KENYA 1919-1939 (1975); M.P.K. SORRENSEN, ORIGINS OF EUROPEAN SETTLEMENT IN KENYA (1968).

10. David M. Anderson, *Cow Power: Livestock and the Pastoralists in Africa*, AFRICAN AFFAIRS 92(366) (1993), at 121.

11. WILLIAM R. OCHIENG, AN OUTLINE HISTORY OF THE RIFT VALLEY (1980).

12. ETHNICITY AND CONFLICT IN THE HORN OF AFRICA, *supra* note 6, at 193.

The post-independence Kenyan Government seems to have adopted the same strategy in dealing with frequent cattle rustling activities in the borderlands.¹³ However, despite the use of force, the State has not achieved its objectives. Rather it has exacerbated the problem. The bandits and cattle raiders, for example, often possess more sophisticated weapons than those of the Government's security forces. The bandits, therefore, appear to reign supreme in the borderlands. Consequently, as a means of obtaining a few animals and improving one's fighting ability, raiding had evolved into almost full-scale military operation.¹⁴ Not only young men were killed, but women and children were murdered as well. Huts, stores, and harvests were set on fire and shops looted.

The political turmoil in the neighboring countries in the 1980s provided an opportunity for pastoralists to easily acquire lethal firearms.¹⁵ Moreover, some African governments, rather than resolving long-standing ethnic conflicts, have tended to provide weapons to one group to fight against another. For example, the on-going civil war in Southern Sudan has proved to be a boom for the firearm trade in the borderlands.¹⁶ For instance, both the Sudanese government and the Sudanese Peoples Liberation Army (SPLA) guerillas, provide arms to their collaborators in the region.

Since the late 1970s, the following combination of factors has contributed to the apparent destitution of pastoralists in northern Kenya.¹⁷ First, cattle diseases wiped out most of the livestock. Second, perennial droughts led to famine. Third, there was an increase in cattle raids and military attacks by heavily armed Karamajong and Turkana raiders, collectively termed Ngorokos (bandits). In addition, between 1984 and 1986, the Kenyan Government sent a punitive military operation into the pastoral district of Pokot ostensibly to seize illegal firearms. That major security operation is referred to by the Pokot as the "Lotiriri," after the noise of the helicopters used in the Government

13. ODEGI-AWUONDO, *supra* note 8.

14. Mwangangi, *supra* note 3.

15. ETHNICITY AND CONFLICT IN THE HORN OF AFRICA, *supra* note 6; *Ferocious Tribal Warfare*, *supra* note 3.

16. *Stop These Merchants of Terror*, WEEKLY REVIEW, Feb. 25, 1999, available at <http://www.africaonline.co.ke/weeklr%20review/990312/editorial.html>; and Marc-Antoine P. de Motclos, *The Proliferation of Light Weapons in Pastoral Northern Kenya*, in MONOGRAPH, NO.30, CONTROLLING SMALL ARMS PROLIFERATION AND REVERSING CULTURES OF VIOLENCE IN AFRICA AND THE INDIAN OCEAN 8 (1998) (Cape Town Institute of Strategic Studies, available at <http://.iss.co.za/Pubs/MONOGRAPHS/30/Section%20one.html>).

17. IN SEARCH OF COOL GROUND: WAR, FLIGHT AND HOMECOMING IN NORTH EAST AFRICA (Tim Allen, ed. 1996); Eboe Hutchful, *Demilitarising the Political Process in Africa: Some Basic Issues*, 6 AFRICAN SECURITY REVIEW 2, 1 (1997); ODEGI-AWUONDO, *supra* note 8.

onslaught against them and their animals.¹⁸ During the operations, the security forces confiscated thousands of Pokot livestock while others died because of the drought or lack of adequate attention while in the hands of security forces. Such measures obviously did not achieve the intended results since they seemed not to address the root causes of cattle rustling.

Furthermore, from the late 1970s cattle rustling operations took a new dimension based solely on individualistic rather than societal interests. For example, while traditional raids hinged on communal interests and were monitored by the community through laid down social norms, these new raids are based entirely on private interests and are controlled by armed village leaders.¹⁹ This tendency has led to the emergence of cattle Warlords. Cattle warlordism is a phenomenon that emerged among the Pokot and the Turkana in the 1980s. The phenomenon came into the limelight when a number of charismatic, influential, and wealthy people arose in these communities promising the people prosperity and security. These Cattle Warlords include ex-chief, ex-servicemen, businessmen, and ritual experts. They have created armed private militia, which, apart from providing local security, also go on cattle raids against neighboring communities and across the border into Uganda, Ethiopia, and Sudan. Warlordism has thus apparently turned into a profitable venture for both Warlords and their retainers.²⁰ For example, they have maintained a strong trade network with neighboring countries. The Warlords often organize joint cattle raiding operations, involving thousands of retainers into Uganda, Sudan, and Ethiopia. Cattle Warlords thus appear to be the new entrepreneurs of violence. According to Reno, a warlord is typically a civilian who arms civilians with rudimentary weapons to serve his political, economic, and social interests.²¹ Ironically, some State officials, especially security forces and former servicemen, are also reportedly engaged in cattle rustling activities, an occupation that has become a lucrative venture for them.

Traditionally, cattle rustling among the pastoralists was a cultural practice and was regarded as merely a kind of "dangerous sport."²² Under the traditional government system, the elders had the power to control or sanction raids. Cattle raids were thus regarded as an acceptable communal response to natural calamities and as a means for replenishing lost stock. The youth play a

18. *Ferocious Tribal Warfare*, *supra* note 3.

19. Charles M. Ocan, *Pastoral crisis in north-eastern Uganda: The changing significance of raids*, WORKING PAPER No. 2. (1992) (Centre for Basic Research Publishers).

20. *Ferocious Tribal Warfare*, *supra* note 3.

21. See generally WILLIAM S. RENO, *WARLORD POLITICS AND AFRICAN STATES* (1998).

22. John Mbaria, *Suguta Valley of Death*, *THE EAST AFRICAN*, October 9, 2000, available at <http://www.nationaudio.com/News/EastAfrican/current/Features/Features1.html>. See also Macharia Gaiho, *Arming the Pokot was Folly; Now Disarm Them*, *DAILY NATION*, March 26, 2001, at 6.

prominent role in the system of warlordism. They offer their services by joining the warlord ragtag militia groups. Violence and insecurity in the borderlands have become serious regional issues and not merely a local problem. Much of the borderlands is deserted. Most families are often forced to flee their homes for refugee camps and small trading centers in Kenya and Uganda.²³

Banditry and cattle rustling activities in northern Kenya have affected millions of people, ranging from the Turkana in the north, the Samburu and the Pokot in the center, and the Keiyo, the Marakwet, and the Tugen in the south of the study area. Cattle rustling activities however, are more intense among the Pokot and the Turkana communities. For example, each pastoral group tries to tilt the military scale to its favor. It keeps on shifting especially between the Pokot and the Turkana.²⁴ This apparent rivalry leads to an endless cycle of retributive raids and counter-raids between the two communities. The pastoral communities are thus involved in an arms race of their own coinage. Bandits and Cattle Warlords seem to thrive in this environment of lawlessness. The ability of the Warlords to organize and arm their forces is a clear indication that the State has lost the monopoly over the use of force.²⁵ It is worth noting that pastoral groups often live in scattered villages which makes it difficult for the State to effectively control them. Because of the state of anarchy and lawlessness in the borderlands of northern Kenya, it is very difficult to implement any development project. The few Government officers and NGOs based in the area live in constant fear of bandits.

IV. A SOCIAL CUBISM PERSPECTIVE

The chapter now analyzes the dynamics of violence and insecurity in the borderlands of northern Kenya using the social cubism framework.²⁶ The social cubism model takes cognisance of potential internal factors to elucidate the complexities of conflict. The framework shows how in ethnopolitical conflicts, the conflict plays out in diverse dimensions of social life such as the political, economic, and social realms. It is possible to use the model to demonstrate the nexus of relationships between economic, political, psychocultural, demographic, religious, and historical factors. These dynamics of conflict in the various social locales relate mutually with each other to entrench the conflict and make it resistant to resolution.

23. Ocan, *supra* note 19.

24. *Ferocious Tribal Warfare*, *supra* note 3; Mwangangi, *supra* note 3.

25. *Id.*

26. Sean J. Byrne & Neal Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Conflict in Northern Ireland and Quebec*, in PEACE AND CONFLICT STUDIES, 3(2), at 52. *See also* Neal Carter & Sean J. Byrne, *The Dynamics of Social Cubism: A View from Northern Ireland and Quebec*, in RECONCILABLE DIFFERENCES: TURNING POINTS TO ETHNOPOLITICAL CONFLICT (Sean Byrne & Cynthia L. Irvin, eds., 2000).

The social cubism framework is useful in conflict analysis because it shows the need for conflict resolution interveners to analyse conflict from all angles and perspectives. In other words, just like a cube that has six sides, issues in any given conflict are often related and interlinked to one another. Consequently, in order to comprehend a conflict we have to identify and address all factors that impinge on it in one form or another.

V. HISTORICAL FACTORS

Historically, pastoral communities have inhabited the borderlands of northern Kenya from time immemorial.²⁷ It is important to note that like other African countries except Ethiopia, Kenya just like many other African countries, is a colonial creation or a 'geographical expression'. Before colonialism, each pastoral group was a separate nation living under its own social and political institutions. Colonial boundaries, however, incorporated diverse groups of people who had no cultural or political links or who were traditional enemies into the same political entity in the name of Kenya.

Many pastoral communities for example, do not see themselves as Kenyans because of their long distance from the center of political administration.²⁸ For instance, they refer to any person travelling southward beyond their districts as 'going to Kenya'. Interestingly enough, the economic way of life of pastoral communities is quite different from that of the majority of other Kenyan groups. Apparently, the pastoralists seem to feel that they have very little access to state economic resources. Pastoral communities in northern Kenya generally view the Government as representing a sort of internal colonialism. For example, in the 1960s, the Somali of northern Kenya waged protracted though unsuccessful guerrilla warfare against Kenya in an attempt to secede and join the republic of Somalia. Apart from missionaries and NGOs, State involvement in economic development and provision of social services to the pastoral groups in northern Kenya is minimal.²⁹ Consequently, influential pastoral leaders often instill a 'siege mentality' within their people to make them feel they have been pushed to the wall and they must react in one form or another to re-assert themselves, safeguard their interests, and make the Government accede to their various demands. For instance, Jay Rothman clearly points, conflicts in Africa are often

27. VAN ZWANENBERG & KING, *supra* note 5, at ch. 1.

28. Mwangi, *supra* note 2

29. David Western, *Drought: Kenyans Have Not Seen Anything Yet*, THE NATION, June 29, 2000 available at <http://www.climateark.org/articles/2000/2nd/drkehano.html>. See also MUKISHA KITUYI, *BECOMING KENYANS: MAASAI PASTORALISM* (1992) (African Centre for Technology); ODEGI-AWUONDO, *supra* note 8.

“deeply rooted in existential issues like cultural expressions and survival itself.”³⁰

VI. PSYCHOLOGICAL FACTORS

Psychological factors include identity, self-esteem, fear, and anger, among others. The pastoralists traditionally regard themselves as a fearless and a hardened people.³¹ This feeling is probably due to their harsh environment. For example, they have high regard for their cultural practice of cattle raiding. Moreover, they feel that unless they keep their enemies at bay they may be overwhelmed and defeated militarily. Hence, the tendency to organise raids against their neighbors. They also have a strong attachment to their culture, which they feel has passed the test of time.³² Pastoral groups have remained homogenous in values and interests. Such a uniformity often leads to what Von Lipsey describes as concern for preserving only those things that are perceived to be of value to the group or capable of increasing the group's power relative to others within the society. That preservation of narrowly defined interests work to the detriment of broader affiliations required for stability within the society and the state.³³

Over the years there has been systematic erosion of the pastoralists' value, ideology and lifestyles. However, livestock still remains the cornerstone of their economy.³⁴ For example, cattle have a lot of social and ritual values to most pastoral groups. Cattle are used in many forms of reciprocal relationships such as building social alliances, exchanges in times of marriages, to pay fines, sacrifices, loans to friends and relatives. Pastoralists see their cultural values as superior and unadulterated by 'outside' influence. Thus, among pastoral communities, killing of out-groups members (especially warriors) and stealing their livestock are culturally and socially acceptable practices and a sign of bravery.³⁵ For example, among the Turkana and Jie (of Uganda), cattle raiding was such an important activity that everybody was expected to partake in. As John Lamphear observes: “Any one even the uninitiated, could go and fight . . . What would uninitiated men eat if they just remained at home? Does the

30. See generally JAY ROTHMAN, *RESOLVING-IDENTITY-BASED CONFLICT IN NATIONS, ORGANIZATIONS AND COMMUNITIES* (1997).

31. KANA ROBA DUBA ET AL., *HONEY AND HEIFER, GRASSES, MILK, AND WATER: A HERITAGE OF DIVERSITY IN RECONCILIATION* (1997). See also Mbaria, *supra* note 22.

32. *Id.*

33. VON LIPSEY, *supra* note 1.

34. DUBA ET AL., *supra* note 31.

35. Francis Deng, *Reaching Out: A Dinka Principle of Conflict Management*, in *TRADITIONAL CURES FOR MODERN AFRICAN CONFLICTS: AFRICAN CONFLICT MEDICINE* 95 (I. William Zartman, ed.) (2000); DUBA ET AL., *supra* note 31.

stomach distinguish between men?"³⁶ Such 'bravado' attitude encouraged militancy among the youth who wanted to prove their manliness and military prowess by going on raids. Traditionally, cattle raiding by pastoral communities was both a natural response to disasters such as drought, and an attempt to increase the numbers of their livestock as an insurance against disasters. Also, it was a cultural practice of proving the worth of one's community.³⁷

Kenyan Governments, since the colonial era, have attempted to control pastoral activities. During the colonial period, for example, the aim was ostensibly to pacify the pastoralists and to enforce law and order.³⁸ Thus, for a long time the official State policy tended to view cattle rustling as a mere cultural problem of the pastoralists and not a serious issue of State security. Yet, cattle rustling has now turned out to be a threat to State security.

VII. ECONOMIC FACTORS

Economic factors are also important in our understanding of the violence and insecurity situation in the borderlands. For example, Ali Said³⁹ points out that pastoral groups had self reliant economies which met most of their basic needs. Also, networks of exchange between pastoralists and cultivators have always existed. Such reciprocal relations could enable the pastoralists to gain access to cereals, salt, and pasture, among other items when required. However, at present, because of the strong resource competition and conflict in the region, the herder-farmer dichotomy has become quite manifest.⁴⁰

Basically, the age-old economic existence of pastoral economy has been undermined by three major factors, namely: the emergence of nation-states, the penetration of the market economy, climatic changes, and ecological cataclysms. The incorporation of the pastoral economy into the global market economy to some extent has also impacted negatively on societal structure, as well as on the ethical, and moral foundations.⁴¹ The Government's apparent bias towards agriculture is a clear indication of the low regard of pastoralism in

36. ETHNICITY AND CONFLICT IN THE HORN OF AFRICA, *supra* note 6, at 63.

37. Deng, *supra* note 35.

38. OCHIENG, *supra* note 11.

39. Ali Said, *Resource Use Conflict Between Pastoralism and Irrigation Development in the Middle Awash Valley of Ethiopia*, Vol. 1, No. 2, EASTERN AFRICAN SOCIAL SCIENCE RESEARCH REVIEW 21, 29 (1994).

40. Gudrun Dahl and A. Hjort, Pastoral Change and the Role of Drought, SAREC Report R. 2 (1979) (Stockholm: Swedish Agency for Research Cooperation with Developing Countries). See also Mohammed Babiker, *East African Dryland Pastoralism: Some Methodological Anxieties* (1999) (unpublished seminar paper, University of Khartoum).

41. Said, *supra* note 39.

State circles. For example, the international economy puts demand for more cash crops hence alienation of pastoral land for the establishment of large agricultural plantations. Much of the traditional pastoral grazing lands have thus become private property of other people, under the State sanctioned "willing-buyer-willing seller" principle. As John Mbaria correctly sums it: "The old symbiosis between the pastoralists and the sedentary farmer has broken down, suspicion and occasionally bloody conflict have taken its place, fanned by politicians with a self-aggrandising agenda."⁴²

Undoubtedly, pastoral production system requires extensive land space for livestock movements in response to changing weather and climatic patterns. Pastoral groups depend largely on the products of their livestock. Thus to continue with their age-old pastoral practice they have to raid other communities to replenish lost stock. Hence, they suffer "tit for tat" raids. Moreover, the pastoral districts of northern Kenya are largely underdeveloped in terms of infrastructures, resource allocations, and availability of economic and social services.

VIII. RELIGIOUS FACTORS

Religion seems not to play a prominent role in the violence and insecurity of pastoral groups in the borderlands. It is worth noting that most members of the pastoral communities still practice traditional religion although a significant number of people have converted to Christianity.⁴³ Traditional ritual experts (Emuron) had a lot of influence in pastoral societies. In case of conflict, these religious leaders in tandem with the elders would seek an amicable solution acceptable to all the parties involved. Ritual experts were regarded as divinely inspired and no one could challenge their decisions. Moreover, in the traditional pastoral set up, elders were the judicial and political decision-makers.

The elders, at various levels handled all major conflicts in the society.⁴⁴ For example, whenever there was a serious conflict between neighboring groups the elders from both sides would call a peace palaver to try and resolve the dispute. Members of the public were also allowed to attend and participate in the peace making ceremony. The meeting would be held in a carnival atmosphere punctuated with stories, songs, dance, and proverbs. The name of God and spirits would be invoked during the meeting. A bull would be slaughtered and its blood sprinkled into the air as a way of binding the disputants and members of the two communities to the covenant. As a gesture of reconciliation the whole group would eat the meat together. The whole

42. Mbaria, *supra* note 22.

43. DUBA ET AL., *supra* note 31.

44. *Id.*

society would thus be part of the agreement and anybody who violated it could suffer some calamity. By and large, negotiation, reconciliation or peace making was seen as re-establishment of relationship between the people and also with their God and spirits that were seen as witnesses and active participants. Agreements were entered into solemnly by the taking of oaths and participating in rituals that were regarded as binding and sacred. Punishment, restitution, and reconciliation were based on the norms and values of the society. Thus, emphasis was placed on the repair of damaged relations rather than retribution.⁴⁵

However, the pastoral societies are currently undergoing transformation due to Western and Christian influence.⁴⁶ Thus the powers of the elders and ritual experts have declined as warrior-youth and educated elite acquire more prominence in the society. Traditionally, before any raiding expedition, the elders or spiritual leaders had to bless the raiders. Nowadays, however, such blessings are rare since cattle Warlords themselves tend to organize most raids without consulting the traditional political leadership. Nevertheless, there are still a few pockets of ritual experts who bless warriors before raids, for economic gains. For example, in April 2001, President Moi of Kenya is reported to have issued a warning to such ritual experts telling them to discontinue the practice or face arrest by police.⁴⁷ It is my contention that these ritual experts are likely to ignore such threats. In reality the State no longer has effective control over northern Kenya. In that respect there are good reasons to believe that indigenous approaches to conflict resolution could be valuable in helping to resolve some of the conflicts in the borderlands.

IX. POLITICAL FACTORS

Politics is a major contributory factor to the current insecurity and violence in the borderlands. The Government's reaction to its frustration and inability to control acts of lawlessness has mainly been to send in security forces, who more often than not opt to harass the civilian population for allegedly collaborating with bandits and cattle rustlers instead of facing the enemy.⁴⁸ Such inhuman acts tend to make the State unpopular and the people unwilling to cooperate with security forces. For example, whenever security forces fail in their operations against bandits, they often vent their anger on civilian

45. See generally, JANNIE MALAN, CONFLICT RESOLUTION WISDOM FROM AFRICA, ACCORD (1997); DAVID W. AUGSBURGER, CONFLICT MEDIATION ACROSS CULTURES: PATHWAYS AND PATTERNS (1992).

46. DUBA ET AL., *supra* note 31.

47. DAILY NATION, April 15, 2001 <http://www.nationaudio.com/News/DailyNation/15042001/News/News72.html>.

48. *Ferocious Tribal Warfare*, *supra* note 3; see also Joshua Osamba, *The Sociology of Insecurity: Banditry and Cattle Rustling in Northwestern Kenya*, in ACCORD AFRICAN JOURNAL ON CONFLICT RESOLUTION 1(2), at 1(2000).

population. They are terrorized both by the government and by the bandits. Hence, the peoples' tendency to run away and escape from the reach of both. The question that one may ask is what are the options left for the pastoralists?

The pastoral communities feel disfranchised by the Kenyan political system.⁴⁹ For example, leaders of pastoral communities often express feelings of exclusion from the center of national power and marginalization in all aspects of life. For instance, the Kenyan Government seems to have adopted economic and political policies, which tend to perpetuate the marginalization of pastoral communities. This fact is evident in the distribution of economic and political resources. The Government appears to recognize the importance of these societies only when it requires their political support, such as during election time. As such, pastoral leaders have often used the poverty and underdevelopment in their areas as evidence of State marginalization.⁵⁰ Some local political leaders tend to encourage their people to continue with the age-old cultural practice of cattle rustling. These politicians seem to fear that a denunciation of the practice of cattle rustling may be politically suicidal. Such leaders claim to be defenders of their people when in fact their aim is to safeguard their own interests or to forestall the emergence of any potential challenge to their authority. It is important to note that while these leaders ask their people to remain steadfast in their cultural way of life, these same leaders send their children to local colleges and abroad for higher education.⁵¹ This tends to create a form of class differentiation in the society in which a few educated pastoral families continue to possess political power at the expense of the poor majority peasant-herders.

In addition, these local political elite inculcates in their people a 'siege mentality' by claiming that unless they act decisively to defend themselves they would be wiped out by their traditional enemies.⁵² For example, the Pokot leaders have rejected a call by the President of Kenya, Daniel arap Moi that they surrender all illegal arms to the government. They declared that surrendering their weapons would make their people vulnerable to attacks by the militarized Karamonjong of Uganda. The Pokot are thus turning to their history to support raids and other acts of violence against neighboring communities. For example, in March 2001, a man by the name of Samuel Moroto was elected the new Pokot Member of Parliament for Kapenguria to replace one of the alleged Pokot Warlords, and former Cabinet Minister, the late Francis Lotodo. A few days

49. *Id.*

50. DAILY NATION, Feb. 21, 2001, available at <http://www.nationaudio.com/News/DailyNation/21022001/index.html>; Mbaria, *supra* note 22.

51. Babiker, *supra* note 40.

52. Mbaria, *supra* note 22; see also SUNDAY NATION, Apr. 22, 2001, available at <http://www.nationaudio.com/News/DailyNation/22042001/News/News58.html>.

after he was officially sworn in as Member of Parliament, Moroto addressed a big rally in his constituency, and he declared that the Pokot were going to use violence (force) to reclaim all land, which historically belonged to them.⁵³ Some of those lands were incorporated in the neighboring districts of Turkana and Trans Nzoia during the colonial period Moroto's remarks were seen as a symbolic declaration of 'war' against non-Pokot.

The Pokot are thus using history to justify their actions and to emphasize territorial and communal cohesion. They feel justified in evicting non-Pokot who have taken over their ancestral land. As Carter and Byrne note: "Political elites often attempt to instil a sense of common fate and group solidarity by emphasizing in-group similarities and out-group differences, depicting group members as interchangeable and personalizing inter-group conflict."⁵⁴ Carter and Byrne at the same time point out that groups tend to focus their story to fit into their current situation, perception, and worldview.⁵⁵

There is clear evidence of prejudice and discrimination against pastoralists in Kenya. For example, they are often referred to as "primitive," "uneducated," and a people suffering from a "cattle complex" mentality.⁵⁶ Moreover, the few members of pastoral communities in wage employment are mostly performing menial tasks such as night security guards and waste collectors in towns. This is due to the fact that western education is not yet rooted among these pastoral communities.⁵⁷

As a matter of fact, State officials often threaten local chiefs with dire consequences for failure to identify bandits and cattle rustlers who may be operating in their localities. For example, these officials often apply 'collective punishment' on suspected clans whose members may have participated in a cattle raid against neighboring communities. Such acts tend to alienate the people further from the government, whom they see as an outside force interfering with their way of life. Seemingly, such punishment and coercion often opens a 'Pandora's box' and often exacerbates conflict. As John Burton posits "if co-operative and non-violent social relationships are sought by

53. *MP Warns Over Land in Pokot*, DAILY NATION, March 23, 2001, available at <http://www.nationaudio.com/News/DailyNation/25032001/News/News26.html>.

54. Byrne & Carter, *supra* note 26.

55. *Id.* at 45.

56. Mbaria, *supra* note 22; WESTERN, *supra* note 29.

57. Eric Both, *Education, Training and Household Labour among the Rendile Pastoralists of Northern Kenya*, in INSTITUTE OF DEVELOPMENT STUDIES BULLETIN 22(4) (1991), at 136 (University of Nairobi); see also MICHAEL A. LITTLE, *THE ILLUSIVE GRANARY: HERDER, FARMER AND STATE IN NORTHERN KENYA* (1992).

societies, social norms, and institutions must be adapted to human aspirations and not the other way a round."⁵⁸

The Government has tended to condemn cattle rustling among the pastoral communities based largely on the false assumption that such raids are a primitive factor relating to nomadic life.⁵⁹ Thus, the State does not view raids as partly an outcome of modern economic intrusion impinging on the socio-cultural setting of the pastoralists. To a large extent, changing social and economic relations has compounded the cattle rustling activities.⁶⁰ Part of the reason is that commercialization and internationalization of cattle rustling appear linked to the expanding global market for livestock and livestock products, and the proliferation of weapons, all in the over the years.

Clearly, poverty, hunger and destitution have become part and parcel of aggressive and predatory pursuance of political goals. In such a scenario, the State becomes an inconsequential irritant.⁶¹ Currently the politics of pastoral communities seem to be dominated by warlordism. The state of insecurity and lawlessness in the borderlands and the collapse of social and economic structures have created a category of poverty-stricken peasant-herders who in order to survive often resort to acts of banditry and cattle rustling.⁶²

X. DEMOGRAPHIC FACTORS

In the last two decades or so, there has been some significant improvement in medical services, especially by Christian missionaries and NGOs in the borderlands.⁶³ Such services have led to a steady rise in the population of the pastoral people. In addition, the numbers of their livestock have increased. These factors create demographic pressures resulting in more conflict over grazing lands and water. At the same time, many people from non-pastoral communities have acquired land in the pastoral areas. Such land loss inevitably reduces the ability of the pastoralists to maintain large herds of livestock. The new landowners have acquired title deeds (certificates) giving them legal rights over such land. However, pastoral groups traditionally do not recognize individual ownership of land since their mode of production requires expansive territory and communal ownership of grazing lands and other resources.⁶⁴

58. JOHN W. BURTON, *VIOLENCE EXPLAINED: THE SOURCES OF CONFLICT, VIOLENCE AND CRIME AND THEIR PREVENTION* 26 (1997).

59. Ocan, *supra* note 19, at 12.

60. Babiker, *supra* note 40, at 8.

61. Salih, *supra* note 5.

62. Osamba, *supra* note 48.

63. GUFU OBA & WALTER J. LUSIGI, *AN OVERVIEW OF DROUGHTS STRATEGIES AND LAND USE IN AFRICAN PASTORAL SYSTEMS* (1998).

64. DUBA ET AL., *supra* note 31.

Thus, attempts by pastoral societies to ignore individual land ownership and boundaries tend to exacerbate tensions between pastoral and agricultural communities. Consequently, there is often a clash of cultures between western and traditional legal systems of land ownership.

Due to insecurity in the borderlands the pastoral groups have abandoned more than forty percent of their grazing lands and compressed into smaller areas.⁶⁵ This state of affairs affects pastoral economy thereby contributing to land degradation, which in turn exacerbates conflict.

XI. POSSIBLE THIRD-PARTY INTERVENTION IN THE CONFLICT

The violence and insecurity that has been created by banditry and cattle rustling activities in northern Kenya can be addressed at different levels of intervention. It appears that for a long time the Kenyan State has tended to adopt a top-down or power-based approach in addressing the issue. Such a method has failed miserably. Consequently, we suggest that there is a need for State officials, pastoralists, and other affected parties should come together and address the problem from a common ground.⁶⁶ Such an intervention process would involve the use of a "grass-roots-based" or a "bottom-up" approach, an approach that is often referred to as "peacebuilding from below." At the same time the conflict could be addressed from an interests-based approach.⁶⁷ This is an approach that could help the interveners to assist the parties identify their concerns and needs, and therefore possibly to be in a better position to develop common interests on which to build some consensus. In other words, a transformation of the peoples' attitude and worldview is vital in any conflict intervention in the borderlands.

For example, the pastoral system must be recognized as an important component of the Kenyan economy rather than an archaic practice that has to be discarded. In that respect, both the Kenyan State and the pastoralists must begin to acknowledge that each has the right to exist. Apparently, it appears that pastoralists are yet to participate fully in making decisions affecting their social life and economic development. Thus it is correct to say that many past development interventions in pastoral areas have become a cropper due to non-involvement of the pastoralists in their planning and implementation.⁶⁸ Conflict resolution intervenors, therefore, must try to address the underlying causes of

65. OBA & LUSIGI, *supra* note 63.

66. See generally WILLIAM L. URY ET AL., GETTING DISPUTES RESOLVED: DESIGNING SYSTEMS TO CUT THE COSTS OF CONFLICT (1993).

67. See generally JOHN PAUL LEDERACH, BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES (1995); see also DUBA ET AL., *supra* note 31.

68. See generally GUDRUN DAHL, SUFFERING GRASS: SUBSISTENCE AND SOCIETY OF WASO BORANA, (1979).

the conflict rather than merely dealing with the symptoms. Interestingly enough, more often than not, it is 'outsiders' who decide what they perceive as problems afflicting pastoralists and suggest their resolutions without involving the local people themselves. In other words, the policy seems to be that pastoralists are to be 'seen and not to be heard'. In that regard, these interveners tend to blame the pastoralists either for "overstocking and overgrazing" rather than addressing the underlying causes of their problems.⁶⁹

An important point to remember is that many conflict resolution scholars and practitioners agree, it is almost impossible to transform a society unless the underlying needs of the parties involved in conflict are adequately identified, recognized, and addressed.⁷⁰ Thus, any solutions recommended by interveners should take cognizance of the fact that pastoral communities have managed to survive in their harsh environment for thousands of years. Hence, it would be unreasonable to expect them to fundamentally change their lifestyle to an untested future. Thus change must be gradual and should not be imposed from the top. Due to suspicions and past negative experiences, both the Government and pastoralists are often marooned in their cocoon unsure of the other's real intentions.⁷¹

Does pastoralism in northern Kenya have a future? Will the pastoral mode of production survive against the various onslaughts ranged against it? Both Aronson and Dyson-Hudsons contend that pastoralism faces an uncertain future.⁷² On the other hand, Mustafa Babiker⁷³ points out that pastoralists are not static and throughout their history they have adapted to new socio-economic and physical conditions when necessary. Babiker at the same time is not amused with claims of the imminent collapse of pastoralism. Furthermore Babiker avers that the focus of studies of pastoral systems should change from the 'crises of survival' model in favor of 'survival in crises' framework. Moreover, Babiker opines that outsiders under the guise of 'experts' tend to offer solutions to problems that they have never experienced. Some of their

69. John Helland, *Some Aspects of and Implementation of the Development of the Grazing Blocks in North Eastern Province* (1980) (unpublished research paper, Nairobi International Livestock Centre for Africa).

70. See BURTON, *supra* note 58; LEDERACH, *supra* note 67; URY, *supra* note 66; ROTHMAN, *supra* note 30.

71. Maurice Lokong, *Dialogue Education-A Tool for the Equitable Incorporation of Nomadic Pastoral communities in National Development with Special Reference to Turkana of North West Kenya* 7, (1987) (unpublished diploma thesis, University of Readings). See also BOTH, *supra* note 57.

72. David R. Aronson, *Must Nomads Settle? Some Notes toward Policy on the Future of Pastoralism*, in *WHEN NOMADS SETTLE: PROCESSES OF SEDENTARIZATION AS ADAPTATION AND RESPONSE* 173 (Phillip Carl Salzman, ed. 1980); see also Neville Dyson-Hudson and Rada Dyson-Hudson, *The Structure of East African Herds and the Future of East African Herder*, 13 *DEVELOPMENT AND CHANGE* 213 (1985).

73. Babiker, *supra* note 40, at 1.

recommendations are half-baked and cannot stand the test of time. These conflict resolution and development experts rarely seek the views of the local people when deciding on development plans aimed at ameliorating their conditions.

It is important to note that most of the African borders are porous and contested.⁷⁴ Bandits and cattle rustlers thus find it easy to oscillate between the neighboring States, crossing international borders at will.⁷⁵ The fact that the neighboring countries have developed different conflict management strategies and regulations often makes it difficult to effectively manage cross border conflicts. For example, in Uganda pastoral groups are often permitted by the State to own firearms, yet in Kenya the government has banned gun possession by pastoralists.⁷⁶

It is our argument that for peaceful coexistence to be achieved, the pastoral communities must accept the reality that each is part and parcel of the wider geo-political and economic entity. We suggest that for durable peace in the borderlands, indigenous methods of conflict resolution and cultural values should be incorporated into the modern conflict resolution mechanisms. This hopefully could greatly contribute to the restoration of peace, security, and stability and cordial relations among the pastoral communities in the borderlands. Both Aronson and David Western among other scholars of pastoralism have poignantly argued that social life in the pastoral areas has not improved.⁷⁷ For example, pastoralists still rely on nature for their survival.

According to John Burton, for any effective conflict resolution intervention, third party intervenors must avoid prejudiced and preconceived views of the local situation.⁷⁸ Thus, to address a conflict adequately, there is a need for some change in the institutions and structures of the society. Thus, we contend that to forestall or to de-escalate the inter-group conflict in the borderlands it is necessary to address the basic human needs of the people such as security, recognition, identity, self-esteem, and acceptance. Structural violence⁷⁹ is evident in the way the Kenyan State has handled the predicament of pastoral people since colonial times. Government policies have impacted negatively on pastoral economic production. It should be noted that from a

74. BORDER AND TERRITORIAL DISPUTES (Andrew J. Day, ed. 1987).

75. MWAGIRU, *supra* note 2.

76. *See, e.g.*, SUNDAY NATION, April 22, 2000, at 3.

77. Aronson, *supra* note 72; Western, *supra* note 29.

78. *See generally* JOHN W. BURTON, RESOLVING DEEP-ROOTED CONFLICT: A HANDBOOK (1987); CONFLICT: HUMAN NEEDS THEORY, (John W. Burton, ed. 1990).

79. *See generally* JOHAN GALTUNG, PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT DEVELOPMENT AND CIVILIZATION (1996); Burton, *supra* note 86, at 32.

psychological perspective, feelings of alienation could be dangerous to both the individual and the group.

It is our contention that for conflicts in the borderlands to de-escalate, it is necessary to identify the underlying root causes of the problem rather than blaming the parties involved or merely addressing the symptoms of the conflict. It behoves conflict resolution interveners to identify and analyze the interplay of various factors and their internal and external dynamics when addressing the issue of violence and insecurity in the borderlands, Byrne and Carter point us in the right direction.

Von Lipsey has developed a conflict resolution model that he refers to as the "intervention cycle."⁸⁰ This framework incorporates the relationship between prevention, mitigation, and resolution. Durable conflict resolution measures often require a change in the status quo, and a strong commitment by parties involved to play according to the 'rules of the game' rather than coercion or acquiescence on the part of one of the parties. In other words, the building blocks of peace must be laid on a firm ground. Jay Rothman, Edward Azar, and Louis Kriesberg hold similar views.⁸¹ For example, according to Rothman, some deep-rooted conflict often cannot be resolved because the conflicts are "misdiagnosed and handled badly."⁸² Rothman has proposed the ARIA (Antagonism, Resonance, Invention, and Action) framework of conflict management that may help parties in conflict to move from adversarial to cooperative change. Rothman emphasizes the importance of positive dialoguing between parties to create a conducive environment of understanding and problem solving. As Azar correctly points out, identity based conflicts are bound to recur unless the underlying causes have been adequately identified and addressed to the satisfaction of all of the parties.⁸³

This article therefore suggests that this nexus between human needs and conflict should be clearly comprehended by local political leaders, the provincial administration, and the Kenyan State. In that regard, Kenyan Government policy makers must take cognizance of these facts by identifying how the environmentally (ecologically) related threat to peace can be contained deescalated or resolved. In actuality, pastoralism cannot be simply dismissed as an old-fashioned practice. As Doornboss correctly puts it, the pastoralists, "have demonstrated economic and social acumen in the exploitation of their arid homelands. Those lands are too arid for anything but nomadic, or at best,

80. VON LIPSEY, *supra* note 1, at 6.

81. See ROTHMAN, *supra* note 30; Edward Azar, *Protracted Social Conflict: Ten Propositions, in* INTERNATIONAL CONFLICT RESOLUTION: THEORY AND PRACTICE (John W. Burton & Edward E. Azar, eds. 1986); LOUIS KRIESBERG, *CONSTRUCTIVE CONFLICTS: FROM ESCALATION TO RESOLUTION* (1998).

82. ROTHMAN, *supra* note 30, at 6.

83. Azar, *supra* note 81.

transhumant pastoralism. The only other option is to migrate and leave the bush to the game."⁸⁴

It is necessary to accord the pastoralists the opportunity of determining their future. In that regard we contend that 'outsiders' should not impose important decisions and policies affecting pastoral mode of existence without their active involvement from the initial stages to the implementation process.⁸⁵ It is an undeniable fact, to a large extent it is mainly Non-Governmental Organizations and church missionaries that have attempted to alleviate the plight of pastoral communities through the provision of schools, boreholes, health centers, and other facilities.⁸⁶ As already stated, the Kenyan Government should change the tendency of ignoring and neglecting the welfare of the pastoralists in terms of development and the distribution of political and economic resources. The Government should adopt some affirmative action to make the pastoralists move up the ladder in terms of provision of government sponsored social, educational, and economic development services.

By and large, third party intervention should help the disputing parties to adopt a 'give and take' approach when addressing their conflict. The use of coercive measures to modify a behavior or resolve conflict may be counterproductive. This is evident in the failure of government depastoralization campaigns in the borderlands. In deed, the pastoralists regard State measures such as the provision of food relief during droughts as a temporary short-term stop-gap measure as they wait for opportunities to revert to pastoralism, either through cattle raids or other methods to rebuild their stock.⁸⁷

The "us-them" dichotomy is a common feature in human interaction.⁸⁸ Thus, generalizations, perceptions, and projecting negative attributes on others is always manifested in conflicts. However, the use of negative and pejorative terms such as "bad," "primitive," "callous killers," or "bandits," should be avoided by conflicting parties while they are trying to resolve the problem of violence and insecurity in the borderlands. Such terms tend to create an environment of mistrust, vindictiveness, and "passing the buck."

84. ETHNICITY AND CONFLICT IN THE HORN OF AFRICA, *supra* note 6, at 87.

85. Western, *supra* note 29, Osamba, *supra* note 48.

86. Gufu Oba, *Perception of Environment among Kenyan Pastoralists: Implications for Development*, 19 NOMADIC PEOPLES 33 (1985).

87. Richard Hogg, *Pastoralism and Impoverishment: The Case of the Isiolo Boran of Northern Kenya*, DISASTERS 4(3) (1980), at 299.

88. VAMIK VOLKAN, BLOODLINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM (1997).

XII. CONCLUSIONS

This article has attempted to analyze the political economy of violence and insecurity in the borderlands of northern Kenya using the social cubism model. It has pointed out that the phenomena of banditry and cattle rustling have greatly contributed to the emergence of an environment of violence and insecurity in this region. Cattle rustling appears to have undergone a fundamental transformation from a cultural practice to an international commercial venture apparently under the control of cattle Warlords. By and large, the changing land use, demographic pressures, political, and economic conditions have contributed to the current increase in conflict and violence in the borderlands. The institutionalization of violence and the resultant insecurity has contributed to widespread social, political and economic problems among the pastoralists.

The Government seems not to have adopted the necessary policies and mechanisms that could help to forestall and address the underlying causes of insecurity and violence in the region. Consequently, the situation has become insurmountable. The Government's laxity has therefore somehow contributed to the emergence of warlords, who have emerged as the undisputed masters of the region.

In order to make any meaningful intervention in the conflict; there is a need to reassure the pastoralists that their age-old way of life will be recognized. In that connection, it would be appropriate to reinforce the pastoral institutional capacities with specific reference to traditional norms, rules and regulations of conflict resolution. By and large, third party intervention in the conflict must take note of the underlying interests, needs, and aspirations of the local populace when developing a conflict resolution framework for the region. The State must try to cultivate good working relations between the security forces and the local people for the mutual benefit of the State and the local inhabitants. The study concludes that a concerted effort by the all stakeholders is pivotal in any meaningful resolution of the conflict in northern Kenya.

COMPLEXITY AS A SHOCK ABSORBER: THE BELGIAN SOCIAL CUBE

Neal Alan Carter*

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I. COMPLEXITY AS A SHOCK ABSORBER: THE BELGIAN SOCIAL CUBE

Throughout its history, Belgium has been a complex political and social entity. The King of the Belgians was told in an official report that ‘there are no Belgians.’ The country has rapidly shifted from unitary to federal structure, with different rationales and responsibilities for Regions and Communities. Demographic changes are somewhat difficult to map due to restrictions on questions that can be asked during the census. The combination of multiple levels of political institutions, group conflict, economic disparities, political symbolism, and psychological factors demonstrate the utility of the Social Cubism approach to the study of relatively peaceful conflict.¹ This paper argues that much of the complexity of Belgium’s political institutions is the result of attempts to mitigate conflict and postpone significant disagreements.

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1. Seán Byrne & Neal Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, 3(2) J. PEACE AND CONFLICT STUD. 52, 52-71 (1996). NEAL CARTER & SEÁN BYRNE, *A View From Northern Ireland and Quebec*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICT (S. Byrne & C. Irvin eds. 2000).

An understanding of identity conflicts is incomplete without examination of strategic interaction and the various facets of conflict. As a result, this chapter presents a brief discussion of models of strategic interaction, emphasizing the structural change model. While this model is fairly useful in indicating the relationship between structures and actions, it is very general. I thus combine it with the Social Cubism approach to more fully show the interaction and the interrelation of the different facets of the Social Cube. The case study of Belgium clearly illustrates the utility of such an approach in examining an ongoing, shifting conflict.

II. STRATEGIC INTERACTION

Models of strategic action used to explain the constraints that leaders face provide valuable insights into the dynamic nature of political action. They present succinctly the interaction of context, goals, actions and outcomes in complex situations. Drawing from studies of nested games and conflict processes, I argue that the actions of political leaders are best understood within a framework that is sensitive to multiple constraints they confront.

Tsebelis has used 'nested games' to model complex decisions made by political elites. He argued that politicians have relations with other elites and with their constituents, and that actions with one group will affect the relationship with the other.² Similarly, Panebianco indicated that political elites involve themselves simultaneously in at least two sets of interactions, which may be characterized as games. In the first set, 'vertical' relations, elites seek support from their constituents by attempting to represent and enhance constituents' interests while also helping to shape those interests. In the second set, 'horizontal' relations, elites vie amongst themselves for power.³ Because the relations are 'nested', a leader's movement in one game affects her standing in the other set of relations. Leaders negotiating intergroup (horizontal) settlements find themselves constrained by vertical (elite-constituent) power structures.⁴ In other words, leaders must be confident that their decisions will play at home. They can use this constraint to their advantage during negotiations. In general, strong support for a politician in the vertical game increases her power to influence other leaders in the horizontal game.

Figure 1 depicts two types of games that are often combined in political negotiations and invoked to explain politics in Belgium. In consociational politics, elites (represented in the figure by numerals) interact with their

2. GEORGE TSEBELIS, *NESTED GAMES: RATIONAL CHOICE IN COMPARATIVE POLITICS* (1990).

3. ANGELO PANEBIANCO, *POLITICAL PARTIES: ORGANIZATION AND POWER* (M. Silver trans. 1988).

4. *Id.*; Robert D. Putnam, *Diplomacy and Domestic Politics: The Logic of Two-Level Games*, 42

(3) INT'L ORG. 427, 427-460; TSEBELIS, *supra* note 2.

constituents (X with identifying subscript) and with other leaders. Consociationalism involves elite-level accommodation among separated and isolated segments, or pillars, of society.⁵ Originally conceived as a means of regulating ideological conflict, this theory has been expanded to address ethnic and cultural cleavages.⁶ The coalition game involves more complex patterns of elite interaction, since it entails the need for competing elites (represented by the numerals) to interact and resolve their differences within a coalition (represented by numerals within the same ellipse) in order to confront another coalition. This requires consideration of interaction both within and among coalitions. Coalitions are essential to Belgian politics.⁷ Combining the two models provides a more accurate portrayal of the relationships that affect politicians' decisions, as indicated in the "combined" diagram. This shows three games: elite-constituents relations; intra-coalition elite relations; and inter-coalition relations. Because they are nested, each game is affected by movement in every other relationship. Leaders also compete for constituents and face factional challenges within their parties, but this figure ignores such interactions for the sake of simplicity. As the interactions can be viewed as an iterative game, leaders will pursue strategies that strengthen their overall position.⁸ Rudolph's depiction of Belgian constitutional debate exemplifies the manner in which these games interact: "Each party's [horizontal] move in the [constitutional] revision process tended to reflect its individual calculation of the [vertical] electoral advantages of pursuing or opposing the constitutional reform."⁹ Many variations could be found on this theme, since horizontal and vertical relations interact and each action constrains subsequent strategy. Rudolph also noted that strategies that produce success at an early stage in the evolution of a party may need to be changed to face new challenges to cohesion produced by that success.

5. AREND LIPHART, *The Power-Sharing Approach*, in *CONFLICT AND PEACEMAKING IN MULTIETHNIC SOCIETIES* (J.V. Montville, ed. 1991).

6. Sue Halpern, *The Disorderly Universe of Consociational Democracy*, 9 *W. EUR. POL.* 181, 181-197 (1996).

7. The coalitions in Belgium are complicated by the joint effects of language and ideology. The ideological "spiritual families" are officially separated into separate French-speaking and Dutch-speaking parties. However, in many constitutional issues, parties will negotiate first within their community to determine a common strategy with which to confront their partners from the other side of the linguistic border. Jacques Brassinne, *Le Dialogue de Communauté à Communauté: Avril-juillet 1992* [The Dialog of Communication and Communication: April-July 1992], in *COURRIER HEBDOMADAIRE DU CRISP* [CRISP Bulletin] (Centre de Recherche et d'Information Socio-Politiques, Brussels 1992).

8. JON ELSTER, *ULYSSES AND THE SIRENS: STUDIES IN RATIONALITY AND IRRATIONALITY* (1979).

9. JOSEPH R. RUDOLPH, JR., *Belgium: Variations on the Theme of Territorial Accommodation*, in *ETHNOTERRITORIAL POLITICS, POLICY AND THE WESTERN WORLD* 99 (J. Joseph R. Rudolph & R.J. Thompson eds. 1989).

The size and cohesion of various movements are central to elite calculations, as they affect the relative power of various leaders to impose their will on, or to reach acceptable accommodation with, others.¹⁰ Appearing to be challenged by internal factionalization may actually improve a leader's horizontal bargaining position. It may be possible to use the relationship with constituents to demand accommodation on important issues. Leaders can state that internal challenges to their position reduce their room for maneuver and compromise while increasing their need to produce a settlement favorable to their constituents. However, they also need to convince other leaders that they can reasonably deliver the acceptance of the settlement by their constituents if the negotiation is to be successful.¹¹

Burton noted the dangers of these relations when dealing with traditional ideas about conflict.¹² Conflict is generally considered as competition for material goods rather than involving underlying social goods that are not scarce, such as identity, recognition, and participation. Leaders are therefore forced to accept several important restrictions. Since resources are seen as limited, a gain for one side is considered a loss for the other. This idea leads elites to seek a settlement in which gains and losses are apportioned, rather than a resolution in which all parties fulfill their perceived needs and interests. Further, because each party seeks a settlement in its favor, each presents as forceful an image as possible, in order to weaken the opponent's resolve. Of course, both sides know this and may discount the opponents' apparent resolve.

Given this perception of conflict, all parties then face an "entry problem," as leaders dislike entering any institutional framework that compromises their bargaining positions or attracts intra-party charges of appeasement. As conflict escalates, parties generally restrict their interaction. Even if parties do enter into institutional frameworks for a settlement, they must be as forceful as possible when representing the interests of their constituents. They are also likely to demand final control of the outcome, using institutions more as a mediator than a decision-making framework.¹³

Once a settlement is reached, elites face a re-entry problem. If leaders gain a new appreciation for the interests of the other party during the negotiations and the formulation of a settlement, they may have difficulty reporting to their

10. Similarly, Rudolph states, "[the leadership of] a growing party with a still small electoral following ... will have comparatively little trouble in maintaining a united front in articulating the party's case against the traditional leaders of the state. But once the party begins to achieve success at the ballot box, it must face new sets of challenges and its leaders must deal with new sources of stress." *Id.* at 105.

11. For an argument of the multiple effects of two-level games in negotiation, see Putnam, *supra* note 4.

12. John W. Burton, *About Winning*, 12(1) INT'L ORG. 71, 71-91 (1985).

13. *Id.* at 78-80.

own constituents that it was not necessary to beat the other party. Constituents are often mobilized and groups polarized as the conflict escalates prior to negotiations leading to settlements. The constituents are likely to continue viewing the situation in win-lose terms, and consider any recognition and/or accommodation of the other party's interest as a sign of weakness. Leaders may face challenges from hard-liners, forcing the rejection of a settlement. Burton advocates a different approach to conflict management, in which teams from the parties (including oppositions and hard-liners) meet in facilitated problem-solving workshops as an option that might reduce the dangers of the re-entry problem.¹⁴

As conflict develops, elites alter their strategies to adapt to changes in the combination of these nested relationships.¹⁵ Elster argued that developing specific rational-choice models of particular situations is even more complex, because it is possible that what seems irrational or sub-optimal in the short-run may have repercussions that produce the optimal long-run outcome.¹⁶ These considerations limit the potential of developing a specific calculus of decision making. The notion of nested games does, however, provide a useful metaphor for the complex constraints within which leaders act. Leaders are aware of various contextual factors and usually have developed reasons for their choice of tactics. The Structural Change Model depicts the dynamic nature of the relationships described by nested games.

Models of sustained conflict should incorporate likely changes in the structure of such conflicts. The Structural Change Model, based on the writings of Burton, Coleman and Schumpeter,¹⁷ includes the notion that conflictual interaction produces three types of structural change: 1) changes in the psychological states of participants due to 'residues' of the interaction, 2) changes in the structure or function of groups due to mobilization, and 3) alterations of the complex social relations of the parties that further affect the nature of the larger community. During escalation, psychological states are marked by increasingly hostile and competitive goals, negative attitudes and perceptions of the other group and of intergroup interaction. This process can eventually develop into deindividuation and, at an extreme, dehumanization, in which participants come to see themselves and others strictly as members of their group, rather than as individuals. Escalation can produce a greater need for intra-group cohesiveness, thereby increasing the effect of group norms that

14. *Id.* at 84-85.

15. Anthony Mughan, *Accommodation or Defusion in the Management of Linguistic Conflict in Belgium*, 31 POL. STUD. 434, 434-451 (1983).

16. ELSTER, *supra* note 8.

17. JOHN W. BURTON, *PEACE THEORY* (1962); JAMES SAMUEL COLEMAN, *COMMUNITY CONFLICT* (1957); J. SCHUMPETER, *THE SOCIOLOGY OF IMPERIALISM* (1955).

can lead to polarization and enable more militant factions to gain influence, which in turn affects the structure and nature of groups. In addition, conflicts often escalate to include more participants, as each side tries to bolster its position by mobilizing allies.¹⁸

Figure 2 presents the Structural Change Model. The model combines the notion of conflict escalation spirals (represented by the solid arrows) with confirmatory feedback loops (represented by broken lines). Party and Other denote the participants in the conflict, with Party being the participant whose viewpoint is being considered most closely. I follow Rubin et al.'s¹⁹ practice of placing the perceived divergence of interest in the upper left corner. This perceived divergence of interest is assumed to start the conflict and lead to action. As Rubin and his colleagues note, this factor may act on other portions of the model as well. I have altered their model by refusing to restrict the scope to heavy tactics, since I believe that the mechanisms also work with light tactics.²⁰

The Structural Change Model shows the interrelations between actions and structures within a conflict. It contains a number of feedback loops, and its circular nature indicates that conflict should be viewed in terms of iterative interactions. Structural changes can affect psychological states, the structure and functions of groups, and/or the nature of the larger community. Arrows [A] and [C] indicate that the actions of one party in the conflict can produce structural changes which affect the other party. For example, a sneak attack would affect the psychological state of the opponent, most likely decreasing trust and increasing hostility. Arrows [B] and [D] indicate that the choice of tactics is affected by structural conditions. Increased hostility and decreased trust might produce more contentious tactics and reduce willingness to bargain. Arrows [M] and [N] indicate that the choice of tactics may also cause structural changes that affect the party who chose that action. An action may change the context if, for example, the party rationalizes a sneak attack by further dehumanizing the other, or by stating that it was a preemptive strike to prevent an imminent attack. These rationalizations would reinforce the need to choose heavy contentious tactics. Alternatively, confidence-building mechanisms may also be reinforced by this method, as the justification of such methods usually includes a strengthened perception of the possibility of fruitful negotiation. Arrows [O] and [P] indicate that structural conditions often produce self-

18. JEFFREY Z. RUBIN ET AL., *SOCIAL CONFLICT: ESCALATION, STALEMATE, AND SETTLEMENT* (2d ed. 1994).

19. *Id.*

20. "[L]ight tactics [are defined] as those whose consequences for Other are favorable or neutral. By contrast, heavy tactics impose, or threaten to impose, unfavorable or costly consequences on Other." *Id.* at 48.

reinforcement mechanisms, such as self-fulfilling prophecies or selective perception.

The Structural Change Model provides a basic model for considering the potential sources of change in conflicts. It remains quite general about the various types of change that can occur. In addition to the structural changes listed by Rubin and his colleagues, parties can also act to change the institutional framework in which their relations may be conducted. This is particularly important in conflicts over the constitutional framework of countries such as Belgium. Those involved in the conflict are aware that constitutional changes will have multiple and lasting effects on their power. Their bargaining sessions and negotiations are likely to produce residues that affect future negotiations. Leaders consider the politics of constitutional reform as an iterative, learning process.

The explanatory power of the model can be greatly increased through the incorporation of the perspective of Social Cubism. Structural changes may occur in the various facets of conflict: history, demographics, religion, political activity, economics and psychocultural factors. Understanding the underlying nature of the changes, and their interconnections may provide better solutions for the regulation of conflict.

III. POLITICAL IDENTITY AND CONSTITUTIONAL CHANGE

Ethnoterritorial conflict poses a significant threat to international security in the post cold war era, sparking civil war in some countries and provoking significant structural changes in others. Key considerations in the study of ethnoterritorial conflict are the institutional structures that regulate group interaction and the demands that group leaders make. A better understanding of the interaction of these considerations can provide early warning of hot conflict and help us understand the dynamic nature of the interaction between identity, culture and politics.

Constitutions provide idealized versions of how interaction among groups should be regulated. As such, constitutions legitimate various institutions and social groupings. In multicultural societies, various groups may demand constitutional changes that affect future interactions among groups. Constitutional politics is an iterative, feedback-driven process of group representation, group mobilization, group interaction, and structural changes in the context.²¹ We need to employ conceptual models to gain better understanding of the dynamic processes of conflict. This section analyzes the interaction between group identifications and constitutional politics in Belgium, focusing on Wallonia. This analysis indicates that each action by groups can

21. TSEBELIS, *supra* note 2.

alter the structure of group interaction, thereby shaping the conflict, and that this structural change then affects the options available to the groups. It illustrates the crucial importance of understanding the context in which conflict occurs.

The Fourth Reform (since 1970) of the Belgian Constitution in 1993 marked a complete revision of the fundamental construct of the state. Most significantly, Belgium officially transformed from a unitary to a federal government. Some politicians from both major communities advocate further devolution. The debate will continue with the constitutional revisions on the agenda for the parliament. The Belgian case poses the question of why its ethnoterritorial conflict is intense and persistent, but also peaceful and institutionalized. The application of the structural change model and Social Cubism illustrates the importance of constitutional debate in the regulation of ethnoterritorial conflict.

After a review of important steps in relations between the two dominant ethnic groups in each country, I examine the dynamic relationship between constitutional politics and the political importance of ethnic identity. In the discussion that follows, the capital letters in brackets refer to the paths depicted in the Structural Change Model (see Figure 2) and the lower case letters indicate the facet of the social cube.²²

IV. THE GRADUAL CREATION OF ETHNIC CONFLICT

In Belgium, the evolution of ethnoterritorial identities has constrained the conduct of politics. The gradual shift from strong localized identities to large ethnoterritorial communities weakened the effectiveness of the unitary state and the existing provinces. Politicians changed the constitution to create institutions to address regional and cultural demands better. Francophone Walloon nationalists, or *Wallingants*, developed claims largely in response to demands of the Dutch-speaking *Flamingants*.²³ Walloons are almost evenly divided between those who primary identification remains *Belge* and those who identify themselves as *Wallon*.²⁴ The current situation in Belgium should be seen within

22. The lower case codes are as follows: c=psychocultural factors; d=demographics; e=economics; h=history; p=political activity; r=religion.

23. *Wallingants* seldom refer to themselves as nationalist. They tend to emphasize the importance of geographic differences. Their label indicates their defensive nature, as it derives from the Flamingant movement. *Flamingants* are more likely to use the issues of culture, ethnicity and language. Despite these differences, both can be referred to as ethnoterritorial movements.

24. Michel Vandekerke et al., *Les Declinaisons de l'identité en Wallonie: Couplages et divorces entre électorats, appartenances et prises de position en matière communautaire et institutionnelle*, in IN ELECTIONS LE FÊLURE? ENQUÊTE SUR LE COMPORTEMENT ÉLECTORAL DES WALLONS ET DES FRANCOPHONES (A.-P. Frogner and A.-M. Aish-VanVaerenbergh, eds., 1994).

the context of the historical development of relations between Flemings and Walloons.

Although the name “Belge” stems from the Celts who settled the area around 650 BC, politicians and researchers often assert that a common Belgian identity is considered artificial.²⁵ Julius Caesar conquered the area in 58-57 BC.²⁶ The arrival of the Franks in early 800s instigated the linguistic division, as the Gallo-Roman population was settled densely enough to assimilate the Franks in the south, but not in the north.²⁷ For centuries, various city-states, provinces and empires fought over the territory. No common political or cultural identity united the people occupying the area. Local identities thus developed much earlier than, and continue to hinder, the national identity.

In 1792, France occupied the area and enforced centralization and cultural dominance. With the fall of Napoleon in 1815, the territory was united with the Low Countries [C,p]. Belgians resented religious differences [P,r] and the ‘dutchification’ of the administration [P,c]. They declared independence from the Netherlands in 1830 [A&D,p]. Belgium adopted French as the official language, although people could choose to speak other languages (Article 23) [P,p&c].²⁸ Suffrage based on strict property requirements assured the Francophone bourgeoisie of a political majority although most Belgians spoke dialects of Dutch. At independence, Belgium had no standard form of either Dutch or French.

Until the mid 1900s, political, economic and social power rested primarily with the Francophones, even in the northern area now contained in the Flemish Region.²⁹ Economic development enhanced the power of the southern region known today as Wallonia [P,e]. Parts of the southern region were early beneficiaries of the industrial revolution, and developed heavy industries [P,e]. The social and political status of the French language promoted a strong Francophone presence in Brussels [P,p&d].³⁰ The Flemish movement, backed by religious leaders and civil servants, began a cultural campaign to strengthen Flemish culture and language almost immediately after independence [N,c&r&p]. Most Belgians, regardless of language, were Catholic, but a debate over the relationship between church and state increased ethnic tensions [A,r&p,

25. B. BOULANGÉ AND R. CAVENAILE, *LA BELGIQUE DES ORIGINES À L'ÉTAT FÉDÉRAL* (1990).

26. JOHN FITZMAURICE, *THE POLITICS OF BELGIUM: CRISIS AND COMPROMISE IN A PLURAL SOCIETY* (1983).

27. BOULANGÉ & CAVENAILE, *supra* note 25, at 23.

28. The 1993 constitutional reform included a complete revision and renumbering of the articles in the constitution. For the sake of simplicity, I use the old numbering to refer to all previous changes.

29. RUDOLPH, *supra* note 9, at 92.

30. Martine de Ridder and Luis Ricardo Fraga, *The Brussels Issue in Belgian Politics*, 9 W. EUR. POL. 376, 376-392 (1986).

C,r&p]. Most Francophones favored secularism, especially with regard to state-supported education. Many religious leaders regarded the Francophones as anticlerical, and therefore sought to protect the use of Flemish [B,r&p].³¹ In addition, many Dutch-speakers who had been civil servants during Dutch rule sought to maintain their status by demanding that Flemish be an official language [B,c&p; D,c&p]. The 1847 *Manifesto of the Flemish Movement* set forth several Flemish demands [B&C,p&c]. In 1898, Flemish became an official language [O,p&c]. This recognition transformed interethnic relations, as it strengthened the tendency to see Belgium as a bicultural society [O&P,p&c].³² Francophones reacted defensively against the pressure of the Flemish [C-M]. In 1912, the *Congrès Wallon* advocated an administrative separation of Flanders and Wallonia [A,p; M,p]. In 1912, future Minister of State Jules Destrée, in an often-quoted "open letter to the King" stated, "Sire, there are no Belgians. There are only Flemish and Walloons," arguing that eighty years of nation building had failed to produce a dominant basis of identification, while ethnoterritorial groups had gained salience.³³

With the gradual expansion of the franchise, the Flemings eventually translated their demographic majority into political power [O,p&d; P,p&d].³⁴ Universal suffrage for men was granted in 1893, but multiple votes allowed Francophones to retain a majority of votes [P,d&p; O,d&p].³⁵ This situation proved untenable, as it signified the domination of the majority by a demographic minority. Each reform changed the political and cultural climate to encourage further changes, but also mitigated the levels of hostility that could have erupted into violent conflict had Francophones refused to increase Nederlandophone participation in government. Duffy and Frensey's assertion that leaders will prefer institutional conflict over hot conflict gains support from this case in this period.³⁶

31. BOULANGÉ & CAVENAILE, *supra* note 25, at 100.

32. See Raymond Breton, *The Production and Allocation of Symbolic Resources: An Analysis of the Linguistic and Ethnocultural Fields in Canada*, 21(2) CANADIAN REV. OF SOC. & ANTHROPOLOGY 123, 123-144 (1984). Breton argues that the symbolic importance of relative status of groups is a key factor in the legitimacy of a state. Although based on the Canadian case, his argument is relevant here. The increased status of a political or social minority is likely to produce a defensive reaction in those who see their status as threatened. This is especially important if demographic factors produce a similar phenomenon.

33. Frank Delmartino, *A Regional State or a Federal State in the Making?*, in FEDERALISM AND FEDERATION IN W.E. 38 (M. Burgess ed. 1986).

34. ALEXANDER B. MURPHY, *THE REGIONAL DYNAMICS OF LANGUAGE DIFFERENTIATION IN BELGIUM: A STUDY IN CULTURAL-POLITICAL GEOGRAPHY (RESEARCH PAPERS 227)* (1988).

35. KENNETH DOUGLAS MCRÆ, *CONFLICT AND COMPROMISE IN MULTILINGUAL SOCIETIES: BELGIUM* 35 (1986).

36. Gavan Duffy and Nathalie J. Frensey, *Community Conflict Processes: Mobilization and Demobilization in Northern Ireland*, in INTERNATIONAL CRISIS AND DOMESTIC POLITICS: MAJOR CONFLICTS

The evolution of ethnic relations was interrupted by the First World War. World War I exacerbated ethnic tensions within the army, as Francophone officers commanded Flemish troops. The Flemish *Frontpartij* demanded the creation of separate military units for Francophones and Nederlandophones [Cp&c; Np&c]. The Germans used divide and conquer strategies for the occupation of Belgium, and promoted Flemish nationalism [Cp&c]. In 1916, they opened a Flemish university in Ghent [Cp&c]. The Proclamation of 22 December 1917 unsuccessfully asserted Flanders' autonomy [C&N, p&c].³⁷ Flemish leaders linked symbols of power and the French language, portraying the Flemish as victims who could not understand their Francophone oppressors [C&N, h&c].

During the interwar period, Flemish nationalists demanded complete linguistic equality [C&N, c&p]. 1919 marked the first election using the one man, one vote formula [N-O, p; C-P, p]. By 1928, the national administration was reformed to accommodate Flemish demands for linguistic parity [C&N, c&p].³⁸ The Flemish, noting an increased presence of Francophones in the north, pressed for the establishment of the territoriality principle as a basis for language legislation [O-B, d&c&p]. Francophones, however, argued that language use should be a matter of individual choice [A-D, d&c&p].³⁹ Unilingualism of primary and secondary education was established in 1930, with Flemish being used in the North and French in the South. The University of Ghent was converted into a unilingual Flemish institution the same year [C&N, c&p]. In 1932, the administration adapted to the notion of two unilingual regions. These steps, though addressing linguistic issues, reinforced the notion of a biregional and bicultural State. They increased the salience of the linguistic cleavage by making it correspond to a territorial cleavage [O&P, c&d&p].

The "Royal Question" reinforced these tensions. During World War II, King Leopold III surrendered despite his government's pressure to form a government in exile. At the end of the war, the Catholic Party moved to reinstate the King, but the Socialists led protests.⁴⁰ Riots in Liège and Hainaut ensued [D, p&d&c]. A referendum on the issue produced a majority in the King's favor, but the regional disparity was striking [M&A, p&d&c]. Flemings

IN THE 1980S (J.W. Lamare, ed., 1991).

37. MURPHY, *supra* note 34, at 105-6.

38. Robert Senelle, *Constitutional Reform in Belgium: From Unitarianism Towards Federalism*, in *FEDERALISM AND NATIONALISM* 55 (M. Forsyth, ed., 1989).

39. For an evaluation of the differences between the principles of territoriality and personality, see Kenneth D. McRae, *The Principle of Territoriality and the Principle of Personality in Multilingual States*, 158 *LINGUISTICS: INT'L REV* 33 (1975)

40. At the time, the Catholic Party was stronger in Flanders, while the Socialist Party was stronger in Wallonia. Both parties had constituents throughout the country, however.

voted overwhelmingly for his reinstatement [N&C,p]. A slight majority of Walloons opposed the plan, although some Walloon provinces produced a slight majority in favor [A&M,p]. The King abdicated due to the Walloon opposition, and the throne passed to his son [P&O,p].⁴¹

After the war, Belgians established the Research Center for the National Solution of Social, Political and Juridical Problems in the Walloon and Flemish Regions. The Center reported that the Flemish, although the demographic majority, had minority status in military, political, diplomatic, business and cultural circles [O,d&e&p&c]. The center noted a gradual spread of French in Flemish areas around Brussels and along the linguistic border [O,d].⁴² These reports provided additional incentives for mobilization along ethnoterritorial lines [O&P, c&d&p]. The Flemish demanded that the government redress the discrepancies [C&N,p]. Walloons counter-mobilized against the threat to their position posed by the Flemish majority [A&M,p].

Political and economic divisions deepened in the immediate post-war reconstruction. In Flanders, industrialization proceeded rapidly [O,e], while the old industries in Wallonia steadily declined [P,e] and Wallonia's portion of Belgium's population diminished [P,d]. In the 1950s, these changes, combined with further debate over education policy, encouraged the rise of regional parties [A&M,p; C&N,p].⁴³ *Volksunie*, a Flemish federalist party, was founded in 1954 [N,p].⁴⁴ Flemish economic and demographic gains [O,d&e] forced the Belgian government to recognize the parity of French and Dutch, with separate administrations for the cultural communities [O&P,p&c]. Meanwhile, the *Rassemblement Wallon* and the *Front Démocratique des Francophones* formed to pursue Walloon and *Bruxellois* regional interests [P,p&c].⁴⁵

Despite the rise of regional parties, the three main political parties (Liberal, Catholic, Socialist) maintained their dominance of Belgian politics. The Flemish Catholic Party held the strongest position, while the Socialists were most powerful in Wallonia. In the late 1950s, austerity measures and economic decline in Wallonia threatened to destabilize the government [P,e&p]. In the winter of 1960 political leaders called a national general strike against the government's austerity measures, but participation was exceedingly weak in the Flemish North. André Renard, a leader of the strikes, founded the *Mouvement populaire wallon* to pursue economic and social reform within Wallonia and

41. MCRAE, *supra* note 35, at 111.

42. BOULANGÉ & CAVENAILE, *supra* note 25, at 103.

43. Els Witte, *Belgian Federalism: Towards Complexity and Asymmetry*, 15(4) W. EUR. POL. 95, 95-117 (1992).

44. Murphy, *supra* note 34, at 201.

45. The Francophones in Brussels and Wallonia are not always united in their political views. The regional, territorial dimension often interferes with their ability to cooperate.

avoid relying on Flemish cooperation [P,c&p]. This reinforced the notion that the two main regions sought different social institutions and followed different political ideologies [O&P,c&p].

The Belgian government permanently fixed the linguistic frontier in 1962 [O&P,p&c]. Before this change, the government had needed to adjust the boundary occasionally to reflect the changes in language use indicated by the decennial census [O&P, p&c&d]. Reacting to the dramatic increase of Francophones in Flanders reported in the first census after World War II [O&B,c&d], Flamings claimed that the use of a census question to determine the border was unfair since it was an indication of the popularity of languages, rather than their actual use [N&C,p&c].⁴⁶ The protest forced the government to remove linguistic questions from the census [C&N,p&c&d], thereby removing reported language use as a means of determining language policy [O&P, c&d&p].⁴⁷ The government created a linguistic frontier to bound linguistic regions territorially. The line was not drawn cleanly; twenty-five communes were transferred from the Flemish region to Wallonia and twenty-four were passed in the opposite direction [O&P,p&c]. According to Dustin, the government initiated the transfer partially due to party strength in the areas [N&C,p&d; M&A,p&d].⁴⁸ Especially important were six communes that were transferred from Liège (Wallonia) to Limburg (Flanders).⁴⁹ In a referendum in these communes, 93% opposed the transfer, but the government refused to respect the vote [O&P,p&d&c].⁵⁰ The majority of Francophones in Parliament also opposed this law [A&M,p]. The transfer was a rare example of important legislation passed despite sharp linguistic divisions [O&P,h&c].⁵¹ Francophones continue to challenge the legitimacy of this law, especially in Voeren/Fourons where the Return to Liège list has achieved considerable success in municipal elections [P&D,c&h]. The Flemish *Taal Aktie Komitee* (Language Action Committee) and the *Vlaamse Militanten Orde* (Flemish Military Order) conducted an intimidation campaign [C&N,p&c] in response to Francophone *Action fouronnaise* activism aimed at returning Fourons to Liège [A&M,c&p]. Francophone leader José Happart rejected an offer for help

46. Although some members of both sides did collaborate with the Germans, the Flemish were portrayed as more enthusiastic collaborators, and were therefore subjected to harsh treatment after the war. They may thus have been less likely to indicate that they spoke Flemish [O&P,h&c].

47. MCRAE, *supra* note 35, at 35.

48. Interview with Fernand-Daniel Dustin, PSC Archivist (1995).

49. These communes were often collectively referred to as les Fourons in French, and Voeren in Flemish.

50. MCRAE, *supra* note 35, at 153.

51. Xavier Mabilbe, . *Le débat politique d'avril 1990 sur la sanction et la promulgation de la loi*, COURRIER HEBDOMADAIRE DU CRISP [CRISP Bulletin] (Centre de Recherche et d'Information Socio-Politiques, Brussels 1990).

in sustaining a terrorist campaign, perhaps preventing a serious escalation of the conflict [A&M,h].⁵²

Politicians confronted another problem with the construction of the linguistic border. They could not ignore that Brussels, located on the Flemish side of the linguistic boundary, contained about one-fourth of all Francophones in the country, and had only a small minority of Flemish-speakers [O&P,c&d]. In order to keep this "oil-stain"⁵³ from spreading, the Flemish pushed for, and in 1963 attained, the designation of Brussels as bilingual with limited territory [O-B-N&C, c&p].

By 1969, the Flemish raised another problem. Although the territory of Brussels had been set, the "oil-stain" of Francophones in Flanders was growing towards the University of Louvain/Leuven, which is east of Brussels in Flemish Brabant [O&P,c&d]. Flemish speakers in the university agitated for the removal of the Francophones from the University [O-B-C&N,p&c&d]. The *splitting* (division) of the university, with the creation of *Louvain-la-Neuve*, symbolized the larger divisions within the country [A&M,c&d&p;C&N,c&d&p]. These changes reduced support for the unitary state as the notion of a common Belgian identity lost credibility [O&P,c&h].⁵⁴

Structural changes thus accumulated over time, shaping patterns of behavior and perceptions of the groups. The iterations of the conflict spiral, with behavioral structures mutually affecting each other, weakened the support for a common identity and increased demands for ethnoregional autonomy. The constitution itself would become the political battleground.

V. BELGIAN CONSTITUTIONAL REFORM

By the end of the 1960s, Belgium required major constitution revision. The Belgian constitution has been significantly modified four times since 1970. Each package of constitutional amendments involved institutional reform to reduce the need for agreement across the linguistic border. Increasingly, leaders had more independence to make decisions within each linguistic community or region.⁵⁵ Belgium has abandoned its unitary structure in favor of a complex

52. JOSÉ HAPART, *AU NOM DE LA LIBERTÉ [IN THE NAME OF LIBERTY]* (1984). JOSÉ HAPART AND MARIE-PPAULE ESKENAZI, *JOSÉ HAPART: PORTRAIT D'UN REBELLE TRANQUILLE [JOSÉ HAPART: PORTRAIT OF A QUIET REBEL]* (1987). JOSÉ HAPART AND VINCENT VAGMAN, *HAPART DE A A Z: ENTRETIENS AVEC VINCENT VAGMAN [HAPART FROM A TO Z: CONVERSATIONS WITH VINCENT VAGMAN]* (1989).

53. *Flamingants* used this term to symbolize the concentration of Francophones in the Flemish region. It indicated that Francophones marred the Flemish region, that they were hard to remove, and that they could spread and cause more damage to the Flemish fabric.

54. Murphy, *supra* note 34.

55. Unlike most federations, federal laws do not overrule regional or community decrees within their jurisdiction. There are a few exceptions to this, such as questions of educational policy.

federation composed of communities and regions, whose boundaries overlap. This section traces the principal political dimensions of these four changes.⁵⁶

A. The 1970 Reform

1967-71 produced a major reform of the Belgian constitution. The reform instituted several structural changes that significantly altered the tactics used by the parties. Politicians institutionalized the binary nature of Belgium, establishing the "Cultural Communities" (Article 59bis).⁵⁷ Each of the three communities—the Flemish-speaking, the French-speaking, and the German speaking communities—received its own Council and powers to enact decrees concerning cultural affairs and, to a limited extent, education and the use of language [O&P,p].⁵⁸ Flemish leaders had led the drive for the establishment of the Communities [C&N,p&c], but Francophones favored regionalization [A&M,c&p]. Walloons demanded decentralization of social and economic matters in order to address their region's economic crisis [D-A&M,c&e&p].⁵⁹ The revised constitution recognized three regions, but failed to define administrative responsibilities for each [O&P,c&p]. Details were postponed, "*à la belge*," for future constituent assemblies. Francophones demanded recognition of Brussels as a region equal to Flanders and Wallonia [A&M,c&p]. Flemish leaders opposed giving Brussels regional status, fearing that such recognition would lead to a shift from parity to a two-to-one advantage for Francophones [C&N,c&p]. The compromise was only a partial victory for each side, since they created regions, but left the status of Brussels ambiguous.

Other important constitutional revisions included mandatory linguistic parity in the Cabinet, with the exception of the Prime Minister (Article 86bis). The major governmental portfolios were divided equally between Francophones and Nederlandophones [O&P,p]. This requirement did not include secretaries of state (sub-cabinet portfolios), which can be used to reflect the relative strength of coalition partners and usually favors the Flemish.⁶⁰ Additionally, the 1970 package initiated an "alarm bell" procedure, in which a motion of concern

56. Constitutional amendment in Belgium is conducted within the Belgian Parliament. The government must produce a list of articles that it wishes to review for amendment. Parliament is then dissolved, and election of a Constituent Assembly follows. Coalition formation after the election includes inter-party negotiation over the issues. A two-thirds majority is required for any amendment.

57. Article numbers cited here refer to their original numbering. The 1993 reform included a complete renumbering of the articles in the constitution.

58. While the German-speaking community was given powers, it has a very small population (less than 1% of the total population), and does not play a key role in national politics.

59. ANDRÉ ALEN AND RUSEN ERGEC, BRUSSELS: MINISTRY OF FOREIGN AFFAIRS, EXTERNAL TRADE AND DEVELOPMENT COOPERATION 15 (1993).

60. MCRAE, *supra* note 35, at 185.

signed by three-fourths of the members of parliament from either language group could return a bill to the executive for reconsideration [O&P,c&p].⁶¹ This procedure can be used in the Belgian parliament (Article 38bis) and Brussels Council (Article 108ter, section 3). The symbolic nature of the alarm bell increased confidence that the majority will act with respect for the minority [O&P,c].

B. The 1980 Reform

Belgian politicians again modified the constitution in 1980 in order to better adapt the new division of powers. This revision expanded the powers of the Cultural Communities to include "personalized services" such as protection of minors and health policy, but reduced their name to "Communities" [O&P,c&p].⁶² The government again temporarily ignored the question of Brussels in order to reach an agreement [O-B,p; P-D,p]. Special legislation only partially clarified the role of the Walloon and Flemish regions, and the future of the regions remained in question.

The 1980 revision also introduced the Court of Arbitration (Article 107ter) to settle disputes between Communities, Regions and the National Government [O&P,p]. Its early decisions increased confidence in the Court's fairness [O&P,c], and the 1988 reform increased its jurisdiction from only governments to "any person proving an interest".⁶³

C. The 1988 Reform

The "Happart Affair" is widely credited with causing the crisis that led to the fall of the government and the election of a constituent assembly in 1987. Happart was both a Member of the European Parliament and *Bourgmestre* (mayor) of Fourons.⁶⁴ Fourons had been transferred in 1962 from the Walloon

61. MAUREEN COVELL, *Belgium, The Variability of Ethnic Relation*, in THE POL. OF ETHNIC CONFLICT REG.: CASE STUDIES OF PROTRACTED ETHNIC CONFLICTS 289 (J. McGarry & B. O'Leary eds. 1993); MCRAE, *supra* note 35, at 183.

62. ALEN, *supra* note 59, at 15; COVELL, *supra* note 61, at 290.

63. ALEN, *supra* note 59, 21-22.

64. Technically, Happart was *premier échevin faisant fonction*, i.e., acting Bourgmestre. The provincial government of Limburg could prohibit him from being appointed Bourgmestre but not from being elected as a councilor (*échevin*). Article 107 of the Communal law stated that the First Councilor (*premier échevin*) would become acting mayor if the Bourgmestre was unable to fulfill his duties. The Fouronnais thus elected Happart as *premier échevin*, but the office of Bourgmestre was left empty after October 1986 as a result of a decision by the Flemish chamber of the Council of State. This resulted in the "carousel" in which the provincial government would disallow the election, but new elections would produce the same results. This crisis thus indicates the importance of the connections between institutions and conflict. See JOSÉ HAPPART, LETTRES QUESTIONS AU MINISTRE DE L'INTERIEUR MONSIEUR JOSEPH MICHEL [LETTERS AND

province of Liège to the Flemish province of Limburg as part of a compromise that led to the “permanent” delineation of the linguistic boundary [O&P,c&h&p].⁶⁵ The transfer was enacted despite a local referendum in which most *Fouronnais* opposed the transfer and despite dissenting votes by the majority of Francophones in Parliament. Happart and his “*Happartiste*” allies continued the struggle, claiming that the transfer was illegitimate [A&M,c&p]. They created several organizations to fight what they considered a Flemish plan to dominate the country [A&M,c&p]. In 1987, the situation in Fourons again reached a boiling point. Noting legal ambiguities, Happart refused to submit to the linguistic tests required of mayors in Flanders, thereby producing a legal contradiction in which Happart was both commanded and forbidden to perform his mayoral duties [A&M,c&p].⁶⁶ The governor of Limburg postponed Happart’s re-election as *Bourgmestre*, upon which the local municipal government dissolved itself to force a new election [B-N&B-C,p]. Happart won again. A similar case emerged in Brussels. Several rounds of this carousel, as it was popularly labeled, provoked dissatisfaction on both sides of the linguistic frontier [A-O,c&p;M-P,c&p]. In 1987-88, political leaders engaged in a new round of constitutional negotiations.

Debate over this reform shows the complexity of divisions within the Francophone community and the importance of dynamic models of conflict. The original controversy over Happart’s ability to perform mayoral duties escalated to the point that the government collapsed and Belgium’s political parties spent about six months negotiating a settlement extending far beyond Happart’s specific plight. The politicians involved all had multiple objectives. Francophone leaders needed to defend themselves from *Happartiste* criticism [P-D,p]. Francophone Social Christian leader Gérard Deprez needed to defend his actions against accusations that he agreed to the plan simply to change coalition parties and that he had ‘sold out’ to the Flemish [M,p]. Within the Francophone Socialist Party, those who supported José Happart’s regionalist policies protested that party President Guy Spitaels had missed a unique opportunity to reestablish Fourons as a part of Liège [M,c&p]. In their eyes, Spitaels had surrendered to the unending, ever-increasing demands of the Flemish.⁶⁷ Spitaels, however, argued that he had chosen the best strategy for Belgium, leading toward a federal system [A&M,p]. He noted that he had never

QUESTIONS TO THE MINISTER OF THE INTERIOR JOSEPH MICHAEL] (1987).

65. Although the boundary can be changed by an act of law, such an act would require a special majority that would include the majority of representatives from both major linguistic groups—an unlikely event.

66. HAPPART, *supra* note 64.

67. Interview with Jean-Maurice Dehousse (1995).

promised that Fourons would return to Liège.⁶⁸ Many Socialists feared that the *Happartistes* would ignore the Socialist platform, or effectively change it to privilege regional rather than class conflict [P,c&p].

As part of the agreement, the Special Law of 9 August 1988 altered the regulations for communal elections, consequently preventing Happart from being re-elected *Bourgmestre* [M&C-P-D,p].⁶⁹ The government established a three-phase plan to alter the fundamental structure of the unitary state. The first phase required the legal recognition of Francophone rights in the Brussels periphery, the creation of a Brussels-Capital Region with powers equal to the other two regions and the extension of the Court of Arbitration's jurisdiction [P&O,p]. The second phase extended the German-speaking Community's power to pursue international relations (Article 59ter) and included special laws clarifying the powers of Communities and Regions [O&P,p]. The third phase established direct elections for Regions and Communities [O&P,p]. The 1988 reform also included a new system of financing the communities and regions [O&P,p].⁷⁰ The communities gained virtually complete control over education (Article 59bis) [O&P,p].

The compromise reached by the parties in this third constitutional reform neither instituted new and innovative institutions nor completed the process of federalization. It did, however, further extend the power of the regions, and recognized Brussels as a region in itself, marking a major turning point in interethnic relations. As such, it created structural changes that increased the drive toward federalism.

D. The 1993 Reform

The reforms of 1988-89 left several issues unsettled. In the midst of yet another crisis in 1991, the executive declared every article of the constitution subject to revision, and dissolved parliament, thus requiring new elections. The Christian and Socialist parties formed a new coalition based on an agreement that was much less precise than that constructed in 1988. The accord cemented the official federalization of the country, including direct elections for the governments of the constituent units. This reform involved a complete revision

68. Dider Caudron, . *Guy Spitaels : oui à la fin du carrousel fouronnais mais pas en capitulant*, LE PEUPLE, May 18, 1987; Guy Dalozé et al, *Guy Spitaels: pas touche à la sécurité social*, LA LIBRE BELGIQUE, Jan. 16, 1989, at 4.

69. Happart says this continues to cause him great pain, but he remains active in the PS. As a Socialist Member of European Parliament, Happart fought for increased regionalization, and now advocates a biregional status for the Fourons/Voeren. José Happart (interview with author, 1995). He remains a controversial, but popular, Walloon politician. He is currently agricultural minister for Wallonia.

70. ANDRÉ ALEN AND RUSEN ERGEC, *FEDERAL BELGIUM AFTER THE FOURTH STATE REFORM OF 1993* (Ministry of Foreign Affairs, External Trade and Development Cooperation, Brussels, 1994).

of the constitution, and entrenched both social and political rights. The old numbering system of the articles was changed. Most significantly, Article 1 now reads, "Belgium is a federal State made up of Communities and Regions" [O&P,p] Article 138 empowers the French Community to vest its authority in the Walloon Region and the French linguistic group in Brussels-Capital [P,p]. The Fourth Reform also expanded the international powers of regions and communities in trade and cultural matters, although their actions must be compatible with national policies [O&P,p]. The federal government does maintain the right to require an intergovernmental conference about a proposed treaty, and if specific criteria are met, the King may suspend a treaty. Most disputes among governments continue to be addressed by the Court of Arbitration.

As a result of these changes, three regions (Flanders, Wallonia, and Brussels) and three communities (Flemish, French, and German-speaking) comprise the State. The German-speaking community is geographically located within the Walloon region, which is dominated by Francophones. The Francophone community is located in the Walloon region, except for the territory occupied by the German-speaking region, plus the Brussels-Capital Region. The Flemish community is located in the Flemish Region, plus the Brussels-Capital Region. The new Belgian constitution outlines the responsibilities of the communities and the regions (Articles 115-140). Regions have jurisdiction over such issues as the environment, development, housing, economic policy, energy policy, employment policy, and international cooperation. Distinct from the regional authority, the community institutions have competence concerning education and cultural matters such as language policy, fine arts, cultural heritage, libraries, broadcasting, and youth policy. The communities also have jurisdiction over personalized matters such as health policy, and aid to individuals.⁷¹

VI. CONCLUSION

Through these structural changes, Belgians have adapted to increasing demands for devolution. The transformation of the state has been conducted in stages to address ethnoterritorial concerns, leaving several issues aside until agreement can be reached. Trust that issues will be addressed later is crucial to the sense that participants are being treated fairly and to the success of negotiations.⁷² Nevertheless, the reforms have reinforced the salience of the linguistic and regional division and reduced the incentive for cooperation. As

71. *Id.*

72. Interview with Marc Uyttendael (1995).

politicians continue to address ethnoterritorial concerns, institutional revision is a constant possibility.

Due to time and space constraints, I have chosen not to address the influence of membership in the European Union. However, EU membership does change some of the political and economic implications of various policy options. Arguably, the EU would minimize the costs of a break-up of Belgium into two or three states. However, the status of Brussels still continues to be a source of contention, since it is predominantly Francophone, but located within Flemish Brabant. Regional economic differences continue to plague Belgium, adding to the tension. The Belgians will continue to face significant challenges as they attempt to regulate ethnoterritorial conflict.

This article has shown the significant interactions among the six facets of the social cube. Demographics, history, religion, economics, politics and psychocultural factors all play important roles in the strategies adopted by the various politicians. Religion emphasized the differences since even though the entire country is predominantly Catholic, Flemings were seen as more loyal Catholics. Although history was not frequently used in the coding, the past history recounted here does strongly constrain the alternatives considered in contemporary politics. Demographic considerations may change the relative strength of groups; therefore the government has made the collection of demographic data concerning language use extremely difficult and will not allow such questions on official surveys or the census. Immigration, especially in Brussels may shift political considerations in the near future. Economic power has shifted over the years from Wallonia to Flanders. In addition, political institutions have shifted, giving more power to Flemings and decentralizing decision-making. These considerations are further influenced by psychocultural factors such as group identification and perceptions of outgroups and motivations. These factors are compounded by the fact that the Francophone minority long held political, economic, and social advantages, leading the Flemings to become a "majority with a minority complex".⁷³ The increasing complexity of governmental institutions in Belgium is an indication of various paths that can be taken to regulate conflict, and may act as a shock-absorber as the general public is forced to rely on the politicians and lawyers to sort through the implications of further changes.

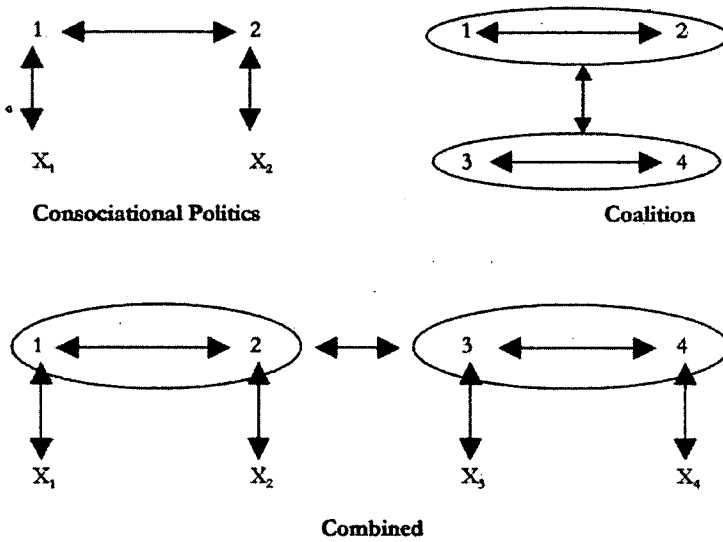
As we analyze conflicts, it is important to remember that a single approach is unlikely to completely address the problem. However, various efforts to reduce a conflict, including symbolic, institutional, and economic measures may promote de-escalation. These approaches will then create additional structural change that will influence the choice of the parties' tactics. An increased

73. Interview with John Fitzmaurice (1995).

understanding of structural change is promoted by sensitivity to the interconnections of the various sides of the social cube.

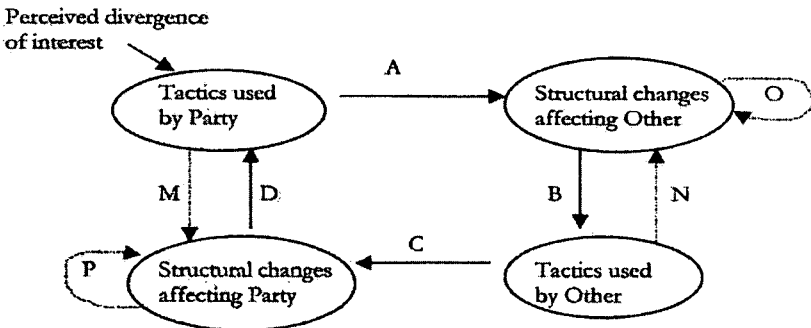
VII. APPENDICES

A. Figure 1: Models of Nested Games



Source: Tsebelis (1990, 59) presents the Consociationalism and Coalition models. I have produced the combined model.

B. Figure 2: Structural Change Model



Source: Rubin et al.(1994, 83). I have changed their 'heavy tactics' to 'tactics.'

CUBISMO SOCIAL Y CONFLICTO SOCIAL: ANÁLISIS Y RESOLUCIÓN

*Seán Byrne**, *Neal Carter***, y *Jessica Senehi****

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I. INTRODUCCIÓN

Con el colapso del comunismo y del orden geopolítico de la Guerra Fría, surgieron tres tendencias ligadas a la pérdida del poder de las ideologías basadas en la racionalidad moderna;¹ la formación de un nuevo orden transnacional con un sistema financiero integral, patrones de producción y de consumo; la decadencia relativa de estados centralizados y una soberanía territorial moderna.²

La escalada de conflictos etno-políticos conformado tanto por factores indígenas como por impedimentos globales.³ Niveles de interacción comunitaria conducen a conflictos inter comunitarios. Debido a los conflictos, tanto el sistema internacional, como las relaciones entre los estados y las relaciones internas de los mismos, deben ser consideradas.⁴ En el ámbito del sistema internacional, el flujo de capital, las ideologías, el nacionalismo y el ejercicio del poder hegemónico influyen en la intensificación del conflicto externo e interno de los estados. La fuerza de asuntos micro-nacionalistas dentro de las

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1. Fred Pearson et al., *Overcoming Wilsonianism: American Conflict Resolution and Ethnic Nationalism in Eastern Europe and the Former Soviet Union*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS 23-40 (Seán Byrne & Cynthia Irvin, eds. 2000).

2. *Id.*

3. Ho Jeong (ed.). 1999. *Conflict Resolution: Dynamics, Process and Structure*.

4. ANDREA K. GROVE & NEAL A. CARTER, *POLITICAL PSYCHOLOGY, NOT ALL BLARNEY IS CAST IN STONE: INTERNATIONAL CULTURAL CONFLICT IN NORTHERN IRELAND* 725 (1999).

estructuras estatales ha generado conflictos etno-político prolongados, resultando en micro-macro tensiones y en estancamientos.

El Estado esta perdiendo parte de su poder original de evidente identidad colectiva, de un bien común y de su legitimidad de auto determinación.⁵ La identidad social y la clase está siendo reemplazada en algunas áreas con afiliaciones étnicas, religiosas y territoriales.⁶

Estas nuevas identidades ahora luchan por su autodeterminación, por la celebración de sus expresiones rituales y sus normas de grupo, por impulsar la movilización étnica, por los conflictos etno-políticos, por la división estatal y por el regionalismo, alrededor del mundo.⁷

La globalización ha trabajado en el reforzamiento de esas devociones y características locales, en respuesta a la identidad económica generada por el orden hegemónico transnacional del mercado mundial.⁸ En vez de una manifestación directa del capitalismo *laissez faire*, apreciado en las normas legales y en la prosperidad sometida al constructivismo liberal internacional o la “condición” post moderna; el nuevo orden, reveló una sorprendente semejanza al desorden pre-moderno alimentado por la inestabilidad y la protesta contra la movilización y la limpieza étnica en busca de homogeneidad cultural y pureza racial.⁹ Es un verdadero esfuerzo intelectual tratar de darle sentido a esta “ficción medular”—a la transición entre refugiados, Netscape, Gerry Adams, McDonalds, (Jihad), Disney, Violencia Domestica, Reducciones Corporativas y Sarajevo.

Desde la terminación de la Guerra Fría, los conflictos étno-políticos se han incrementado en frecuencia e intensidad.¹⁰ Sin embargo, el conflicto étnico o

5. John Agnew, *The Geopolitical Context of Contemporary Ethnopolitical Conflict*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICTS 98 (Seán Byrne & Cynthia Irvin, eds., 2000).

6. Patrick G. Coy, et. al., 2000. (Editores). Social Conflicts and Collective Identities [*Conflictos Sociales e Identidades Colectivas*]. Lanham, MD: Rowman y Littlefield.

7. David Carment & Patrick James, 1998. (Eds). Peace in the Midst of Wars: Preventing and Managing International Ethnic Conflict [*Paz en medio de Guerras: Previendo y manejando Conflictos Etnicos Internacionales*]. Columbia, SC: Universidad de Prensa de Carolina del Sur.

8. John Agnew, 2000. *The Geopolitical Context of Contemporary Ethnopolitical Conflict* [El Contexto Geopolítico del Conflicto Ethno-Político Contemporáneo], en Seán Byrne y Cynthia Irvin, eds., *Conflicto y Cambio Pacífico en Sociedades Divididas: Teorías y Usos*. West Hartford, CT: Prensa Kumariana, pp. 98-125.

9. Hugh Miall, y sus colejos, 1999. *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflicts* [Resolución del Conflicto Contemporáneo: La Prevención, El Manejo y La Transformación de los Conflictos Mortales.] Cambridge: Prensa del Régimen.

10. Ted Robert Gurr, 2000. *People Versus States: Minorities at Risk in the New Twenty-first Century* [El Pueblo Contra Los Estados: Minorías en Riesgo en el Nuevo Siglo Veintiuno]. Washington : Instituto de los Estados Unidos de La Prensa de Paz.

comunal, no es simplemente un fenómeno de la post-Guerra Fría. Durante los años sesenta, teorizantes de la modernización desvanecerían, en la medida en que la industrialización, las comunicaciones, la tecnología y el mercado internacional se expandieran.¹¹ El surgimiento del nacionalismo étnico en el oriente desarrollado conlleva dudas en el prospecto de integración y en el futuro de un estado multi-étnico.

Inglaterra, la primera nación industrial y modelo de estabilidad democrática, se alboroto por el conflicto étnico en Irlanda del Norte y la aparición del nacionalismo en Escocia y en Wales.¹² La próspera Canadá ha experimentado grandes dificultades tratando de acomodar el sentimiento étnico-nacional en Québec.¹³

Aunque las relaciones cooperativas entre grupos han mantenido disparidad lingüística, religiosa y costumbres culturales no necesariamente constituyen la excepción a la regla, las relaciones son frecuentemente tirantes durante periodos de dificultad social y económica, con temores, incertidumbre y miedo.¹⁴ Desafortunadamente, los asuntos fundamentales asociados con periodos de transición política (por ejemplo, la corrupción, los malos manejos y la ineptitud) frecuentemente se enrarecen por la retórica nacionalista de oportunistas que encuentran más ventajoso jugar la “carta étnica” y promover la lucha étnica, que promover su propia muerte política.¹⁵

Durante la época colonial, en África central, las autoridades belgas transformaron a sus vecinos en enemigos mediante la expedición de las cartas Ruandas, diseñadas para establecer identidades. Esta campana institucionalizó y ayudó a proveerle razones étnicas a la subsiguiente dominación Tutsi.¹⁶ La

11. Samir Amin, 1977. *Imperialism and Unequal Development [Imperialismo y Desarrollo Desigual]*. Nueva York, N.Y.: Revista Mensual de Prensa. Cardoso, Fernando Henrique, 1972. *Dependencia y Desarrollo en América Latina, Revista Nueva Izquierda* 74 (2): 83-95. Dos Santos, Theotonio, 1970. *La Estructura de Dependencia, Revista Económica Americana* 60(2): 231-236. Gunder Frank, Anders, 1983. *Crítica y Anti-crítica: Ensayos sobre Dependencia y Reformismo*. Nueva York, N.Y.; Praeger.

12. Hechter, Michael, 1975. *Internal Colonialism: The Celtic Fringe in British National Development [Colonialismo Interno: la Franja Celica en el Desarrollo Británico Nacional], 1536-1966*. Londres: Routledge y Paul Kegan.

13. Neal Carter y Seán Byrne 2000. *The Dynamics of Social Cubism: A view From Northern Ireland and Quebec [La Dinámica del Cubismo Social: Una Visión de Irlanda del Norte y Quebec.]* En Seán Byrne y Cynthia Irvin (Eds.). *Diferencias Reconciliables: Puntos decisivos en Conflictos Ethno-Políticos*. West Hartford, CT: Prensa Kumariana, 41-64.

14. Donald Horowitz, 1985. *Ethnic Groups in Conflict [Grupos Étnicos en Conflicto]*. Berkeley, CA: Universidad de Prensa de California.

15. Tom Woodhouse & Oliver Ramsbotham, (eds.). 2000. *Peacekeeping and Conflict Resolution [Pacificación y Resolución de Conflicto.]* Londres: Frank Cass.

16. George McCall y Miranda Duncan, 2000. *South Africa's National Peace Accord and Laue's Developmental Vision for community Conflict Intervention [El acuerdo de paz Nacional de la Sudáfrica y la Visión del Desarrollo de Laue para La Intervención en el Conflicto Comunitario]*, en Seán Byrne y Cynthia

desenfrenada economía y la incertidumbre política que abrumaba a Europa oriental a finales de los años ochenta condujo a un número de políticos inescrupulosos a salirse de la senda.¹⁷ Respondiendo con represión al irredentismo, el régimen de Zhivkov en Bulgaria y el de Chausesco en Rumania, por ejemplo, avanzaron en sus campañas de “Regeneración” y de creación de estados de nacionalidad pura. En Bulgaria, el “proceso de Regeneración” se enfocó a forzar la asimilación bajo un código civil nacional, forzando a los Turcos Búlgaros y a los Musulmanes Eslavos (*pomaks*) a adoptar nombres Búlgaros. La política de Regeneración también fue responsable por el cierre de Mezquitas, de la prohibición del uso de la lengua turca en lugares públicos, del desaliento de prácticas culturales y religiosas y la consulta del credo islámico (*sher a*). Muy similar en su forma fueron las políticas asimilatorias adoptadas por el gobierno rumano en la erradicación de la identidad étnica húngara de la población en Transilvania. En el año 1989, la campana nacionalista de Zhivkov condujo a un éxodo masivo de turcos Búlgaros y *pomaks* a Turquía con devastadoras repercusiones en la economía búlgara lo que causó que el régimen tomara una serie de medidas represivas adicionales.¹⁸ Tales medidas coercitivas incluían los trabajos forzados y el envío de personas, de la ciudad al campo, para la recolección de las cosechas. En el mismo año, la masacre en Timisvar y Transilvania disparó la resolución Rumana Anti-Comunista y la caída del régimen totalitario de Chausesco.¹⁹

En general, los estados autoritarios (por ejemplo, la España de Franco, la Bulgaria de Zhivkov, la Yugoslavia de Tito, la Serbia de Milosevic y la Rumania de Chausesco) indefinidamente fracasaron, miserablemente, en la erradicación de la expresión étnica. Desde otra perspectiva, el vacío dejado por el fracaso del atractivo del movimiento comunista, fue visto, tanto por el nacionalismo anti-elite como por el transformado antiguo comunismo *nomenclature*, como un beneficio potencial rescatable. Como resultado del vacío político, todos los antiguos países comunistas que alguna vez adoptaron una organización federal territorial (URSS, Checoslovaquia y Yugoslavia) se derrumbaron tras el desvanecimiento del planeamiento centralizado, y alguna vez privilegiado,

En contraste, el estado democrático liberal (Inglaterra, Francia, Canada, los Estados Unidos y Alemania) trata de hacer de la etnicidad algo irrelevante, empujando a los miembros de los grupos étnicos a unirse a la corriente popular.

Irvin, editores., *Conflicto y Cambio Pacífico en Sociedades Divididas: Teorías y Usos*. West Hartford, CT: Prensa Kumariana, pp. 154-173.

17. Pearson, et al., *supra* nota 1.

18. *Id.*

19. *Id.*

Pero ni aun los estados liberales democráticos han podido romper con las cadenas del pasado.²⁰ Largas y complejas historias locales de lucha, de queréllas, de identidad nacional, de irredentismo, de nacionalismo, de soberanía y de violencia política, han contribuido a la gestación de actitudes hostiles y extremistas entre grupos étnicos en estados de África, de Asia Sur oriental, de Europa, del Medio Oriente y de Norte América.²¹ Prejuicios históricos, opresión y odio; fuertes lealtades de grupo y de identidad étnica; recuerdos colectivos de glorias pasadas, disputas y traumas, han causado danos físicos y emocionales que han brutalizado a los pueblos.²² El Domingo Sangriento, el Enniskillen, el Omagh, el Hebron, el Netzarim, el Soweto y las Masacres de Boipatang, por ejemplo, han dejado marcas indelebles en las memorias, en la cultura y en el folclor del pueblo de Irlanda del Norte, de Israel y de Sur África.²³ El fracaso de los académicos e igualmente el de los analistas políticos en reconocer y señalar, el penetrante y ubicuo mecanismo mediante el cual la etnicidad influye en los campos políticos, social, económico y territorial de estados multi-étnicos ha, indudablemente, contribuido al exilio, a la fuga, a la pérdida del hogar y a la muerte de aquellos atrapados en la violencia que el conflicto étnico generalmente produce.²⁴

La paz es un proceso desgastador y los problemas asociados al incremento del desempleo, de la pobreza y de la distribución de recursos, tensinas los acuerdos políticos.²⁵ La violencia de los grupos radicales excluidos de los procesos de paz puede ejercer presiones polarizantes en los negociadores. Por ejemplo, las recientes actividades de los Hamas, de la Hermandad Musulmana y del Jihad Islámico, en la Banca Occidental y en la Franja de Gaza, pusieron enorme presión en Ahuate Barak para que renunciara a la primera magistratura de Israel.

20. Hugh Miall, et al., 1999. *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflicts [Resolución Contemporánea de Conflicto: la Prevención, el Manejo y la Transformación de los Conflictos Mortales]*. Cambridge: Prensa del Régimen.

21. Johan Galtung, 1996. *Peace by peaceful Means: Peace and Conflict Development and Civilization [Paz por Medios Pacíficos: Paz y Desarrollo de Conflicto y Civilización]*. Londres: Sage.

22. Jay Rothman, 1997. *Resolving Identity Based Conflicts [La Resolución de Conflictos Basados en la Identidad]*. San Francisco, CA: Jossey Bass. Volkan, Vamik, 1998. *Líneas de Sangre: Ddl Orgullo Étnico al Terrorismo Étnico*. Boulder, CO.: Prensa de Westview.

23. Sean Byrne, 1999. *Northern Ireland, Israel, and South Africa At the Crossroads: Understanding Intergroup Conflict, Peace Building, and Conflict Resolution [Irlanda del Norte, Israel, y Sudáfrica En un Cruce de Caminos: Entendiendo el Conflicto Inter-grupo, Haciendo la Paz, y Resolución de Conflicto]*, *Diario Internacional de Tensiones de Grupo* 28 (3/4):231-53. Byrne, Sean, 2000. Poder Político Como.

24. CONFLICT RESOLUTION: DYNAMICS, PROCESS AND STRUCTURE, *supra* nota 3.

25. John Paul Lederach, 1997. *Building Peace: Sustainable Reconciliation in Divided Societies [Construyendo La Paz: Reconciliación Sostenible en Sociedades Divididas]*. Washington, D.C.: Instituto de Prensa de Paz de los Estados Unidos.

En consecuencia, el reto enfrentado por los investigadores y los practicantes de resolución de conflictos es tratar de entender la profundidad histórica y cultural del nacionalismo étnico, que ha demostrado enorme incidencia dentro de los conflictos étno-políticos.²⁶ Necesitamos tomar todo en cuenta, el por que de la desigualdad estructural, de la dinámica política, de la identidad comunal, de los atributos culturales, de las lealtades de grupo, de las diferencias del conocimiento y del temor del “otro” frecuentemente reforzado por los medios de comunicación y la educación, conducen y alimentan incrementadamente el conflicto étnico sin derivar y aplicar exitosamente técnica de resolución de conflicto, procedimientos y modelos a tales conflictos.²⁷ Sería mas apropiado ahora tratar de entender el de grupo, de las diferencias del conocimiento y del temor del “otro” frecuentemente reforzado por los medios de comunicación y la educación, conducen y alimentan incrementadamente el conflicto étnico sin derivar y aplicar exitosamente técnica de resolución de conflicto, procedimientos y modelos a tales conflictos. Sería mas apropiado ahora tratar de entender el nivel cultural local ya que mecanismos nativos de resolución de conflictos pueden crear nuevas oportunidades de acuerdos justos a los prolongados conflictos étnicos.²⁸

Presentando aplicaciones nuevas de resolución de conflictos se darán contactos mas cercanos entre practicantes de resolución de conflictos y una amplia variedad de grupos arraigados e instituciones—los sindicatos de comercio, la policía, las escuelas, los grupos ligados a la iglesia, las organizaciones profesionales y los grupos comunitarios entre otros.²⁹ En consecuencia, los practicantes tienen que estar conscientes de la dinámica del conflicto entre grupos, ayudar a la adquisición de habilidades interpersonales esenciales y a la introducción de mecanismos apropiados de resolución de conflictos que disminuyan y disuelvan los temores y las sospechas entre las comunidades opositoras.³⁰

26. Louise Diamante, Louise y Juan McDonald, 1996. *Multi-Track Diplomacy: A systems Approach To Peace [Diplomacia Multi-Pista: Un Acercamiento de Sistemas Hacia la Paz]*. West Hartford, CT: Prensa Kumariana.

27. Sean Byrne & Loreleigh Keashly, 2000. *Working With Ethno-Political Conflict: A Multi-Modal and Multi-Level Approach to Conflict Intervention, International Peacekeeping [Trabajando con el Conflicto Etno-Político: Un Acercamiento Multi-Modal y Multi-Nivel en la Intervención de Conflictos, Pacificación Internacional]*. 7 (1 y :97-120).

28. John Paul Lederach, 1995. *Preparing for Peace: Conflict Transformation Across Cultures [Preparando La Paz: Transformación de Conflicto A Través de las Culturas]*. Syracuse, N.Y: Prensa de Universidad de Syracuse.

29. Louise Diamond & John McDonald, 1996. *Multi-Track Diplomacy: A systems Approach To Peace [Diplomacia Multi-Pista: un Acercamiento de Sistemas Hacia la Paz]*. West Hartford, CT: Prensa Kumariana.

30. Lederach, *supra* nota 28.

II. EL POTENCIAL ANALÍTICO DEL CUBISMO SOCIAL.

En la medida que la dinámica del conflicto evoluciona, así mismo deben evolucionar las técnicas de intervención en el conflicto.³¹ Si tenemos que deducir y aplicar exitosamente los análisis y los modelos a conflictos modernos, tenemos que tener en consideración el por qué la desigualdad estructural, la dinámica política, las identidades comunales, la lealtad de grupo, las diferencias del conocimiento y el temor al otro conducen y fomentan el conflicto étnico.³² Como consecuencia, uno de los principales retos enfrentados por los investigadores y los practicantes de resolución de conflictos es entender la profundidad histórica y cultural del nacionalismo étnico que ha demostrado enorme incidencia dentro de los conflictos etno-políticos.³³ Simultáneamente, debemos evaluar con precisión las instituciones y los mecanismos inherentes a la creación del conflicto social así como aquellos diseñados para ayudar a curar y rehacer a los individuos, a las comunidades y a las sociedades después del intenso conflicto.³⁴ Por ejemplo, mientras las guerras en Bosnia, en Kosovo, en Libano, en Irlanda del Norte, en Ruanda y en Sur África, pueden en gran medida estar terminando, todavía no está claro que clase de instituciones y técnicas son necesarias para ayudar a esas sociedades a construir una paz, positiva, justa y duradera. Este, entre otros, es apenas uno de los muchos retos con los que modelos existentes de resolución de conflictos y transformación, están actualmente afrontando.

Modelos de resolución de conflicto basados en costumbres de la cultura occidental, valores y estilos de inclusión y exclusión no consideran enteramente la profundidad histórica y cultural del nacionalismo étnico que ha continuado persistiendo a pesar de la reconfiguración del orden global. Igualmente, esos modelos causan un análisis superficial de otros conflictos sociales, tales como los que persisten entre las instituciones y las comunidades locales. El análisis superficial de tales conflictos puede proponer soluciones inviables, frecuentemente polarizando las piezas claves y enfrascandolas en largos

31. Ronald Fisher, 1996. *Interactive Conflict Resolution: Pioneers, Potential, and Prospects*. [Resolución Interactiva de Conflicto: Pioneros, Potencial, y Perspectivas]. Syracuse, N.Y.: Prensa de la Universidad de Syracuse. Kriesberg, Louis, 1998. *Conflictos Constructivos: de Escalada hacia la Resolución*. Lanham, MD: Publicaciones Rowman y Littlefield.

32. Byrne y Keashly, *supra* nota 21.

33. Louise Diamond, Louise & John McDonald, 1996. *Multi-Track Diplomacy: A systems Approach To Peace* [Diplomacia Multi-Pista: un Acercamiento de Sistemas Hacia la Paz]. West Hartford, CT: Prensa Kumariana.

34. Janie Leatherman, et al., 1999. *Breaking Cycles of Violence: Conflict Prevention in Intraestate crises* [Rompiendo los Ciclos de Violencia: Prevención de Conflicto en Crisis entre Estados]. West Hartford, CT: Prensa Kumariana.

conflictos.³⁵ En otras palabras, aproximaciones convencionales para manejar tan complejos conflictos casi siempre fallan como resultado de un análisis pobre de la dinámica subyacente que alimenta los conflictos sistémicos en medio de rápidos cambios endógenos y exógenos.³⁶ Por lo tanto, el Cubismo Social puede ayudar, a terceros intervinientes, en como analizar efectivamente las relaciones y los mecanismos, de manera tal que los conflictos puedan manejarse efectiva y cooperativamente, incorporando ambos extremos sociales.³⁷

Los teorizantes y practicantes de resolución de conflictos deben entender y considerar cuidadosamente las fuerzas sociales inter-relacionadas que se asocian para “crear patrones de auto-reforzamiento de comportamiento inter-grupal.”³⁸ Los análisis de Byrne y Carter (1966) y de (2000) hacen un hábil uso del cubo estructural como un marco para examinar seis fuerzas sociales inter-relacionadas en el trabajo en Irlanda del Norte y en Québec. El incremento del conflicto étno-político del Cubo Social muestra que seis fuerzas sociales—la demografía, la economía, la historia, la política, la Psico-cultura y la religión-interactiva y simultáneamente se combinan para crear múltiples relaciones y patrones de comportamiento inter-grupal a través del contexto y el tiempo.³⁹ El Cubismo Social irrumpió el pensamiento dualístico de Menáchean que explica como el para-academismo analiza e interviene en el conflicto social. En cambio, esto atrae la atención a las complejidades, así como a las dinámicas interacciones entre las seis fuerzas sociales que dan las señales para el escalamiento y/o desescalamiento de los conflictos sociales.

En consecuencia, el Cubismo Social se puede aplicar a un abanico de situaciones para analizar un conflicto social y determinar la mejor manera de resolverlo. El foco de este particular asunto está en entender como el marco analítico del modelo de cubismo social puede ser aplicado tanto a los niveles

35. Deborah Kolb, y Jean Bartunek, (eds). 1992. *Hidden Conflict in Organizations: Uncovering Behind The Scenes Disputes* [El Conflicto Oculto en las Organizaciones: Destapando la Disputa Entre Bastidores]. Londres: Sage.

36. Susan Carpenter, Susan, y W.J.D. Kennedy, 1988. *Managing Public Disputes: A Practical Guide to Handling Conflict and Reaching Agreements* [Manejando Discusiones Públicas: Guía Práctica para el Manejo de Conflictos y el logro de Acuerdos]. San Francisco, CA: Jossey Bass. Gray, Barbara, 1989. *Colaboración: Encontrando Bases Comunes para Problemas Multi-partes*. San Francisco, CA: Jossey Bass. Ury, William, Jeanne Brett y Stephen Goldberg, 1993. *Resolviendo Conflictos: Diseñando Sistemas para Reducir los Costos del Conflicto*. Cambridge, MA. PON Libros.

37. Sean Byrne, 2001. *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland* [Consociacional y Aproximaciones de La Sociedad Cívica para Contruir la Paz en Irlanda del Norte]. *Diario de Investigación De paz* 38 (3 y :327-52).

38. Sean Byrne y Neal Carter, 1996. *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec, Peace and Conflict Studies* [Cubismo Social: Seis Fuerzas Sociales de Política Ethno-Territorial en Irlanda del Norte y Quebec, Estudios de Paz y Conflicto] 3 (2):p. 53.

39. *Id.* en 52-72.

macro como a los niveles micro de los conflictos entre grupos y la conceptualización de otros conflictos sociales comunes.

El Cubismo Social proporciona a los teorizantes y practicantes de conflictos una metodología sinérgica para analizar a los actores y los acontecimientos dentro del tiempo y el contexto en la medida en que estos surgen y operan en el mundo (sumario). Produce un holístico histórico y un marco analítico interactivo para ayudar en el análisis de relaciones que se están transformando en el tiempo y el espacio mientras éstas se reproducen, se integran y se transforman para dirigirse a nuevos contextos. El Cubismo Social es la medida de pensamiento y el lenguaje que aclara y simplifica la compleja realidad del conflicto.

El nombre, “Cubismo Social”, se inspiró en el movimiento artístico cubista y el rompecabezas hexagonal—“El Cubo de Rubik.”⁴⁰ En el movimiento artístico cubista, pintores como Georges Braques y Pablo Picasso, trataron de transformar objetos tri-dimensionales a dos dimensiones y así transformarían perspectivas múltiples al instante.

El Cubo de Rubik también presenta un desafío analítico significativo donde el objetivo de convertir cada lado en uno solo, puede ser alcanzado teniendo una profunda comprensión y habilidad de la interconectividad de los lados. Consiguientemente, la perspectiva del Cubismo Social enfoca las complejidades del conflicto social sosteniendo que seis, interconectadas e interdependientes, fuerzas sociales – la demografía, la economía, la historia, la política, la religión y los factores psico-culturales – trabajan al unísono para producir patrones de conducta de conflicto auto-reforzadores. De esta manera, necesitamos entender, simultáneamente, las muchas facetas del Cubo Social.

El Cubo de Rubik también presenta un rompecabezas significativo, ya que lograr la meta de volver cada lado a un solo color requiere un entendimiento de las interconexiones entre los varios lados. El Cubismo Social es entonces una aproximación que enfatiza las complejidades de las situaciones de conflicto. Nosotros sostenemos que varias facetas influyen en cada una de ellas y que concentrándose demasiado en uno o dos de los lados del cubo puede demeritar el conocimiento total del conflicto. Es mejor entender como cada factor influye al otro y tratar de manipular todos los factores en armonía cuando se interviene en los conflictos. El Cubismo Social es un experimento Friereano y Gandiano con la verdad. Ayuda a los teóricos y practicantes a entender las relaciones entre conocedor y conocido a través del tiempo, el espacio, la mortalidad, así como el lenguaje mediante el análisis de cuestiones estructurales profundamente arraigadas y los comportamientos disfuncionales, dentro de los conflictos

40. *Id.* Byrne y Carter, *supra* nota 14.

sociales condensados y plásmicos.⁴¹ La historia es la fuerza del cubo, que influye en la temperatura de los acontecimientos en los conflictos sociales. Los cubos, representados por las seis fuerzas de la realidad social, no están aislados, entre ellos mismos. Por el contrario, así como las entrelazadas raíces del fenómeno del conflicto, los cubos podrían parecerse a cilindros rotando dinámicamente—constantemente emergiendo, sumergiendo y reemergiendo. Así, la intervención en los conflictos, y múltiples metodologías deben flexibilizarse en el transcurso del tiempo.

Un modelo multi-dimensional de solución de conflictos constructivo y edificador de paz debe considerar, entonces, cómo la relación entre todas estas fuerzas sociales opera simultáneamente a distintos niveles dentro del ámbito del conflicto. Además, un sistema flexible y de varios modelos de aproximación debe coordinar las intervenciones de una diversa gama de individuos, grupos gubernamentales y no gubernamentales con sus propias aproximaciones, perspectivas y recursos.⁴² Por consiguiente, la aproximación circunstancial al ascensión de conflictos étno-político y otros conflictos sociales pueden proporcionarlas señales para secuenciar y/o coordinar las intervenciones apropiadas para el conflicto.⁴³

La interacción dinámica entre las seis fuerzas produce más de setecientos veinte (720) relaciones complejas que necesitan estar conectadas al modelo circunstancial de intervención de quien participe. Así, se requerirán los esfuerzos combinados en un número de frentes para bajar, de una fase cuatro del conflicto, a un nivel más manejable. Las intervenciones de terceros, en el proceso de desescalamiento del conflicto, se pueden optimizar a través de una secuencia coordinada del modelo contingente de varios niveles y varios modelos, con un sistema eficaz inherente de alarma. Tal aproximación acepta la mezcla subjetiva y objetiva del Cubo Social subyacente en la mayoría de los conflictos sociales.⁴⁴ El modelo también reconoce la necesidad de coordinar las singulares virtudes de una variedad de terceros intervinientes y de mecanismos de manera tal que ellos no estén en competencia, y quizás, minando los esfuerzos de cada uno de los otros.

El objetivo de este particular asunto no es simplemente presentar cuentas descriptivas de análisis de conflicto y de resolución. Tampoco es nuestro

41. Esta discusión resultó de una conversación de fondo entre el autor y el Dr. Tom Boudreau sobre el concepto del cubismo, Primavera, 2001.

42. Byrne y Keashly, *supra* nota 27.

43. Loreleigh Keashly y Ronald J. Fisher, 1996. A on Conflict Interventions: Theoretical and Prectical Considerations [PerspectiveUna Perspectiva de Contingencia de Intervención de Conflictos: Consideraciones Teóricas y Prácticas], ed. de Jacob Bercovitch *Resolviendo Conflictos Internacionales: Teoría y Práctica de la Mediación*. Roca, Co.: Lynne Rienner Eds., pp. 235-63.

44. Byrne y Carter, *supra* nota 38 en 52-72.

objetivo emitir juicios sobre cual de los lados puede estar en lo "correcto." El propósito de este asunto especial es identificar y señalar las causas, las respuestas y las consecuencias del conflicto social y su resolución. Haciendo esto, esperamos refinar, contribuir y mejorar la teoría, la metodología y el entendimiento práctico del conflicto social en general.

El asunto particular tiene razonamientos tanto conceptuales como analíticos e importancia política y practica porque incluye conflictos seleccionados, contemporáneos interpersonales, inter-grupos, institucionales, y sociales, a niveles internacionales y comparativos que tienen caminos institucionales para manejar quejas y prevenir o limitar el conflicto; muchos de los mas serios conflictos sociales actuales están en ambientes carentes de canales institucionales para limitar su intensificación. Estos prolongados conflictos no han resultado en conveniencias mutuas. Dada la percepción, entre el publico y los que establecen las políticas, de que los conflictos sociales están entrando en el debate publico, éste asunto particular sirve de amplio fundamento para aquellos debates así como para desarrollar resoluciones de conflicto y contribuir a elaborar teoría.

III. CUBISMO SOCIAL: TEORÍA Y APLICACIÓN.

Los colaboradores de este volumen ofrecen una mezcla rica de documentos que ilustran la importancia de sintetizar las aproximaciones de diferentes disciplinas para proporcionar un estudio comprensivo del análisis y la resolución de conflictos. Es nuestra creencia que este asunto particular ofrece pensamientos útiles para aquellos en búsqueda de trabajo aplicado, así como de aquellos interesados en la teoría del conflicto social. Lo más importante de este asunto particular es que será útil para estudiantes, practicantes y para el claustro interesados en una imagen más holística del campo del conflicto social y de su resolución. Atraerá a aquellos buscando trabajo aplicado así como para los interesados en la teoría del conflicto social. Los artículos combinan criticas de teoría existente con estrategias novedosas para la resolución y transformación del conflicto y un profundo entendimiento de las causas, estrategias y métodos a través de los cuales se perpetúa el conflicto social.

Los artículos discuten aspectos de la base subyacente teórica y metodológica de entendimiento del conflicto y de sus relaciones con diferentes asuntos y respuestas al conflicto. Los artículos analizan también temas seleccionados de conflictos sociales, tales como conflictos de lugar de trabajo y violencia policial, así como conflictos étno-políticos. Finalmente, los artículos también analizan a fondo algunos casos, en diferentes contextos, para ilustrar posibles aproximaciones a la prevención de conflictos, desescalamiento y arreglo. Adicionalmente, los artículos demuestran que el Cubismo Social es un

concepto simplista, así como enigmático y plásmico. Tomados en conjunto, los artículos demuestran una contribución significativa al estudio del análisis y resolución del conflicto dentro de una metáfora Social Cubista.

Estos estudios también utilizan el concepto analítico del cubismo social para explorar los micro-macro factores subyacentes que tienden a intensificar los conflictos sociales. Estos artículos demuestran que esos factores solidifican identidades en competencia e intensifican tensiones entre los grupos, las instituciones, las comunidades y las organizaciones. Exploran algunas de las causas de los conflictos sociales y de como fuerzas sociales globales y específicas afectan la intensificación e influyen en la prolongada naturaleza de los conflictos sociales. Además de analizar las aproximaciones teóricas para entender algunos de los asuntos exógenos y endógenos que afectan los conflictos sociales, uno tiene también que considerar otras variables en su análisis. Por ejemplo, el papel de las corporaciones multi-nacionales, los objetivos de individuos y de grupos, los intereses y capacidades, los medios de comunicación y los escasos recursos naturales son críticos para nuestro entendimiento de la naturaleza prolongada de los conflictos sociales. Cualquier individuo o grupo que entra en un proceso de intensificación tendrá sus propios intereses fundamentado en su deseo de un resultado positivo. Este entendimiento más amplio permitirá al estudiante de conflictos sociales apreciar más globalmente la compleja y entrelazada dinámica de dichos conflictos.

El primer artículo es en colaboración con Lana Russ Trent. El Cubismo Social Integrativo Inductivo de Russ-Trent es un análisis complejo y crítico de complejos contextos conflictuales. En verdad, sea en guerra entre naciones o en disputas familiares, el conflicto social es causado por muchos factores y fuerzas, micro y macro, tanto internas como externas. Además, las tensiones de la estructura gubernamental son endémicas en el análisis del conflicto social, así como también en la esencia de la amplia gama de decisiones tomadas para actuar, para ajustar o para negociar, de manera crítica, los frecuentes ambiguos y/o contradictorios contextos relacionados, grandes y pequeños.

El Cubismo Social Integrativo Inductivo (CSII) sugiere que la ampliamente discutida adivinanza de la estructura gubernamental es un baile dinámico, naciente e infinito de negociación. Además, el CSII propone un análisis teórico, dialéctico, postmodernista, feminista, heurístico, fenomenológico y evocativo, más integrativo que oposicional, que requiere un pensamiento crítico inductivo e integrativo. Basado en el Cubismo Social de Byrne y Carter (1966) del Cubo de Rubik modelo de seis caras, el CSII sugiere tres cubos de Rubik con dieciocho caras, "un cubo, dentro de un cubo, dentro del cubo." Por lo tanto, el conflicto es analizado dialécticamente de afuera hacia dentro, luego al contrario.

En el CSII, consideramos cada cubo, en términos de cada contexto dramático, a saber Cubo I contiene las caras del cubo de Carácter-Macro-Estructural de la etapa anterior, el Cubo II contiene las caras del cubo del Carácter-Orgánico-Estructural de la etapa posterior y, el Cubo III, contiene las caras del cubo de Carácter-Orgánico-Individual del actor. En verdad, el CSII es “un complejo juego de interacciones (intersecciones) y motivaciones en un infinito y continuo reajustamiento.”

El segundo artículo destaca el trabajo de **Mike Hare** quien sostiene que la historia de la teoría social, en un sentido, ha sido una continua lucha para entender mejor la interacción de las fuerzas sociales relacionadas con el órgano y la estructura tanto a nivel macro como micro. A pesar de que los sociólogos clásicos ofrecieron teorías acerca de estos aspectos, en ambos extremos del espectro, también estuvieron claramente preocupados con los vínculos que los enlazan. En tiempos modernos, la teoría parece haberse enfocado más en los paradigmas opuestos, empeñándose por la pureza teórica. Sin embargo, más recientemente, parece haber un renovado interés en la integración y sintetización de las teorías hacia un paradigma más holístico y balanceado, para entender el conflicto a niveles locales, nacionales e internacionales. Este artículo examina brevemente algunas de estas consideraciones y busca estimular el interés adicional y el desarrollo de modelos adecuados de teoría social, para lograr un entendimiento más completo de la teoría social, especialmente en lo relacionado al conflicto y a sus resoluciones. Específicamente, se discuten dos modelos: El de George Ritzer, *Mayores Niveles de Análisis Social* y el de Seán Byrne y Neal Carter, el *Cubismo Social*.

El tercer artículo resalta el análisis de **Bini Litwin** de disputas en lugares de trabajo dentro de la Unión Europea, con los Estados Unidos como caso de estudio. El artículo de Bini analiza la violencia en lugares de trabajo, la que es vista como un proceso dinámico que ocurre a lo largo de un continuo surgimiento, a diversos niveles, de múltiples orígenes. El análisis empieza por definir la violencia de lugar de trabajo la cual, para propósitos de este análisis, incluye violencia directa (física), estructural y cultural. Las tasas actuales de ocurrencia y las tendencias de violencia en los lugares de trabajo son presentadas a nivel de la Unión Europea y de los Estados Unidos basadas en la Compañía Nacional de Seguros de Vida Northwestern (NWNL), Informe del Ministerio de Trabajo del año 1999, Trabajo Futuro y actuales recursos relacionados con lugar de trabajo.

Los orígenes de la violencia en el lugar de trabajo están identificados y definidos de acuerdo con el modelo de cubismo social de Byrne y Carter. El modelo ha sido adaptado para propósitos del análisis y la clasificación de los factores de conflicto en el lugar de trabajo, de conformidad con factores demográficos, históricos, económicos, balance de poder, políticos y sico-

culturales. Este análisis multi-factor, multi-nivel establece un marco para las estrategias de conflicto a desarrollar que son específicas al origen y al tipo de violencia manifestada dentro del lugar de trabajo. Se ha propuesto que ambas fuentes del conflicto, la estructural y la de relación, necesitan ser dirigidas, desde el nivel individual, organizacional y societario cuando se diseñen sistemas para disputas. Finalmente, se ofrecen estrategias para cada uno de los seis factores de conflicto identificados de acuerdo con aproximaciones preventivas, Resoluciones de Disputa Apropriadas (RDA) negociadas y Resoluciones de Disputa Apropriadas RDA facilitadas. Conclusiones e implicaciones para políticas relacionadas con la administración de asuntos de fuerza laboral se ofrecen con base en el análisis proporcionado. Se ha anticipado que este modelo puede ser aplicado para manejar y resolver conflictos de lugar de trabajo a todos los niveles organizacionales local, nacional e internacionalmente.

El cuarto artículo está basado en la especulación de **Karen Michell Scott** que en años recientes ha habido un crecimiento de las preocupaciones en muchos países y en todos los Estados Unidos respecto al uso de fuerza excesiva, por parte de oficiales de la policía, durante los encuentros con minorías. Muchas de esas preocupaciones han surgido de una renovada conciencia de una sociedad que reclama un legado de justicia y libertad para todos, ha en efecto, mantenido un patrón de violencia institucionalizada en contra de las minorías raciales y étnicas – incluyendo Nativos Americanos, Afro Americanos, Asiático Americanos e Hispano Americanos.

Una cantidad significativa de literatura en conflictos de policía-grupos minoritarios en los Estados Unidos se enfoca en el racismo como la fuerza impulsora que está detrás de la mayoría de los casos de uso excesivo de fuerza por parte de la policía. Esto se debe a que asuntos de discriminación racial y odio están profundamente arraigados en muchos de los conflictos inter-grupales en la sociedad Americana, y también, a que diferencias físicas, tales como la raza y el género, son los mas fáciles de identificar durante un conflicto entre miembros de diferentes grupos. Sin embargo, hay una consecuencia negativa asociada a la limitación del análisis de conflictos inter-grupales, entre la policía y los grupos minoritarios, a la dinámica racial. Cuando este lente estrecho de análisis se utiliza, se da muy poca viabilidad e información sustancial en la manera de dirigirse al conflicto.

Para motivar un análisis más comprensivo en referencia a la complejidad de factores que se forman para producir prolongados conflictos inter-grupo, tales como los entre la policía y los grupos minoritarios en muchas áreas del mundo incluyendo América. El modelo de cubismo social aproxima los conflictos inter-grupo como un complejo rompecabezas de dinámicas sociales, que se combinan como una unidad integrada para mantener los comportamientos del conflicto inter-grupal. Así, dada la naturaleza compleja del

prolongado conflicto entre la policía y miembros de grupos minoritarios en América, Scott utiliza el marco del Cubismo Social para ampliar el lente a través del cual se examina este conflicto.

En el quinto artículo, **Judith McKay** afirma que la teoría del Cubismo Social,⁴⁵ una teoría originalmente diseñada para el análisis de conflictos internacionales etno territoriales, podría ser usada en el análisis de micro-conflictos en otros ambientes, tales como las comunidades Americanas. Muchas comunidades Americanas son multi-étnicas y multi-culturales. Además, en algunas áreas de los Estados Unidos, tales como el sur de la Florida, las comunidades pueden tener mucho más diversidad étnica de la que se encuentra en otras partes del mundo. Esto presenta una variedad de desafíos en el análisis de asuntos que confronta la comunidad.

A diferencia de otras teorías que pueden mirar un asunto desde una o dos perspectivas, el cubismo social conduce al investigador a mirar un asunto desde una multiplicidad de perspectivas y a reconocer que en tiempos diferentes, bajo diferentes circunstancias y en diferentes ambientes, los factores se interrelacionarán en vías dinámicamente diferentes. En una comunidad que contiene un número de grupos étnicos, el cubismo social tiene la capacidad de inter actuar dinámicamente y de considerar un amplio espectro de factores en una multiplicidad de circunstancias cambiando y evolucionando.

La aplicación del cubismo social en una comunidad local de los Estados Unidos es única y contribuirá a los campos de resolución de conflictos etnoterritoriales y a la estrategia de planeación comunitaria. Los resultados de tal investigación informarán a la comunidad y permitirán a la fuerza pública, a los líderes políticos y cívicos, a la educación y a los proveedores de servicios tener información para un plan estratégico comunitario.

Permitirá también a las comunidades analizar otros conflictos y problemas más allá de aquellos relacionados solamente a conflictos étnicos. Asuntos tales como prevención de violencia e intervención dentro de las familias, vecindarios y escuelas serían ejemplos apropiados del uso de este marco analítico.

Otras teorías internacionales tales como la Teoría de Intervención Multi-Modal,⁴⁶ (2000). El Paradigma Anidado Integrado de Lederach,⁴⁷ la visión compartida de paz de Boulding⁴⁸ y la Diplomacia Multi-Senderos de Diamond

45. *Id.* en 52-71.

46. Byrne y Keashley, *supra* nota 27.

47. Lederach, *supra* nota 25.

48. Elise Boulding, *Building a Global Civic Culture: Education for an Interdependent World* [CONSTRUYENDO UNA CULTURA CÍVICA GLOBAL: EDUCACIÓN PARA UN MUNDO INTER-DEPENDIENTE.] 95-117 (1988).

y McDonald⁴⁹ pueden haber contribuido significativamente a la estructura de manejo de conflictos y al modelo de resolución de conflictos en las comunidades de los Estados Unidos. De este modo, la teoría internacional de mantenimiento de la paz puede haber tenido implicaciones más amplias que las previamente imaginadas.

En el artículo sexto, **Karen Jenkins** sostiene que en el ambiente de la post-Guerra Fría, el intimidante desafío para los estudiosos y practicantes de solución de conflictos, trabajadores gubernamentales y actores no estatales es el de desarrollar mecanismos multi-modales y multidimensionales para lidiar con estados fracasados y sociedades traumatizadas. Por más de doscientos años, Haití ha sufrido los traumas de la esclavitud y la colonización, una sucesión de dictaduras rapaces, sanciones económicas y aislamiento internacional. Este artículo examina la efectividad del Cubismo Social como un marco analítico para lidiar con los conflictos multifacéticos en Haití.

El Cubo Social de conflicto tiene seis facetas o fuerzas inter-relacionadas: La historia, la religión, la demografía, las instituciones políticas, la economía y los factores sicoculturales. Estas seis fuerzas, cuando se combinan, producen diferentes patrones de conducta o interacción inter grupal. Si bien los factores, cuando se combinan, podrían producir diferentes patrones de importancia o urgencia, es importante no permitir a un factor ensombrecer a los otros solo porque parezca más destacado en el momento. El Cubismo Social permite la identificación de varios factores sociales interrelacionados o inter-engranados y sus efectos nocivos en Haití. Para los Haitianos, como sociedad que emerge de su "pabellón de victimidad," es importante analizar el dilema actual usando la aproximación del Cubismo Social a los conflictos inter-grupos para explicar como interactúan los mecanismos estructurales y sicoculturales para exacerbar o aminorar el conflicto político, la lucha económica y la división cultural que el país enfrenta.

El séptimo artículo resalta el trabajo de **S.I. Keethaponcalon**. Considerando los paralelos entre manejo y resolución de conflicto en Sri Lanka, este análisis hace un habilidoso uso del instrumento de proceso analítico, el Cubo Social, para examinar los niveles de interacción comunal que dan forma a conflictos inter-comunales. Para conflictos etnopolíticos, debe considerarse tanto el sistema internacional, como las relaciones entre estados y las relaciones dentro de los estados nacionales. La vitalidad de asuntos micro-nacionalistas dentro de las estructuras del estado ha producido prolongados conflictos etnopolíticos resultando en estancamientos suma-cero.

El octavo artículo enfocado en la resolución de conflictos étnicos en Kenya del Norte es escrito por **Joshia Osamba**. El argumenta que desde los años

49. Diamond y McDonald, *supra* nota 26, en 11-25.

ochentas, los conflictos y la violencia se han vuelto endémicas, comprometiendo comunidades pastorales en las fronteras de Kenya del Norte. La violencia ha tomado especialmente la forma de bandolerismo y cuatreroismo. El surgimiento de jefes de guerra ganaderos dentro de los grupos pastorales y la internacionalización y comercialización de actividades de cuatreroismo, tienden a exacerbar tal violencia. Actos de bandolerismo y cuatreroismo han llevado a la pérdida de vidas humanas, al robo de ganado, al desplazamiento de poblaciones, así como a crear un ambiente de permanente inseguridad en la región. Este artículo analiza la violencia y la inseguridad en las fronteras de Kenya del Norte usando la perspectiva del Cubismo Social para demostrar como los asuntos en un conflicto están frecuentemente relacionados e interconectados entre sí. El artículo también examina posibles estrategias para la intervención de terceros para controlar o desescalar la violencia.

Finalmente, el artículo de **Neal Carter** (St. Bonaventure University) argumenta que Bélgica, a través de su historia, ha sido una entidad política y social compleja. Al Rey de los Belgas se le dijo en un informe oficial que “no habían Belgas”, no obstante retiene su título. El país ha cambiado rápidamente de estructura unitaria a federal, con diferentes raciocinios y responsabilidades por Regiones y por Comunidades. Los cambios demográficos de alguna forma han dificultado la planeación debido a restricciones en los asuntos que pueden ser preguntados durante el censo. La combinación de múltiples niveles de instituciones políticas, de conflictos de grupo, las diferencias económicas, los simbolismos políticos y los factores psicológicos demuestran la utilidad de la aproximación del Cubismo Social para el estudio de conflictos relativamente pacíficos. Este artículo argumenta que mucha, de la complejidad de las instituciones políticas belgas, es el resultado de intentos de mitigar el conflicto y de posponer desacuerdos significativos.

IV. CONCLUSIONES

Factores globales, nacionales e indígenas deben considerarse cuando se trate de generar consenso dentro de un contexto, donde individuos, grupos y comunidades se hayan enfrascado en una lucha por un largo período de tiempo.⁵⁰ Debemos considerar un número de interrogantes en el diseño de un modelo de intervención de contingencia⁵¹ o de una intervención “multi-modal y multi-nivel.”⁵² Por ejemplo, cuál es el papel exacto que juegan los actores externos en la escalación y desescalación del conflicto social? Deberán ser

50. Lederach, *supra* nota 25.

51. Keashly et al., *supra* nota 43.

52. Byrne y Keashly, *supra* nota 27.

responsables ambos extremos sociales, el pueblo y la elite que toma las decisiones, por la “edificación del consenso” en los conflictos sociales prolongados? Quién debería tomar el liderazgo en la incorporación de incentivos super ordenados para cooperaciones en marcha en alguna adaptación de los intereses de las partes? Qué papel tienen los practicantes de resolución de conflictos en la transformación de las relaciones en los escenarios del conflicto social? La aproximación del “Cubismo Social” sugiere que las estrategias se pueden combinar para provocar la reestructuración del conflicto social, de manera tal que pueda darse una desescalación efectiva. Por ejemplo, el proceso narrativo puede ayudar a los practicantes a implementar sistemas culturales de conocimiento indígenas adentrándose en historias culturales de intervención y transformación de conflicto.⁵³

En este artículo introductorio, se discutieron las fuerzas sociales y la combinación de mecanismos para escalar y desescalar los conflictos sociales. Se da particular atención al papel del “Cubo Social” para el análisis y la resolución de conflictos, especialmente en el diseo de una fuerza de análisis de campo de los conflictos sociales. Estos valiosos factores deben ser incorporados en los procesos de resolución de conflictos de los practicantes para que ocurra una desescalación efectiva de los prolongados conflictos sociales. La intervención efectiva de terceros externos necesita una aproximación holística e interactiva que transforme las desigualdades estructurales subyacentes y las dinámicas subjetivas que separan a los individuos, a los grupos, a las comunidades y a las naciones.

El objetivo primario de este asunto especial es el de explorar el apuntalamiento teórico y las implicaciones metodológicas del Cubismo Social. En ese intento, los autores proporcionan abundante material teórico para los practicantes y estudiosos para considerar cuando se analizan las fuerzas sociales que interactúan para escalar el conflicto social. También se le proporciona al estudiante de conflictos sociales observaciones perspicaces de las experiencias personales de los autores en el campo, para un entendimiento más completo de la dinámica de éxitos y fracasos en la intervención de conflictos, en los conflictos sociales.

Los contribuyentes también usan el método de estudio-caso usando el dispositivo analítico del Cubo Social para proveer formulas perspicaces para explicar el conflicto social y como éste se podría resolver. Los artículos también exploran las lecciones aprendidas acerca de las causas del conflicto

53. Jessica Senehi, 2000. *Constructive Storytelling in Intercommunal Conflicts: Building Community, Building Peace* [Narración Constructiva en Conflictos Inter-comunales: Haciendo Comunidad, Pacificando], en Seán Byrne y Cynthia Irvin (Eds.). *Diferencias Reconciliables: Puntos decisivos en Conflictos Etno-Political*. West Hartford, CT: Prensa Kumariana.

social en la etnia, la comunidad y el lugar de trabajo. Finalmente, los artículos también conjugan el Cubismo Social con la resolución de conflicto y la pacificación. Los documentos usan estudios de casos para explorar los esfuerzos en resolución de conflictos sociales basados en la etnia, la organización y la comunidad.

CUBISMO SOCIAL: SEIS FUERZAS SOCIALES SOBRE POLITICAS EN IRLANDA DEL NORTE Y QUEBEC

Seán Byrne y Neal Carter***

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I. INTRODUCCION

Los estudios de política ethnoterritorial típicamente examinan estructuras políticas y económicas para acentuar los intereses que compiten de grupos, o usar una aproximación psicoanalítica de acentuar fuerzas psicológicas y culturales. Investigadores que dirigen factores materiales y psicológicos a menudo intentan pesar su importancia relativa como los motivos de conflicto. Nosotros al contrario, proponemos que los estudios de conflicto ethnoterritorial sean formados de la perspectiva de cubismo social, implicando la interacción de mecanismos materiales y psicológicos.¹ Nosotros al contrario, proponemos

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1. *Vea, por ejemplo*, Wayne G. Reilly, 1994. "The Management of Political Violence in Quebec and Northern Ireland: A Comparison." [La diferencia de violencia en Quebec y Irlanda del Norte] *Terrorism*

que los estudio de conflicto ethnoterritorial sean formados de la perspectiva de cubismo social, implicando la interaccion de mecanismos materiales y psicologicos.²

El término cubismo social evoca las imagines utiles para describir nuestra perspectiva. Similar al cuba de Rubic, la politica ethnoterritorial representa un rompecabezas multi-enfrentado.³ Similar al cubo de Rubic, la política ethnoterritorial representa un rompecabezas multi-enfrentado. Personas que concentran en un solo aspecto, o lado del rompecabezas, son improbable ha producir una solución completa o imagen completa del problema. Sólo cuando uno piensa en las interrelaciones de las caras del rompecabezas, puede uno progresar hacia una solución más holística. Una perspectiva multidimensional también fue abogada por los artistas cubist, como Bracque y Picasso, quienes intentaron rendir sobre una encuesta dos dimensional la multitud de perspectivas complicadas en la inspección de objetos tridimensionales. Similarmente, nosotros aislamos factores claves para demostrar como se combinan para formar los modelos complejo de politicas etnicas.

Nosotros usamos el cubo como un marco analítico para examinar Irlanda del Norte y los conflictos de Quebec. En esta comparación, no intentamos de cubrir el área entera de cada lado del cubo, pero tratamos de destacar algunos de los temas mas salientes de los conflictos complejos. Confiamos en gran parte en los descubrimientos de otros investigadores relativo a otras facetas. Nuestra contribución principal está en la combinación de las facetas y el análisis de como su interacción afecta las dinámicas del conflicto y regulacion ethnoterritorial. Mientras varios investigadores han indicado que la naturaleza de conflictos cambia atravez del tiempo, relativamente poco trabajo se ha hecho

and Political Violence, [Terrorismo y Violencia Política] Vol. 6, Spring, pp. 44-61. *Vea tambien* Marc Howard Ross, 1993. *The Management of Conflict: Interpretations and Interests in Comparative Perspective*. [El mantenimiento de Conflicto: Interpretaciones e Intereses en Perspectiva Comparativa]. New Haven: Yale University Press.

2. *Vea* Seán Byrne y Neal Carter, 1996. *Social Cubism : Six Social Forces of Ethnoterritorial Politics in Northern Ireland and uebec*, in *Peace and Conflict Studies* 52-72 [Cubismo Social: Seis Fuerzas Sociales de Política Ethnoterritorial en Irlanda del Norte y Quebec, la Paz y el Conflicto Estudian] 3 (2): 52-72; Carter, Neal y Seán Byrne, 2000. *The Dynamics of Social Cubism : A view from Northern Ireland and Quebec*, in *Reconcilable Differences: Turning Points in Ethnopolitical Conflicts*, [La Dinámica de cubismo Social: una vista de Irlanda del Norte y Quebec, en Seán Byrne y Cynthia Irvin, editores., Conflicto y Cambio Pacífico de Sociedades Divididas: Teorías y Usos]. West Hartford, CT: Kumarian Prensa, pp. 41-65.

3. Esta metáfora fue sugerida por Jessica Senehi durante una conversación con los autores. Para su las opiniones del conflicto, *vea* Senehi, Jessica, 1996. 'Language, Culture and Conflict: Storytelling As A Matter of Life and Death', *Mind and Human Interaction* 7(3): [Lengua, Cultura y Conflicto: Contando una historia de vida y muerte] 150-64; Senehi, Jessica, 2000. 'Constructive Storytelling in Inter-Communal Conflicts: Building Community, Building Peace', in Seán Byrne & Cynthia Irvin, eds., *Conflict and Peaceful Change in Divided Societies: Theories and Applications*. West Hartford, CT: Kumarian Press, pp. 98-125.

para examinar la interacción de varios factores que gradualmente le dan forma a los conflictos.

Vemos que el cubo social de conflicto teniendo seis facetas o fuerzas interrelacionada: la historia, la religión, instituciones demográficas de la información, políticas y el no comportamiento institucional, la economía, y factores sycocultural (vea figura 1). Estas seis facetas o fuerzas sociales son combinadas para producir el modelo de comportamiento de intergrupo. Por ejemplo, las historias relatadas por grupos competitivos, a menudo evocan previos modelos de economía, de políticas, o de la interacción religiosa para suportar relcamos contemporarios, mientras el simbolismo produce respuestas efectivas hacia grupos y hacia la interacción de intergrupo.⁴ Como nota Connor, estos factores típicamente son estudiados como los motivos independientes del conflicto, fallando ha producir explicaciones convenientes.⁵ De otra parte, ethnonacionalismo debe ser visto como un fenomeno psicológico demonostrando varias diferencias del intergrupo para producir el sentido de la cohesión de grupo. La interacción entre los lados del cubo produce el modelo de comportamiento de intergrupo.⁶

Irlanda del Norte y Quebec son muy rara las veces que son comparadas directamente,⁷ indicando la complejidad de la relación entre factores psicológico y materiales. Al menos a la primera vista, varios factores indican que el conflicto debería proceder en el modelo similar en ambos casos. Ambas regiones han sido miembros del Imperio Británico en el que los Católicos eran

4. *Vea generalmente*, John Agnew y Stuart Corbridge, 1994. *Masterin Space: Hegemony, Territory and International Political Economy*. [Dominación de Espacio: Hegemonía, Territorio y Economía Internacional Política.] Nueva York: Routledge; Gidon Gottlieb, 1993. *Nation against State : A New Approach to Ethnic Conflicts and The Decline of Sovereignty*. [Nación Contra estado: una Aproximación Nueva a Conflictos Étnicos y la Disminución de Soberanía.] Washington D.C.: Un Consejo sobre Libro de Relaciones exteriores (extranjeras); Gurr, Eduardo Robert, editor (redactor) 1993. *Minorities at Risk : A Global View of Ethnopolitical Conflicts*. [Minorías en peligro: una opinion Global de los conflictos de Ethnopolítica]. Washington D.C.: Instituto de los Estados Unidos de Prensa de paz; Gurr, Eduardo Robert y Barbara Harff, 1994. *Ethnic Conflict in World Politics*. [Conflicto étnico en Política Mundial]. Roca: Westview Prensa; McGarry, Juan y Brendan O'Leary, 1993, (Ed). *The politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts*. [La Política de Regulación Étnica de Conflicto: los Estudios de Caso de los Largos Conflictos Étnicos]. Nueva York, Routledge.

5. Walker Connor, *Ethnonationalism: The Quest for Understanding*. [Ethnonacionalismo: La Búsqueda para el Entendimiento]. Princeton: Princeton University Press (1994).

6. Seán Byrne y Loreleigh Keashly, *Working with ethno-Political conflict: A Multi Modal and Multi-Level Approach to Conflict Intervention*, [Trabajando con Ethno- Conflicto Político: un Multi-modal y Acercamiento de Multi-nivel hacia resolucion de conflicto], *Pacificación Internacional*. 7(1): 97-120 (2000).

7. *Vea Byrne y Carter (1996), supra nota 2; Carter y Byrne (2000), supra nota 2; Reilley, supra nota 1; Catherina O'Sullivan Ve, 1986. FIRST WORLD NATIONALISM : CLASS AND ETHNIC POLITICS IN NORTHERN IRELAND AND QUEBEC* [Primer Mundo Nationalisms: Clase y Política Étnica en Irlanda del Norte y Quebec]. Chicago y Londres: Universidad de Chicago Press.

una parte significativa de la población cuales su movilidad de educación y economía fueron limitadas. Y en Irlanda y Quebec, el tema de supervivencia resuena en la historia. Sin embargo, Quebec ha experimentado relativamente poca violencia, mientras la actividad terrorista ha obligado a las vidas diarias del Irlandés del Norte. Proponemos que la interrelación de las seis facetas pueden ayudar a explicar los niveles que se diferencian en la regulación de conflicto acertada pacífica.

En describiendo los conflictos, nos vemos obligados a usar etiquetas que simplifican las complejas interrelaciones de las facetas. Por ejemplo, el uso de las categorías “Católica” y “Protestante” en Irlanda del Norte y “Francófono” y “Anglophone” son útiles como directrices generales para membresía. Lamentablemente, ellos también oscurecen un número de diversidad interna. Nosotros quisieramos acentuar que usando estas categorías nosotros no estamos declarando que la lengua o la religión es la causa o la esencia del conflicto. En cambio, nosotros estamos usando categorías que son prominentemente usadas por los partidos involucrados. Vamos ahora a proceder a una comparación de las seis facetas del conflicto ethnoterritorial. Los aspectos salientes de cada factor son resumidos en la figura 2.

Aunque ellos nos obliguen a comparar todos los seis factores de los conflictos, vamos a intentar demostrar que las divisiones son a un extremo artificial. El punto crucial de nuestro análisis es que el cubismo social enfoca su atención en la interacción de sus factores. Esta noción nos permite avanzar más allá de las nociones étnicas primordialista y instrumentista de conflicto combinando las nociones de la importancia psicológica de grupos sociales y la utilidad política de acentuar los desacuerdos de grupo.⁸

II. FACTORES HISTORICOS

La historia, relatada por aquellos envuelto en conflictos, establece el contexto actual de políticas ethnoterritorial. Historias de eventos pasados, visto de puntos diversos, influye la legitimidad de instituciones corrientes, las percepciones de las posibilidades políticas y las motivaciones atribuida a los varios grupos.⁹ Este breve resume de la historia de Quebec y Irlanda del Norte

8. *Vea, por ejemplo*, Daniele Conversi, 1995. *Reassessing Current Theories of Nationalism: Nationalism as Boundary Maintenance and Creation*, [Reexaminación de las Teorías corrientes de Nacionalismo: Nacionalismo como Mantenimiento Divisorio y Creación.] *Nacionalismo y Política Étnica*, vol. 1, No 1, Primavera, pp. 73-85; Antonio D. Herrero (1995). *Gastronomy, or Geology? The Role of Nationalism in the Reconstruction of Nations*, [¿Gastronomía o Geología? El Papel de Nacionalismo en la Reconstrucción de Naciones. *Naciones y Nacionalismo*], vol. 1, No 1, pp. 1-34.

9. Senehi, *supra* nota 3 en 150-64; Jessica Senehi, *Constructive Storytelling in Intercommunal Conflicts: Building Community, Building Peace, in Reconcilable Differences: Turning Points in Ethnopolitical Conflicts* [Narración Constructiva en Conflictos Inter-comunales: Construyendo Comunidad,

iluminan solamente algunos de los eventos históricos, que frecuentemente son invocados por los partidos involucrados.

Los problemas de Irlanda del Norte a menudo son reparados por una larga historia de hostilidad étnica. Las incursiones Normandas de Inglaterra en Irlanda durante el siglo duodécimo establecieron una presencia militar dominando los chieftain Gaileco.¹⁰ El feudalismo eliminó las prácticas comunales y las leyes Brehon de la gente indígena. Insurrecciones sucesivas por la nobleza Irlandesa han sido aplastadas por las tropas de Inglaterra. La victoria de William of Orange en 1690 en la batalla de Boyne, eliminó el poder de la nobleza irlandesa y establecieron una era de predominio Protestante.¹¹ Las leyes penales 1692 aseguraron la relación dominante que permitieron la comunidad Protestante obligar a la mayor parte Católica afuera del sistema socioeconómico y político.¹² Los Católicos no podían ser escogidos a la oficina política, practicar su religión, hablar su lengua Gaélica públicamente, o legaron la propiedad característica a no ser que el heredero se convirtiera a la fe Protestante. La discriminación cultural contra los Católicos siguió hasta que Daniel O'Connell satisfactoriamente movilizara los campesinos Irlandeses, para insinuar representación política en el parlamento, y ayudar a ganar la emancipación en 1833 para la mayoría Católica en la isla de Irlanda.¹³ En el siglo diecinueve, bajo el reino doméstico de Charles Stuart Parnell se dividió la isla entre unionistas en el industrial noroeste de Ulster y nacionalistas en Sur agrario de Irlanda.¹⁴ El llamado de Parnell "Reino Doméstico de Irlanda," fue interpretado por los Protestantes Ulster como "La Regla de Roma" porque la grieta religiosa ha sido sobrepuesta sobre la cuestión nacional. En 1912 los Protestantes del Ulster, temiendo la prospecta de una Irlanda dominado por Católicos, formaron la Fuerza Voluntaria de Ulster (UVF), para resistir el Reino Doméstico.¹⁵ Una polarización política que es hecha más honda entre ambas

Construyendo Paz', en Seán Byrne y Cynthia Irvin, editores., *Conflicto y Cambio Pacífico de Sociedades Divididas: Teorías y Usos*. (Seán Byrne & Cynthia Irvin eds., 2000).

10. (1983). PADRAIG O'MALLEY, *THE UNCIVIL WARS: IRELAND TODAY* (1983).

11. *Vea generalmente*, Seán Byrne, *Growing up in a Divided Society: The influence of Conflict on Belfast School Children* [Conflicto y Muchachos: Inegrada Educación en Irlanda del Norte] (1997).

12. J.J. Lee, 1989. *Ireland, 1912-1985: Politics and Society*. [Irlanda, 1912-1985: Políticas y Sociedad], Cambridge University Press.

13. McGarry y O'Leary (1993), supra nota 4; Cynthia Irvin, 1999. *Militant Nationalism: Between Movement and Party in Northern Ireland and the Basque Country* [Nacionalismo Militante: Entre Movimiento y Partido en Irlanda del Norte y el País vasco]. Duluth, MN: Universidad de Minnesota Prensa (1999).

14. HENRY PATTERSON, *CLASS CONFLICT AND SECTARIANISM: THE PROTESTANT WORKING CLASS AND THE BELFAST LABOR MOVEMENT 1868-1920* (1980). [LA CLASE TRABAJADORA PROTESTANTE Y EL MOVIMIENTO DE LABOR DE BELFAST 1868-1920] (1980).

15. PAUL DIXON, *NORTHERN IRELAND: POWER, IDEOLOGY AND REALITY* (2001).

partes de la isla fue mas irritada por la Rebelión de Pascua de los Voluntarios irlandeses de 1916, una insurrección que no logró romper la conexión Británica.¹⁶ La guerra de independencia de 1919-21 entre el army de la Republica de Irlanda y el gobierno Britanico produjo la particion de 1921 de Irlanda, cuyo altero, pero no termino la serie de relaciones hostiles en Irlanda del Norte cuales intensificaron durante el decimoseptimo siglo y hoy en dias todavia mantienen entrancada las comunidades etnicas en la lucha sectaria.¹⁷

Entre el Acto de 1920 del Goberino de Irlanda y el reino directo de Londres en 1972 un gobierno de control directo en Irlanda del Norte fue dominado por el viejo partido Unionista Protestante.¹⁸ Attempts by the non-violent Northern Ireland Civil Rights Association (NICRA) in the late 1960s to reform the region failed and spiraled into chaos when NICRA was replaced by a militant IRA who confronted the British army on the streets.¹⁹ Desde que 1972, varias tentativas para formular una armazón constitucional delegada para gobernar a Irlanda del Norte ha reunido con exito pequeño.²⁰ El terrorismo popagado por Republicanos y Lealistas intensifico la polarizacion entre comunidades, las tentativas que frustran de accomodation de elite.²¹ Las negociaciones actuales entre los Ingleses y gobiernos Irlandeses y los partidos constitucionales en Irlanda del Norte, la actividad de terrorista en el despierta del 1998 Good Friday Agreement (GFA).²²

16. TOM WILSON, *ULSTER: CONFLICT AND CONSENT* (1989).

17. ARTHUR AUGHEY, *UNDER SIEGE: ULSTER UNIONISM AND THE ANGLO-IRISH AGREEMENT* [BAJO SITIO: EL ULSTER EL-SINDICALISMO Y ACUERDO EL-IRLANDÉS DE ANGLOAMERICANO] (1989); NORMAN PORTER, *RETHINKING UNIONISM: AN ALTERNATIVE VISION FOR NORTHERN IRELAND* (1996). [Replaneamiento de Sindicalismo: una Visión Alternativa párrafo Irlanda del Norte].

18. *Vea a* PAUL BEW ET AL., *THE STATE IN NORTHERN IRELAND, 1921-72: POLITICAL FORCES AND SOCIAL CLASSES* (1979), [el Estado en Irlanda del Norte], 1921-72: *Political Forces and Social Classes* [Fuerzas Políticas y Clases Sociales] (1979); PAUL BEW ET AL., *NORTHERN IRELAND, 1921-1994: SOCIAL CLASSES AND POLITICAL FORCES* [CLASES SOCIALES Y FUERZAS POLÍTICAS] (1995).

19. Paul Arthur, *The People's Democracy*, [La Democracia del Pueblo] 1968-73 (1974).

20. *Vea generalmente*, McGarry y O'Leary (1993), supra nota 4; Paul Bew y Henry Patterson, *The British State and Ulster Crisis: From Wilson to Thatcher* [El Estado Británico y el Ulster Crisis: de Wilson a Thatcher] (1985); Paul Bew, y Henry Patterson, *The New Stalemate: Unionism and the Anglo-Irish Agreement in Beyond the Rhetori: Politics, The economy, and Social Policy in Northern Ireland* [Las Tablas Nuevas: Sindicalismo y el Acuerdo Irlandés de angloamericano], en *Más allá de la Retórica: Política, la Economía, y Política Social en Irlanda del Norte* 25 (Paul Teague, editor 1987); Paul Bew y Henry Patterson, *Scenarios for Progress in Northern Ireland* [Guiones para Progreso en Irlanda del Norte] (1990).

21. *Vea* Adrian Guelke, 1995. *The Age of Terrorism and the International Political System* [La Edad de Terrorismo y el Sistema Internacional Político. Nueva York: San Martín Prensa] (1990). Seán Byrne, *Conflict Regulation or Conflict Resolution: Third Part Intervention in the Northern Ireland Conflict - Prospects for Peace*, 7(2) TERRORISM & POLITICAL VIOLENCE 1-25 (1995).

22. Seán Byrne, *Israel, Northern Ireland, and South Africa at a Crossroads: Understanding Intergroup Conflict, Peace-Building, and Conflict Resolution*, 28 INT'L J. OF GROUP TENSIONS 231 (1999);

Los canadienses recuerdan un pasado menos violento que el de los Irlandés del Norte, pero el Francophones y Anglophones relatan la historia de manera diferente.²³ Francophones dedican más estudio que Anglophones al período antes de la confederación 1867 de Canadá. Y grupos lingüísticos celebran a los héroes de su grupo lingüístico y acentúan la importancia de supervivencia cultural. Québécois francófono se consideran una nación distinta continuamente amenazada con la exterminación cultural, mientras Anglophones luchan para mantener una identidad Canadiense en la sombra de los Estados Unidos.

Después de la conquista Británica de Francia Nueva en 1763, política Británica hacia el Francophones alternaban entre atemptos para asimilarlos en la sociedad anglophone y atemptos para acomodar las diferencias sin desestabilizar el control de ellos. La Rebelión 1837 Papineau estaba presupuesta sobre exigencias para el gobierno responsable y el retiro de la Pandilla Chateau Clique, un grupo de sobre todo anglophone elites que gobiernan la colonia.²⁴ Posteriormente designaron al señor Durham el Gobernador general y estaba supuesto a reportar sobre la situación. Él abogó por un sistema nuevo que fuera asimilar el de los Francophones. Esta recomendación produjo la Provincia Unida de Canadá, una unión legislativa a dos regiones igualmente representadas, uno predominantemente francófono, uno sobre todo anglophone.²⁵

Entre los años 1860, Anglophones excedían en número comparado a los Francophones dentro de la Provincia Unida de Canadá. Reformadores Anglophonos, comenzaron a pedir la representación por la población. Una combinación de desacuerdos étnicos e ideológicos produjo el punto muerto político. La Confederación 1867 de Canadá unió Nuevo Brunswick y Nova Scotia con Quebec y Ontario (los últimos dos fueron sacados de la Provincia Unida de Canada), estableciendo de la provincia principalmente francófona de Quebec dentro de un predominantemente anglophone país.²⁶

Los canadienses francés establecieron dos accesos hacia la supervivencia cultural. Los federalistas discutieron que el mejor modo de proteger la sociedad francófona es de participar activamente en asuntos Canadienses federales,

Seán Byrne, *Power Politics as Usual in Cyprus & Northern Ireland: Divided Islands and the Roles of External Ethno-Guarantors*, 6(1) NATIONALISM AND ETHNIC POLITICS 1-24 (2000); Seán Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, 38(3) J. PEACE RESEARCH 327-52 (2001).

23. *Vea generalmente* DAVID V.J. BELL, *THE ROOTS OF DISUNITY: A STUDY OF CANADIAN POLITICAL CULTURE* (1992).

24. *Vea* LAURIER LAPIERRE, *CANADA MY CANADA: WHAT HAPPENED?* 86-99 (1992); J. ARTHUR LOWER, *CANADA: AN OUTLINE HISTORY* 86-87 (1991).

25. LOWER, en 90-91.

26. *Vea generalmente* P.B. WAITE, *THE CONFEDERATION DEBATES IN THE PROVINCE OF CANADA, 1865* (1963).

asegurando que Francophones fueron envueltos en el proceso de hacer decisiones política. Este acercamiento de activista ha sido atacado por la Iglesia Católica y nacionalistas, quien abogaron por el aislamiento cultural.²⁷ The struggle between federalists and nationalists has continued to dominate francophone Québec's political landscape. Anglophone Quebecers, on the other hand, have generally promoted a strong federal government. Several events increased the tension between federalists and nationalists. El Partido liberal Radical durante el período de la Colonia Unida de Canadá abogó por una forma republicana de gobierno quitado de la sección anglophone, mientras los Liberales Conservadores favorecieron la cooperación con otros Canadienses. La Rebelión Riel en los años 1880 exacerbó relaciones tensas entre Francophones y otros, reforzando el compromiso nacionalista de mantener un compromiso fuerte a Quebec. La pérdida de protección para derechos francófonos en Manitoba debilitó la posición de los federalistas. Cuando el alistamiento ha sido instituido para ayudar con el esfuerzo de ambas guerras mundiales, los nacionalistas Francófonas discutieron que estaba incorrecto de enviar a su gente para luchar "la Guerra Británica" aunque mucho Francophones ya se hubiera ofrecido. Recientemente, negociaciones fracasadas constitucionales y referéndums sobre la soberanía de Quebec han dividido Quebecers.

Durante los años 1960, reformas educativas y una disminución en la influencia política de la Iglesia católica redujeron la naturaleza parroquial de las escuelas. Durante el supuesto 'Revolucion Callada,' un grupo nuevo de nacionalistas abogó por la creación de un cuadro económicamente competitivo de francophones, índices de natalidad cayeron, y la legislatura de Québec pasaron leyes que promovieron el empleo de los Franceses. El objetivo era la resistencia más pasiva para *survivance*. En cambio, *Québécois* exigió los instrumentos y ocasiones necesarias para *épanouissement* (la prosperidad). Desde entonces, mucho debate ha enfocado a la relación apropiada entre Quebec y 'el Resto de Canadá.' En el debate de referéndum reciente, por ejemplo, los nacionalistas usaron al Señor Durham el Informe como la evidencia de la amenaza de asimilación, mientras los federalistas citaron las ventajas de cooperación interétnica.

Varios eruditos destacan los cambios masivos de la sociedad de Quebec causada por Pierre Elliott Trudeau durante su tenencia como el primer ministro Canadiense (1968-1979; 1980-1984).²⁸ McRoberts discute que los cambios que Trudeau introducido en Canadá, sobre todo en lo que incluye al bilingüismo,

27. *Vea* generalmente, Laurier LaPierre, *Canada my Canada : What Happened?* 86-99 (1992); J. Arthur Lower, *Canada : An Outline History [la Génesis de una Nación]* 86-87 (1966).

28. *Vea, por ejemplo*, ROGER GIBBINS, *CONFLICT AND UNITY: AN INTRODUCTION TO CANADIAN POLITICAL LIFE* (1994); LOWER, *supra* nota 24.

multiculturalism, y constitutionalism considerablemente han reducido el potencial para la reconciliación entre Quebec y el resto de Canadá.²⁹ La legacia histórica de Trudeau se mantiene como tópico de controversia todavía hoy en días. La historia reciente, sobre todo en cuanto a la política lingüística y la búsqueda del reconocimiento constitucional como una sociedad distinta, será dirigida en otras secciones.

Cuando es claro de esta vista general rápida de la evolución histórica de la política de ethnoterritorial en estos dos casos, los grupos étnicos acentúan los factores diferentes como ellos interpretan el pasado. Estas diferencias pueden aumentar hostilidad si sus historias proporcionan interpretaciones bruscamente diferente de otros grupos.

III. FACTORES RELIGIOSOS

Con la expansión de investigación de guerra post-fría sobre identidad, varios investigadores han notado la necesidad de aumentar nuestro entendimiento de la dinámica psicológica de identidad y transferir nuestro conocimiento al reino político. Brewer advierte de los peligros de estiramiento conceptual del concepto de identidad social.³⁰ Ella distingue entre la identidad basada por persona, la identidad basada por papel, la identidad basada por grupo y la identidad colectiva, y ella pide theorisazion que reconoce las implicaciones de estas bases diferentes de identificación y aún podría dirigir las interacciones entre ellos.³¹ Los eruditos tienen que entender más completamente los caminos en los que la gente maneja las bases múltiples de identificación. Huddy discute que hay cuatro problemas clave que hacen difícil el uso acertado de investigación psicológica sobre la teoría de identidad social a cuestiones políticas que son 1) la gama de opciones la gente tiene para escoger sobre su identidad, 2) El significado subjetivo que la gente le da a las identidades, 3) las diferencias de la fuerza o identidades de potencia y 4) la estabilidad de varias identidades políticas y sociales.³² Estas dificultades requieren mucho matiz en la discusión de conflictos de identidad políticas, que son por qué abogamos por el examen de las varias facetas del cubo social.

Por ejemplo, instituciones sociales y políticas que son unidas a la religión crean sociedades bipolares en ambos Irlanda del Norte y Quebec. En Irlanda del Norte, los Protestantes y Católicos asisten escuelas y iglesias separadas, rara

29. *See generalmente* KENNETH MCROBERTS, *MISCONCEIVING CANADA: THE STRUGGLE FOR NATION UNITY* (1997).

30. Mailyynn B. Brewer, *The Many Faces of Social Identity: Implications for Political Psychology* 22(1) *POLITICAL PSYCHOLOGY* en 115-125 (2001).

31. *Id.*

32. Leonie Huddy, *From Social to Political Identity: A Critical Examination of Social Identity Theory*, 22(1) *POLITICAL PSYCHOLOGY* en 127-156 (2001).

son las veces que se intercasan, y viven en vecindades separadas para la protección física y psicológica; la religión conserva el modo de vivir de cada grupo.³³ En Canadá, la afiliación religiosa promovió modos de vivir distintos, como diferencias económicas y escuelas parroquiales reforzaron la polarización religiosa y lingüística. Acentuamos el saliente de lealtad condicional, hablada debajo, en la promoción de relaciones tensas de intergrupo y la polarización, teniendo en cuenta el saliente político de religión en Quebec que ha disminuído drásticamente desde los años 1960 mientras esto permanece una preocupación central en Irlanda del Norte.

Los católicos en Irlanda del Norte son relativamente homogéneos en sus creencia religiosas y su identificación con la nación Irlandesa.³⁴ Esta cohesión resiste enormes diferencias entre las agendas políticas del Social Democrático y el Partido Laborista (SDLP) y *el Sinn Fein*, el ala política del Ejército Republicano Irlandés Provisional (PIRA) sobre cuestiones como la legitimidad de violencia y el papel de consentimiento en la eliminación de Irlanda del Norte.³⁵ Por ejemplo, Grove y Carter examinan la retórica de John Hume y Gerry Adams para demostrar la tentativa que compite de movilizar la población nacionalista/Católica en Irlanda del Norte e ilustrar las interconexiones entre el contexto del conflicto y la retórica.³⁶

La heterogeneidad en las creencia religiosas del Ulster Protestantes no influye directamente ha su identidad nacional.³⁷ La diversidad religiosa sin embargo, crea algún conflicto entre los miembros de las denominaciones diferentes y entre el liberal y Protestantes fundamentalistas o extremistas.³⁸ El conflicto Intra-Protestante se disminuye cuando los Protestantes evocan un decimoséptimo convenio del siglo religioso con el monarca para unirse en un bloque homogéneo para oponerse a alguna amenaza percibida a sus intereses, sobre todo los socios de la Irlanda del Norte del Reino Unido (el REINO UNIDO).³⁹

33. *Vea generalmente* JOHN WHYTE, *INTERPRETING NORTHERN IRELAND* (1990); *NORTHERN IRELAND AND THE POLITICS OF RECONCILIATION* (Dermot Keogh & M.H. Haltzel eds. 1994).

34. *Vea* JOHN MCGARY & BRENDAN O'LEARY, *EXPLAINING NORTHERN IRELAND: BROKEN IMAGES* (1995); EDWARD MOXON-BROWNE, *NATION, CLASS AND CREED IN NORTHERN IRELAND* (1983).

35. IAN MCALLISTER, *THE NORTHERN IRELAND SOCIAL DEMOCRATIC AND LABOR PARTY: POLITICAL OPPOSITION IN A DIVIDED SOCIETY* (1977).

36. Andrea Grove y Neal Carter, *Not All Blarney is Cast in Stone: International Cultural Conflict in Northern Ireland*, 20(4) *POLITICAL PSYCHOLOGY* 725-65.

37. *Vea generalmente* JOHN D. CASH, *IDENTITY, IDEOLOGY AND CONFLICT: THE STRUCTURATION OF POLITICS IN NORTHERN IRELAND* (1996); RICHARD ROSE, *GOVERNING WITHOUT CONSENSUS: AN IRISH PERSPECTIVE* (1971).

38. *Vea generalmente* FRANK WRIGHT, *NORTHERN IRELAND: A COMPARATIVE ANALYSIS* (1987).

39. *Vea generalmente* STEVE BRUCE, *GOD SAVE ULSTER! THE RELIGION AND POLITICS OF PAISLEYISM* (1986); STEVE BRUCE, *THE RED HAND: PROTESTANT PARAMILITARIES IN NORTHERN IRELAND*

Un factor clave entre la cooperación protestante es la lealtad condicional, una idea similar a la noción Escocesa contractarian de covenanting: "si la regla no logra cumplir con su obligaciones, los sujetos no deberían abandonar el contrato, pero bastante deberían rechazar el cumplimiento con las leyes e intentar obligar a la regla en el cuidado del negocio."⁴⁰ La lealtad condicional ayuda explicar "como los unionistas evitaron la crisis de identidad nacional la que los nacionalistas tan a menudo predicen para ellos."⁴¹ Los unionistas son leales al monarca en su papel como el jefe de la iglesia establecida así como el jefe del estado Británico. El parlamento, sin embargo, carece de la legitimidad religiosa de la Reina. No hay ninguna contradicción en la oposición del Norte Irlandesa Protestante para el Parlamento Británico ya que la mayor parte Protestantes son en última instancia leales no a instituciones políticas, pero a su identidad ethnoreligious.⁴² Los protestantes permanecerán leales a Gran Bretaña sólo mientras Gran Bretaña les garantiza una mayoría en Irlanda del Norte.⁴³

Varios ejemplos históricos ilustran la naturaleza contractarian de ideología de Unionista-la protección del Monarca del Ulster de la comunidad Protestante la identidad y accesorios políticos al Reino Unido. Por ejemplo, las crisis de Regla De casa de 1886, 1893, y 1912 vieron un aumento de disturbios en Belfast, la creación de un Ulster, el ejército Protestante, y el desarrollo del UVF en el que los Protestantes procuraron oponerse, en casa a la Regla por la fuerza. De hecho, la primera guerra mundial por poco apartó una guerra civil en Irlanda.⁴⁴ La oposición protestante para el mando directo de Londres en 1972, el Acuerdo 1985 Irlandés de angloamericano, y el Marco 1995 para la Paz más lejos ilustra la profundidad de miedo Protestante y la traición así como la estrategia de intra-la cooperación protestante para proteger su identidad ethnoreligious y oponerse (resistirse) lo que ellos perciben como una incorporación forzada en Irlanda unida.

La religión ha jugado un papel diferente en Canadá. La lealtad religiosa antes de los años 1960 ayudó a Canadá mantener relaciones de grupo relativamente pacíficas interétnicas. El modelo colonial en Nueva Francia no

(1992); Seán Byrne & Aimee Delman, *Group Identity Formation and Intra-group Conflict*, 25(4) THE J. OF INTERGROUP RELATIONS 35-57.

40. DAVID MILLER, *QUEEN'S REBELS: ULSTER LOYALISM IN HISTORIC PERSPECTIVE* 5 (1978).

41. John Hunter, *An Analysis of the Conflict in Northern Ireland*, in *POLITICAL COOPERATION IN DIVIDED SOCIETIES: A SERIES OF PAPERS RELEVANT TO THE CONFLICT IN NORTHERN IRELAND* 25 (Desmond Rea, ed. 1983). *Vea también* ROSE, *supra* nota 37, en 40-88; WHYTE, *supra* nota 33; BRUCE, *supra* nota 39.

42. ARTHUR AUGHEY & DUNCAN MORROW, *NORTHERN IRELAND POLITICS* (1996).

43. *Vea* Moxon-Browne, *supra* nota 34; ROY WALLIS ET AL., *NO SURRENDER: PAISLEYISM AND THE POLITICS OF ETHNIC IDENTITY IN NORTHERN IRELAND* 1-35 (1986).

44. McGarry y O'Leary, *supra* nota 4.

logró producir instituciones fuertes gubernamentales, abandonando la Iglesia católica como la organización más importante comunal. En 1659, Monseigneur de Laval, el obispo de Quebec, estableció la tradición de *ultramontism*, la doctrina que la Iglesia está predominante en todos los asuntos sociales y es políticamente superiora al estado.⁴⁵ Después de la Conquista Británica de Quebec, el Acto 1774 de Quebec aprobado y apoyado el predominio de la Iglesia católica, la que en la vuelta abogaron por la aceptación de regla Británica. Permitieron a protestantes (principalmente Anglophones) establecer instalaciones separadas sociales. Escuelas parroquiales reforzaron el poder de la Iglesia y permitieron a cada grupo religioso controlar la socialización de sus propios miembros. Norteamérica 1867 Británica Acto (ahora *Acto de Constitución* llamado, 1867) política de educación reservada para las provincias. Quebec mantiene su sistema escolar parroquial, aunque la reforma sea para cambiar juntas escolares de basarse en religión a la definición según la lengua.

Las relaciones entre grupos religiosos en Quebec no han sido como estiradas históricamente como en Irlanda del Norte. Poca competición económica o territorial surgió entre facciones religiosas. Después de la Conquista, Protestantes Ingleses tendió al racimo en regiones específicas, sobre todo Montreal y los Municipios Orientales, y era relativamente libre de unir la elite Canadiense étnica de mayoría y de negocio.⁴⁶ Mientras la mayoría Católica permaneció sobre todo en el sector primario, anglophone Protestantes tendieron hacia empresas emprendedoras, proporcionando la capital para la industrialización.

La historia de *ultramontism* influyó en identidad ethnonational de Canadienses Franceses. Como con el Ulster los Protestantes, la lealtad *canadiense* a la religión eran fuertes que esto al parlamento o la corona. La identidad religiosa promovió lazos fuertes entre los miembros de una parroquia. Desde la Revolución Tranquila, la disminución de la Iglesia como un actor social poderosa parece haber cambiado el foco de lealtad de grupo. Las funciones más sociales históricamente realizadas por la Iglesia, como la educación, la salud, y el bienestar, ahora se caen bajo la jurisdicción provincial.⁴⁷ Como el abastecedor de estos cambios de funciones, también hace la identificación ciudadana con instituciones sociales. Este cambio de la lealtad es ilustrado por un cambio de la auto-identificación: durante la Revolución Tranquila, Canadienses Franceses que habitaban Quebec comenzaron a

45. *Vea supra* nota 7 en 50.

46. *Vea* J. LEWIS ROBINSON, CONCEPTS AND THEMES IN THE REGIONAL GEOGRAPHY OF CANADA 101-117 (Talonbooks revised ed. 1989); SHEILA MCLEOD ARNOPOULOS & DOMINIQUE CLIFT, THE ENGLISH FACT IN QUEBEC (1980).

47. *Vea* LaPierre, *supra* nota 27 en 178-95.

referirse a ellos mismo como *Québécois* más bien que *Canadiens français*.⁴⁸ La historia de ultramontism, transferido a la lealtad provincial, aumenta el potencial para rechazar la monarquía limitada y la federación. Además, la herencia del énfasis de la Iglesia Católica sobre la lengua aumentó el saliente de diferencias culturales, que actualmente dominan el debate constitucional en Canadá.

Hoy, la religión se mantiene más saliente como una categoría social en Irlanda del Norte que en Quebec. En Irlanda del Norte, la diferencia religiosa tiende a crear un rechazo moral de compromiso. En diferencias de Quebec, religiosas históricamente ayudadas mantienen la coexistencia relativamente pacífica, desde la Iglesia Católica a la aceptación abogada de Canadá a cambio de un nivel de autonomía cultural en el nivel provincial. Irónicamente la disminución de importancia a la religión en Quebec puede aumentar el potencial para el conflicto de intergrupo, como *Québécois* la identificación cambiada de la iglesia a la provincia sin reducir la importancia de diferencias lingüísticas.

IV. FACTORES DEMOGRÁFICOS

Factores demográficos son los aspectos cruciales de los dos conflictos. En Quebec, francophones componen aproximadamente el 85% de la población y dominan el sistema político de la provincia a pesar de su estado de minoría (aproximadamente el 20% de la población) en Canadá en total. El índice de natalidad bajo de Quebec francophones aumenta exigencias para la participación social provincial, la lengua, y la política de inmigración. En Irlanda del Norte, los Católicos (principalmente de pendiente Gaélica) permanecen una minoría, aunque su tamaño relativo cultive debido a los índices de natalidad que exceden a los Protestantes. La disminución de los aumentos de posición relativos de los Protestantes teme de dominación Católica.

Diferencias demográficas en Irlanda del Norte y Quebec conducen al modelo socio—psicológico, el que pueden ver como un conflicto sobre la identidad nacional entre “minorías dobles.”⁴⁹ En Irlanda del Norte, Católicos y Protestantes se ven como minorías, pero simultáneamente son vistos por otra comunidad como una mayoría de amenazas.⁵⁰ Minorías dobles refuerzan la necesidad de la seguridad y el reconocimiento de las reclamaciones territoriales

48. Louis Dupont and Dean Louder, *Quelles Cultures Reproduire?* (el papel presentó en la 1995 Conferencia de la Asociación para Estudios canadienses en los estados unidos, 15-19 Nov., 1995).

49. HAROLD JACKSON y ANNE MCHARDY, *THE TWO IRELANDS: THE PROBLEM OF THE DOUBLE MINORITY* (3d ed. 1984); WHYTE, *supra* nota 33, en 100-02; John Whyte, *How is the Boundary Maintained Between Both Communities in Northern Ireland?*, 9(2) *ETHNIC AND RACIAL STUDIES* en 219-34 (1986).

50. *Vea* Terrie Northrup, *Dynamics of Identity in Personal and Social Conflict*, in *INTRACTABLE CONFLICTS AND THEIR TRANSFORMATION* 55-82 (Kriesberg et al., eds., 1989).

de cada grupo. Católicos se ven como una minoría irlandesa en Irlanda del Norte y una mayoría en un contexto de todo-Irlanda. Los protestantes componen la mayoría de la población en Irlanda del Norte, pero una minoría de la población total en el REINO UNIDO y en cualquier futuro Irlanda unida. De ahí, Irlanda del Norte Protestantes se ven como una minoría situada, cerrada en una lucha eterna para defenderse contra fuerzas ambas internas y externas.

En Irlanda del Norte, referencias históricas a las campañas de genocidio afectan las percepciones y teme que cada grupo sostenga “del otro.”⁵¹ Los protestantes en Irlanda del Norte se han desarrollado un pronunciado “la mentalidad de sitio.” Ellos consideraron a la República de Irlanda como hostil a sus intereses e identidad y así consideraron cualquier movimiento hacia *el acercamiento* con Católicos en Irlanda del Norte como la aceptación de unificación eventual irlandesa.⁵² Los católicos han sido enajenados por su tratamiento dentro de Irlanda del Norte y contemplan (buscan) el gobierno en República de Irlanda para proteger sus intereses. Cada grupo, recordando una historia de conflicto de comunidad, busca una mayoría dentro de instituciones políticas para prevenir la discriminación o la supresión. La minoría doble en Irlanda del Norte debajo de disminuciones el potencial para la formación “de un medio del terreno” político entre las comunidades.⁵³

La minoría doble en Quebec, sin embargo, en realidad puede mitigar el conflicto el federalismo debido a canadiense. La minoría anglophone en Quebec pertenece a la mayoría anglophone la comunidad en Canadá y Norteamérica. La mayoría francófona en Quebec también desarrolló una mentalidad de sitio, viéndose como una población de minoría hundida en un ambiente anglophone aunque esto sostenga una mayoría provincial. Los nacionalistas de Quebec tradicionalmente abogaron por índices de natalidad altos lograr “la venganza de la horquilla” y mantener la cultura francófona.

Quebec francophones demanda que la limitación legal del empleo de inglés en la educación, negocios y la publicidad es necesaria de neutralizar la mayoría aplastante de Anglophones en Canadá. Además, Québécois políticos han usado la política de educación para aumentar la asimilación de inmigrantes en el francófono, más bien que el Anglophone, la comunidad. Anglophone

51. Los caciques Gaélicos' 1641 masacre de protestantes de Ulster y la masacre de siglo XVII Cromwellian de los habitantes Católicos de Dundalk y Drogheda ilustra este punto. *Vea* A.T.Q. STEWART, *THE NARROW GROUND: ASPECTS OF ULSTER 1609-1969* 23-34 (1977); ROSE, *supra* nota 37, en 180-204; MICHAEL FARRELL, *NORTHERN IRELAND: THE ORANGE STATE* 2-98 (1980); Michael MacDonald, *Children of Wrath: Political Violence in Northern Ireland* (1986).

52. *Vea generalmente* JOSEPH RUANE & JENNIFER TODD, *THE DYNAMICS OF CONFLICT IN NORTHERN IRELAND: POWER, CONFLICT AND EMANCIPATION* (1996).

53. *Vea generalmente* MERVYN T. LOVE, *PEACE BUILDING THROUGH RECONCILIATION IN NORTHERN IRELAND* (1995).

Quebecers son una minoría especial dentro de la deuda de provincia en parte al predominio de inglés en todas partes de Canadá y su presencia bien establecida en Quebec.

Mucho Anglophone Quebecers piensa en ellos como una minoría política en Quebec, fuerte se opondrá la política Québécois nacionalista, y teme que la creación de Quebec independiente cortara su lazos(corbatas) con el resto de Canadá. Otros acentúan la importancia de mantener el estado especial de inglés en Quebec, también celebrando Québec's la claridad cultural.

Sin embargo, hoy la inmigración afecta el estado relativo de ambos grupos. El modelo demográfico que se cambia, sobre todo en Montreal, afecta la fuerza relativa política de Anglophones y Francophones. Como los años Francófonos Quebecer demográficos, con un índice de natalidad bajo, la probabilidad de soberanía de Quebec que gana un referéndum aparece reducir como el tiempo va por. Esto bien puede aumentar los sentimientos de Quebec Francophones como ser una minoría y necesitando aumentar el control de la política cultural.

Claramente, este "la minoría doble" tiene implicaciones para el camino(manera) el que estos grupos en Irlanda del Norte y Quebec ven el mundo.⁵⁴ En general, Irlanda del Norte experimenta más problemas con el terrorismo y el saliente de simbolismo, y el conflicto identidades nacionales que Quebec debido a la inseguridad de cada grupo étnico. La carencia de las comunidades de control de la política, la sospecha mutua hacia la traición, y el empleo de terrorismo y el simbolismo que promueve una mentalidad de sitio todos reduce el potencial para Irlanda del Norte para crear el sentido "de la identidad compartida."⁵⁵ Al contrario las ventajas de Quebec de la existencia de federalismo canadiense, que reduce ambos grupos al estado de minoría en algunas áreas, pero los establecen como una mayoría en otros. Esto puede promover algún reconocimiento mutuo. Sin embargo, el fracaso continuado en la negociación de asuntos constitucionales reduce la buena voluntad a ambos lados del debate. A pesar del potencial para el alojamiento presentado por los aspectos positivos de minorías dobles (grupos puede ampliar la consideración especial a minorías dentro de su territorio, si pueden esperar la reciprocidad), los problemas todavía amenazan al equilibrio. El tamaño relativo y la tarifa de cambio demográfico de los grupos son significativos. La pérdida relativa de población para Protestantes del Norte Irlandeses puede aumentar sus inseguridades. En Quebec, rehusando índices de natalidad y la inmigración aumentada obligan a nacionalistas Québécois a redefinir la base para la identificación con su grupo, y también formar su política acerca de la educación de no cristianos la cuya lengua materna no es ni Francés, ni Inglés.

54. *Vea* WHYTE, *supra* nota 33, en 25-43.

55. *Vea generalmente* BYRNE, *supra* nota 11.

V. FACTORES POLITICAS

La regulación pacífica de conflicto ethnoterritorial confía pesadamente en legitimidad política del estado, la inclusividad de instituciones políticas, y el predominio de conflicto no institucionalizado como el terrorismo. Estas funciones son interrelacionadas, pero varias combinaciones son posibles. En esta sección dirigimos a la importancia de fronteras y el terrorismo como a los factores políticos. Estos factores enormemente influyen en la legitimidad del estado y el potencial para la regulación pacífica de conflictos.

Muchos movimientos ethnoregional acentúan la delineación territorial de instituciones políticas en las que ellos pueden participar. Las fronteras provinciales de Québec permiten *al Québécois* algún grado de control de un territorio específico dentro del contexto más grande canadiense. Irlanda del Norte, sin embargo, tiene un límite que no satisface las exigencias de la comunidad ya sea Protestante o Católica.⁵⁶ El debate sobre el límite en Irlanda del Norte y la hostilidad de grupo de aumentos como el saliente de identidad nacional se hacen una amenaza tangible a la existencia de la posición de Irlanda del Norte dentro del Reino Unido.⁵⁷ Cuando las discusiones sobre fronteras e instituciones pasan a acción terrorista, el potencial para la regulación pacífica es reducido, como la capacidad del estado para permanecer global es desafiada.

A. Fronteras

La partición política de Irlanda del Norte del Estado irlandés Libre (gratis) por el Gobierno 1920 de Irlanda el Acto no resolvió el conflicto étnico. La fundación de la frontera sirvió sólo para criar la política sectaria. Modere a los miembros Nacionalistas del SDLP y los miembros militantes Republicanos *de Sinn Fein* en la comunidad Católica siguen agitándose para Irlanda unida. Modere a los miembros de Unionista del Partido de Unionista Oficial (OUP) y los miembros de Legitimista militantes del Partido de Unionista Democrático (DUP) dentro de la comunidad Protestante procuran mantener la paz por la seguridad,⁵⁸ discutiendo que las amenazas y ataques terroristas y por la

56. McGarry, John, 1998. 'Political Settlements in Northern Ireland and South Africa', *Political Studies* [Arreglos Politicos en Irlanda del Norte y Sur Africa, Estudios Politicos] 46(5):1-17; O'Leary, Brendan, 1997. 'The Conservative Stewardship of Northern Ireland, [La administración conservativa de Irlanda del Norte] 1979-97: Sound-Bottomed Contradictions or Slow Learning', *Political Studies* 45(3):663-76.

57. *Vea generalmente*, KEVIN BOYLE & TOM HADDEN, NORTHERN IRELAND: THE CHOICE [IRLANDA DEL NORTE: LA DECISIÓN] (1994).

58. *See generally* MICHAEL FARRELL, ARMING THE PROTESTANTS: THE FORMATION OF THE ULSTER SPECIAL CONSTABULARY AND THE ROYAL ULSTER CONSTABULARY 1920-27 (1983); EAMONN MCCANN, WAR AND AN IRISH TOWN (1974).

Continuidad y el IRA Verdadero hacen medidas de seguridad especiales necesarias.⁵⁹

Protestantes y Católicos mantienen sus posiciones firmemente enraizadas acerca del estado político de Irlanda del Norte como la parte del Reino Unido o un potencial Irlanda Unida. Según normas internacionales, Irlanda del Norte no es un miembro de pleno derecho del Reino Unido al mismo grado que Escocia y País de Gales.⁶⁰ El limbo constitucional de Irlanda del Norte animó la violencia política del PIRA solidificando la mentalidad de sitio de Protestantes. Modere a Unionistas y Legitimistas militantes son determinados para proteger el eslabón Británico, así salvaguardando la herencia Protestante y la identidad. Los nacionalistas Moderados creen que la raíz del conflicto es la presencia Británica en Irlanda del Norte, y el deseo de terminar la partición por el medio pacífico democrático, contrariamente a la violencia política del PIRA.⁶¹ La competencia política sobre el espacio geopolítico de Irlanda del Norte realza los sentimientos de miedo, sospechas y la incertidumbre, formando así la agenda política para ambas comunidades. Sin embargo, todos los partidos constitucionales en Irlanda del Norte, el Nacionalista y el Unionista, aceptan la legalidad de partición y convienen que el cambio requerirá el consentimiento de la mayoría dentro de Irlanda del Norte.⁶²

La frontera entre Irlanda del Norte y la República de Irlanda asegura que los Protestantes y Católicos se identifican con un Protestantes diferentes políticos del norte de entidad con Gran Bretaña y Católicos del Norte con República de Irlanda. Ambas comunidades viven bajo la tensión psicológica de una minoría sitiada según la lente conceptual son usadas para considerar el contexto geopolítico.⁶³ Esto a su turno permite cada comunidad mostrar el

59. Bill McSweeney, 1996. 'Security, Identity and the Peace Process in Northern Ireland', [Seguridad, identidad, y el Proceso de paz en Irlanda del Norte] *Security Dialogue* [diálogo de seguridad] 27(2):167-78.

60. *Vea generalmente*, ADRIAN GUELKE, NORTHERN IRELAND: THE INTERNATIONAL PERSPECTIVE [IRLANDA DEL NORTE: LA PERSPECTIVA INTERNACIONAL] (1988).

61. *Vea* MICHAEL CUNNINGHAM, BRITISH GOVERNMENT POLICY IN NORTHERN IRELAND, [POLISA DE GOBIERNO BRITANICO EN IRLANDA DEL NORTE] 1969-89 (1991); MICHAEL CUNNINGHAM, BRITISH GOVERNMENT AND THE NORTHERN IRELAND QUESTION: GOVERNING A DIVIDED COMMUNITY [GOBIERNO BRITANICO Y LA PREGUNTA DE IRLANDA DEL NORTE: GOVERNANDO UNA COMUNIDAD DIVIDIDA] (1994).

62. *Vea generalmente*, DAVID BLOOMFIELD, PEACEMAKING STRATEGIES IN NORTHERN IRELAND: BUILDING COMPLEMENTARITY IN CONFLICT MANAGEMENT THEORY [ESTRATEGIAS PARA MANTENER LA PAZ EN IRLANDA DEL NORTE: CONSTRUYENDO TEORIAS EN EL MANEJO DE CONFLICTOS] (1996).

63. *Vea* Paul Dixon, *Consociationalism and the Northern Ireland Peace Process: The Glass Half Full or Half Empty*, [Consociationalism y Irlanda del Norte Proceso De paz: la mitad de el vaso lleno, o la mita de el vaso vacío] NATIONALISM & ETHNIC POLITICS, Vol. 3 No. 3, pp. 20-37 (1997); Paul Dixon, *Paths to Peace in Northern Ireland (I): Civil society and Consociational Approaches*, [Paso a la paz en Irlanda del Norte (1) Intentos a la Sociedad Civil y Consasional] DEMOCRATIZATION, Vol. 4 No. 2, pp. 1-27 (1997); Paul Dixon, *Paths to Peace in Northern Ireland (II): The Peace Processes 1973-74 and 1994-96*, [Pasos para la

miedo y la sospecha hacia las intenciones políticas “de otro lado” como la violencia política de los paramilitares previene un medio del terreno sólido del surgir. Como Whyte apunta, la dificultad de regular el conflicto en Irlanda del Norte se deriva de los hechos que “las minorías son los grupos que se sienten amenazados; estos amenazados grupos son obligados a ser hipersensibles; en Irlanda del Norte ambos grupos muestran estas características.”⁶⁴

Las fronteras tienen una importancia diferente en Canadá. Las fronteras provinciales de Québec permiten *al Québécois* afirmar mucho control de sus asuntos culturales. El conflicto existe sobre el grado de poder para ser sostenido en los niveles provinciales y federales de gobierno. Estas fronteras federales son menos propensas para estar en desacuerdo que las fronteras más institucionalmente divisivas en Irlanda del Norte. La naturaleza ambigua de fronteras federales aumenta la oportunidad para la regulación pacífica de conflicto.

Mientras líderes de Quebec se debaten la soberanía, las fronteras ganan importancia. El límite entre Quebec y Terranova nunca ha sido formalmente delineado. Reclamaciones de tierra excepcionales de los aborígenes y enclaves anglophone podrían obstruir la simple secesión de Quebec. Además, algunos analistas discuten que Quebec sólo podría marcharse con sus fronteras originales y así se obligarían a ceder toda la tierra concedida a ellos por el gobierno federal.⁶⁵ En el debate pasado sobre el Ministro canadiense de Asuntos Intergubernamentales surgió la sugerencia de Stéphane Dion que las partes de población Québec's (sobre todo Anglophones y Aborígenes) pudieran permanecer en Canadá en caso de una declaración *Québécois* de soberanía.⁶⁶ Esto puede ser remontado a un miedo de muchos años de que los Anglophones podrían ser separados del resto de Canadá.⁶⁷ Una vez que el límite es percibido como el requerir de una división estricta de grupos, el nivel de saliente y la hostilidad de aumentos de discusiones territoriales dramáticamente.

Como consecuencia a la tentativa de 1995 de declarar la independencia, el tribunal canadiense federal dictaminó que Quebec no tiene el derecho a tal

paz en Irlanda del Norte (II): El proceso de paz 1973 y 1994-96] DEMOCRATIZATION, Vol. 4 No. 3, pp. 1-25 (1997).

64. WHYTE, *supra* nota 33 en 100.

65. *Vea, por ejemplo*, DAVID L. VARTY, WHO GETS UNGAVA? [QUIEN COJE A UNGA VA?] (1991).

66. *Vea* Lubin, Martin, 1996. “Political Issues in Contemporary Quebec: Whither Party Politics in Quebec since the Referendum?” [Temas políticos en el Quebec contemporáneo: Políticas Whiter partido en Quebec desde el Referendum?] Papel Presentado en la Reunión 1996 de estado de Nueva York Asociación de Ciencia Política, el 29-30 de marzo, Ithaca, Nueva York; Antonio Wilson-Smith, Resistencia, Maclean, el 5 de febrero 1996, pp. 10-14.

67. *Vea, por ejemplo*, George Koch, *The Price of Separation*, [El precio de separación] ALBERTA REPORT, 17 March 1990, p. 13. Ingrid Peritz, *Anglo Separatists Surface Again*, [Superficie de Angloamericano Separatists Otra vez] MONTREAL GAZETTE, 20 April 1991, p. B4.

declaración, pero que Canadá se podría ver obligada a negociar una mayoría clara de Quebecers respondiese claramente sobre la soberanía de Quebec. Esto simplemente movió el debate a las cuestiones de que constituyen una mayoría clara y una pregunta clara. El volumen de ventas en las arenas federales y provinciales políticas sigue. El Partido de Reforma ha sido substituído por la Alianza canadiense con el líder Stockwell el Día. Con la dimisión de Lucien Bouchard, Bernardo Landry se hizo el Primer ministro de Quebec el 8 de marzo 2001. La cuestión de soberanía probablemente va a permanecer como debate durante algún tiempo.

B. Terrorismo

El terrorismo ha sido usado en ambas regiones para llamar la atención hacia conflictos. Considerablemente, el terrorismo nacionalista en Quebec ha sido dirigido principalmente a los símbolos de dominación colonial o federal, mientras que la violencia Republicana en Irlanda del Norte ha sido dirigida a civiles además de propiedades y símbolos del estado Británico. Los ataques sectarios conducidos por Legitimistas y Republicanos produjeron un estado de miedo y la ineficacia marcada por un modelo infinito de fuerza de disuasión y la venganza.⁶⁸

En Irlanda del Norte, persistente la violencia paramilitar en forma de castigos, palizas y tiroteos desde 1996 indicando que el curso futuro del proceso frágil de paz podría ser marcado por una vuelta a la violencia. Una contienda reciente interna por el UVF Y el UFF emparejado por actividades continuadas paramilitares y por la Continuidad y el IRA Verdadero sugiere que el proceso corriente de paz no sea dado por sentado.⁶⁹ En el pasado, la violencia paramilitar de los Republicanos PIRA para obligar al gobierno Británico de Irlanda del Norte y por el Legitimista UVF para mantener Irlanda del Norte Británico ha reclamado muchas vidas en el pasado, asegurando un conflicto bicomunal duradero.⁷⁰ Por ejemplo, la Amapola Enniskillen, la matanza de Día de once Protestantes en 1987 por el PIRA, los asesinatos de patrones Católicos y Protestantes en una barra en Greysteel en 1992 por el UVF, los asesinatos de PIRA de diez Protestantes en la pescadería de Frizzell en el Oeste Belfast en 1993 y continuo el bombardeo de IRA a civiles Protestantes y Católicos en Omagh Compañía en 1998. Tyrone reforzó históricos temores de

68. See Wright, *supra* nota 38 en 11-12. ALLEN FELDMAN, FORMATIONS OF VIOLENCE: THE NARRATIVE OF THE BODY AND POLITICAL VIOLENCE IN NORTHERN IRELAND. (1991).

69. Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, [Sociedad Consociacional y Civica, Caminos para lograr Paz en Irlanda del Norte] *supra* nota 21.

70. *Vea* Generalmente, Andy Pollak & Torkel Opsahl, Eds, A CITIZEN'S INQUIRY: THE OPSAHL REPORT ON NORTHERN IRELAND [LA INTRIGA DE UN CIUDADANO: EL REPORTE OPSAHL SOBRE IRLANDA DEL NORTE] (1993).

genocidio en ambas comunidades. La violencia paramilitar legitimista se ha intensificado durante los períodos de crisis cuando iniciativas Británicas de política han sido percibidas como una amenaza para abandonar a Protestantes a la nación Irlandesa. La violencia republicana, de otra parte, ha sido apuntada al forzar a una retirada Británica creando Irlanda Unida.

La Violencia ha polarizado ambas comunidades en Irlanda del Norte desacreditando alternativas moderadas. El PIRA ha rechazado rendir sus armas a cambio de la participación de *Sinn Fein* en la asamblea del Norte. Modere Nacionalistas representados por el SDLP y modérese los Unionistas representados por el OUP ahora temen que tras el decomiso de armas se encuentren en un callejón sin salida, que si las concesiones no son próximas por Republicanos y Legitimistas, entonces los abogados de fuerza física como la continuidad y el IRA Verdadero así como los Defensores Rojos De la mano y los Voluntarios De naranja puedan reclamar para ofrecer la única solución.⁷¹

El pico de actividad terrorista en Quebec fuJ en los años 1960, implicando grupos como *el Frente de Libération du Quebec* (FLQ) quien dibujó la inspiración de anti-colonial y campañas por los derechos civiles, el Marxismo y el PIRA.⁷² En el temprano de los años 1960, el FLQ condujo una campaña de bombardeo contra los símbolos de dominación colonial o federal. El FLQ parece haber tenido aproximadamente a 30 miembros activos, la mayor parte de quien fueron detenidos en 1963. Sin embargo, varios grupos al parecer no relacionados se identificaron como células de FLQ. Bombardeando actividades intensificadas en 1968-9 y en 1970 el comisionado Británico Comercial James Cross y el Ministro de trabajo de Quebec Pierre Laporte fueron secuestrados. Estos raptos aparecen haber sido los actos de aproximadamente diez personas, pero el primer ministro canadiense Pierre Trudeau reaccionó fuertemente, revocando la protección de libertades civiles, deteniendo 450 sospechosos, destruyendo prensa y movilizand 10,000 fuerzas militares y especiales de policía.⁷³ La opinión popular, suavemente en el apoyo del FLQ, cayó dramáticamente cuando Laporte fuJ ejecutado por sus raptores. En Quebec, el contragolpe gubernamental provocado por los ataques no logró producir la reacción deseada por los terroristas: en vez de la crítica del gobierno federal

71. Byrne, *Consociational and Civic Society Approaches to Peacebuilding in Northern Ireland*, [Sociedad Consociacional y Cívica, Caminos para lograr Paz en Irlanda del Norte], *supra* nota 21.

72. PIERRE VALLIÈRES, *WHITE NIGGERS OF AMERICA: THE PRECOCIOUS AUTOBIOGRAPHY OF A QUEBEC "TERRORIST"* [NEGROS BLANCOS EN AMERICA: LA AUTOBIOGRAFIA SOBRE UN TERRORISTA DE QUEBEC] (Joan Pinkham, trans., 1971).

73. *Vea SHEILAGH HODGINS MILNER & HENRY MILNER, THE DECOLONIZATION OF QUEBEC: AN ANALYSIS OF LEFT-WING NATIONALISM 195-223 (1973) [LA DECOLONISACION DE QUEBEC: UN ANALYSES DE NACIONALISMO DEL PARTIDO IZQUIERDO]; JEAN-CLAUDE ROBERT, DU CANADA FRANÇAIS AU QUÉBEC LIBRE: HISTOIRE D'UN MOUVEMENT INDÉPENDANTISTE [FRENCH CANADA AND FREE QUEBEC: HISTORY OF THE INDEPENDENCE MOVEMENT] 283-86 (1975).*

para invocar el Acto de Medidas de Guerra, los ciudadanos culparon a los agitadores por interrumpir este pacífico y sin igual sistema.⁷⁴ Los intentos fracasados para enmendar el Acto de Constitución 1982, promulgado a pesar de la oposición del gobierno de Quebec, combinada con el referéndum derrotado a la soberanía de Quebec puede reducir el atractivo de política institucional para nacionalistas de Quebec. Algunos negocios que se opusieron a la soberanía durante el referéndum han recibido cartas en papel con membrete FLQ como amenaza a la venganza de cualesquiera remotas acciones de anti-soberanía.

El Terrorismo permanece como una amenaza en Quebec. Los bombardeos recientes a cafés con nombres de Anglophones han sido relacionados con el nuevo FLQ. Reaccionando no solo en contra de la hendidura lingüística-cultural-política en Canadá sino también contra la globalización se podría afirmar que Quebec una vez más está en un período de lucha contra el terrorismo. Esta posibilidad será reducida si la política institucional puede dirigir las cuestiones de interés de los que podrían dar vuelta a la violencia.

Una diferencia entre las dos regiones así parece ser que *el Québécois* tiene acceso a las instituciones con mayor vista legítima, mientras a muchos Irlandeses Católicos del Norte ven las instituciones políticas como instrumentos Protestantes de represión. Los Quebecers son capaces de protestar contra cuestiones específicas sin procurar destruir el sistema entero político. La política institucional puede más tarde criar menos opiniones antagonistas del outgroup, mientras la violencia aumentará el antagonismo mutuo de los grupos. La estructura federalista de Canadá permite más regulación pacífica del conflicto.⁷⁵ La carencia de una estrategia de Irlanda del Norte previene hendiduras cortando los cruces, conduciendo así a un callejón sin salida institucional y constitucional. Las diferencias políticas en Irlanda del Norte crean relaciones tensas y percepciones malas entre las comunidades, causando una sociedad bipolar.

VI. FACTORES ECONOMICOS

Las diferencias económicas pueden ser encontradas en las comparaciones de prácticamente cualquier grupo. Ellos se hacen importantes en el conflicto ethnoterritorial al grado que las disparidades pueden ser unidas para la competencia entre grupos, el favoritismo institucional, los estereotipos y otros

74. Diane Francisca, *Threatning Cards and an FLQ Logo*, [Amenazando A cartas y un Logo FLQ], el 22 de abril 1996 DE MACLEAN, P. 11.

75. *Vea generalmente generally* MICHAEL BEHELS, *THE MEECH LAKE PRIMER: CONFLICTING VIEWS OF THE 1987 CONSTITUTIONAL ACCORD* (1989) [LA CARTILLA DE LAGO MEECH: LAS OPINIONES DE CONFLICTO DEL ACUERDO 1987 CONSTITUCIONAL (1998)]; McROBERTS, *supra* nota; PATRICK J. MONAHAN, *MEECH LAKE: THE INSIDE STORY* [EL LAGO MEECH: LA HISTORIA DEL INTERIOR] (1991).

factores, dividen los grupos. Los líderes de movimientos ethnoterritoriales pueden explotar disparidades en la distribución de recursos económicos desde movilizar un distrito electoral particular para apoyar sus exigencias. La conciencia de discriminación de intergrupo agrega preocupación económica a la clasificación total del Otro.

Los Protestantes de Irlanda del Norte históricamente han tenido el un acceso más grande a recursos políticos y económicos que los Católicos.⁷⁶ Las áreas católicas tienen el nivel del desempleo más alto que las áreas Protestantes. Las prácticas de reclutamiento, la carencia de desarrollo industrial, la emigración y la discriminación aumentan el hueco económico entre Protestantes y Católicos, dividen las clases obreras, y refuerzan la discriminación de intergrupo.⁷⁷ Privilegios económicos en el alojamiento y el empleo disfrutado por Protestantes redujeron el saliente de esta clase de conflicto y en parte puede explicar el apoyo continuado Protestante para eslabones institucionales con Gran Bretaña.⁷⁸ Aunque ambos grupos tengan las distribuciones similares de miembros que se identifican con varias clases económicas, ellos probablemente van a ver diferencias de intergrupo como más importante que la disparidad intragrupo.⁷⁹

76. See John Agnew, *Beyond Reason: Spatial and Temporal Sources of Ethnic Conflicts*, in *INTRACTABLE CONFLICTS AND THEIR TRANSFORMATION* [Más allá de razón: las fuentes espaciales y temporales de conflictos étnicos, en conflictos insuperables y su transformación] 44-46 (Louis Kriesberg et al., eds., 1989); MICHAEL FARRELL, *NORTHERN IRELAND: THE ORANGE STATE* [IRLANDA DEL NORTE: EL ESTADO NARANJA] 2-98 (1980); WALLIS ET AL., *supra* nota 43 en 1-35; LIAM O'DOWD ET AL., *NORTHERN IRELAND: BETWEEN CIVIL RIGHTS AND CIVIL WARS* [IRLANDA DEL NORTE: ENTRE DERECHOS CIVILES Y GUERRAS CIVILES] (1980); John Agnew & James G. MacLaughlin, *Hegemony and the Regional Question: The Political Geography of Regional Industrial Policy in Northern Ireland*, [Hegemonía y la pregunta regional: la geografía política de política regional industrial en Irlanda del Norte] *ANNALS OF THE ASSOC. OF AMER. GEOGRAPHERS*, Vol. 76 (1986), pp. 247-261.

77. Vea PAUL ARTHUR & KEITH JEFFREY, *NORTHERN IRELAND SINCE 1968* [DESDE 1968 IRLANDA DEL NORTE] (1988); R.J. CORMACK & ROBERT D. OSBORNE, *RELIGION, EDUCATION AND EMPLOYMENT: ASPECTS OF EQUAL OPPORTUNITY IN NORTHERN IRELAND* [EDUCACION Y EMPLEO: ASPECTOS DE OPORTUNIDAD IGUALES EN IRLANDA DEL NORTE] (1983); Bill Rolston, *Alienation or Political Awareness? The Battle for the Hearts and Minds of Northern Nationalists*, in *BEYOND THE RHETORIC: POLITICS, THE ECONOMY, AND SOCIAL POLICY IN NORTHERN IRELAND* [ENAJENACION O ENTENDIMIENTO POLITICO? LA BATALLA POR LOS CORAZONES Y LAS MENTES DE LOS NACIONALISTAS DEL NORTE EN MAS ALLA DE LA RETORICA: POLITICA, LA ECONOMIA, Y POLICA SOCIAL EN IRLANDA DEL NORTE] 58-91 (Paul Teague ed., 1987).

78. Vea FRANK GAFFKIN & MARTIN MORRISSEY, *NORTHERN IRELAND: THE THATCHER YEARS* [IRLANDA DEL NORTE: LOS TIEMPOS DE THATCHER] (1990); RONNIE MUNCK, *IRELAND: NATION, STATE AND CLASS STRUGGLE* [IRLANDA: NACION, ESTADO, Y LUCHA DE CLASES] (1985); BELINDA PROBERT, *BEYOND ORANGE AND GREEN: THE POLITICAL ECONOMY OF THE NORTHERN IRELAND CRISIS* [MAS ALLA DE EL ANARANJADO Y VERDE: LA ECONOMIA POLITICA DE EL CRISIS EN IRLANDA DEL NORTE] (1978).

79. Seán Byrne & Michael Ayulo, *External Economic Aid in Ethno-Political Conflict: A View From Northern Ireland*, [Ayuda externa para la economía en conflictos ethno-político: Como visto de Irlanda del Norte] *SECURITY DIALOGUE*, Vol. 29 No. 4 (1998), pp. 219-33.

Quebec hace mucho expuso el modelo económico similar al de Irlanda del Norte. El protestantismo correlacion\ fuertemente con el capitalismo; Quebec fuJ dominada económicamente por la minoría anglophone, así como los Católicos Francófonos tendieron a evitar empresas capitalistas. En los años 60's, los estudios de disparidad económica mostraron diferencias enormes del bienestar económico de las dos comunidades lingüísticas de Québec.⁸⁰ Esta desigualdad ayud\ a cambiar el sentimiento nacionalista en Quebec del aislacionismo ultramontane al cosmopolitanismo secular como tambiJn *el Québécois* comenzó a buscar el control político de recursos provinciales. Los gobiernos federales y de Quebec iniciaron leyes de lengua para dirigir las percepciones nuevas de discriminación económica contra Francophones. Sin embargo, las dos lenguas permanecen asimétricas y esto es generalmente más ventajoso para los Francophones para aprender el inglés que para Anglophones para aprender el francés. Los políticos de Quebec defienden sus leyes de lengua relativamente estrictas sobre la necesidad de neutralizar esta asimetría. Desde la Revolución Tranquila, Quebecers francófono ha mejorado enormemente su estado económico y sus niveles de educación.

Las dos Irlanda del Norte y Quebec han expuesto modelos de nepotismo que aumentan la solidaridad dentro del grupo. Si este modelo es aceptado por los grupos, como en Quebec tradicional, esto no será dañoso al alojamiento de intergrupo. Sin embargo, si la competencia económica se domina o un cambio ocurre con tendencias económicas, la polarización y la hostilidad muy bien pueden aumentar.

VII. FACTORES SICOCULTURALES

Las relaciones y emociones tensas a menudo se intensificaban durante el cambio social o cuando se percibían crisis políticas entre Protestantes y Católicos en Irlanda del Norte y entre Anglophones y Francophones en Quebec. Durante la crisis, cada grupo retrata la cultura contraria como un outgroup o el enemigo para reunir el ingroup contra el genocidio potencial o la subyugación. Símbolos culturales y estereotipos refuerzan la identidad de grupo y la solidaridad y claramente distinguen el ingroup del outgroup.

La importancia de simbolismo ayuda a explicar la naturaleza de los conflictos en Irlanda del Norte y Quebec. Los símbolos crean el sentido de la concordancia entre miembros de grupo y les ayudan a clasificar sus creencia políticas. Los grupos ethnoterritoriales a menudo promueven el prejuicio y la creación de los estereotipos invocando tradiciones de grupo para simbolizar

80. *Vea, por ejemplo*, JOHN PORTER, *THE VERTICAL MOSAIC: AN ANALYSIS OF SOCIAL CLASS AND POWER IN CANADA* [EL MOSAIC VERTICAL: UN ANALYSIS DE CLASSES SOCIALES Y DE EL PODER EN CANADA] (1965); Mathieu, Jacques and Jacques, 1991. Jacques Mathieu and Jacques Lacoursière, *LES MÉMOIRES QUÉBÉCOISES* [THE MEMOIRS OF THOSE FROM QUEBEC] (1991).

cuestiones (por ejemplo la nacionalidad, la religión, y la identidad étnica) que tiene ser resuelto todavía. ⁸¹ El conflicto del Norte Irlandés aparece insuperable porque cuestiones económicas son complicadas por crisis de identidad religiosas y nacionales encajadas en mentes de la gente de una temprana edad. ⁸² Estas imágenes fisioculturales y políticas son usadas para clasificar a la gente de otra comunidad como un outgroup. ⁸³ El papel de Québec en el debate constitucional de Canadá se centra alrededor del estado de Québec como una sociedad distinta o como una de las diez provincias iguales. ⁸⁴ La naturaleza del debate y la forma de dirigir el conflicto en estas dos regiones crea culturas políticas únicas.

En Irlanda del Norte, los mitos de sitio, la victoria, la matanza y el martirio permiten a dos tradiciones culturales distintas coexistir inquietamente en un entorno sectario. ⁸⁵ Los protestantes y Católicos usan estos acontecimientos históricos para promover la solidaridad de grupo, reduciendo así el potencial para la cooperación de intergrupo. ⁸⁶ Los Protestantes Irlandeses del Norte creen que sus símbolos culturales, banderas y vacaciones son de importancia para sus valores principales, costumbres culturales y estructuras de creencia. Las marchas de naranja son percibidas como “una expresión tradicional de un derecho legal” para mostrar valores Protestantes y símbolos. ⁸⁷ De la misma manera, Católicos del Norte Irlandeses llevan lirios de Pascua para conmemorar la Rebelión de Pascua de 1916. La existencia de estos símbolos culturales y religiosos refuerza la solidaridad ingroup y la hostilidad outgroup. ⁸⁸

81. *Vea, por ejemplo*, KEVIN BOYLE & TOM HADDEN, *NORTHERN IRELAND: A POSITIVE PROPOSAL* [IRLANDA DEL NORTE: UN PROPOSITO POSITIVO] (1985); E.E. O'Donnell, *Northern Irish Stereotypes* [Estereotipos del norte irlandeses] (1978).

82. *Vea* ROSE, *supra* nota 37 en 60-127.

83. *Vea, por ejemplo.*, John E. Greer, *Viewing the Other Side in Northern Ireland: Openness and Attitudes to Religion among Catholic and Protestant Adolescents*, [Mirando al otro lado del Irlanda del Norte: Actitudes abiertas hacia la religión de los Católicos y Protestantes Adolescentes]. 24 *J. FOR THE SCIENTIFIC STUDY OF RELIGION* [PARA EL ESTUDIO SIENFIFICO DE RELIGIÓN] 275-92 (1985); ROSEMARY HARRIS, *PREJUDICE AND TOLERANCE IN ULSTER: A STUDY OF NEIGHBOURS AND STRANGERS IN A BORDER COMMUNITY* [Prejuicio y tolerancia en Ulster: Un estudio de vecinos y desconocidos en comunidades cercanas] 178 (1972).

84. *Vea, por ejemplo*, RONALD L. WATTS & DOUGLAS M. BROWN, *OPTIONS FOR A NEW CANADA* [OPCIONES PARA UNA NUEVA CANADA] (1991); CHARLES TAYLOR, *RECONCILING THE SOLITUDES: ESSAYS ON CANADIAN FEDERALISM AND NATIONALISM* [RECONCILIANDO LA SOLIDARIDAD: ESCRITOS SOBRE FEDERALISMO Y NACIONALISMO EN CANADA] (1993); MONAHAN, *supra* nota 75.

85. STEWART, *supra* nota 51.

86. *Vea* MARI FITZDUFF, *BEYOND VIOLENCE: CONFLICT RESOLUTION PROCESSES IN NORTHERN IRELAND* [MAS ALLA DE LA VIOLENCIA: PROCESO PARA RESOLVER CONFLICTOS EN IRLANDA DEL NORTE] (1996).

87. WALLIS ET AL., *supra* nota 43 en 1-20.

88. Byrne y Delman, *supra* nota 39; NORTHROP, *supra* nota 50.

Un eslabón fuerte existe entre la violencia Republicana, el catolicismo y una cultura pan-celta centrada alrededor de la naturaleza redentora de un sacrificio de sangre. Los Católicos del Norte Irlandés a menudo invocan la importancia simbólica “de mártires para la causa,” o figuras parecidas a un Cristo, mejor ejemplificadas por las muertes de Bobby Sands durante las Huelgas de hambre 1981 y Patrick Pearse durante el Rebellón 1916.⁸⁹

Rituales Simbólicos tienden más lejos a intensificar el conflicto por mantener el crecimiento de estructuras de creencia sectarias. Los extremistas representan el conflicto como una lucha entre el bien y mal.⁹⁰ Los moderados, sin embargo, perciben el conflicto como político y económico, más bien que como un término religioso.⁹¹ Como el debate se tornó de asuntos económicos y políticos a preguntas de identidad ethnoreligiosas la polarización se quita de la mitad del terreno.⁹²

Lipset reclama que Canadá es un país de naciones derrotadas, y por lo tanto su simbolismo a menudo refuerza las nociones del desafío de supervivencia para sociedades distintas en un clima inhospitalario, afrontado con la amenaza omnipresente de asimilación.⁹³ Quebec también tiene algunos héroes que ejemplifican las dificultades de supervivencia francófona. Louis Riel, un líder Métis en el oeste, ejemplificó las dificultades afrontadas por Francófonos fuera de Quebec. Riel fue ahorcado como un traidor por conducir una rebelión contra la revocación de protección para Métis Francófono en Manitoba. Los nacionalistas usan su historia para ejemplificar como hostil el resto de Canadá es a la igualdad francófona. Los políticos de Quebec usan el simbolismo con eficacia, acentuando la tierra, la lengua, la fe y familias. El banquete de San Juan el Bautista es sostenido como la fiesta nacional de Québec. Para intensificar el sentido de nacionalismo *Québécois*, los activistas han usado lemas como “Maîtres el chez-nous” (Maestros en su propia casa) para representar un deseo de autodeterminación y de responsabilidad económica. Con la atención aumentada francófona al simbolismo nacional, los Anglophones respondieron con símbolos canadienses:

89. Veá, Conor Cruise O'Brien, *Ireland: The Mirage of Peace*, [Irlanda la imagen de paz] 33 THE N.Y. REV. OF BOOKS 23-33 (Apr. 1986); JOHN M. FEEHAN, BOBBY SANDS AND THE TRAGEDY OF NORTHERN IRELAND [JOHN M. FEEHAN, BOBBY SANDS Y LA TRAJEDIA DE IRLANDA DEL NORTE] (1986).

90. Veá, Jennifer Todd, *Two Traditions in Unionist Political Culture*, [Dos tradiciones en Cultura Política Unionista] 2 ESTUDIOS POLITICOS DE IRLANDA 1-26 (1987). Veá también, WHYTE, *supra* nota 33.

91. Veá, Cathal McCall, *Postmodern Europe and the Resources of Communal Identities in Northern Ireland*, [Premoderna Europa y las identidades de recursos communal en Irlanda del Norte] 33 EURO. J. OF POLIT. RESEARCH 389 (1998).

92. AGNEW, *supra* nota 76 en 41-53.

93. Veá *generalmente*, Seymour Martin Lipset, CONTINENTAL DIVIDE: THE VALUES AND INSTITUTIONS OF THE UNITED STATES AND CANADA [DIVISION CONTINENTAL: LOS VALORES Y INSTITUCIONES DE LOS ESTADOS UNIDOS Y CANADA] (1990).

la Hoja de Arce ha sido la insignia de Canadá sólo desde 1965: “o la que Canadá, substituyó el Dios Salva a la Reina” en 1967.

Durante el referéndum de 1995 a la soberanía, los dos dieron el sí y ningdn lado intent\ usar símbolos para representar sus lealtades. Mientras los nacionalistas tendieron a dar prioridad a los símbolos de *Québécois*, ellos decidieron usar el dólar canadiense como monJda en su simbolismo para representar la continuada cooperación económica entre Quebec independiente y el resto de Canadá. Los federalistas con frecuencia combinaban al Canadiense y los símbolos *Québécois* en una tentativa de ilustrar la coexistencia y complimentar la lealtad de ambas entidades.

El Simbolismo intensifica la violencia en Irlanda del Norte, donde la gente puede ser aterrorizada por pertenecer a un grupo u otro; pero esto no ha conducido al conflicto violento en Quebec. El conflicto del Norte Irlandés es marcado por una intensa hostilidad e imaginaci\ n que rechaza la cooperación con cualquier otra comunidad. En Canadá, sin embargo, el mito “de dos carreras de fundación” la forja de falsificación de un compacto social indica la conveniencia de alojamiento intercomunal a pesar de las diferencias fundamentales.

VIII. CONCLUSION

En general, Irlanda del Norte experimenta más problemas con el terrorismo y el conflicto de identidades nacionales que Quebec debido a la inseguridad de cada grupo étnico sobre la pregunta nacional. La carencia de control de la política, la sospecha mdtua hacia la traición, las historias de violencia de intercomunidad y el simbolismo que promueve una mentalidad de sitio todos reducen el potencial para Irlanda del Norte para crear el sentido de la identidad compartida. Al contrario las ventajas de Quebec sobre la existencia del federalismo, reduce ambos grupos al estado de minoría y también promueve algún reconocimiento mutuo basado en el mito de la creación de Canadá por un pacto entre dos “carreras que fundan.” Sin embargo, el fracaso repetido en la negociación de asuntos constitucionales reduce la buena voluntad de ambos lados del debate. A pesar del potencial para el alojamiento presentado por los aspectos positivos de minorías dobles, los problemas todavía amenazan el equilibrio.

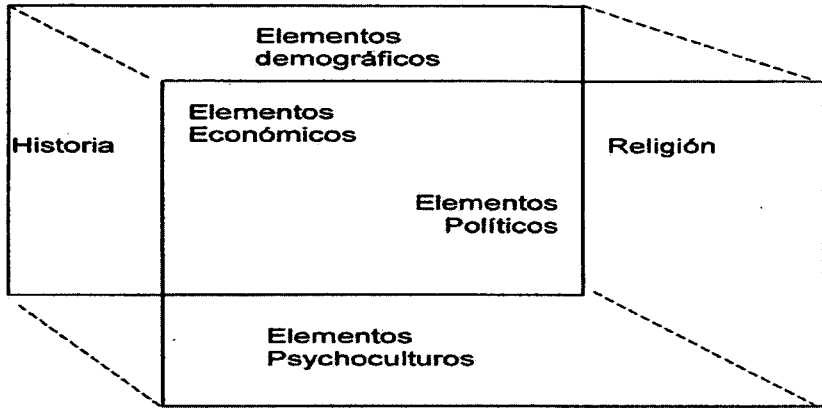
Hemos identificado unos factores significativos interrelacionados que son la parte de un análisis multi-causal de conflicto en Irlanda del Norte y Quebec. Estas seis facetas o las fuerzas sociales del cubo deben ser examinadas juntos si debemos entender como los conflictos ethnoterritoriales pueden ser mejorados o exacerbados. Los seis factores producen diferentes modelos, con algunos factores que refuerzan el conflicto potencial y otros que mitigan las diferencias. Lamentablemente, el cubo social no puede capturar la naturaleza

dinámica de las políticas y por lo tanto puede parecer dar demasiado poco peso a acontecimientos recientes en ambas regiones. Sin embargo, nuestro análisis indica las dificultades que deben ser vencidas si un establecimiento durable llegase a ser alcanzado en Irlanda del Norte así como los que enfrentan el intento de los Quebecers para definir la naturaleza política de su provincia. La naturaleza que se entrelaza del cubo también indica que dirigirse sólo en una dimensión es improbablemente proporcional para proveer un establecimiento, pero también que las mejoras de un área sola pueden mejorar otros también.

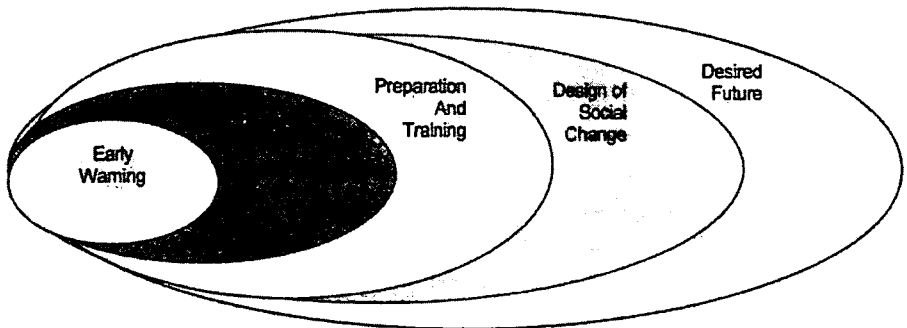
Lo que está de pie en nuestro análisis es la manera que el material y las dimensiones psicológicas actúan recíprocamente para mantener o mitigar el conflicto de intergrupo. Actitudes sectarias firmemente enraizadas resultan de las instituciones políticas y económicas, los estereotipos culturales que refuerzan el fanatismo, la sospecha y la polarización. Un acercamiento del cubismo social holístico al conflicto de intergrupo debe ser considerado para como mecanismos estructurales y fisicoculturales que actúan recíprocamente para exacerbar o, de verdad, mejorar conflictos ethnoterritoriales. La investigación futura debería dirigir la interrelación de mecanismos materiales y psicológicos que formen las políticas ethnoterritoriales.

IX. APENDÍCES

A. *Figura 1: el Cubo Social*



B. *Figura 2: Integrative Framework*



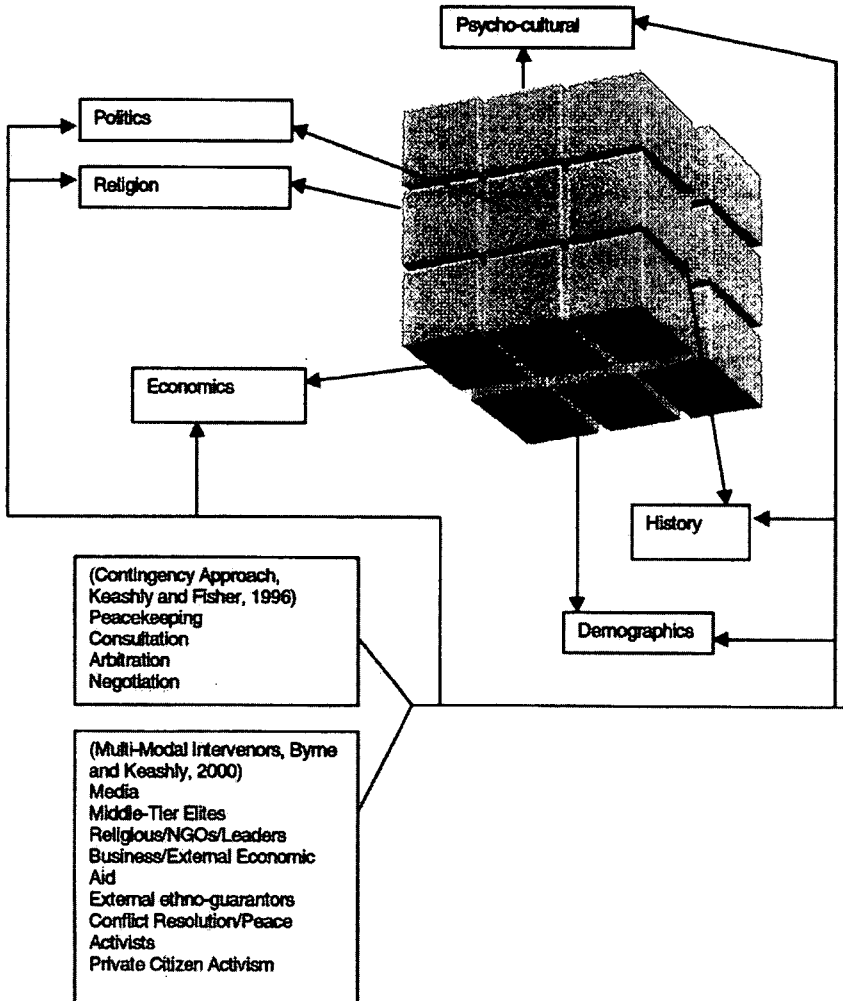
C. Figura 3: Six Social Forces of the Complex Cube

CONFLICT FACTOR	IRLANDA DEL NORTE	QUÉBEC
FACTORES ECONÓMICOS	Ambos grupos apoyan el nepotismo. La clase obrera se dividió a lo largo de líneas étnicas. Las diferencias de clase existen dentro de grupos, pero son percibidos como menos importante que diferencias de inter-grupo.	Anglophones tradicionalmente dominaron la economía. La modernización desde los años 1960 aumentó la estaca (número) Francófona en el negocio.
FACTORES RELIGIOSOS	Ambos grupos tienden a formar enclaves. Legitimistas protestantes siguen la doctrina de lealtad condicional.	La religión era la base para sistemas separados educativos. La iglesia católica era la institución dominante social, pero la religiosidad ha disminuído desde los años 1960.
FACTORES POLÍTICOS	El terrorismo usado para dirigir la partición e inculca el miedo dentro de y entre comunidades para mantener la sociedad bipolar. La partición es central a la identidad nacional. Mando directo del REINO UNIDO instituído en 1972 debido a carencia de representación Católica.	La estructura federal permite el medio de grupos de representación eficaz, legítima. El nacionalismo se concentra en papel de Quebec como el defensor de la cultura francófona.
FACTORES PSYCHO-CULTURAL	Las tradiciones, valores, vacaciones y símbolos refuerzan la identidad étnica y religiosa; el conflicto es acentuado en marchas simbólicas. Escuelas gaélicas han estado activas en áreas de clase obrera Católicas nacionalistas, así reforzando la identidad étnica y el miedo. Acontecimientos culturales mantienen comunal divide, así dificultando la identidad compartida.	Francophones lengua tradicionalmente usada, tierra, raza(carrera), y religión para promover su identidad. En los años 1960, Francophones simbolismo cada vez más usado nacionalista. El Inglés-Canadians respondió con el desarrollo de simbolismo canadiense. Alguna mezcla de símbolos canadienses y de Quebec por los federalistas.
FACTORES HISTORICOS	El martirio y batallas son usados para reforzar el intergrupo están en desacuerdo y promueven enclaving. Las nuevas promulgaciones de acontecimientos históricos acentúan el saliente de territorio y la cohesión étnica.	Ven el conflicto francés-inglés como constitutivo de Canadá. Québécois a menudo se refieren "a la Conquista" y se refieren a Anglophones como "el inglés". Canadienses ingleses tienden a usar categorías regionales.
FACTORES DEMOGRAFICOS	El miedo de genocidio ayuda acentúan la identidad ethnoterritorial. "Minorías Dobles" afectan percepciones cada grupo sostiene del otro. Las posiciones son defendidas y un pequeño medio del terreno no está en una posición para articular y acomodar intereses.	Anglophones son la parte del contexto más amplio canadiense. Francophones han desarrollado una mentalidad de sitio para sostener una identidad regional y lingüística. Los cambios de índices de natalidad y la inmigración afectan la política Québec's cultural.

D. Figura 4: Interacción de las Seis Fuerzas

CONFLICT FACTOR	IRLANDA DEL NORTE	QUÉBEC
FACTORES ECONÓMICOS	Usado para apoyar las reclamaciones de discriminación basada en religión. Potencialmente podría mitigar la hendidura étnica con desacuerdos de clase internos	Principalmente usado para comparar Quebec y otras provincias. De vez en cuando eran Usado para comparar grupos lingüísticos, sobre todo durante la Revolución Tranquila.
FACTORES RELIGIOSOS	Usado como una etiqueta de categoría primaria, substituyendo identidad étnica y lengua. Disminuye el potencial para el compromiso, como prestan símbolos morales a partidos contrarios.	Ha perdido algún saliente con la modernización, pero ha ayudado a formar una tradición de aceptación de jerarquía y el compromiso entre dos grupos principales lingüísticos, y el modelo divergente económico. Su saliente es ahora menos que la de identidad étnica y lengua.
FACTORES POLÍTICOS	El terrorismo refuerza la hendidura religiosa, reduce el saliente de factores económicos, y contribuye al apoyo histórico para el conflicto continuado. La reducción de violencia puede mitigar el conflicto. Estado constitucional inaceptable a la mayor parte ciudadanos.	El terrorismo era una cuestión menor, pero la matanza deliberada durante finales políticos consideró inaceptable. Instituciones corrientes políticas, por su complejidad, reducen el saliente de hendiduras. Instituciones políticas tienen un efecto surtido(mixto) sobre historias, como los nacionalistas y el federalista con criterio selectivo pueden escoger ejemplos.
FACTORES SICO-CULTURALES	Generalmente estos factores refuerzan un conflicto bipolar por acentuando la amenaza de destrucción mutua. Puede cambiar con el alto el fuego y la confianza que construye medidas.	Estos factores tienen un efecto surtido(mixto) en Quebec. Unos promueven la lealtad de traslapo con Quebec y Canadá, mientras otros indican que la lealtad es mutuamente exclusiva. Símbolos ingleses canadienses son en gran parte una reacción al nacionalismo Francófono, y eran lentos para distanciarse de símbolos Británicos.
FACTORES HISTÓRICOS	Historias usadas para promover una vista(opinión) de bicomunal de la región por el recontar de conflicto pasado	Historias surtidas(mixtas) entre conflicto y compromiso. También pueden ver las figuras de cooperación como las figuras de co-optación.
FACTORES DEMOGRÁFICOS	El hueco de población de estrechamiento aumenta el Protestante teme de asimilación. Los aumentos de proximidad tienen que mantener fronteras.	La disminución en índices de natalidad Québécois aumenta francófono teme de asimilación y la demanda del control aumentado de política cultural. El predominio francófono en la provincia mitiga el nivel de hostilidad.

E. Figure 5: Early Warning-Contingency “Social Cube” Escalators/ De-escalators



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CUBISMO INDUCTIVO SOCIAL INTEGRADO

*Lana Russ-Trent**

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I. INTRODUCCIÓN

Sean guerras entre naciones o discusiones dentro de familias, el conflicto es causado por muchos factores y fuerzas, e interno o externo, micro o macro. Además, las tensiones de agencia/estructura son endémicas a cualquier análisis de conflicto en relación con las decisiones de actuar, ajustar, o críticamente negociar contextos a menudo ambiguos y/o contextos relacionales que implican contradicción, grandes y pequeños.² Los factores hablados en Byrne's y Carter's el Modelo de Cubismo Social sostienen una llave de una discusión más honda de la toma de decisiones y los estados dinámicos en los que las 6 facetas de su cubo rubics actúan recíprocamente con el uno al otro.³ Esta discusión sugiere un análisis hasta más hondo, inductivo e integrante de conflicto que usa dos llaves adicionales o cubos rubics.

Verdaderamente, mientras el Cubismo Social utiliza un cubo rubics con 6 facetas,⁴ el Cubismo Inductivo Social Integrado sugiere tres cubos con 18 facetas: un cubo, dentro de un cubo, dentro de otro cubo. El Cubismo Inductivo Social Integrado sugiere que el discurso extenso y intrincado de agencia/estructura es un baile emergente, infinito, y dinámico entre los cubos y sus facetas, contrario al dilema opositorista silogístico de Cartesiano, Manichean y el. El Cubismo Inductivo Social Integrado amplía ambos los análisis de conflicto y su dinamismo según el contexto conducido. Así el análisis de conflicto es dialécticamente analizado del exterior Asia dentro y luego al revés, mientras que las facetas se relacionan con el uno al otro y son re-sintetizados. El modelo del Cubismo Inductivo Social Integrado por lo tanto, propone dialéctico, el posmodernista, la feminista, el análisis heurístico,

2. *Vea generalmente* W.JAMES, PRINCIPLES OF PSYCHOLOGY [PRINCIPIOS DE PSICOLOGÍA] (1890); G.H. MEAD, MIND, SELF, AND SOCIETY FROM THE STANDPOINT OF A SOCIAL BEHAVIORIST [LA MENTE, SER, Y SOCIEDAD DESDE EL PUNTO DE VISTA DE UNO QUE ESTUDIA COMPORTAMIENTO](1934); GEORG SIMMEL, CONFLICT AND THE WEB OF GROUP AFFILIATIONS [CONFLICTO Y EL TEJIDO DE LAS AFILIACIONES DE GRUPO](Wolff, trans. 1955).

3. *Vea Sean Byrne & Neal Carter, Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec, [Cubismo Social: Seis fuerzas Sociales de las políticas Emoterritoriales de Irlanda del Norte y Québec]* J. OF PEACE AND CONFLICT STUD. Vol. 3 No. 2, pp 52-71, December 1996.

4. *Id.*

fenomenológico, y elicitivo teórico - un más integrante que opositorista.⁵ Tal análisis requiere, pensamiento crítico integrante e inductivo.

II. LOS ORÍGENES DE CUBISMO INDUCTIVO SOCIAL INTEGRADO: CUBISMO SOCIAL POR BYRNE Y CARTER (1996)

Byrne y Carter sugieren analizar conflictos ethnoterritorial y comunales utilizando un cubo rubics para expresar la interrelacionalidad compleja de los seis factores endémicos, señaladamente, los datos demográficos, la economía, la religión, la política, la psycho-cultura, y la historia (Vea la Figura (número) 1).⁶ Sugiero que cada una de estas facetas esta relacionada directamente con estructura, en efecto, cuestiones macro-sociales y contextos. Byrne y Carter también postulan que su clasificación de seis factores obscurece la diversidad interna y sugieren que investigación futura y más profunda es necesario para totalmente explicar las complejidades del conflicto en su debido contexto.⁷ El Cubismo Inductivo Social Integrado procura seguir donde Byrne y Carter han acabado.⁸ (Vea la Figura (número) 2).

III. CUBISMO INDUCTIVO SOCIAL INTEGRADO

El Cubismo Inductivo Social Integrado usa el mismo sistema general de análisis de Byrne y Carter.⁹ Sin embargo, esto sugiere inductivamente investigar más profundamente los sistemas, integrándose por el camino, y re-sintetizándose usando un cubo, dentro de un cubo, dentro de otro cubo. Este triple nivel de análisis dialéctico emergente se relaciona con relaciones

5. *Vea generalmente* H. Blumer, *Society as Symbolic Interaction*, in *SYMBOLIC INTERACTION [SOCIEDAD COMO UNA INTERACCION SIMBOLICA]* (H. Blumer, ed., 1969) (1962); P. FRIERE, *PEDAGOGY OF THE OPPRESSED*. [LA PEDAGOGÍA DE LOS OPRIMINDOS] (1970); H.G. GADAMER, *TRUTH AND METHOD [LA VERDAD Y EL METODO]* (1975); H.G. GADAMER, *HEGEL'S DIALECTIC; FIVE HERMENEUTIC STUDIES [EL DIALECTO DE HEGEL; CINCO ESTUDIOS HERMENEUTICOS]* (1976); J. GALTUNG, *PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT, DEVELOPMENT AND CIVILIZATION [PAZ POR MANERAS PACIFISTAS: PAZ Y CONFLICTO, DESARROLLO Y LA CIVILIZACIÓN]* (1996); E. Husserl, *Ideas: General Introduction to Pure Phenomenology*. [IDEAS: INTRODUCCIÓN GENERAL A LA FENOMENOLOGIA PURA] (D. Carr, trans., 1931); J.P. LEDERACH, *PREPARING FOR PEACE: CONFLICT TRANSFORMATION ACROSS CULTURES [PREPARANDO PARA LA PAZ: TRANSFORMACIÓN DE CONFLICTO SOBRE CULTURA]* (1995) [COMO SE VERA MAS ADELANTE PREPARING FOR PEACE]; J.P. LEDERACH, *BUILDING PEACE; SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES* (1997) [COMO SE VERA MAS ADELANTE BUILDING PEACE]; G. RITZER, *MODERN SOCIOLOGICAL THEORY* (4TH ED. 1996); A. SCHUTZ, *THE PHENOMENOLOGY OF THE SOCIAL WORLD* (1932).

6. *Vea* Byrne & Carter, *supra* nota 2.

7. *Id.*

8. *Id.*

9. *Id.*

poderosas complejas y discontinuidades profundas en fenómenos¹⁰ existenciales, ambos, latente y manifestándose dentro y cruzándose, las toma de decisiones negociaciones entre las facetas de los tres cubos. Por lo tanto, la subjetividad es mas como una ventaja que una deuda - la vista es decididamente implicada y sin objetividad. Imagine los tres cubos como el escenario delantero, entre bastidores, y el actor, respectivamente, el tema principal teatral del Interaccionista Simbólico de Goffman "análisis dramaturgical".¹¹ Las escenas, los ajustes, actores y la audiencia están en un estado continuo de flujo, desdoblándose y adaptándose con cada interacción.¹² Ellos son uno, aún ellos actúan en desunión.

El análisis Social Cubista de un cubo plantea un rompecabezas de 6-facetas. El análisis del Cubismo Inductivo Social Integrado de los tres cubos (vea la Figura (número) 2) propone que nosotros exploremos las relaciones innatas e internamente tensas que se manifiestan en formas diferentes, durante orientaciones de tiempo diferentes, contextos, y estados de asuntos tríadas y contextos nacientes. Analizamos el conflicto del nivel macro estructural social, que penetra en el nivel micro donde la agencia humana y el potencial de decisiones son desarrollados, comenzado de nuevo y re-sintetizando por el camino. El conflicto no es únicamente conducido por el actor, conducida por la estructura, o conducido por el contexto. Es la suma total de un grupo de interacciones en movimiento infinito y reajuste continuo que es complejo y frecuentemente estratégico¹³. Además, la dinámica de poder relacionado¹⁴ es continuamente mediada y negociada por reglas y caracteres¹⁵ socialmente construidos, de los distritos electorales más grandes a las experiencias

10. Vea generalmente Haack, Evidence and Inquiry: Towards Reconstruction in Epistemology (1998).

11. E. GOFFMAN, PRESENTATION OF SELF IN EVERYDAY LIFE (1959) [como se vera mas adelante PRESENTATION OF SELF IN EVERYDAY LIFE]; E. GOFFMAN, FRAME ANALYSIS: AN ESSAY ON THE ORGANIZATION OF EXPERIENCE (1974).

12. Vea también B. Hooks, *Let's Get It On*, in PERFORMANCES PRACTICES AS A SITE OF OPPOSITION 210-221 (Catherine Ugwu, ed., 1995); J. DERRIDA, SPECTERS OF MARX (1999) (discussing "performative interpretation").

13. Lana Russ-Trent, *Women Going Against the Grain: Female Political Militarism in Northern Ireland: the Phenomenon of Female Resistance: A Phenomenological Exploration of Women's "Strategic Living;"* Disertación manuscrita (no publicado). Department of Humanities and Social Science, Nova Southeastern University, Fort Lauderdale, Florida (2001). Vea también PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* nota 10; JAMES, *supra* nota 1; MEAD, *supra* nota 1; SIMMEL, *supra* nota 1.

14. Vea M. FOUCAULT, THE ARCHEOLOGY OF KNOWLEDGE AND THE DISCOURSE OF LANGUAGE (1969) [COMO SE VERA MAS ADELANTE THE ARCHEOLOGY OF KNOWLEDGE]; M. FOUCAULT, THE ORDER OF THINGS: AN ARCHEOLOGY OF HUMAN SCIENCES (1971) [como se vera mas adelante THE ORDER OF THINGS].

15. Vea generalmente J. LORBER, PARADOXES OF GENDER (1994) [como se vera mas adelante PARADOXES OF GENDER]; THE SOCIAL CONSTRUCTION OF GENDER (Lorber & Farrell, eds., 1991).

individuales existenciales más pequeñas,¹⁶ los orígenes y “asociados”.¹⁷ Las relaciones de poder así son encajadas, sumergidos, realmente dobladas en cada conflicto y su análisis de modo diversos.¹⁸

A. *Cubismo Inductivo Social Integrado (Russ-Trent 2000)*

Como se ha discutido, comenzamos con la premisa de las seis facetas o fuerzas relacionadas de Byrne y Carter del Cubo exterior más grande, que constituye el escenario delantero.¹⁹ La historia, la religión, datos demográficos, instituciones políticas y el comportamiento institucional, la economía, y factores psíco-culturales son interpretadas como estructura y macro en carácter. Sin embargo, empotrado en el interior del Cubo (numero) I, reside el Cubo (numero) II, el escenario oculto, las facetas (colectivas) basadas por grupo. La categoría “basada en grupo” deduce que nos ocupamos simultáneamente de la agencia de individuos en relación con las estructuras en las que ellos actúan y visa versa, sugiriendo la reciprocidad, el cambio, y la identidad “colectiva” contextual social (micro y macro). Las facetas del Cubo (numero) II son: grupos de identidad, la seguridad colectiva y la supervivencia del grupo, la tradición de grupo, la historia existencial y las experiencias, relaciones de fuerzas ajuntadas (intra/inter), psíco-“asociaciones”,²⁰ y el interés propio del grupo y el statu quo de mantenimiento de poder. Finalmente, empotrado profundamente dentro del Cubo (numero) II, (residiendo en el Cubo (numero) I), existe el Cubo III, el actor, cuyas acciones son implicadas mas íntimamente en la capacidad de crear decisiones individuales, cognoscitiva y el desarrollo de crear decisiones, la auto-eficacia y la autodeterminación (el individuo intencionadamente fenomenológico de hechos significado). El cubo (numero) III por lo tanto, se relaciona más directamente con la agencia del individuo y explora las facetas de auto-identidad, la identidad de la composición de grupo individual entre grupo/fuera de grupo, la sicología y el comportamiento, la sicología individual de la identificación individual social,²¹ el desarrollo historial existencial

16. The “things in themselves.” *Vea* HUSSERL, *supra* nota 4; E. KANT, *CRITIQUE OF PURE REASON*, (Smith, trans.) (1781)(1929) (Macmillan).

17. Simmel, *supra* nota 1. *Vea también* H. Arendt, *The Human Condition* (1958); H. Arendt, *On Revolution* (1963); J. Derrida, *The Ends of Man: Phenomenological Research* (1969)

18. *Vea* M. FOUCAULT, *POWER AND KNOWLEDGE* (1980).

19. *Vea* Byrne & Carter, *supra* nota 2.

20. *Vea* SIMMEL, *supra* nota 1; GEORG SIMMEL, *THE SOCIOLOGY OF GEORG SIMMEL* (1950) [como se vera mas adelante *THE SOCIOLOGY OF GEORG SIMEL*].

21. *SOCIAL IDENTITY THEORY OF INTERGROUP RELATIONS: EUROPEAN STUDIES IN SOCIAL PSYCHOLOGY* (Henri Tajfel & John C. Turner, eds. 1986); Henri Tajfel, *Social Categorization and Intergroup Behavior*, *EUROPEAN JOURNAL OF SOCIAL PSYCHOLOGY*, Vol. I. (1971) [hereinafter *Social Categorization and Intergroup Behavior*]; HENRI TAJFEL, *DIFFERENTIATION BETWEEN SOCIAL GROUPS: STUDIES IN THE SOCIAL*

individual²² - experiencias "poseídas" - y el interés propio contextual y pragmático²³, todo micro en el carácter.

Es importante notar que estos tres cubos integrados, esta relación emergente pluralista y tríada, actúan en relación con el uno al otro, simultáneamente, y en grados variantes. Proviene del nivel macro al nivel micro y, a menudo, para atrás de nuevo, re sintetizando y ajustando, afectando cada uno en una tensión dinámica de manera inmutable, creando el inter-cubo, el intra-cubo, e inter faceta construcción social que debe ser negociado y/o mediado - "la dinámica compartida entrelazada."²⁴

Siguiendo la metáfora teatral de Goffman,²⁵ los actores en conjunto hacen ajustes estratégicos durante el funcionamiento, a menudo dependiendo de la reacción de la audiencia,²⁶ e individualmente y en conjunto desarrolla "asociaciones" Simmelian necesarios para negociar dentro de un ambiente contextual conflictivo.²⁷ Como Byrne y Carter sugieren, la interacción entre estos factores existe.²⁸ Debemos por lo tanto, visualizar el Cubismo Integrante Inductivo Social tres cubos rubics constantemente en el movimiento, que ínter juega con el uno al otro, las facetas que giran como los cubos relacionan negociando con, y transformando el uno al otro con cada contexto nuevo.

Como el movimiento es constante y la interacción existe entre las 18 facetas de los tres cubos, y los cubos denotan: 1. estructura, 2. agencia / estructura, y 3. agencia, en sí no hay bifurcación entre las fuerzas opositoras, ningún Manichean-nosotros contra ellos-dicotómico o influencias dualistas Cartesianos.²⁹ Más bien esto es "un baile negociado", mientras que los factores se reflejan en cada contexto nuevo en un proceso de fragmentación, decentando y el poder de subjetividad colectiva y deconstructiva, incluyendo éticas

PSYCHOLOGY OF INTERGROUP RELATIONS (1978) [hereinafter DIFFERENTIATION BETWEEN SOCIAL GROUPS].

22. *Vea generalmente* Blumer, *supra* nota 4; HUSSERL, *supra* nota 4; E. HUSSERL, THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY (1970) [como se vera mas adelante THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY]; SMITH & SMITH, THE CAMBRIDGE COMPANION TO HUSSERL (1996).

23. JAMES, *supra* nota 1; PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* nota 10; E. GOFFMAN, BEHAVIOR IN PUBLIC PLACES (1963) [como se vera mas adelante BEHAVIOR IN PUBLIC PLACES]; MEAD, *supra* nota 1; RITZER, *supra* nota 4, THE SOCIOLOGY OF GEORG SIMMEL, *supra* nota 19; SIMMEL, *supra* nota 1.

24. *See generally* HAACK, *supra* nota 9.

25. *Vea generalmente* PRESENTATION OF SELF IN EVERYDAY LIFE, *supra* nota 10.

26. JAMES, *supra* nota 1; MEAD, *supra* nota 1;

27. *Vea* SIMMEL, *supra* nota 1.

28. *Vea* BYRNE & CARTER, *supra* nota 2.

29. *Vea* R. Descartes, *Discourse on the Method of Rightly Conducting the Reason and Seeking for Truth in the Sciences*, in THE PHILOSOPHICAL WORKS OF DESCARTES (George Heffernan); HUSSERL, *supra* nota 4.

individuales y culturales, y premisas de heterogeneidad³⁰. Se propone no ser iterativo. Ya que relaciones de muchas caras y contextuales no existen entre las facetas, un acercamiento sin oposición, más bien que una estructura bifurcada vs. de acercamiento de agencia permanece estante, pero nunca estático. Esto es el objetivo de utilizar un símbolo infinito ondulante (vea la Figura (número) 2) en el que colocamos la agencia y la estructura como el significador de las posibilidades infinitas y los variables que ocurren en cualquier contexto de conflicto. Colocamos la agencia y la estructura en el sitio de infinidad, deduciendo una circularidad interminable expansiva, retractable, intrincada, e integrante en vez de una linealidad oposicionista. El símbolo de infinito está en movimiento constante como su tamaño y potencial, ondulado y deformado con cada contexto nuevo es revelado, mitigado, negociado, mediado o exacerbado. La agencia y la estructura están raras veces en el mismo grado de tensión (la negociación) o la fuerza (poder). Esto es un empuje de Cubismo Integrante Social Inductivo³¹ crítico, posmodernista, heurístico y fenomenológico.³²

B. Las Influencias del Post-modernismo

La teoría postmoderna social ofrece un acercamiento más integrante, hermenéutico, y heurístico al entendimiento de relaciones sociales, por lo tanto el conflicto social. Dentro de la persuasión teórica, está la Interacción Integrante Simbólica, un crítico acercamiento feminista, global y emparentado, más bien que oposicionista, ocupando en construcciones de comportamiento de conflicto negociado y relaciones poderosas con varias modales y caras.³³ La extrapolación de Mead³⁴, Blumer³⁵, y Ritzer³⁶ ha desarrollado las teorías de conflicto integrantes que exploran las complejidades de relaciones sociales en más síntesis existencialmente “vividias” “y poseídas” y sitios. Más bien que doctrinare, ellos son consiguientes³⁷, uniendo el conocimiento que ha sido devaluado y a menudo silenciado. Ellos enfocan en relaciones “de poder” y la agencia humana³⁸. Las “ejecuciones practican como [sitios] de oposición” son

30. Vea generalmente Haack *supra* nota 9.

31. See HUSSERL, *supra* nota 4.

32. See GALTUNG, *supra* nota 4, en 23. DERRIDA, *supra* nota 16; THE ORDER OF THINGS, *supra* nota 13; THE ARCHEOLOGY OF KNOWLEDGE, *supra* nota 13; FOUCAULT, *supra* nota 17; THE SOCIOLOGY OF GEORG SIMMEL, *supra* nota 19; SIMMEL, *supra* nota 1.

33. Vea Foucault, *supra* nota 17; RITZER, *supra* nota 4.

34. MEAD, *supra* nota 1;

35. BLUMER, *supra* nota 4.

36. RITZER, *supra* nota 4.

37. Vea EDWARD O. WILSON, CONSILIENCE: THE UNITY OF KNOWLEDGE (1998).

38. Vea generalmente FOUCAULT, *supra* nota 17; SIMONE DE BEAUVOIR, THE SECOND SEX (1952); BELL HOOKS, FEMINIST THEORY: FROM THE MARGIN TO THE CENTER (1984) (DE AHORA EN ADELANTE

un ejemplo³⁹. Las influencias incluyen todo lo que históricamente han sido marginados, sus voces(votos), su habitus⁴⁰, sus experiencias existenciales y motivaciones, devaluados históricamente dentro del análisis de conflicto linear. Sin embargo, hoy decidimos beneficiarnos de aquellas voces(votos) marginadas para explorar heurísticamente los factores fenomenológicos que son inspirantes más bien que los escenarios lineares estructurales dichotomizado simplista nosotros contra ellos⁴¹. Por lo tanto, las vueltas de retrocomunicación están permanentemente re sintetizando el análisis contextual como los I-ISC's cubos ondulan como el ritmo armónico o errático de un corazón y el esperado o inesperado golpeado de cuarteto de jazz.

IV. CUBO NUMERO I: EL CARÁCTER DISTINTIVO DE ETAPA DELANTERO—EL CUBISMO SOCIAL DE BYRNE Y CARTER (1996)

Tan hablado, este modelo de seis facetas surge como un macro uno estructural, principalmente ocupándose de la etapa delantera de carácter distintivo humano en forma de instituciones / estructuras, ambos grande y pequeño, incluyendo naciones y estados naciones en los que entidades poderosas y el poder crudo se han ocupado en el contexto. Esto incluye (1) política, instituciones políticas, grupos de interés, presionando y cuerpos legislativos; (2) religión, incluyendo ideología y su social, a menudo autoritario, e instituciones patriarcales; (3) historia, incluyendo institucional (nacional - burocrático) construcciones basadas por trasatlántico; (4) psycho-cultura, incluyendo las relaciones tensas y presiones para mantener estado de identidad (poder) en la estructura - conocimiento colectivo nacionalista (identidad), y asistente reglas prescritas (leyes); (5) datos demográficos (cohortes cuantificables, tendencias, presiones sociales), y finalmente; (6) economía (categoría global: El poder instrumental, pone en venta e indicadores, sistemas de asistencia social, la infraestructura (s) financiera).

V. CUBO NUMERO II: EL CARÁCTER DISTINTIVO DE ETAPA TRASERO—CUBISMO INTEGRANTE-INDUCTIVO SOCIAL

El cubo II explora el comportamiento de grupo (de agencia / estructura) que incluye la identidad social de grupo positivo y negativo (comportamiento entre grupo y fuera de grupo)⁴², el comportamiento de familia externo e interno,

FEMINIST THEORY), *supra* nota 11.

39. FEMINIST THEORY, *supra* nota 37; Hooks *supra* nota 11.

40. PIERRE BOURDEAU, THE LOGIC OF PRACTICE (1980).

41. *Vea por ejemplo*, HUSSERL, *supra* nota 4; THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY, *supra* nota 21; SMITH & SMITH, *supra* nota 21.

42. Tajfel & Turner, *supra* nota 20; *La Clasificación Social y el Comportamiento entre grupos*.

el comportamiento individual dentro del grupo, la agencia en relación con la estructura de grupo (groupthink), la cognición y conscientization⁴³. Las facetas de Cubo II incluyen, (1) la identidad del grupo social perteneciendo a organizaciones, colectividades y comunidades grandes y pequeñas, (2) grupo de seguridad / colectivo, supervivencia-y acciones / comportamientos ofensivos y defensivos, (3) las tradiciones del grupo incluyendo la historia “colectiva”, transmisiones de grupo transgeneracionales de narrativas de memoria traumáticas y metamórficas y de trauma de grupo.⁴⁴; (4) Relaciones de poder de grupo, incluyendo las cuestiones de género, la raza(carrera), el modo de vivir, la ideología, construcciones de papel sociales, la marginalización y el disfortalecimiento, (5) psycho - “asociaciones” refiriéndose a los “tejidos” Simmelian de afiliaciones estratégicas, latente y manifiesto⁴⁵ (relaciones psicosociales políticas) que es necesario para socios de grupo cohesivos, la supervivencia, y la armonía - la justicia comercial para la armonía⁴⁶, y finalmente; (6) interés propio de grupo por el mantenimiento de solidaridad interna, la influencia interna y externa (el poder) es asegurada, incluyendo la categoría económica, legitimidad de política y de grupo, los números de miembros están aumentando y el mantenimiento es asegurado. Por lo tanto, el Cubo numero II se ocupa de los sitios (de grupo) emparentados en los que la agencia y la dialéctica de estructura (relaciones tensas) son las mas íntimas, contradictorias y ambiguas.

A. *Proceso de Grupo*

Las relaciones tensas y emociones se intensifican durante el cambio social o la crisis política percibida. La tendencia es que cada grupo, grande o pequeño, represente el “otro” grupo contrario como un de-grupo. Esto a menudo es logrado por atribuciones negativas conductuales y caracterizaciones negativas, facilitado por la retórica infundida y la lengua⁴⁷. Tales procesos reúnen la solidaridad de grupo, reforzando la diferenciación de grupo, entre grupo y fuera de grupo oposiciones creando identidades de grupo positivas y negativas, que a su turno, crean la marginalización para unos. Cada grupo intenta mantener una

supra nota 20; LA DIFERENCIACIÓN ENTRE GRUPOS SOCIALES, *supra* nota 20; Tajfel (1982).

43. Conciencia crítica y humanidad entera – autonomía y determinación propia. *Vea generalmente* FRIERE, *supra* note 4.

44. *Vea generalmente* VAMIK D. VOLKAN, LINAJES SANGUÍNEOS: DESDE EL ORGULLO ÉTNICO HASTA EL TERRORISMO ÉTNICO (1997).

45. *Vea* SIMMEL, *supra* nota 1

46. L. Nader, *Trading Justice for Harmony*, NIDR FORUM, en 12-14 (Winter 1992) (National Institute for Dispute Resolution).

47. Tajfel & Turner, *supra* nota 20; *Categorización Social y Comportamiento entre Grupos*, *supra* nota 20; DIFERENCIACIONES ENTRE GRUPOS SOCIALES, *supra* nota 20; “Tajfel (1982),” *supra* nota 41.

identidad de grupo positiva por construyendo “el otro” como una identidad de grupo percibida negativa, atribuyendo el comportamiento negativo, capital cultural devaluada y la falta causal⁴⁸. Pseudoespeciación es a menudo un resultado⁴⁹. Recuerde, el proceso de grupo ocurre dentro de y entre unidades de familia, organizaciones y estados naciones.

B. El Proceso de Grupo Psychodynamic: Creando Tiendas Étnicas o de Identidad

Cuando la identidad personal y de grupo es amenazada – Sea percibido o verdadero - y/o cuando tal tensión es exacerbada por la persistencia de trauma pasado - un deber impuesto de vengar según el acuerdo general - y/o cuando la identidad personal y de grupo o nacional esta entrelazada, la memoria colectiva a menudo sigue y la supervivencia del grupo se hace crítica. La violencia a menudo resulta. La “ identidad del grupo” supersede la identidad individual mientras que se combinan en una identidad súper-ordenada. Identidades múltiples contextuales, que pueden mediar el conflicto, no son reconocidas⁵⁰. Manichean distinciones dichotomizados se hacen la realidad percibida. El proceso de grupo psychodynamico comienza a abrumar el conflicto. La diferencia y el predominio se hacen claves.

Ponentes simbólicos se hacen indicadores y los marcadores de diferencias.⁵¹ Tales ponentes asisten y refuerzan la persistencia de diferencia. Ellos exacerbaban relaciones tensas de grupo y causan comportamientos problemáticos. Proyecciones conductuales y las articulaciones de batallas simbólicas perdidas o ganadas, héroes y heroínas, heridas de guerra, el trauma y el abuso, crean y sostienen un contexto de nosotros contra ellos. Frecuentemente, reglas que son presionadas por opinión general de grupo son emitidas para la supervivencia, la cara y la solidaridad. El predominio de un grupo es mostrado.

Las atribuciones negativas del comportamiento y las motivaciones del “otro” se desarrollan en los sitios Cartesianos de contaminación para “ellos” y los sitios de pureza para “nosotros”. Tales sitios crean justificaciones y

48. BOURDIEU, *supra* nota 39; ROBERT JERVIS, PERCEPCIONES Y PERCEPCIONES EQUIVOCADAS EN POLÍTICA INTERNACIONAL (1976).

49. Seudoespeciación es la manera de caracterizar un grupo como sub-humano, una subespecie, perteneciendo a su propio grupo. *Vea* ERIC H. ERIKSON, CHILDHOOD AND SOCIETY [NIÑEZ Y SOCIEDAD] (2d ed. 1963) [de aquí en adelante NIÑEZ Y SOCIEDAD]; ERIC H. ERIKSON, IDENTIDAD Y EL CICLO DE LA VIDA (1980) [de aquí en adelante IDENTIDAD Y EL CICLO DE LA VIDA].

50. Tajfel & Turner, *supra* nota 20; *Social Categorization and Intergroup Behavior*, [Categorización Social y Comportamiento entre Grupo] *supra* nota 20; DIFFERENTIATION BETWEEN SOCIAL GROUPS [DIFERENCIACIONES ENTRE GRUPOS SOCIALES], *supra* nota 20; “Tajfel (1982),” *supra* note 41

51. VOLKAN, *supra* nota 43.

racionalizaciones que entonces pueden ser las bases para las acciones percibidas o verdaderas irracionales y la violencia contra el “otro”. Estos sitios pueden causar la violencia estructural, cultural, y/o física⁵². Los marcos nuevos de conflicto, metáforas nuevas contextuales, narrativas desarrolladas⁵³, las identidades transformadas de víctima/heroe/heroinea/victor, objectification del otro, la abstracción y la deshumanización son las dinámicas que pueden seguir. Reification de “nuestra” cultura de grupo, lengua, y prácticas no tiene rival sobre el “suyo”.

El narcisismo del ganador supremo o el perdedor / víctima último y un sentido reified de comunidad (tribalismo) pueden seguir. Se hace “la virtud superior del oprimido.”⁵⁴ Un sentido estrechamente definido de quien “ellos” son y quien somos “nosotros” resulta. Los ejemplos aturdidores de dinámica de grupo tan conflictual pueden ser encontrados en las sociedades divididas de la Irlanda del Norte, esto es, Católicos contra Protestantes, Republicanos contra Legitimistas, el conflicto de intergrupo perpetuo. Otros ejemplos son el Apartheid de la Sudáfrica el pasado, Afrikánderes contra pueblos indígenas. En los Estados Unidos así como en áreas pequeñas en del mundo, la Hermandad aria “ el poder blanco “ el movimiento y su discriminación contra homosexuales, judíos, los Católicos, y hombres de color articulan la dinámica de deshumanización por el grupo psychodynamico. Esta dinámica ha sido usada y sigue siendo usada para justificar la esclavitud de Africanos, de mujeres (Talaban), del chino, de judíos y del irlandés, entre otros. Y finalmente, la discriminación sexual y androcentrismo hegemónico masculino – un universo centrado alrededor del macho – han sido existentes.⁵⁵ Sume a esto, los afectas y efectos que nos rodean de tal comportamiento de grupo y las construcciones estratégicas sociales basadas en esta dinámica que en últimamente forman ambientes regeneradores y opresivos en la perpetuidad, antes de que el status quo sea roto.

La narrativa⁵⁶ y la socialización temprana de la niñez generan las expresiones inesperadas temáticas fenomenológicas y psycho-culturales

52. GALTUNG, *supra* nota 4.

53. VOLKAN, *supra* nota 43.

54. BERTRAND RUSSEL, UNPOPULAR ESSAYS: 12 ADVENTURE IN ARGUMENT BY THE WINNER OF THE 1950 NOBEL PEACE PRIZE FOR LITERATURE [ENSAYOS IMPOPULARES: DOCE AVENTURAS DE ARGUMENTOS ESCRITOS POR EL GANADOR DEL PREMIO DE PAZ NOBEL PARA LITERATURA] (1967). *Vea también* MICHAEL LERNER & CORNEL WEST, JEWS AND BLACKS: A DIALOGUE ON RACE, RELIGIÓN, AND CULTURE IN AMERICA [JUDÍOS Y NEGROŚ: UN DIALOGO SOBRE RAZA, RELIGIÓN, Y CULTURA EN AMERICA] (1966); STEPHEN STEINBERG, THE ETHNIC MYTH.: RACE, ETHNICITY AND CLASS IN AMERICA [EL MITO ÉTNICO: RAZA, ETNICIDAD Y CLASE EN AMERICA] (1989).

55. *Vea por ejemplo*, DEBEAUVOIR, *supra* nota 37; THE ARCHEOLOGY OF KNOWLEDGE [LA ARCEOLOGIA DE CONOCIMIENTO]; *supra* nota 13.

56. *Vea* VOLKAN, *supra* nota 43.

subjetivas de odio, el resentimiento, y la enajenación.⁵⁷ Las expresiones de odio y de marginalización son creadas por la transmisión transgeneracional de trauma⁵⁸ instrumentalizada por el folklore, y el mito (la adoración de héroe / heroína) sobre todo encontrado dentro de sistemas cerrados sectarios o conflictos bifurcados.⁵⁹ Las percepciones de historia, reales o imaginadas son reflejadas en historias y mitos que crean tropos donde los niños reflejan comportamientos adultos.⁶⁰ La historia regenerada oral y escrita establece un sentido mitificado de grandiosidad,⁶¹ la pureza del grupo, la solidaridad, la creación de no sólo fronteras físicas pero psicológicas, paredes de paz, enclaves sectarios, el sentido del sitio y la separación.⁶² En realidad, el poder de retórica infundida, que a menudo crea el conocimiento social es un contexto profundo en el que las consideraciones de agencia / estructura son negociadas.⁶³

La obsesión con la diferencia y el predominio (la superioridad y la inferioridad) puede ser remontada a la formación de las identidades de grupo negativas y positivas que autorizan y que no autorizan grupos e individuos. Ser víctima o Victor es un modo de vivir, el “trauma escogido” y el “derrumbamiento de tiempo,” gobiernan el proceso de toma de decisiones.⁶⁴ Sólo los ganadores y perdedores pueden ser actores en tal drama. No hay ningún espacio para la ambigüedad.⁶⁵ Se hace un drama de “nosotros contra ellos” de grupo dinámico. La memoria de grupo, residiendo en el pasado, define el futuro.

Étnico, las tiendas de grupo e identidades de grupo a menudo crean “comunidades imaginadas”.⁶⁶ Tales tiendas de identidad son impregnadas con un sentido real de memoria colectiva y/o metafórica que puede ser problemática. Las narrativas que han sido contadas de nuevo, diferenciando percepciones y la hermenéutica pueden conducir a la exageración, errores basados en hechos, y

57. CHILDHOOD AND SOCIETY [NIÑEZ Y SOCIEDAD], *supra* nota 48.

58. *Vea* VOLKAN, *supra* nota 47.

59. *Vea, por ejemplo*, PREPARING FOR PEACE [PREPARANDO PARA LA PAZ], *supra* nota 4; BUILDING PEACE [CONSTRUYENDO LA PAZ], *supra* nota 4; VOLKAN, *supra* nota 43.

60. JERVIS, *supra* nota 47.

61. *Vea* ALICE MILLER, THE DRAMA OF THE GIFTED CHILD: THE SEARCH FOR THE TRUE SELF [EL DRAMA DEL NIÑO TALENTOSO: LA BÚSCA DEL SER VERDADERO] 37-57 (Ruth Ward, trans. 1997).

62. *Vea* Byrne & Carter, *supra* nota 2.

63. *Vea, por ejemplo*, THE ORDER OF THINGS [EL ORDEN DE LAS COSAS], *supra* nota 13; FOUCAULT, *supra* nota 17.

64. VOLKAN, *supra* nota 43.

65. *Vea generalmente* SIMONE DE BEAUVOIR, THE ETHICS OF AMBIGUITY [LAS ÉTICAS DE AMBIGÜEDAD] (1948).

66. *Vea* BENEDICT ANDERSON, IMAGINED COMMUNITIES: REFLECTION ON THE ORIGINS AND SPREAD OF NATIONALISM [COMUNIDADES IMAGINADAS: REFLECCIONES SOBRE LOS ORIGENES Y LA EXPANSIÓN DEL NACIONALISMO] (1991).

“transcripciones ocultadas” beneficiando a un lado contra el otro.⁶⁷ Por la narración el grupo crea una historia colectiva, la cultura, artefactos, símbolos, y rituales, que demuestran la unicidad del grupo y escogidos. Este dinámico estratifica los valores – lo “nuestro” es más legítimo que “el suyo” y los comportamientos legítimos que dominan.

Las dicotomías entre grupo y fuera de grupo no tienen rival y son reforzados por el acuerdo general comunal (la presión), construyendo papeles conductuales y reglas para miembros de un grupo.⁶⁸ Estos papeles conductuales frecuentemente pueden crear la dinámica opresiva y relaciones tensas de intra-grupo más devastador que las relaciones tensas conflictual fuera del grupo. Se puede ver ejemplos de esto en la violencia y matanzas dentro de grupos in sectarios en Irlanda del Norte (el conflicto dentro del grupo), el IRA Verdadero contra el IRA Provisional sobre el lado Católico/Republicano/Nacionalista.⁶⁹ A la inversa, las matanzas y la violencia persisten entre el UDA Y EL UDF sobre los lados de los Loyalistas/Protestantes/Unionistas del conflicto. Ellos se vigilan. Dentro de estas cohortes sectarias, hay casos de “latidos de castigo” y “quebrantamientos de rodillas” que alerta a los miembros de los grupos sobre las reglas y las consecuencias si uno no cumple con estas reglas - la pérdida de la cara pública de la organización. Por lo tanto, las relaciones de poder dentro del grupo son forzadas y delineados estructuralmente. En realidad, los grupos pueden ser tan violentos a su propios como ellos son a su adversario.⁷⁰ Comparando unos a otros ocurre dentro de grupos, también. La diferencia dentro del grupo trastorna los estados de asuntos existentes .

C. Comparando Unos a Otros

Erikson acuñó el término “pseudospeciación”, la tendencia de retratar la tribu o grupo étnico de uno como humano, y al mismo tiempo describiendo otros grupos como infrahumano, una subespecie.⁷¹ Comparando unos a otros dentro de grupos y fuera de grupos puede ocurrir en relación con la nación, la raza, la cultura, la familia, la dinámica sexual, la religión, el grupo social, etc.

67. JAMES C. SCOTT, DOMINATION AND THE ARTS OF RESISTANCE: HIDDEN TRANSCRIPTS [DOMINACIÓN Y LAS ARTES DE RESISTENCIA: TRANSCRIPCIONES OCULTADAS] 136-182 (1990). (comilla en 145).

68. *Vea generalmente* DIFFERENTIATION BETWEEN SOCIAL GROUPS [DIFERENCIACIONES ENTRE GRUPOS SOCIALES], *supra* nota 20.

69. Russ-Trent, *supra* note 12.

70. *Id.*

71. *Vea, por ejemplo*, CHILDHOOD AND SOCIETY [LA NIÑEZ Y SOCIEDAD], *supra* nota 48; IDENTITY AND THE LIFE CYCLE [LA IDENTIDAD Y EL CICLO DE VIDA], *supra* nota 48; ERIC H. ERIKSON, THE LIFE CYCLE COMPLETED [EL CICLO DE VIDA COMPLETADO] 91997 [de ahora en adelante EL CICLO DE VIDA COMPLETADO]

Comparando unos a otros crea marcadores y características de distinción y ponentes simbólicos, esto es, características genéticas supuestas, colores de cuadrilla, uniformes, símbolos de estado, prácticas, la lengua, la ropa, banderas, y murales, que proyectan estereotipos - negativo para “ellos” y positivo para “nosotros”. El pensamiento dichotomizado, atribuciones silogísticas y percepciones atribuyen todo el comportamiento negativo al otro esto es, homosexual contra heterosexual, Católico contra el Protestante, el Republicano contra el Demócrata, el macho contra la hembra (essentialismo biológico), Negro contra el hispano, el serbio contra el croata, etc. El otro es naturalmente malo. La identidad de grupo y el comportamiento se hacen sinónimos de la auto-identidad.

El sentido de la identidad de grupo se hace inextricablemente unido para la auto-identidad de uno (su identidad principal) de que hablaremos cuando nos movemos del Cubo II al Cubo III. Esto hace una petición de principio, ¿Es entonces nuestra auto-identidad singular y estático? ¿O es la identidad negociable? A menudo el trauma experimentado en Cubos números I y II podrían haber dañado la auto-eficacia de sentido, la dignidad humana y la integridad del individuo, como un miembro de un grupo, hasta el punto el que la agencia humana es apenas existente. La resistencia, “yendo contra el grano, “es difícil.”⁷² Una amenaza al grupo es una amenaza al individuo. Volveremos a esta cuestión más tarde.

Cualquier amenaza hacia la identidad de grupo pone en peligro los estados de asuntos existentes y amenaza la cohesión del grupo. El grupo se hace hipervigilante, sumamente consciente de diferencias y tiende a concentrarse en minucia, el que Freud llamó “el narcisismo de diferencias menores.”⁷³ Groupthink toma control y el acuerdo general impuesto puede ritualizar y mitificar el mando. Líderes carismáticos así son creados. El mando carismático a su turno puede, usar la vulnerabilidad de sus socios, a menudo en la ausencia de cualquier sentido de identidad individual. La represión dentro de grupo, justificaciones para la violencia, acciones irracionales, el comportamiento primitivo y el sentido de la ansiedad compartida pueden ser creada en nuestro grupo y contra grupos que no nos pertenece. La reunión de miembros de grupo busca protección bajo su tienda colectiva, porque le falta su auto-identidad.⁷⁴ Los miembros a menudo vuelven al simbolismo, los tropos de patria, la patria, la lengua materna, la identidad étnica, la familia y la memoria metafórica, que entonces puede hacerse explotadora, si no es verificado.

72. Para discusión adicional, vea Russ-Trent, *supra* nota 12.

73. Vea SIGMUND FREUD, TÓTEM AND TABOO [TÓTEM Y TABU] (1950) [De ahora en adelante Tótem Y Tabu].

74. Vea VOLKAN, *supra* nota 43.

Los líderes como Hitler, Chausescu, Malosovic, Pol el Pote, e Idi Amin, saltaron a la brecha y explotaron a su gente de tal modo. Asimismo los líderes de ciertas organizaciones religiosas / ideológicas y cultos han explotado sus socios. De otra parte, positivo (o ambiguo) el mando también puede explotar y hacer propaganda la persecución a grados diferentes. Los ejemplos incluyen el ala Política del Ejército Republicano Irlandés de líder de Sinn Fein, Gerry Adams y el Protestante, el Reverendo Ian Paisley.⁷⁵ La dinámica incluirá la retórica infundida, transcripciones ocultadas, la metáfora, la solidaridad grupo inflexible y el poder sobre otros. Los grupos a menudo se hacen “atrapados” en una deformación del tiempo. Estas caracterizaciones dependen del cuyo lado el que Ud. escoge.

Como hablado, el “derrumbamiento de tiempo”, basado en el “trauma escogido” por la narrativa generacional, el modelado, rituales, haciendo mártir, siendo victima, el monumento y el edificio de memorial, la retórica pública, y haciendo los tradiciones, continuamente toca de nuevo el trauma original. De hecho, ellos a menudo exageran y lo regeneran. Las anécdotas se hacen el mito. Los mitos se hacen encajados en la vida diaria y el desarrollo de niñez, que puede ser devastador.⁷⁶

La niñez tierna puede llenarse con el sentido de ser victima en un sentido de grupo, así como individual. Puede haber la gran presión y el deber de vengar a antepasados para permanecer un miembro valorado y respetado dentro del grupo. Rituales diarios y narrativas refuerzan este deber. La suspensión de facultades críticas en las que el presente se hace unido con el pasado de un modo obsesivo, a menudo reforzado por el simbolismo, puede causar el comportamiento disfuncional y la violencia.

Símbolos culturales, símbolos de parentesco, simbólicos de rituales, y prácticas, incluyendo diferenciando cada grupo de otro en patrones respetuosos, son la dramaturgia general de comportamiento dentro del grupo y fuera del grupo. El simbolismo de importancia material e inmaterial puede crear el sentido de concordancia de intra-grupo. La conformidad puede promover el prejuicio, invocando tradiciones de grupo encajadas en las mentes de miembros de grupo y manifestar el comportamiento dentro del grupo.⁷⁷ Como hemos hablado, los ejemplos asombrosos de esto son la Resistencia aria y grupos Neonazis en todas partes del globo quien muestra regalías Nazis, uniformes y esvásticas, quienes marchan, reúnen, y articulan la retórica odiosa mucho después del fallecimiento del Reich Tercio de hace 60 años. El mensaje odioso es afligido y perpetuado. Otro ejemplo es limpiezas étnicas vistas en el mundo entero. En grupos más pequeños, familias quizás disfuncionales, el drama puede

75. Russ-Trent, *supra* nota 12.

76. *Vea* SCOTT, *supra* nota 66

77. *Vea* Byrne & Cartner, *supra* nota 2.

ser menos identificable, aún tal como dramático, traumático y significativo para sus miembros.

D. Ritualizando el Trauma

La lamentación ritualizada, la identificación con los muertos, lamentadores perennes, la preocupación por la emoción, objetos de unión, los sitios, y personas con el difunto son una respuesta colectiva.⁷⁸ En los Estados Unidos, la generación del “baby boomer”, mi generación, necesitamos sólo visitar de nuevo el cortejo fúnebre del presidente John F. Kennedy. Todavía puedo oír los pasos del cortejo fúnebre, el tambor tocado terrible y los cascos del “Black Jack”, el caballo sin jinete, sus Maestros echan la vuelta hacia atrás en su lado. A Lee Harvey Oswald le dispararon en el tiempo real mientras yo miraba la televisión, la inocencia perdida. ¿Cuántas veces hemos visto tales imágenes, incluyendo las muertes de Martin Luther King, Robert Kennedy, y Gandhi, cuales han sido articulados de nuevo una y otra vez en el conocimiento público, en libros y las películas?

En Irlanda del Norte, la huelga de hambre de 1981, la “protesta sucia” y la muerte subsiguiente del prisionero Republicano político Bobby Sands, mientras en la prisión de Long Kesh, aparece predominantemente en las leyendas Republicanas, Católicas, en Irlanda y de verdad en el mundo entero para los partidarios de “Irlanda Unida”. Por un viaje de investigación de agosto del 2000 en Belfast, Irlanda del Norte, vi la imagen de Sand mostrada sobre murales públicos, en publicaciones y restaurantes, centros municipales y en casas. Yo era también privado a la profundidad de la desesperación, la humillación, la lamentación, y la venganza generacional en los ojos de los miembros de familia quien perdieron miembros queridos durante los “problemas”. Las imágenes de los “caídos” cuelgan con orgullo en casas de familia, muchos alumbrados con velas como altares sacrificados. Lo mismo sostiene verdadero dentro de los cuartos legitimistas.

Tan también, durante la era de la Guerra de Vietnam, en la cena cada tarde, los noticieros mostraban bolsos de cuerpo tomados de transportes militares. Estos han sido hombres y mujeres caídos de los Estados Unidos, quienes unos creen, perdieron sus vidas en una guerra que nunca se declaró. Prometí solemnemente, “nunca otra vez”: no para mi hijo. Tales visuales permanecerán para siempre con estas cohortes. De verdad, el metraje de Holocausto, narrativas, libros y memorias congeladas traumáticas son visitados de nuevo y a veces vividos de nuevo por sus víctimas en memorias del cuerpo.⁷⁹ El trauma de la familia también puede ser un sitio del proceso del grupo psychodinamico.

78. *Vea* VOLKAN, *supra* nota 43

79. JUDITH LEWIS HERMAN, *TRAUMA & RECOVERY* [TRAUMA Y RECUPERACIÓN] (1992).

Memorias de la familia disfuncionales y traumáticas y símbolos pueden incluir, joyería, estados, juguetes, objetos de interés, olores y sabores.⁸⁰ En contextos religiosos, el Crucifijo, la Estrella de David, la Biblia, el Torra, velos y trajes religiosos, los banquetes de Pascua de los judíos, etc., impregnan el sentido de pertinencia para un grupo, una identidad compartida y el derecho de lamentar, a veces obsesivamente. Esta transmisión transgeneracional de trauma atribuye un significado más alto al trauma original y lo efectúa en todas partes de las generaciones.⁸¹ Frecuentemente, los sentimientos de culpabilidad del sobreviviente que proviene del trauma ayuda la narrativa a desarrollarse.⁸² Otras veces, las “víctimas” o los sentimientos de culpabilidad del sobreviviente pueden dividir familias, grupos, comunidades, y naciones.

Los comportamientos asistentes del trauma del grupo y el Complejo Fijan el Desorden de Tensión Traumático (CPTSD) son comportamientos de internalización /externalización, positivos y negativos, que puede incluir: proyección, obligación de repetición, grandiosidad, disfunción psicológica, hipervigilancia, y obsesión, para mencionar unos cuantos.⁸³ El grupo psychodynamics, debajo “la tienda de víctimas” define destinos, deforma o reencuadra memorias, reposta los incendios de odios antiguos y humillaciones de grupo.⁸⁴ Siendo víctima, uno experimenta con un cierto modo de vivir, un *habitus*⁸⁵ creando perspectivas negativas durante para el futuro, uno mismo, la familia, el grupo, o, el desarrollo nacional y la felicidad. Este *habitus* negativo crea comportamientos negativos como expectativas fantaseadas bajas. El revés también puede resultar, esto es, la grandiosidad y el derecho. Sin embargo, *habitus* negativo por lo general permite la dinámica de grupo como los sentimientos intensos de odio, el auto-aborrecimiento, la postura / comportamiento defensiva u ofensiva. A menudo estos sentimientos son considerados justificaciones para la venganza y el deber de vengar a los antepasados, que conducen hacia la exterminación, limpiezas étnicas, la purificación, la discriminación, el abuso, y la violencia. El círculo de trauma entonces crea otra generación de “gente escogida” así como el síndrome del “trauma escogido”. Representaciones materiales se hacen marcadores importantes y articuladores de trauma.

Objetos de transición se infunden con la memoria del trauma del antepasado: fetiches, símbolos, signos, colores de grupo, atavíos, y accesorios

80. *Id.*

81. *Vea* VOLKAN, *supra* nota 43

82. *Vea* SCOTT, *supra* nota 66

83. *Vea* MILLER, *supra* nota 60. *Vea también* HERMAN, *supra* nota 78 (discutiendo CPTSD)

84. VOLAN, *supra* nota 43.

85. *Vea* BOURDIEU, *supra* nota 39.

a rituales.⁸⁶ Durante la esclavitud, cantando y bailando, manifestaba disidencia, resistencia, y carácter distintivo existencial, aunque estaba ocultado latente y estratégicamente de sus maestros. De verdad, las mujeres han “vivido estratégicamente” desde el principio del tiempo.⁸⁷ En la religión Católica, los niños se hacen metafóricos “los soldados de Cristo” sobre su confirmación. Durante la Pascua, el Lilly se hace un signo de resurrección, el renacimiento, y el martirio afirmando vida (la muerte trae la vida). Los Nazis tenían sus esvásticas y uniformes designados.⁸⁸ La lista es infinita. De la dramaturgia de Goffman,⁸⁹ hasta el interaccionismo simbólico⁹⁰ y el concepto del “otro generalizado”, a expectativas y percepciones,⁹¹ todos se combinan en puntos diferentes para articular el carácter distintivo de un grupo. Y el “otro” de “nosotros” es formado.⁹²

“Otro” no nos permite resolucionar el conflicto transformativo. Nosotros, Judío(s), Negro(s), femenina(d), macho(s), Blanco(s), Británico(s), Irlandés(es), se hacen abstracciones, y creaciones imaginadas de lo que debe ser, no lo que en realidad “es”.⁹³ Una piedra se hace un símbolo profundo Palestino de fortalecimiento, el carácter distintivo de grupo y la determinación grupo, sobre todo para la juventud generacionalizada humillada. El esplendor Escogido, los traumas pasados, la retórica infundida, y memorias metafóricas se convierten depósitos compartidos de identidad y crear el sentido de la pertinencia que tiene el poder de exacerbar, mediar o resolver el conflicto.⁹⁴ Los niños observan a los adultos como ellos representan este drama. Ellos copian los comportamientos de adultos.

El desarrollo cognoscitivo de niños, observando comportamientos adultos, forma auto-identidades de niños positivamente, negativamente, o con ambigüedad. Las experiencias existenciales de un niño informan su desarrollo y forman su identidad principal.⁹⁵ Identidades contextuales y múltiples así son

86. VOLKAN, *supra* nota 43.

87. Russ-Trent, *supra* nota 12.

88. *Vea* DERRIDA, *supra* nota 11; PRESENTATION OF SELF IN EVERYDAY LIFE [LA PRESENTACIÓN DE UNO MISMO EN LA VIDA DIARIA], *supra* nota 10; Hooks, *supra* nota 11.

89. *Vea, por ejemplo*, PRESENTATION OF SELF IN EVERYDAY LIFE [LA PRESENTACIÓN DE UNO EN UNO MISMO EN LA VIDA DIARIA], *supra* nota 10; BEHAVIOR IN PUBLIC PLACES [EL COMPARTAMIENTO EN LUGARES PUBLICOS], *supra* nota 22.

90. MEAD, *supra* nota 1.

91. *Vea* JERVIS, *supra* nota 47.

92. *Vea* VOLKAN, *supra* nota 43.

93. ANDERSON, *supra* nota 65.

94. VOLKAN, *supra* nota 43.

95. CHILDHOOD AND SOCIETY [LA NIÑEZ Y SOCIEDAD], *supra* nota 48.

formadas y desarrollan en un sentido idealizado de uno mismo⁹⁶ como esto relacionada con la identidad positiva dentro del grupo, o en la alternativa, el odio de uno mismo y la enajenación debido al trauma⁹⁷ -un sentido negativo de sí mismo, la identidad social de uno,⁹⁸ la capital cultural,⁹⁹ y la vida del mundo.¹⁰⁰ Los resultados pueden incluir el desorden de identidad dissociativa (DID), la represión, la proyección, o cada de unas disfunciones psicológicas que afectan el Cubo siguiente numero III, el actor. El “narcisismo de las diferencias menores” conduce a la toma de decisiones reductionistas, diferencias psicologizadas, odio burocratizado, la malignidad, y los prejuicios, que come al corazón mismo del individuo.¹⁰¹

El mito, sistemas de creencia, y memorias colectivas son legitimados por la orientación de predominio social, el favoritismo dentro del grupo y/o la derogación fuera del grupo.¹⁰² Tal legitimación es experimentada por organizaciones, culturas, relaciones de parentesco, así como, relaciones nacionales. Esto es la razón que las dieciocho facetas de los tres cubos del Cubismo Integrante-inductivo Social se enfrentan continuamente en un baile negociado e infinito. La transmisión transgeneracional del trauma¹⁰³ y el Desorden de Tensión Traumático entre otras realidades, están saliente en contextos de grupo grandes y pequeños.¹⁰⁴ Las memorias traumáticas de acontecimientos horribles o el trauma percibido basado en acontecimientos percibidos aún “triviales”, afectan la armonía de grupo y la coherencia. Las narrativas que articulan y enmarcan el trauma son los instrumentos que generan memorias dolorosas o alegres, frecuentemente establecen memorias metafóricas adicionales, crean a mártires, héroes y heroínas. A menudo estas narrativas son Manichean, por lo tanto, dicotómicos, según el diseño.

96. *Vea, por ejemplo*, CHILDHOOD AND SOCIETY [LA NIÑEZ Y SOCIEDAD], *supra* nota 48; IDENTITY AND THE LIFE CYCLE [LA IDENTIDAD Y EL CICLO DE VIDA], *supra* nota 48; SIGMUND FREUD, MOSES AND MONOTHEISM [MOISÉS Y MONOTEÍSMO] (1939); TÓTEM AND TABOO [TÓTEM Y TABU], *supra* nota 72.

97. *Vea* HERMAN, *supra* nota 78.

98. SOCIAL IDENTITY AND INTERGROUP PSYCHOLOGY [LA IDENTIDAD SOCIAL Y LA PSICOLOGÍA ENTRE GRUPOS], *supra* nota 41.

99. *Vea* BOURDIEU, *supra* note 39.

100. THE PHILOSOPHICAL DISCLOSURE OF MODERNITY: TWO LECTURES [EL DESCUBRIMIENTO FILOSOFICO DE MODERNIDAD: DOS LECTURAS] (1987) [de ahora en adelante EL DISCURSO FILOSOFICO DE MODERNIDAD]; J. HABERMAS, MORAL CONSCIOUSNESS AND COMMUNICATIVE ACTION [LA CONCIENCIA MORAL Y LA ACCION COMUNICATIVA] (1996).

101. *Vea* TÓTEM Y TABU, *supra* nota 72.

102. Shana Levin & Jim Sedanius, Social Dominance and Social Identity in the United States and Israel: Dentro del grupo Favoritism or Fuera del grupo Derogation? [Dominación Social e Identidad Social dentro de los Estados Unidos e Israel: Favoritismo dentro del Grupo o Derogación fuera del Grupo?]

103. *Vea* VOLKAN, *supra* nota 43.

104. *Vea* HERMAN, *supra* nota 78 (discutiendo PTSD)

Las creaciones dicotomías de conflicto “Nosotros contra ellos” conducen a las luchas Manichean lucha para justificar lo correcto contra lo incorrecto, bueno contra el mal - las fuerzas de luz contra las fuerzas de la oscuridad. El cubismo Integrante-inductivo Social sugiere que las sombras ambiguas de color gris estén algunas veces existentes y por lo tanto deben ser incluidas en análisis de todo el conflicto, el contexto por el contexto. Objectificando y la racionalizando un conflicto por la claridad, o una postura positivística, sólo enreda las cosas y plantea una bifurcación de sujeto / objeto, en la oposición, que nunca solucionará los intereses subyacentes, cuestiones y las motivaciones de uno y el otro.¹⁰⁵ Por lo tanto, deben ver Cubos números I, II, y III tienen que ser vistos como relacionados con el uno al otro y dinámico. El análisis es multi-causal. Su resolución y/o prevención debe ser considerada multidimensional, integrante, emparentado, por lo tanto, acomplexado.

E. Ejemplo de Caso: Dinámicas fuera del Grupo y dentro del Grupo, Alemania nazi, y el Tratado de Versailles-dramaturgia, Interaccionismo Simbólico, e Identidad Social

Un ejemplo de esta interacción multidimensional es el caso de Alemania nazi durante la isla post-mundial De guerra. El Tratado de paz de Versailles represento un documento vivo de vergüenza para la gente alemana. Esto humilló una nación, y por la extensión, cada ciudadano alemán. Esto creo, no sólo una identificación negativa para su propio grupo (y cada miembro del grupo) pero inspiró una nación, y un hombre, Hitler, a recrear una identidad de en-grupo positiva de estas circunstancias de humillación. La gente alemana se recrearon, actor por actor, como un en-grupo, en la solidaridad, con símbolos y los rituales que reforzaron este en-grupo nuevo. Esto representa un ejemplo de la relación dialéctica entre la estructura y la agencia, de la nación al grupo, del grupo al individuo y de nuevo, que ocurre en contextos conflictuales. Una vez que incluimos el Cubo numero III (para venir) - el desarrollo individual de agencia humana - veremos como los tres cubos se relacionan expresamente en este contexto. Nuestro ejemplo será Heinrich Reichsfuherer Himmler. Lo que se destaca es la manera que las dimensiones materiales y psicológicas [yo sumaría, el grupo conductual y el actor - conducido] las dimensiones actúan recíprocamente para mantener o mitigar el conflicto de inter-grupo.¹⁰⁶ Alemania nazi ha sido creado sobre tiempo por una espiral de racionalizaciones nacionales, colectivas e individuales. Ahora veremos como el actor, interfaces, cruza e integra en este triádico y el análisis infinitamente dinámico del Cubismo Integrante- Inductivo Social.

105. *Vea HUSSERL, supra nota 4.*

106. *Byrne & Cartner, supra nota 2 en 66.*

V. CUBO NUMERO III: EL CARÁCTER DISTINTIVO DEL ACTOR—CUBISMO
INTEGRANTE-INDUCTIVO SOCIAL

El cubo numero III determina donde el actor se sitúa los sitios del actor en relación con la sociedad, líos existenciales y el conflicto. Esto incluye el pensamiento mental crítico de productos, la dialéctica, la agencia humana - en la relación al mundo material y la práctica en ello.¹⁰⁷ Esto es determinado en la manera que uno se identifica y distingue a sí mismo durante las interacciones de ideas y la política. Estas políticas también pueden incluir la vida estratégica diaria.¹⁰⁸ El auto-estima, la auto-eficacia, la autodeterminación, y el conocimiento- La conscientización y humanidad llena de Freire¹⁰⁹ - son conceptos socializados que son integrados, encajados en la intencionalidad consciente de cada individuo.¹¹⁰ Estos incluyen esquemas mentales, prescripciones normativas y el entendimiento compartido, habitus (el sentido interior de perspectivas futuras), y la estructura interiorizada mental cognoscitiva por la que la gente se ocupa del mundo social. Esto por lo general es basado en la realidad existencial, que es producido por, y ellos mismos producen la sociedad.¹¹¹ La historia del individuo es llevada a su fin en el tiempo real, afectando su parentesco inmediato, organización, socios de grupo o la nación. Teóricos sociales han llamado esta construcción individual conductual, “el funcionamiento social.”¹¹² Yo lo llamo “viviendo estratégicamente”.¹¹³

Interpretaciones realizadas¹¹⁴ e intenciones fenomenológicas¹¹⁵ sugieren que como nosotros entendamos y venimos para sabernos, y otros, no puede ser separado de como nos representamos y nos imaginamos – el núcleo de nosotros

107. *Vea* BOURDIEU, *supra* nota 39 (discutiendo “praxis”); JURGEN HABERMAS, THE THEORY OF COMMUNICATIVE ACTION [LA TEORIA DE ACCION COMUNICATIVA]. VOL. 2 LEWORLD SYSTEM: A CRITIQUE OF FUNCTIONALIST REASON [EL SISTEMA DE LA LA VIDA DEL MUNDO: UNA CRITICA DE LA RAZON FUNCTIONALISTA] (1987) [de ahora en adelante LA TEORIA DE ACCION COMUNICATIVA]

108. Russ-Trent, *supra* nota 12.

109. *Vea* FREIRE, *supra* nota 4.

110. *Vea* HUSSERL, *supra* nota 4.

111. *Vea, por ejemplo*, THE THEORY OF COMMUNICATIVE ACTION [LA TEORIA DE ACCION COMUNICATIVA], *supra* nota 106; BOURDIEU, *supra* nota 39.

112. *Vea, por ejemplo*, PRESENTATION OF SELF IN EVERYDAY LIFE [LA PRESENTACIÓN DE UNO EN LA VIDA DIARIA], *supra* nota 10; BEHAVIOR IN PUBLIC PLACES [EL COMPARTAMIENTO EN LUGARES PUBLICOS], *supra* nota 22.

113. Russ-Trent, *supra* nota 12.

114. *Vea, por Ejemplo*, PRESENTATION OF SELF IN EVERYDAY LIFE [LA PRESENTACIÓN DE UNO EN LA VIDA DIARIA], *supra* nota 10; BEHAVIOR IN PUBLIC PLACES [EL COMPARTAMIENTO EN LUGARES PUBLICOS], *supra* nota 22; DERRIDA, *supra* nota 11; Hooks, *supra* nota 11.

115. *Vea* HUSSERL, *supra* nota 4.

mismos. Debemos reafirmar narrativas individuales como un componente integral de trabajo de memoria y la necesidad de la gente para hablar afirmativamente y críticamente de sus propias historias, tradiciones, y experiencias existenciales, para hacer visible y desafiar los , a menudo los grotescos, desigualdades, patrones diferenciales y hegemónicos, y las opresiones intolerables del momento presente para prevenir aquellos momentos futuros.¹¹⁶ Además, las identidades están siempre en transición, mutación, el cambio, y a menudo se hacen más complicadas a resultado de la posibilidad de encuentros, acontecimientos traumáticos, o colisiones inesperadas existenciales.¹¹⁷ La biografía personal, el Cubo numero III, puede y se convierte en texto social.

El cubo numero III incluye (1) auto-identidad, (2) miembros dentro del grupo / fuera del grupo socios en relación a si mismos, (3) identidad social en relación a si mismo, (4) psicología individual o patología, (5) historia individual existencial y experiencias,¹¹⁸ y (6) interés propio y supervivencia. Cada una de estas cuestiones de agencia pura individual debe ser integrado en relación con - no contra - la sociedad, el grupo, la familia o la nación. Esto sugiere la integración entre Cubos numero I y numero II y es el baile infinito negociacionable que es presentado en el inicio de este análisis.

De ahí, el Cubismo Integrante-inductivo Social no hace ningunas distinciones hierarcales entre las dieciocho facetas de los tres cubos cuando intenta entender y analizar la dinámica conflictual conductual y social. La subjetividad única, intra-subjetividad e inter-subjetividad-es la llave al modelo total. Además, objectificacion es considerado un ejercicio peligroso - en este caso, la excepción es la regla - la agencia excepcional individual puede y crea el cambio y la transformación. Somos ambos los objetos y los sujetos de nuestra propia existencia.¹¹⁹ De hecho, para los que creen que coacciones estructurales conducen a la opresión y el conflicto, y la estructura nunca puede ser controlada, yo sugiero que nosotros consideremos la agencia de los oprimidos, los opresores, y el siempre existente "la hilera media " quien juega un lado contra el otro.¹²⁰ El grupo y/o las estructuras existen por el permiso de y con la

116. Henry Giroux, CRITICAL PEDAGOGY AS PERFORMATIVE PRACTICE: MEMORIES OF WHITENESS, IN SOCIOLOGY OF EDUCATION: EMERGING PERSPECTIVES [PEDAGOGÍA CRÍTICA COMO PRÁCTICA REALIZADA: MEMORIAS DE BLANCURA, EN LA SOCIOLOGÍA DE EDUCACIÓN: PERSPECTIVAS EMERGENTES] 147, (Carlos Alberto Torres & Theodore R. Mitchell, eds., 1999).

117. *Id.* al 149.

118. *Vea, por ejemplo*, HUSSERL, *supra* nota 4; THE CRISIS OF EUROPEAN SCIENCES AND TRANSCENDENTAL PHENOMENOLOGY, [LA CRISIS DE LAS CIENCIAS EUROPEAS Y LA FENOMENOLOGIA TRANSCENDENTAL], *supra* nota 21; SMITH & SMITH, *supra* nota 21; John-Paul Sartre, *Consciousness and Society*, in THE PHILOSOPHY OF JOHN-PAUL SARTRE [Conciencia y Sociedad, en LA FILOSOFIA DE JOHN-PAUL SARTRE] 255-260, 415-423 (Random House, ed., 1965). *Vea también* Blumer, *supra* nota 4; *supra* nota 37, al 78, 129.

119. THE ORDER OF THINGS [LA ORDEN DE LAS COSAS], *supra* nota 13.

120. *Vea* BUILDING PEACE [CONSTRUYENDO LA PAZ], *supra* nota 4.

conurrencia de individuos en ellos, a grados que varían, por la complicidad y/o la colusión. El agente que concierne y resiste, que puede conducir al final de la opresión o la violencia, no puede ser ignorado.¹²¹ La ausencia de tal voz permite que la violencia sea alimentada o sea ser mediado hacia la cesación. Si no, el concepto de transformación es solamente una fantasía.

Si la estructura puede ser reemplazada a menudo es determinado por los actores individuales de la estructura. Sin individuos como Gandhi, el Rey, Maude Gonne, Steinem, Eleanor Roosevelt, de Beauvoir, la Casucha, Adams, Paisley, Hitler, junto con heroínas desconocidas, héroes, herejes, y traficantes de odio, el cambio social –mejor o peor – nunca hubiera ocurrido. Pensadores críticos, sitios / espacios críticos y voces disonantes “yendo contra el grano” pueden crear el cambio.¹²² El “mundo de la vida” sería desesperado y estático sin voces resistentes.

El “mundo de la vida” es, sin embargo, un mundo social.¹²³ Hay una naturaleza social al conocimiento.¹²⁴ Hay una relación entre la fenomenología, los temas.¹²⁵ Patrones, y la esencia de vivir, la negociación y el ajuste - lo que piensan los individuos - que es integrado en etnometodología de que individuos en realidad hacen en su vida diaria, sobre todo en contextos conflictuales.¹²⁶ Hay una relación infinita dialéctica entre el habitus y la especialidad de experiencia individual y la realidad social.¹²⁷ Esto comienza en la niñez.

A. Desarrollo de Niñez Tierno de la Agencia Humana

El desarrollo cognoscitivo y la capacidad para el pensamiento crítico son el contexto del Cubo numero III: el carácter distintivo del actor. Esto comienza en el desarrollo tierno de la niñez. Los ofrecimientos del trabajo de Piaget nos demuestran que el desarrollo intelectual se desarrolla por etapas y los esquemas de conocimiento. El desarrollo en curso es integrado y re sintetizado por una etapa de pensamiento crítica. Estos esquemas son programas o estrategias que

121. Russ-Trent, *supra* nota 12.

122. *Vea, por ejemplo*, FEMINIST THEORY [LA TEORIA FEMINISTA], *supra* nota 37; Russ-Trent, *supra* nota 12.

123. *Vea* The Theory of Communicative Action [La Teoría de la Acción Comunicativa], *supra* nota 110; THE PHILOSOPHICAL DISCOURSE OF MODERNITY [EL DISCURSO FILOSOFICO DE MODERNIDAD], *supra* nota 99.

124. FOUCAULT, *supra* nota 17. *Vea también* JAMES, *supra* nota 1; PARADOXES OF GENDER [PARADOJAS DEL GENERO], *supra* nota 14; DEBEAUVOIR, *supra* nota 37.

125. *Vea* HUSSERL, *supra* nota 4.

126. *Vea* HUSSERL, *supra* nota 4; THE CRISIS OF EUROPEAN SCIENCES AND TRASCENDENTAL PHENOMENOLOGY [LA CRISIS DE CIENCIA CIENTÍFICA Y LA FENOMENOLOGIA TRANSEDENTAL], *supra* nota 21; SMITH & SMITH, *supra* nota 21; SCHUTZ, *supra* nota 4.

127. *Vea* BOURDIEU, *supra* nota 39.

usan los individuos mientras que ellos actúan recíprocamente con el ambiente— lo que yo he acuñado “viviendo estratégicamente.”¹²⁸ Con la experiencia, la negociación, la mediación, y el pensamiento crítico, las decisiones son hechas. La agencia humana es desarrollada y actores sociales actúan. Los actores transforman sus líos existenciales (Aretxaga 1997).

Piaget más lejos sugiere que el desarrollo de los esquemas mentales o estructuras ocurra en la misma orden en todos nosotros y en una tarifa relativamente predeterminada - una tarifa gobernada por nuestra maduración fisiológica. Antes de que estructuras precisas neurológicas sean desarrolladas, estos esquemas no pueden aparecer.¹²⁹ De verdad, la inteligencia conceptual, la “función simbólica”, la imitación, el juego, la intuición, la racionalidad, transductiva, la actividad deductiva, e inductiva, pavimenta con hormigón el pensamiento operacional que permite uno integrarse con otras acciones, relacionar y re sintetizar, reflejar, mostrar la empatía, deducir, y negociar la decisión siguiente “óptima”, son las complejidades que pueden ser interrumpidas por el trauma, la negligencia, el abuso, o la apatía en la temprana niñez y la adolescencia.¹³⁰ Además, estas funciones de cognición, la confianza, la intención,¹³¹ y el entendimiento son fundamentales para el desarrollo intelectual, los niveles complejos de la solución de problema y pensamiento.¹³²

Los ambientes sociales en donde las complejidades constituyentes de desarrollo intelectual ocurren son críticos. La realidad es que, en muchos casos, el desarrollo de niñez no es nutrido. Es a menudo descuidado o traumatizado en sociedades en las que consideraciones éticas, la dignidad humana, la igualdad y la personalidad son devaluadas. La justicia es negada, y la esperanza a menudo es basada en la acción de hacerse de su opresor. El ser por lo tanto, es traumatizado, incluyendo las estructuras cognoscitivas de las que la agencia humana y la toma de decisiones emanan. Los procesos de los grupos positivo o negativo psychodynamicos son a menudo los tiradores que influyen el actor.

B. Estudio del Caso: Henreich Himmler, Reichsfuherer, SS.: Influencias Tiernas de Niñez: La Agencia Humana Se desarrolla

En la esquina de la mano derecha él ha puesto su nombre seguido por su título. *Heinreich Himmler, Reichsfuherer, SS. No haga ninguna*

128. Russ-Trent *supra* nota 12.

129. B. JOYCE & M. WEIL, MODELS OF TEACHING [MODELOS DE ENSEÑANZA] 281-282 (5th ed. 1996).

130. *Vea* HERMAN, *supra* nota 78; CHILDHOOD AND SOCIETY [LA NIÑEZ Y LA SOCIEDAD], *supra* nota 48; IDENTITY AND THE LIFE CYCLE [LA IDENTIDAD Y EL SICLO DE VIDA], *supra* nota 48.

131. *Vea* HUSSERL, *supra* nota 4.

132. JOYCE & WEIL, *supra* note 128, al 285.

*mención del tratamiento especial de los judíos, él dice, emplea sólo las palabras, el Transporte de los judíos Hacia el Este ruso. Unos meses más tarde, este hombre dará un discurso a una reunión secreta que se encuentra en el distrito de Posen. Ahora Ud. sabe todo sobre ello, [la solución final] y Ud. se callará, él les dirá. Ahora compartimos un secreto y nosotros deberíamos tomar nuestro secreto a nuestras tumbas.*¹³³

Reichsführer Heinrich Himmler fue influido profundamente por su padre, Gebhard. Su padre “surgió grande a su hijo.”¹³⁴ El padre, Gebhard, estrictamente siguió estrictamente a los expertos de crianza del día. “Aplasten la voluntad” ellos escribieron. “Establezca el predominio. No permita a ninguna desobediencia. Suprima todo en el niño.” Griffin pide, “¿Qué podría hacer a una persona concebir el plan de gasear a millones de seres humanos a la muerte?”¹³⁵ ¿Podría ser la respuesta el desarrollo de niñez?

Como un hombre quien hizo la historia, Heinrich Himmler formó muchas niñeces . . . Y una historia más temprana, una historia de gobiernos, de guerras, de aduana social, y las ideas de género, la historia de un prestar de religión a la idea de pecado original, formo la niñez de Heinrich Himmler tan seguramente como cualquier filosofía de cultivo infantil. Uno puede tomar por ejemplo cualquier condición formativa de su vida privada, el hecho que él era un niño frágil, por ejemplo, favorecido por su madre, quien no podía encontrar normas masculinas, y mostrar que esta circunstancia sacó su significado verdadero de un sistema más grande social que dio la importancia excesiva a la masculinidad.¹³⁶

En una cierta etapa comenzamos a definirnos, escoger una imagen de quien somos. A tiempo olvidamos nuestras personalidades más tempranas y sustituimos aquella memoria por la imagen la que hemos construido en las ordenes de otros.¹³⁷ ¿Cómo podemos comprender el “estado interior” del ser de Himmler, su fenomenológico Cubo numero III de intencionalidad?¹³⁸ En la estación del tren, el joven Heinrich oye el canto y ve a hombres valientes en

133. S. GRIFFIN, A CHORUS OF STONES: THE PRIVATE LIFE OF WAR [UN CORO DE PIEDRAS: LA VIDA PRIVADA DE LA GUERRA] (1992).

134. *Id* al 120.

135. *Id.*

136. *Id* al 121.

137. *Id.* al 122. *Vea también* IDENTITY AND THE LIFE CYCLE [LA IDENTIDAD Y EL CICLO DE LA VIDA], *supra* nota 48; THE LIFE CYCLE COMPLETED [EL CICLO DE LA VIDA COMPLETADA], *supra* nota 70; JAMES, *supra* nota 1; SIMMEL, *supra* nota 1.

138. *Vea generalmente* HUSSERL, *supra* nota 4.

uniformes finos. Él quiere ser un soldado. Más que nada, él quiere un uniforme. Heinrich también quiere control. Él tiene que controlar, como él ha sido controlado por su padre. La meticulosidad del control que el padre Gebhard tuvo sobre su familia era evidente por sus procedimientos diarios: cada paquete, o carta postal que paso por la puerta era, por el orden de Gebhard, tenía que ser debidamente registrado. Y su hijo siguió el pleito.

Cada hoja de papel publicada con respeto a la oficina . . . [El SS] pasará por el escritorio de Heinrich Himmler, y a cada página él agregará sus propios iniciales. Ningún detalle evitará su conjetura o no logrará ser registrado.¹³⁹

De verdad, Himmler sintió, que Alemania necesitaba un “hombre de hierro,” un hombre como su padre. El Tratado de Versailles ha sido tomado como una humillación. Una debilidad imperdonable, él discutió, se ha permitido invadir la nación. Un hombre debería ser a un hombre y una mujer una mujer.¹⁴⁰

Un hombre verdadero debería amar a una mujer como un niño quien debe ser amonestado quizás hasta castigado, cuando ella es tonta, aunque ella también debe ser protegida y cuidada porque ella es tan débil.¹⁴¹

Más lejos los signos de la disfunción del desarrollo de Himmler y la agencia que emanó de ello, pueden ser evidenciados. Una vez que él es Reichsfuhrer, él pondrá ciertas normas para la superioridad la que, no importa como heroicos sus esfuerzos, él nunca será capaz de lograrlos. Un signo del *Urbarmensch*, él dice, es ser rubio. Pero él mismo es oscuro. Él dice que él se cuida de arrancar a cualquier aspirante del SS quien muestra los rastros de un linaje “mongol.” Pero él mismo tiene los ojos estrechos los que él toma como un signo de tal descendencia. “He rechazado aceptar a cualquier hombre el cuyo tamaño es debajo de seis pies porque se que sólo los hombres de un cierto tamaño tienen la calidad necesaria de la sangre,” él declara, estando de pie solamente cinco pies y siete pulgadas detrás del podio.¹⁴² De verdad, sus vistas de denigración sobre la homosexualidad son evidenciadas cuando él declara “los antepasados de la Alemania sabían que hacer con homosexuales. Ellos los ahogaron en la atolla.” Esto no era el castigo, él discutía, pero “ la

139. Griffin, *supra* nota 132, al 133.

140. *Vea generalmente* Griffin, *supra* nota 132 (presentando excerptas del diario de Himmler).

141. *Id.* al 134 (citando del diario de Himmler, 1920-1923).

142. *Id.* al 141-142

exterminación de la existencia que no es natural.”¹⁴³ Sin embargo, uno de sus héroes, Henry el Grande, era un homosexual.¹⁴⁴

En el sentido más grande, Alemania nazi y las cuentas emparentadas que se cruzan de la primera guerra mundial y la segunda guerra mundial son los ejemplos principales de como la toma de decisiones de unos individuos chocó las vidas de millones. Más interesadamente, las decisiones hechas estaban, en parte o en todo, basados en historias tan personales como el de Himmler. Si nosotros exploraríamos las vidas personales de los actores de la segunda guerra mundial, como Roosevelt, Mussolini, Toynbee, el Edén, Churchill, el Chambelán y Hitler, nosotros descubriríamos incidentes críticos, historias existenciales y “experiencias vividas” que influyeron en decisiones que más tarde llegaron a la etapa mundial.¹⁴⁵ Así, los Cubos números I, II, II se relaciona entre ellos en contextos dinámicos integrantes. Sobre Presidente Wilson:

Esto no le ocurrió [al Presidente Wilson] que las preguntas de propiedad y la paz podrían ser subordinadas a los de orgullo nacional y resentimiento; que los pudieran haber sido forzados a restaurar su honor y el poder para recuperarlo, por cualquier medio necesario.¹⁴⁶

Soluciones maquiavélicas eran defendibles, por lo tanto. Hitler, un individuo, fue capaz de seguir su reinado de terror, por los esfuerzos / acciones individuales, el racionamiento individual, la dichotomización subjetiva y objetiva, y la agencia intencionada humana, por la extensión, la aprobación colectiva de la ciudadanía alemana - un actor a la vez. Por lo tanto el estudio del caso precedente, expone las fuerzas de las dieciocho facetas de I-ISC que motivaron una nación (el Cubo numero I); un grupo / nación / estado, el Partido Nazi (Cubo numero II); y cada ciudadano / actor alemán (Cubo numero III), para cometer las atrocidades del Holocausto.

C. Estudio del caso: Gerry Adams, Líder de Sinn Fein

En veces recientes, podemos aprender del desarrollo psycho-cultural y psicosocial de Gerry Adams, el líder de Sinn Fein, el ala política del Ejército Republicano Irlandés (el IRA). La investigación reciente ha establecido que el desarrollo de la personalidad de uno e individuos influye el comportamiento negociador.¹⁴⁷

143. *Id.* al 141-142.

144. *Id.* al 142-143.

145. JERVIS, *supra* nota 47.

146. DONALD KAGAN, ON THE ORIGINS OF WAR [SOBRE LOS ORIGENES DE GUERRA] 376 (1995).

147. *Vea*, por ejemplo, Elena Mastors, *Gerry Adams and the Northern Ireland Peace Process: A Research Note*, [Gerry Adams y el Proceso de Paz de Irlanda del Norte, Una Nota de Investigación], POL.

Un perfil conductual ha sido hecho sobre Adams por un análisis de contenido de sus entrevistas espontáneas, ofreciendo una conexión entre características individuales y el comportamiento esperado. Algunos temas y patrones citados eran que él no cedería, cueste lo que cueste, creyendo que su posición es la correcta. Su complejidad puede mediar estos rasgos dominantes, haciéndolo más receptivo a las opiniones de otros.¹⁴⁸ Adams también tiene una necesidad alta de afiliarse, mientras se preocupa como otros lo ven. Esto, a su turno, le conduciría a buscar relaciones normalizadas con la oposición.¹⁴⁹ En un ambiente tenso de Acuerdo de Paz después del Viernes Santo (1998), Adams sigue contratando en la política del proceso, queriendo ser visto como un hombre de paz. A pesar de haber firmado el acuerdo de paz, Adams realmente no concedió mucho, y él sigue teniendo un impacto sobre el futuro de las disposiciones gobernantes de la región.¹⁵⁰

Leyendo el libro de Adán *la Jaula Once* proporciona la perspicacia en sus acciones intencionadas.¹⁵¹ Y durante mi investigación de archivos agosto del año dos mil en Belfast, Irlanda del Norte, entrevistando prisioneros antiguos políticos y sus familias Republicanos machos y hembras (el Ejército Republicano Irlandés, o el IRA), atestigüé las atestiguaciones del carisma personal de Adam. Unos habían pasado el tiempo con él en la prisión Long Kesh. Ellos literalmente morirían por él, hombres y mujeres igualmente, como ellos creen que él para ellos. Esto muestra una influencia fuerte personal, demostrando el poder del actor individual en contextos (de grupo) sectarios, si Ud. está de acuerdo con la política de Adam o no. Esto también da testimonio a las influencias, positivas o negativas, el que líderes carismáticos (actores individuales) tienen sobre la resolución de conflicto o el proceso de exacerbación.

PSICOL., Vol. 21, No. 4, 839-846 (2000); M.G. Hermann & T. Preston, *Presidents, Advisors, and Foreign Policy: The Effect of Leadership Style on Executive Arrangements* [*Presidentes, Consejeros, y Póliza Extranjero: El Efecto del Estilo de Mando en Arreglos Ejecutivos*], POL. PSICOL., 15, 75-96 (1994).

148. *Vea* DONALD A. SYLAN Y STEVE CHAN, FOREIGN POLICY DECISION MAKING: PERCEPTION, COGNITION, AND ARTIFICIAL INTELLIGENCE [HACIENDO DECISIONES PARA LA POLIZA EXTRANJERA: PERCEPCIÓN, COGNICIÓN, E INTELIGENCIA ARTIFICIAL] (1984).

149. M.G. HERMANN, A HANDBOOK FOR ASSESSING PERSONAL CHARACTERISTICS AND FOREIGN POLICY ORIENTATIONS OF POLITICAL LEADERS. [UN MANUAL PARA DETERMINAR CARACTERÍSTICAS PERSONALES Y ORIENTACIONES DE POLIZAS EXTRANJEROS Y LIDERES POLÍTICOS]. Ohio State University mimeo. (1987).

150. Mastors, *supra* nota 146, al 844.

151. *Vea* GERRY ADAMS, CAGE ELEVEN [LA JAULA ONCE] (1984).

VI. CONCLUSIÓN

El cubismo Integrante-inductivo Social (I-ISC) intenta proporcionar un análisis integrante y complejo de conflicto de los niveles micro a los niveles macro, que se cruzan a lo largo del camino, en un dinámico y un afecto y efecto sin lineal. I-ISC se está sintetizando constantemente. En el Cubo numero I, el nivel estructural, las exigencias analíticas están enfocadas en macro-facetos, el Modelo de Cubismo Social de Byrne y Carter.¹⁵² En el Cubo numero II, el nivel de estructura / agencia, las exigencias analíticas son enfocadas en las relaciones de conflicto en el grupo “inter” y el grupo “intra”. En el Cubo numero III, el nivel de agencia / actor, los intereses de análisis de conflicto son enfocadas a la capacidad de tomar decisiones individuales y de e intencionalidad, y el desarrollo de la agencia individual humana.

Debemos ser conscientes de las dieciocho facetas de este modelo, Cubos numero I, II y III, (Vea la Figura número 2) en negociación dinámica con el uno al otro en orientaciones de tiempo diferentes, contextos diferentes, y el poder de diferente relaciones / construcciones. Los tres cubos son separados y al mismo tiempo, ellos son uno. La naturaleza simbólica de internalización y la integración, Los tres cubos rubics, y el signo para el infinito en el diseño de este modelo inductivo, se proponen para ser simplemente compleja y en última instancia, útil. El conflicto está lleno de la ambigüedad, la contradicción, y la sorpresa. Requieren el pensamiento complejo crítico y procesos para manejarlo, mediarlo, negociarlo, o exacerbarlo. El conflicto también puede ser productivo.¹⁵³ Nunca debemos perder la vista de esto. Si no fuera por el conflicto, la justicia social sería un oxímoron. Sin embargo, siempre deben ver el conflicto como complejo, dinámico, y transformable.

“Conflict=attitudes/assumptions+behavior+contradiction/content.”¹⁵⁴ En el conflicto de Cubismo Integrante Inductivo Social es articulado como un constructo triádico dinámico. Como Galtung sugiere, no podemos asumir que un género, una generación, una raza, un mundo, un estado, o súper-estado, tiene “objetivos”, en sí.¹⁵⁵ Estos son simplemente abstracciones. Sin embargo, ciertas elites, funcionarios con poder de decisión, y líderes carismáticos pueden tener objetivos, a menudo claramente formulados, que tienen el poder “sobre” el modelo. Teniendo conocimiento de la realidad de tales agentes de poder, el

152. *Vea generalmente*, Byrne & Carter, *supra* nota 2.

153. *Vea, por ejemplo*, LOUIS KRIESBERG, CONSTRUCTIVE CONFLICT: FROM ESCALATION TO RESOLUTION [CONFLICTO CONSTRUCTIVO: DE ESCALACION A RESOLUCIÓN] (1998); *Vea también* GALTUNG, *supra* nota 4; JAY ROTHMAN, RESOLVING IDENTITY-BASED CONFLICT IN NATIONS, ORGANIZATIONS, AND COMMUNITIES [RESOLVIENDO CONFLICTO BASADO EN LA IDENTIDAD EN NACIONES, ORGANIZACIONES, Y COMUNIDADES] (1997); SIMMEL, *supra* nota 1.

154. GALTUNG, *supra* nota 4, al 72.

155. *Vea* GALTUNG, *supra* nota 4.

análisis de conflicto debe ser complejo más bien que diádico, Manichean, silogístico, y Cartesiano. “El conflicto es sobre la vida, señalando directamente a contradicciones como creando la vida y destruyendo vida.”¹⁵⁶ Por lo tanto, una teoría de conflicto que funciona tendrá que ser localizada y articulada en el nivel fenomenológico, que es la esencia del Acercamiento de Cubista Integrante Inductivo Social. Haciendo significado es la llave a las dieciocho facetas como se relacionan con el uno al otro. Además, hay un lado de conflicto manifiesto y latente, para el lado de manifestación es identificado con el comportamiento, y el aspecto latente con la actitud y la contradicción.¹⁵⁷

En parte, esto sugiere que los trabajadores culturales desarrollen proyectos colectivos en los que las bifurcaciones tradicionales de margen / centro, la unidad / diferencia, local / nacional, pública / privada pueden ser reconstituidas por la representación más compleja de identificación, la pertinencia, y la comunidad. Esto implica una nueva definición fundamental del significado de sociólogo y el teórico como el artista y el intelectual público. Como intelectuales públicos, debemos definirnos no simplemente como figuras marginales, de vanguardia, profesionales, o académicos que interpretan solos, pero como trabajadores culturales el cuyo conocimiento colectivo y acciones presuponen las visiones insurgentes de vida pública, la comunidad, y la responsabilidad moral. Lo que es crucial es un concepto del político que es abierto aún comprometido, respeta la especificidad sin borrar consideraciones globales, y proporciona espacios nuevos para el trabajo de colaboración ocupado en el cambio productivo social.¹⁵⁸ Debemos crear una “lengua integrante crítica” por valores, ética, y la responsabilidad social.¹⁵⁹ El tiempo ha venido para artistas, educadores, y otros trabajadores culturales para unirse juntos para defender y construir aquellos sitios culturales y las esferas públicas que son esenciales para una democracia viable y un proyecto de emancipatoria.¹⁶⁰

No hay duda en mi mente que esta teoría puede y será sintetizada de nuevo, deconstruida, y/o ampliada de un modo nuevo y vital. El proceso de dialéctica sólo no debe seguir. Esto nunca debe terminarse. Tal como he agregado Byrne y Carter,¹⁶¹ espero que alguien construirá más sobre mi

156. *Id.* al 71; ROBERTON MERTON, *Manifest and Latent Functions*, in SOCIAL THEORY AND SOCIAL STRUCTURE [*Funciones Manifestas y Latentes*, en TEORIA SOCIAL Y ESTRUCTURA SOCIAL] (FREE Press 3d ed. 1968) (1949).

157. GALTUNG, *supra* nota 4, al 71.

158. Giroux, *supra* nota 115, al 152

159. *Id.* al 152; SUZANNE LACY, MAPPING THE TERRAIN: NEW GENRE PUBLIC ART [HACIENDO UN MAPA DEL TERRENO: UN GENERO NUEVO DE ARTE PUBLICO] 20 (Suzanne Lacy, ed., 1995).

160. *Vea* Giroux, *supra* nota 115, al 152; Lacy, *supra* nota 158, al 43.

161. *Vea generalmente* Byrne & Carter, *supra* nota 2.

construcción. La articulación de un “empirismo emancipatorio” es el proyecto que yo estoy sugiriendo.¹⁶²

La ilusión más ingenua en esta especialidad (de investigación de paz) no es sólo para creer en la arquitectura global, que la estructura puede ser construida y llenada con cualquier clase de actores; igualmente es ingenua creer aquella estructura es independiente de cultura. Yo sumaría, que esto es igualmente ingenuo para ignorar a la agencia individual humana y su individuo desarrollo-como sugerirían, “ la intersección del personal y el sistémico.”¹⁶³

De verdad, “El recurso más grande para el sostenimiento de la paz en el largo plazo siempre es arraigado en los habitantes del lugar y su cultura ...emergiendo a menudo de su propia experiencia de dolor.”¹⁶⁴ Finalmente, las palabras de Gandhi son, en efecto, la esencia fenomenológica de este proyecto de resolución de conflicto transformable llamado el Cubismo Integrante Inductivo Social:

El sufrimiento es infinitamente más poderoso que la ley de la selva para convertir al opositor y abriendo sus oídos, que si no son cerrados, a la voz de razón. Nadie probablemente ha preparado más peticiones o ha apoyado causas más desesperadas que yo, y he venido a estas conclusiones fundamentales que si Ud. quiere algo realmente importante de ser hecho Ud. simplemente no debe satisfacer la razón, Ud. debe mover el corazón, también.¹⁶⁵

162. *Vea* H.R. ALKER, REDISCOVERIES AND REFORMULATIONS [RE-DESCUBRIMIENTOS Y RE-FORMULACIONES] 338 (1996); Ho-Won Jeong, THE NEW AGENDA FOR PEACE RESEARCH [LA AGENDA NUEVA PARA LA INVESTIGACIÓN DE LA PAZ] 3-12, 233 (Institute for Conflict Analysis and Resolution, George Mason University, USA, ed., 1999).

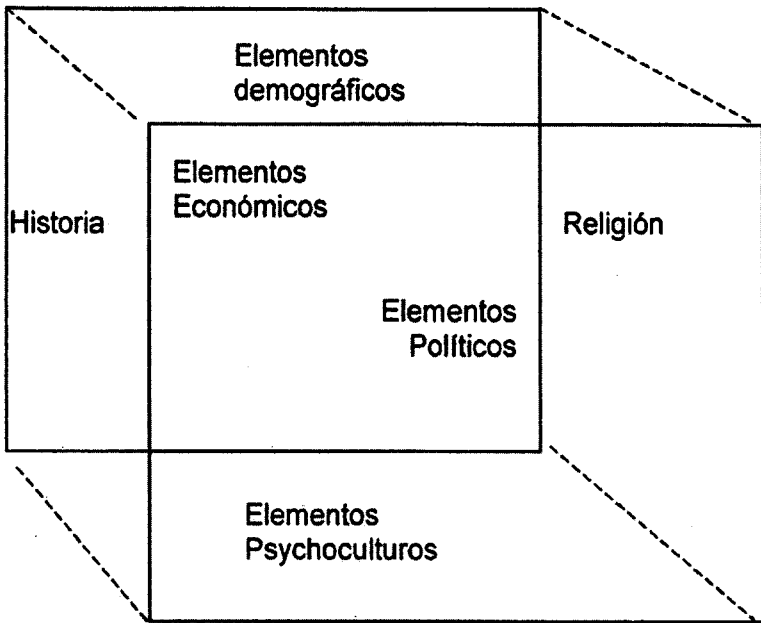
163. PREPARING FOR PEACE [PREPARANDO PARA LA PAZ], *supra* nota 4, al 21.

164. BUILDING PEACE [CONSTRUYENDO LA PAZ], *supra* nota 4, al 94.

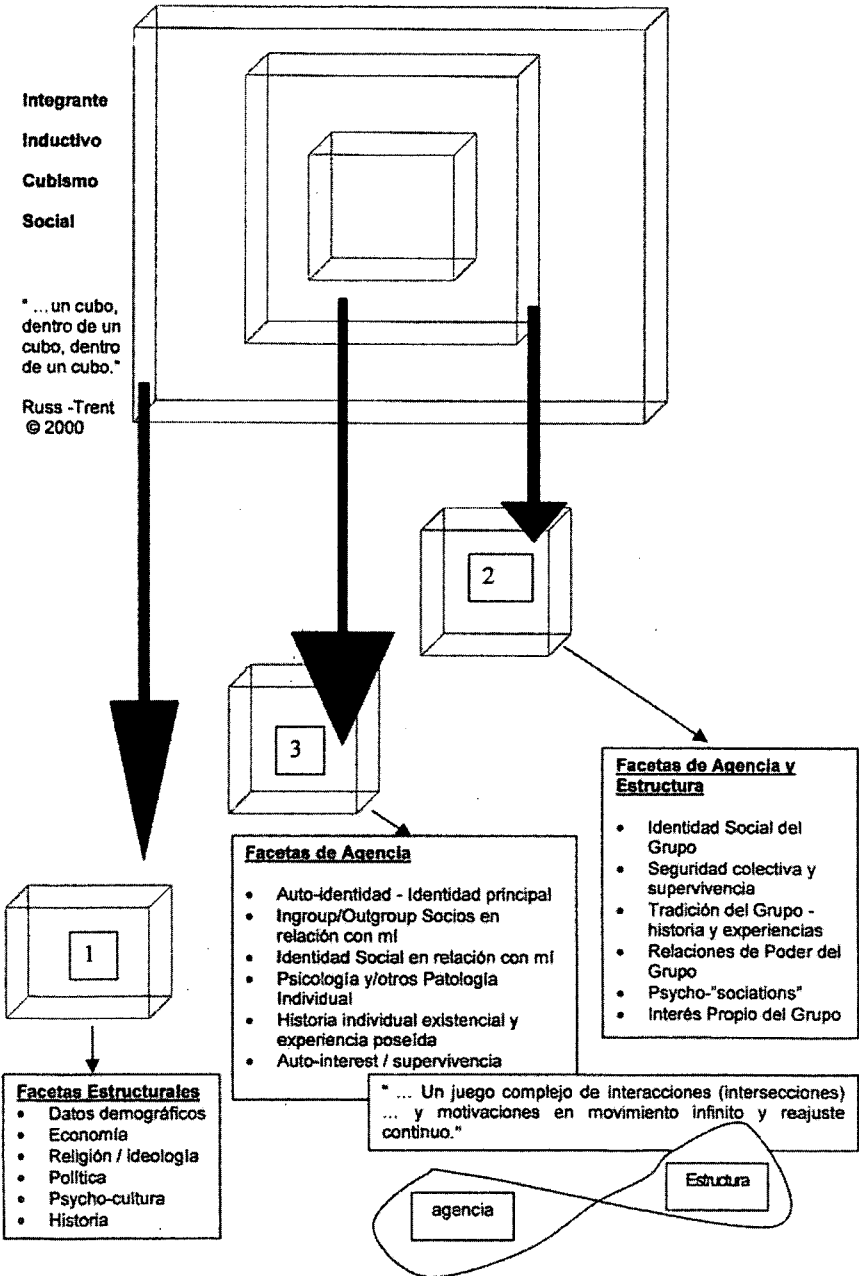
165. MAHATMA GANDHI, THE COLLECTED WORKS OF MAHATMA GANDHI [LOS TRABAJOS COLECCIONADOS DE MAHATMA GANDHI] (Publications División, Govt. Of India, 1958).

IX. APENDÍCES

A. *Figura (numero) 1: el Cubo Social (Byrne & Carter 1996)*



B. Figura (numero) 2: Cubismo Integrante Inductivo Social (Russ-Trent 2000)



C. Cubismo Integrante Inductivo Social de un Vistazo

El cubismo Integrante Inductivo Social es basado en trabajo original de Byrne y el Cubismo Social de Carter.¹⁶⁶ El cubismo Integrante Inductivo Social es basado en asunciones siguientes:

1. Hay un interconectado, o en el mínimo, un interrelacionado entre seres humanos, y entre el ser, la familia, niveles locales, nacionales, y globales. Por lo tanto, este análisis es basado en un emparentado, el posmodernista y la fundación feminista.
2. La unidad de análisis en esta teoría está múltiple basada y simultánea, moviendo adentro y afuera del cubo al cubo al cubo, del individuo a grupos, estructuras entonces sociales, luego en otra vez. Fuerzas conflictuales están en un estado de movimiento constante, la presión y la ondulación. Esto incluye (la agencia) psicológica, (la agencia / estructura) psicosocial y contextos psycho-culturales (estructurales / políticos): la agencia humana del individuo está en la tensión constante con las estructuras externas sociales alrededor de ella y puede ser, (y manifiesto((manifestación)) sutil (latente) y profunda.¹⁶⁷
3. Un continuo de fortalecimiento y el dis-fortalecimiento existe, en los límites del control autoritario (Machiavellianism, el nacionalismo, la dictadura), el colonialismo, el patriarcado, la dominación (a veces según el acuerdo general disfuncional), la opresión, la explotación, la violencia estructural - cultural, familiar,¹⁶⁸ comunal, la insinuación - dentro del grupo / fuera del grupo la creación de los estereotipos / discriminación, incongruencia, e individual en mente conexiones de / cuerpo (Gandhi, 1970/76 satygraha). Psycho-cultural, psicosocial y psycho-político / cultural los factores afectan, y política baja y alta, y la toma de decisiones en colectividades e individuos.
4. Tal como descubrimos las maravillas de ADN en la biología, el ADN las basadas en las computadoras y el "String Theory" en la física cuántica, descubriendo sus estructuras complejas emparentadas que trabajan y componentes, en la esperanza que el mundo será mejor si esto está mejor entendido, tan también, en el análisis de conflicto, podemos atomizar el análisis abajo a sus componentes más pequeños para fenomenológicamente entender las complejidades emparentadas y contextuales e intersecciones existentes en ello, micro a macro, en

166. *Vea* Byrne & Carter, *supra* nota 2.

167. GALTUNG, *supra* nota 4, al 71; MERTON, *supra* nota 155 al 73-138.

168. *Vea* GALTUNG, *supra* nota 4.

el global (estructural) así como el medio gama (sitios de agencia / estructura ambiguos) y niveles (de agencia) individuales.

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HACIA UN MODELO MULTIDIMENSIONAL DE INTERACCIÓN SOCIAL COMO RELACIONADO PARA ESTAR EN DESACUERDO TEORÍA DE RESOLUCIÓN

*S. Michael Hare**

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I. EXTRACTO

Uno de los temas en el estudio de teoría social, en todas partes de su historia, ha sido el examen de las fuerzas sociales de agencia y la estructura. Esto ha sido verdadero ambos de los niveles micro y macro de interacción social

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** Este artículo fue traducido por Carlos Jimenez.

y también ha sido hablado en unos usos de diferir a problemas sociales en contextos locales, nacionales e internacionales. Aunque los teóricos clásicos sociales ofrecieran el énfasis que varía en ambos finales del espectro, ellos también parecieron claramente afectados (preocupados) con el entendimiento de los acoplamientos que los unieron (conectaron) juntos. Más recientemente, algunos teóricos han enfocado más sobre las posiciones extremas de paradigmas contrarios en una búsqueda evidente de pureza teórica. Sin embargo, allí ahora aparece ser un interés renovado a la integración y el sintetizar de teorías sociales hacia un paradigma más holístico y equilibrado. Este artículo brevemente repasará unas estas consideraciones e intentará animar la remota investigación y el desarrollo de modelo de teoría adecuado social, sobre todo como ellos se relacionan con el conflicto y con su resolución en usos locales, nacionales, e internacionales. Expresamente, propondrán a tres conceptos como pasos progresivos hacia este objetivo. El primer paso se relaciona con un ensanchamiento teórico de perspectiva en la luz del concepto de C. Wright Mills de Imaginación Sociológica.¹ El segundo el paso recomendado es inspirado por el interés de George Ritzer a meta-teorías y examina la integración de ideas de sus Niveles Principales de modelo de Análisis Social.² La sugerencia final concierne la exploración de dimensiones nuevas y considera la dinámica del modelo de Cubismo Social por Sean Byrne y Neal Carter.³

II. INTRODUCCIÓN

Una de las mas raras comodidades en esta vida parece ser el encontrar el equilibrio adecuado. Aristóteles procuró encontrar un feliz medio en *el Medio Dorado*.⁴ Los filósofos hace mucho han discutido si cada persona individual es un agente libre o si cada uno es totalmente y desválidamente es cerrado en una cadena infinita de causas y efectos deterministas. La variación de conjeturas filosóficas coloca "las respuestas" a estas preguntas en ambos extremos y en varios sitios en medio.⁵ Los biólogos diseñan experimentos para intentar y averiguar si la naturaleza o la nutrición manejan las mas fuertes influencias en la dirección del comportamiento humano y ambas posibilidades encuentran

1. Vea CHARLES LEMERT, SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS, 348 (2000).

2. Vea GEORGE RITZER, SOCIOLOGICAL THEORY (4th ed., 1996).

3. Vea SEÁN BYRNE Y NEAL CARTER, *Social Cubism: Six Social Forces Of Ethnoterritorial Politics In Northern Ireland And Quebec*, 3(2) PEACE AND CONFLICT STUDIES, en 52-71 (1996).

4. Vea O. JOHNSON, ETHICS: SELECTIONS FROM CLASSICAL AND CONTEMPORARY WRITERS, 67-77(1989).

5. Vea R. SOLOMON, INTRODUCING PHILOSOPHY: A TEXT WITH INTEGRATED READINGS 495-537 (4th ed. 1989).

fuertes partidarios.⁶ Los teólogos han abogado por siglos sobre si el destino humano de cada persona es divinamente y absolutamente designado antes del nacimiento o si las decisiones que tomamos en esta vida representan los actos genuinos de libertad. De la misma manera, denominaciones enteras religiosas han alrededor exactamente como uno podría pensar que esta pregunta contestar.⁷ Parece que el conocimiento incompleto o parcial fácilmente puede conducir hacia la aceptación de una posición extrema en cualquier número de áreas. Por ejemplo, abrazando un final u el otro de extremos opuestos enfrente sobre cualquier continuo a menudo parece representar un desequilibrio en el razonamiento lo que en última instancia conduce al aislamiento y a la desunión. Aún, la opción para aceptar tal posición parece común en casi cada disciplina. Entonces, en la tentativa de contestar las preguntas de estructura y la agencia en la teoría social, si en el nivel local, nacional, o internacional, los teóricos sociales siguen una larga línea de pregunta similar en muchas otras disciplinas. Los científicos sociales también, como ellos estudian las estructuras y las instituciones de alguna sociedad dada, y las acciones del individuo dentro de ellos, son contratados en una búsqueda muy verdadera para entender donde los factores de la agencia acaban y donde los estructurales comienzan.⁸ A menudo, esos de nosotros que teorizan sobre estas cuestiones al principio sólo encuentran respuestas parciales a nuestras preguntas. Por lo tanto, en general, cualquier teoría a menudo sólo puede proporcionar una muy pequeña parte de la explicación a los que preguntan bastante y complejo. La búsqueda por el equilibrio por lo general puede ser satisfecha sólo por la comparación, el contraste y ha sintetizacRion de ideas y conceptos buscando un bien redondeado e integrado.⁹ En ninguna parte está esto más evidente que en el análisis del conflicto social y en la búsqueda para su resolución en todos los niveles y a través de todas las culturas.¹⁰

Aunque el estudio de conflicto y la teoría de resolución de conflicto, está al alcance de necesidad multidisciplinaria¹¹ esto también esta claramente conectado en las ciencias sociales.¹² Por esto y debido a la complejidad de la materia en sR, la conexión entre la teoría social y la necesidad de modelos simples y práctico se hace obvia.¹³ El conflicto parece ser tan complicado como

6. *Vea* JOHN J. MACONIS, *SOCIETY: THE BASICS* 124-125 (4th ed. 1997).

7. *Vea* SPERRY LEWIS CHAFER, *SYSTEMATIC THEOLOGY* 183-198 (1974).

8. *Cf.* RITZER, *supra* nota 2, en 531.

9. *Id.* en 633.

10. *Cf.* Byrne & Carter, *supra* nota 3.

11. *Vea* J. NOLAN-HALEY, *ALTERNATIVE DISPUTE RESOLUTION IN A NUTSHELL*, 5-6 (1992).

12. *Vea* L. COSER, *THE FUNCTIONS OF SOCIAL CONFLICT*, 5 (1956).

13. *Vea* C. COSTANTINO & C. MERCHANT, *DESIGNING CONFLICT MANAGEMENT SYSTEMS: A GUIDE TO CREATING PRODUCTIVE AND HEALTH ORGANIZATIONS* xiii (1996).

frecuente lo és.¹⁴ Las fuentes de conflicto a veces parecen casi infinitas y las consecuencias, cuando no son suficientemente manejados o resueltos, pueden ser horribas.¹⁵ Los ejemplos como el genocidio practicado en Bosnia y Rwanda ilustran solamente como profundamente arraigadas estas fuentes de conflicto pueden ser experimentadas en situaciones prolongadas en contextos locales, nacionales, e internacionales. El conflicto ocurre en todos los niveles de interacción social, del más grande de las estructuras de la sociedad al más pequeño de los grupos humanos.¹⁶ Con estas cosas en mente, un mejor entendimiento de las teorías micro y macro sociológicas, con más profundas ideas en la agencia y relaciones de la estructura, puede ofrecer mucho hacia un entendimiento integrante de conflicto y hacia el desarrollo de más modelos holísticos para el encuentro de la resolución.¹⁷

Como en el caso de los micro-y macro-sociológica, tenRa las preguntas de estructura y la agencia a veces son vistas como contraposiciones polares, y hasta pueden ser vistas como conceptos exclusivos mutuamente.¹⁸ Aunque haya ciertas distinciones válidas, esto a veces tiene que ser hecho para diferenciar las cuestiones macro de las estructurales y las cuestiones micro de los de la agencia,¹⁹ a veces sus semejanzas generales se ofrecen juntos aquí para los objetivos de simplificación. Esto es mi contención que un acercamiento equilibrado y holístico teórico requiere una visión integrada sociológica del mundo. Esta perspectiva necesita ser una en el cual la estructura, la agencia, las cuestiones micro y macro sociológicas puedan todas ser consideradas como conceptos interrelacionados mantenidos unidas por una tensión natural que podría mejor ser conceptualizada como un diseño integrado multidimensional. En otras palabras, para hacer un entendimiento comprensivo de tales acontecimientos como las recientes protestas en las reuniones de la Organización Mundial Comercial (WTO), las relaciones tensas entre la estructura y la agencia deben ser tomadas en cuenta. Esto llega hacer especialmente evidente en la consideración de diferentes opiniones que crudamente contrastan que existen como las polizas económica de una nación pueden autorizar o desautorizar individuos y naciones en el mundo entero.

Mucho como el diagrama de Ritzer de análisis social (visto en la figura (número) 1 debajo) del micro/cuestiones de macro-nivel incluye, los dos ojos verticales y horizontales, con multi-direccional y la interacción de multi-nivel

14. *Vea D. WEEKS, THE EIGHT ESSENTIAL STEPS TO CONFLICT RESOLUTION: PRESERVING RELATIONSHIPS AT WORK, AT HOME, AND IN THE COMMUNITY ix (1994).*

15. *Cf. LEMERT, supra nota 1, en 148.*

16. *Vea W. WILMOT & J. HOCKER, INTERPERSONAL CONFLICT, 33 (1998).*

17. *Cf. COSTANTINO & MERCHANT, supra nota 13, en 22.*

18. *Vea G. MARSHALL, THE CONCISE OXFORD DICTIONARY OF SOCIOLOGY, 10-11 (1994).*

19. *Cf. RITZER, supra nota 2, en 522.*

entre continuos objetivos/subjetivos y micro/macro, entonces también la estructura y las cuestiones de agencia requieren marcos similares para una evaluación comprensiva.²⁰ Y, tal como el modelo de cubo social de Carter demuestra la importancia de ver las interconexiones, relaciones y la interacción entre muchas variables sociales (visto en la figura (número) 2 debajo)²¹, entonces también, este artículo ilustrará la complejidad, acentuará la necesidad y animará el desarrollo de mejorar el análisis de conflicto a uno más comprensivo y el modelo de resolución. Los diseños de sistemas de intervención de conflicto realmente provechosos requieren la capacidad de analizar interacciones complejas sociales y de ofrecer la clarificación de las dos influencias sociológicas en la teoría social (y en la teoría de resolución de conflicto) y estructural/agencia y micro/macro. Pero el los también tienen que proporcionar la simplicidad por cual ofrecer la ayuda verdadera a los médicos de resolución de conflicto quien procurarán aplicarlos a casos ordinarios en el internacional, así como a local y a ajustes nacionales.

III. PERSPECTIVAS ENSANCHADORAS

Por las limitaciones inherentes en una persona que tiene sólo información y perspectiva, la esperanza para el progreso hacia diseños más integrantes nos desafían para ensanchar nuestros campos de (opinión). El interfaz entre la agencia, la estructura, los factores micro y macro en la determinación de las últimas causas de conflicto es complicado en parte debido a “la naturaleza invisible” de influencias de nivel macro-estructurales sobre individuos y sobre grupos. Por ejemplo, el principio universal internacional de la ley de derechos humanos no es percibido culturalmente en la misma luz en China que en las democracias del Oeste. Esta divergencia de valores culturales contribuye a la escalada de conflicto entre países a nivel internacional. Además, hay la remota complejidad adicional debido a las consideraciones multidimensionales de cada uno.

Por ejemplo, Martin Luther King, Junior demostro, en sus escrituras y en su vida, el potencial de cambio de la sociedad de resistencia no violenta.²² ¿Pero cómo podría mejor analizar y explicar solamente como acciones tanto individuales como corporativas chocan positivamente una sociedad? De otra manera, cada acto individual de resistencia podría ser “la agencia” considerada en su nivel más básico. El Doctor King ilustra esto maravillosamente cuando él cita a Henry David Thoreau sobre la cuestión de esclavitud, “...aye, si un

20. *Id.*

21. *Cf. Byrne & Carter, supra* nota 3.

22. *Vea J. FAHEY & R. ARMSTRONG, A PEACE READER: ESSENTIAL READINGS ON WAR, JUSTICE, NON-VIOLENCE AND WORLD ORDER, 113-128 (1992).*

hombre honesto, en el estado de Massachusetts, cesando de sostener a esclavos, debiera en realidad retirarse de la coparticipación, y ser encerrado en la cárcel comarcal por lo tanto, esto sería la abolición de la esclavitud en América.”²³ De verdad, la historia nos proporciona con una plétora de ejemplos en los que las acciones de individuos han tenido una profunda importación social. Pero entonces, al contrario el Doctor King también reconoce la necesidad de una agencia más grande cuando él declara que el éxito de protesta no violenta depende “de un movimiento de masas” para lograr sus objetivos.²⁴ Él más lejos amplía la importancia de acoplamiento entre los dos cuando él escribe que “...no es una lucha entre la gente en absoluto, pero una tensión entre justicia e injusticia.”²⁵

Aunque agentes individuales participen (y son vitales para este movimiento) un entendimiento completo de que es realmente en el trabajo de extender el marco más grande de analizar las estructuras y los sistemas de valor de la sociedad en total. La filosofía del Doctor King claramente integra la participación de individuos con grupos para mover la conciencia de la sociedad más grande y hasta del mundo. Aunque es posible aislar y categorizar sus declaraciones individuales y conceptos de modo en que ellos podrían ser clasificados como ya sea micro o macro en la naturaleza, la descripción se marcha con un sentido de necesidad de ver el todo como una gama interconectada de ideas sobre un continuo entre dos.

Asimismo las preguntas de estructura y la agencia son de la misma manera difíciles de separarse.²⁶ ¿En que coyuntura la agencia del final individual y a la influencia del grupo se hace primaria? Un modelo con la capacidad para gráficamente ilustrar y traer el significado a estas relaciones podría ser el más provechoso para reconstruir perspectivas nuevas holísticas y equilibradas. Un ejemplo relativamente reciente del interfaz entre la agencia y cuestiones de estructura, causando una dirección positiva del conflicto y la resolución, es encontrado en el impacto de multinivel de la Verdad y el Comité de Reconciliación (TRC) y sus esfuerzos entre 1994-1996 para curar el conflicto inter-grupo entre Negros y Blancos en Sudáfrica. Este esfuerzo representa una intervención estructural dentro de una sociedad con un objetivo de transformar relaciones entre grupos étnicos abajo al nivel micro de interacción individual y la cooperación.

No hay duda que la dinámica de acciones no violentas tomadas por muchas personas durante la campaña por los derechos civiles en este país impactó a América en cada nivel. Individuos y familias han sido cambiados para

23. Cf. LEMERT, *supra* nota 1, en 347.

24. *Id.* en 345.

25. *Id.*

26. Cf. RITZER, *supra* nota 2, en 521.

siempre.²⁷ Entonces fueran ciudades enteras y eventualmente nuestra nación entera y el mundo.²⁸ Pero los cambios fueron imperfectos e incompletos. Y conflictos nuevos han substituído los viejos. Y las preguntas nuevas se originaron, y no han aún sido contestadas manteniendo un remoto estudio y el análisis. ¿Qué realmente causo los conflictos en primer lugar? ¿Las respuestas ser<n encontradas en nuestra historia? ¿En nuestra religión? ¿Son estas la causa de este origen en indivRduos o en grupos? ¿Qué estructuras sociales contribuyeron y facilitaron estos problemas? ¿Qué factores culturales y psicológicos aceleraron los actos de violencia y que factores contribuyeron inhibiéndolos? ¿Por qué acciones similares no tienen el mismo efecto en otros ajustes? ¿Por qué estrategias diferentes parecen trabajar más con eficacia en una cultura que en la otro?

IV. EVITANDO LOS EXTREMOS

Evitando el extremismo causado por la (concentración) de un sólo campo estrecho de información parcial no es siempre un asunto simple. En la tentativa de negociar fuerzas paradójicas en relaciones sociales, unos han tendido hacia la polarización teórica por la retirada a un final del continuo o el otro. Un ejemplo claro puede ser encontrado en el trabajo de David Riesman como él intenta explicar por qué los indivRduos actúan en la sociedad de modos específicos. Él (cita) de Erich Fromm en cuanto a las conexiones entre estructuras sociales y el desarrollo de carácter del individual humano. Él concluye que los deseos mismos y las motivaciones de los individuos parecen estar totalmente y absolutamente decididos en el nivel macro-estructural por el adoctrinamiento de la sociedad puesto en práctica por el proceso de socialización. Él va mas lejos cuando amplia esta idea, de influencia social sobre indivRduos, incluir todos “...los modos [S] de conformidad— aun siendo esto, hasta ser ello una de rebelión.”²⁹

Si es aplicado uniformemente y mundialmente, sus inferencias parecerían ampliar en el concepto aun hasta los movimientos de resistencia no violenta de líderes como Vaclay Havel, Nelson Mandela, Corazón Aquino, Shimon Peres, Mohandas Gandhi y Martin Luther King, junior. Si uno acepta esta premisa, uno parecería ser obligado para a concluir que hasta los individuos podrían decidir rebelarse, en una forma o otra desde la cultura dominante, las influencias formando carácter de aquella cultura hacen que los actores individuales “quieran” rebelarse. Toda agencia individual humana parece haber sido así

27. Vea M. EDELMAN, *LATERNS: A MEMOIR OF MENTORS* (1999).

28. Vea e.g. JESSICA SENEHI, *VIOLENCE PREVENTION* (2000) available en <http://webct.nova.edu/adr6170senehi/syllabus.htm>.

29. Cf. LEMERT, *supra* nota 1, en 322.

negado y cada individuo por consiguiente reducido a un mero receptáculo pasivo de las fuerzas más grandes estructurales. ¿Cómo es esto actualmente logrado según Riesman? Su teoría parece implicar una capacidad de una sociedad dada para predeterminar que es necesario para sus propios intereses mejores y causar los resultados deseados.³⁰ Esto es logrado por la formación del carácter de individuos dentro de ello por las instituciones sociales de familia, las escuelas, y el gobierno. La persona individual por lo tanto parece pasiva. Él o ella parecen simplemente ser un conducto de estas fuerzas y luego en última instancia llegar a hacer un vehículo para apoyarlos y reproducirlos. Otros teóricos sociales parecen sacar conclusiones similares, aceptando al determinismo macro-sociológico, en términos aun más concisos. Bruce Mayhew, por ejemplo, “En la sociología estructural, la unidad de análisis es siempre la red social, nunca el individuo.”³¹ La naturaleza del sistema de apartheid en Sudáfrica ilustra como la violencia estructural del estado hacia Negros, Asiáticos, Colorados y Blancos puede ser institucionalizada dentro de una sociedad y interiorizada dentro de individuos. Pero otra vez, la pregunta surge, dónde recide la responsabilidad de este mal? ¿Esto puede ser totalmente el resultado de las fuerzas estructurales solamente...or los individuos comparten la culpa? Mayhew, y otros como él, parecería concluir en última instancia que la opción de un individuo no puede ser separada de las macro-fuerzas de la sociedad a la que este pertenece.

Del otro lado de esta cuestión existe (está) otro polo teórico. Unos neo—Marxistas los teóricos claramente rechazaron el concepto paralelo del “determinismo mecánico” que pareció ser implicado por escritores como Engels en la oratoria de “la disminución inevitable de capitalismo.”³² Más bien que la consideración de influencias estructurales como alguna fuerza irresistible en la historia, los teóricos como Georg Lukacs y Antonio Gramsci propusieron “una orientación subjetiva” para compensar “el temprano Marxista en el objetivo, el nivel material.”³³ La Escuela de *Teoría Crítica*, en total, más lejos criticó el positivismo de sociología para permitir al método científico legitimar el status quo.³⁴ Si uno rechaza estos principios a fondo lo suficiente, no puede haber ninguna cadena de causa y efecto y así ningunas posibles fuerzas determinantes estructurales, sólo *subjetivos*.

¿Por qué tal extremismo? Lewis discute que la resistencia a un paradigma más integrado no es tanto como teórica que política porque la oposición para la teoría existente es a menudo la inspiración de la que muchos accesos teóricos

30. *Id.* en 321.

31. *Cf.* RITZER, *supra* nota 2, en 494.

32. *Id.* en 272.

33. *Id.*

34. *Id.* en 277.

dibujan. En otras palabras, un marco integrado teórico amenaza a sus accesos más independientes y extremos.³⁵ Quizás esto está de verdad correcto en algunos casos. Pero otro posible, más fundamental, defecto en el razonamiento podría venir de la tendencia en todos de nosotros para querer alcanzar la comprensión total de cualquier materia en consideración. Esto proviene de las tendencias básicas reduccionistas que acompañan nuestra condición humana de este deseo de entender y explicar la realidad en una manera absoluta a pesar de nuestra propia experiencia limitada, conocimiento, y perspectiva. Por ejemplo, buscando entender el conflicto Israelí-Palestino en el aislamiento es un ejercicio en de la inutilidad. Uno necesita considerar el contexto más amplio regional del conflicto Árabe-Israelí. Asimismo un estudio de la política de guerra fría multifacética de las rivalidades Norteamericanas-U.S.S.R seguramente sirve para ilustrar la necesidad de entendimiento y el desenredo de las capas complejas e interrelacionadas de contextos de los conflictos locales, regionales e internacionales. La simplificación excesiva, a lo más, sólo pospone el trabajo verdadero de análisis y el logro de entendimiento mutuo.

Con las limitaciones de nuestras propias capacidades individuales y experiencias, podemos sufrir las tendencias intelectuales hacia el estrechamiento del campo a una gama manejable, sobre todo con respecto a problemas paradójicos. De modo bastante interesante, la sabiduría literaria antigua dirige estas preocupaciones con una perspicacia asombrosa. En la filosofía, la definición de paradoja lleva la idea de una contradicción implícita.³⁶ Pero en la teología de Judeo-Cristiano, una paradoja es definida como una condición en la que hay sólo una contradicción *evidente*.³⁷ En otras palabras, solamente porque uno totalmente no puede comprender la anchura, la altura o la profundidad de una cuestión, esto no necesariamente requiere que esto sea en sí mismo contradictorio. Más lejos, el elogio de un proverbio viejo hebreo anima bastante a una persona para aceptar ambos lados de la paradoja aun sin una comprensión total de la cuestión. Expresamente en este contexto, dirigiendo unas complejas preguntas relacionadas con la existencia del bien y del mal, esto declara: “Es bueno que Ud (comprenda) una cosa, y también no deje ir el otro ...”³⁸ Para parafrasear, esto está aceptable en la búsqueda del entendimiento más grande para una persona permitir a una evidente contradicción para mantenerse mientras uno sigue persiguiendo la sabiduría y el conocimiento necesario de (comprender) ambos al mismo tiempo. Entonces, para aplicar estas perspicacias a la teoría social, quizás nosotros deberíamos estar más dispuestos, que a menudo nosotros estamos para alguna disonancia cognoscitiva hace mucho para

35. *Id.* en 228-229.

36. *Cf.* SOLOMAN, *supra* nota 5, en 40.

37. *Vea* W. ELWELL, *EVANGELICAL DICTIONARY OF THEOLOGY*, 826 (1984).

38. *Vea* *ECCLESIASTES* 7:18.

seguir la búsqueda por el equilibrio y la terminación en lugar de sucumbir a la tentación para conformarse con un extremo o el otro. Las ocasiones de ejercer esta clase de preocupación abierta hacia puntos de vista diversos están abundantes en tales acontecimientos tales como las guerras religiosas de nuestro propio días. Los Fundamentalistas Islámicos e Israelíes se interesan a menudo y parecen ser mutuamente exclusivos. Las posiciones polémicas que han sido frecuentemente presentadas para “justificar” limpiezas étnicas en tales sitios que Balcanes y Rwanda ilustran la necesidad de paradigmas nuevos de análisis y un estiramiento de perspectivas para comprender racionamientos. Seguramente esto no es querido para sugerir que el alojamiento al por mayor de tales racionamientos necesariamente fuera apropiado, pero bastante que un movimiento hacia la creación de mejores marcos en los que podemos analizar, comprender y adecuadamente se dirigen como conflictos serían más constructivos y animarían más soluciones de colaboración.

V. ARMONIZACIÓN DE CONCEPTOS

Escritores como C. Wright Molinos también parecen ofrecer los conceptos que potencialmente podrían ayudar acortar el abismo entre posiciones de extremos o conceptos. Su idea de “la imaginación sociológica” proporciona una descripción teórica de como una persona quizás podría desenredarse de la corriente estructural bastante para ganar alguna objetividad y elevarse encima de las fuerzas invisibles de adoctrinamiento y la paradoja cultura. “Esto le permite [al poseedor] tener en cuenta a individuos, en la mezcla confusa de su experiencia diaria, a menudo hecha falsamente consciente de sus posiciones sociales”³⁹ así la clarificación de la visión y la permisión esa persona ganar una perspectiva nueva no oscurecida por la miopía cultural. Mills sugirió que esos que han estado exitosamente acertados en hacer esto hayan hecho através del cuestionamiento de varias claves e investigación de preguntas. Su material es citado aquí en detalles debido a su importancia directa en cuanto a la necesidad de un modelo complejo para el análisis del conflicto y porque esto será usado más tarde en este artículo para ilustrar el valor significativo que Byrne y el modelo de Carter proveen a esta discusión.⁴⁰

Primero, ¿cuál es la estructura de esta sociedad particular en total? ¿Cuáles son sus componentes esenciales, y como ellos son relacionados el uno con el otro? ¿Cómo esto se diferencia de otras variedades de orden social? ¿Dentro de ello, cuál es el significado de algún rasgo particular para su continuación y para su cambio?

39. Cf. LEMERT, *supra* nota 1, en 348.

40. Cf. Byrne & Carter, *supra* nota 3.

Segundo, ¿dónde esta sociedad está de pie en la historia humana? ¿Cuál son las mecánicas por las que esta se cambiando? ¿Cuál es su lugar dentro y su significado para el desarrollo de la humanidad en general? ¿Cómo algún rasgo particular que examinamos afectan, y como es afectado por, el período histórico en el que se mueve? ¿Y este período---cuáles son los rasgos esenciales? ¿Cómo este periodo se diferencia de otros períodos? ¿Cuáles son las formas características de la fabricación de la historia?

Tercero, ¿qué variedades de hombres y mujeres prevalecen en esta sociedad y en este período? y ¿Qué las variedades vienen para prevalecer? ¿En que (maneras) son ellos seleccionados, formados, liberadas y reprimidas, hechos sensibles y embotadas? ¿Qué clases de 'naturaleza humana' son reveladas en la conducta y el carácter nosotros que observamos en esta sociedad en este período? Y cual es el significado para 'la naturaleza humana' de cada uno y cada rasgo de la sociedad que examinamos.⁴¹

Note la forma en que las preguntas de Mills conducen a un observador a analizar los niveles diferentes de interacción social y la naturaleza recíproca de como ellos se interrelacionan. Note también la contextualización de colocar la solicitud de su ajuste único histórico y cultural y las exigencias reflectivas y reflexivas de respuestas completas prohibidas. ¿Asumiendo que podemos estar bastante acertados en hacer esto para comenzar el análisis de la estructura de la agencia/y la integración micro/macro y cuestiones de acoplamiento, qué los tipos de modelo permiten a un acercamiento multidimensional, multi-acodado y multi-faceted que sería bastante comprensivo para ocuparse de todas estas preguntas y aún bastante simple de ofrecer ayuda práctica a los intervinientes de conflictos? Quizás una consideración breve de algunas ideas del pasado puede ayudar en la ilustración de las capacidades fue estos nuevas modelos podrían requerir.

VI. APRENDIENDO DEL PASADO

Mirar las teorías clásicas sociales del pasado potencialmente puede ser de ayudarnos en al menos dos temas. Primero, podemos claramente reconocer las perspicacias(ideas) provechosas ganadas por estos teóricos sociales hacia un mejor entendimiento del acoplamiento entre los intereses de la agencia micro/macro estructurales. En segundo lugar, también potencialmente podemos descubrir aquellos factores que ya seriamente han sido considerados en el análisis de lateoría social y, por la omisión, los que claramente no. Aunque algunos sociólogos y teóricos de conflicto hayan tendido a caracterizar a los teóricos clásicos sociales residenciando principalmente sobre un lado u otro en este debate, Jorge Ritzer nota que ellos generalmente demostraban una

41. Cf. LEMERT, *supra* nota 1, en 349.

preocupación por ganar un mejor entendimiento de acoplamientos micro-macro.⁴² Las secciones siguientes intentarán resumir las partes representativas de algunas de sus escrituras para ayudar ilustrar este punto. Siendo así, podemos aprender como estos pensadores sociales contribuyeron a la integración de estos conceptos, de un lado, y aún no lograron pensar bastante comprensivamente sobre el otro. Quizás por reconociendo unos de los defectos de sus propias esfuerzos para considerar todos los factores sociales relevantes, podemos evitar hacer errores similares nosotros mismos y así agregar perspectivas nuevas a estas contribuciones pasadas.

A. *Karl Marx*

Comenzamos con Karl a Marx con precisión porque al macro-sociológico y el énfasis de conflicto él pareció colocar sobre un campo relativamente estrecho de factores causales, específicamente económicos. Su acercamiento dialéctico fué en muchos sentidos revolucionario en su potencial para el vencimiento de unas las barreras el pensamiento lineal de otros teóricos. Él demostró una integración de factores históricos y subjetivos en sus escrituras que fueron eran excepcionales. Sin embargo, en sus desacuerdos de las clases sociales y en su análisis de conflicto social, él pareció considerar factores económicos como casi particularmente responsable de los males de la sociedad así como potencialmente de lo mejor en cual encontrar soluciones. Entonces, a pesar de las oportunidades presentadas por este acercamiento dialéctico, Marx sin embargo pareció conceder a factores económicos la mayor parte de valor comparando con todas otras consideraciones sociales y categorías. En segundo lugar, parece que el disminuyo la importancia de otras fuerzas sociales, por ejemplo, factores religiosos en el conflicto que se intensifica. Él reconoció la realidad de influencias religiosas en la sociedad, pero pareció redujo al mínimo su importancia sobre todo hacia el encuentro de soluciones positivas.

Por esta dinámica, Marx a menudo ha sido interpretado como un estructuralista extremo.⁴³ Esta realidad ilustra más lejos la necesidad de modelos que puedan ofrecer accesos dialécticos y multidimensionales teóricos. Aunque el argumento de Marx sobre el conflicto de clase indica la importancia de cuestiones económicas en la intensificación de conflictos internacionales, allí permanece una necesidad de tener un valor más equilibrado en cuenta a ser asignado a una variedad de factores relevantes sociales, y a la interacción que ellos tienen en los niveles múltiples de sociedad. Un ejemplo moderno de esta complejidad puede ser visto en los conflictos críticos entre el Grupo de Naciones G-7 y el grupo de setenta y siete. Seguramente la economía es central

42. Cf. RITZER, *supra* nota 2, en 494.

43. *Id.* en 271.

a muchas relaciones tensas que existen entre el mas rico de desarrollado y el mas pobre de naciones en desarrollo. Pero al mismo tiempo, las complejidades de sistemas de valor enormemente divergentes más lejos componen y complican el encuentro de la paridad y la justicia en una manera que pueda ser entendida como igualmente satisfactorio para todos. Consideraciones económicas son claramente la clave a los conflictos, pero no son fácilmente interpretados en el vacío del mono-culturalismo. Más bien mucho puede ser aprendido mirando perspectivas culturales por unas lentillas antes del dibujo de evaluaciones finales.

B. Emile Durkheim

Emile Durkheim claramente se preocupó asimismo con cuestiones macro-sociológicas y temas estructurales y con los efectos que esas fuerzas sociales ejercieron sobre los individuos en una sociedad. De hecho, sus críticas de la sociología de su propio día relacionado a su fracaso, en varios niveles, para considerablemente diferenciarse de otras disciplinas académicas, sobre todo psicología. Esto remoto reveló su interés en el reino macro/estructural y al cuidado de sociedad junto por normas culturales y legales. Uno de sus puntos primarios relacionados a la inhabilidad evidente de la sociología de identificar un dominio que podría llamarse asimismo. En *Sociología y Hechos Sociales* él escribe, “ el método Sociológico como el que practicamos ello descansa totalmente sobre el principio básico que hechos sociales deben ser estudiados como cosas, es decir como la realidad externa al individual... *no puede haber ninguna sociología amenos que las sociedades existan, y ...las sociedades no pueden existir si hay sólo individuos.*”⁴⁴

En la comparación de la sociología con la psicología en este contexto, él claramente demarcaba la materia del anterior como esto expresamente se relacionó con objetos totalmente se separados existencia de meros individuos en la sociedad y la indicación que la psicología debería ser la disciplina de ciencia social que reclama al individuo, en la manera parecida, como asimismo. Él por lo tanto, en un sentido, coloca la sociología directamente en el dominio de teoría macro/estructural. Pero aun mientras haciendo esto, Durkheim no es teóricamente categóricamente separando micro de macro, la estructura y la esencia son preocupaciones del del uno al otro. En cambio, él continúa ofreciendo ideas significativas relacionadas a su acoplamiento. Esto es demostrado en sus trabajos sobre anomie y el suicidio. Por ejemplo, en su *Anomie y la División Moderna de Trabajo*, él expresa la preocupación en el macro-nivel sobre una influencia que se disminuye de refrenamiento moral y la guía dirección en la sociedad moderna. Entonces esta el ocupando las fuerzas

44. Cf. LEMERT, *supra* nota 1, en 73.

subjetivas macro-sociales y estructurales en el desarrollo de normas y valores en la sociedad moderna. Y aún, en el mismo contexto, él une(conecta) este fenómeno particular social -de conciencia colectiva - a la agencia de la persona individual como teniendo un efecto verdadero sobre la sociedad.⁴⁵

Entonces, a pesar de la realidad macro del objetivos y estructuras subjetivas sociales, en el nivel micro, la libertad individual, claramente según Durkheim, maneja consecuencias muy verdaderas en su acoplamiento a los problemas más grandes estructurales de una sociedad. Además, el modelo functionalista de Durkheim modela más tarde luego a ser hicieron el marco filosófico para el desarrollo en 1948 de la Comunidad europea De carbón y De acero (ECSC). Este movimiento, reuniendo las industrias de carbón y de acero de Alemania y Francia, demostró existosamente a taves de la prevención de ellos de ir a la guerra entre ellos mismos. La cooperación científica y económica creó las normas de interdependencia que se ha desbordado en el reino político por los socios dilatados de la Comunidad Económica Europea (la CEE). Esta integración de fuerzas, y en los niveles macro y micro, causó una relación que trabaja y el sistema de paz que también ha causado una superpotencia política y económica regional, la Unión europea (EU).

¿Pero cuales son las conexiones entre estos niveles variantes? En *el Suicidio y la Modernidad*, el corazón mismo de la tesis de Durkheim se relaciona con la identificación de los factores sociales, más allá del individuo, aquella gente de influencia en la sociedad para tomar sus propias vidas. En esta conexión, la correlación de tarifas de suicidio a factores externos sociales hace necesario la consideración de dinámica macro-estructural en la relación a esta cuestión. Durkheim hace esto en parte correlacionando las varias tarifas de suicidio de naciones diferentes por categorías ocupacionales.⁴⁶ Él lo hace en principio por (conectando) la determinación de factores “ a alguna fuerza exterior “ al individuo.⁴⁷ Pero en última instancia, la agencia para el suicidio es sumamente reconocida en el micro-nivel de opción individual y el comportamiento como normas sociales se rompen estropean y causa el aumento de suicidio. Durkheim seguramente parece reconocer esto cuando él habla de los “libres combinaciones de la voluntad del hombre . . .”⁴⁸

Por lo tanto otra vez, tanto como las fuerzas macro/estructural y micro/agencia existen . . . ¿Pero cómo exactamente estas interrelacionan? Durkheim hace que nosotros preguntemos las preguntas cometas, pero no logra integrarlos de tal modo para ayudarnos a entender acoplamientos. Modelos más complejos, con la capacidad para ayudar a establecer estas relaciones es

45. *Id.* en 70.

46. *Id.* en 81.

47. *Id.* en 75.

48. *Id.* en 74.

necesario para la remota clarificación de todas las variables en la sociedad y como ellos actúan recíprocamente entre ellos a diferentes niveles.

C. Max Weber

Max Weber es también conocido principalmente por sus magníficas narrativas en cuanto a la burocracia creciente de la edad moderna.⁴⁹ La naturaleza misma del sujeto en sR tiene un componente intrínseco, colectivo que depende de la masa de individuos para su muy existencia y función. “ La burocracia es el medio de llevar ‘ la acción de comunidad ‘ un orden racional ‘ la acción social’ . . . “ Y el burócrata individual “es unicamente un diente solo en un mecanismo alguna vez movido . . . “⁵⁰ Aún, Weber es también al parecer agudamente consciente de la importancia de la agencia individual, hasta en la burocracia más grande. Como él discute el mando y la autoridad, él se dirige, a macro-estructural y en la micro-agencia como tipos de autoridad legítima en la sociedad. *Las formas Racionales y Tradicionales de mando* encuentran su poder en las instituciones estructurales de autoridad racional-legal y tradiciones sagradas sociales. Sin embargo, cuando él viene a su tipo pasado, *la Autoridad Carismática*, él declara que su base reside sobre “devocion a la santidad excepcional, el heroísmo o carácter ejemplar de una persona individual . . . “⁵¹ Así, sus teorías revelan una creencia que la burocracia imaginable más grande todavía puede ser afectada por la agencia de una persona, pero también que las individuos viva en” una jaula de hierro “. Sin embargo, los conflictos entre la burocracia e individuos parecen claramente preocupar a Weber.⁵² Otros factores deben ser implicados. ¿Pero cuales son ellos y como son ellos interrelacionados? Las teorías de Weber parecen inadecuadas de contestar muchas estas preguntas, pero, al mismo tiempo, sirven para ilustrar la carencia de pensamiento crítico en nuestro mundo.

Hoy, relaciones tensas similares parecerían existir con tales acontecimientos como la explosión de la Internet y el comercio electrónico. Las comunicaciones globales han sido aceleradas, así disolviendo las fronteras geográficas en un pueblo global de clases. Sin embargo, la tecnología racional parece tener no sólo ventajas proporcionadas innegables al género humano, pero también ha causado una erradicación de las diferencias de culturas, una inhibición de pensamiento crítico y una efectuación que se han llamado el “La

49. *Id.* en 199-124.

50. *Id.* en 109.

51. *Id.* en 115.

52. *Id.* en 100-104.

McDonaldization de la sociedad”⁵³ o, tomado prestado de la terminología de Weber, la creación de un globo “jaula de hierro.”

VII. SINTETIZACION DE IDEAS

La realidad de esta interacción compleja de individuos y grupos ha inspirado esfuerzos de desarrollar modelo de interacción social que quizás podría deshacerse en la luz nueva sobre como estos elementos diferentes se interrelacionan. Lo que aparece carecer, sin embargo, son el modelo de análisis de conflicto que proporciona marcos adecuados capaces de demostrar los paradigmas holísticos y equilibrados de la interacción social, sobre todo como relacionado a las complejidades de conflicto social entre individuos y grupos, a escala nacional y en la arena global. Un acercamiento ha sido desarrollado por la práctica de compararse teorías sociales entre ellos en un campo nuevo llamada análisis meta-teórico.⁵⁴ Esta integración de teorías ha proporcionado a científicos sociales por marcos nuevos con cual descubrir y considerar relaciones antes no exploradas.

Jorge Ritzer ofrece un diagrama *de los Niveles Principales de Análisis Social* diseñado para integrar los aspectos micro y macro de interacción.⁵⁵ Esta carta de dos-dimensiones muestra dos ejes, uno vertical y el otro horizontal. El eje vertical proporciona una continuidad de macroscópico a microscópico. El eje horizontal ofrece un continuo similar del objetivo a subjetivo. Esto divide el gráfico total sobre cuatro cuadrantes con las categorías siguientes: Macro-objetivo, macro-subjetivo, micro-objetivo y micro-subjetivo. Las flechas que señalan ambas direcciones conectan cada uno de los cuadrantes a todos los otros indicando el acoplamiento multidireccional que interconecta cada parte del diagrama en relaciones dialécticas. Esto asegura una gama sobre el eje horizontal “...de fenómenos materiales como la acción individual y estructuras burocráticas a fenómenos no materiales como conocimiento, normas, y valores ... “ Y sobre el eje vertical” ...del pensamiento del individuo pensó y la acción a los sistemas mundiales”.⁵⁶ Este modelo anima al investigador a considerar el marco más grande en total más bien que cualquier componente solo en el aislamiento. Esto más lejos gráficamente coloca cada uno de los cuatro cuadrantes en la relación igual e implica la equidad de importancia a cada dinámico.

La utilización el diagrama de Ritzer para analizar el movimiento de desobediencia no violenta de Gandhi Mohandas podría colocar, por ejemplo, los

53. *Id.*

54. *Id.*

55. *Id.* en 497.

56. *Id.* en 496-499.

propios valores personales de Gandhi de justicia e la injusticia en la categoría micro-subjetiva. Sus actividades de protesta reales personales podrían ser consideradas en el cuadrante micro-objetivo teórico. La aceptación de la sociedad más grande de unos estos valores podría ser considerada una parte de los fenómenos macro-subjetivos y cualquier legislación de derechos civiles de pasar real que ha sido promulgada por el poder Británico colonial, en el macro - la categoría objetiva. Entonces, en la consideración a individuos y grupos, sus creencia y acciones, su impacto sobre valores culturales y la promulgación legislativa, podemos movernos por todos los cuatro marcos analíticos manteniendo una continuo e interconectada teoría de interacción. Este modelo proporciona un gran paso hacia una perspectiva más holística capaz de dibujar a multiples sobre los niveles sociológicos de análisis.

VIII. EXPLORANDO DIMENSIONES NUEVAS

Otro modelo que ofrece el potencial para un análisis hasta más comprensivo es Byrne y el Cubo Social de Carter,⁵⁷ que tiene seis facetas comparadas a las cuatro de Ritzer. Esto proporciona potencialmente más dinámicas dialécticas manteniendo la simplicidad relativa de diseño. Esto gráficamente es presentado como un cubo simple con cada uno de sus seis lados que representan caras diferentes o las facetas de realidad social. Esto incluye datos demográficos, la religión, la historia, factores económicos, factores políticos y factores psycho-culturales. Su diseño es adaptado a la consideración de ethno-políticos territorial es con un objetivo indicado de proporcionar más una vista completa de fenómenos sociales. "Sólo cuando uno considera que las interrelaciones entre las caras del rompecabezas pueden progresar hacia una solución más holística."⁵⁸ Una clave remota a su utilidad es encontrada en un énfasis, no sobre categorías rígidas, pero sobre enterran - relaciones. Su foco intencionadamente es dirigido lejos de concentrarse en cualquier categoría exclusivamente, y hacia la ganancia de(adelantamiento) un entendimiento más gran de la interacción existente entre ellos.⁵⁹ El modelo de cubo social es aplicado a los dos, a Irlanda del Norte y conflictos de Quebec que ilustran el juego complejo de relaciones entre Protestantes y Católicos en Irlanda del Norte, y Anglosajones y Franco-sajones en Quebec.

IX. CUBO SOCIAL DE BYRNE & CARTER

Regresando otra vez, para la ilustración, a la consideración general de Gandhi Mohandas y su participación en los derechos humanos el movimiento

57. Cf. Byrne & Carter, *supra* nota 3.

58. *Id.* en 1.

59. *Id.* en 2.

de protesta no violenta en India, podemos comparar sus características a los criterios del cubo social. La dinámica ahora ofrecida movimiento de las cuatro categorías encontradas en el modelo de dos dimensiones de Ritzer a las seis categorías encontradas en Byrne y el modelo tridimensional de Carter. Pero algo más parece también desarrollarse. Por escrito sobre conflictos ethno-territoriales en Irlanda del Norte y Quebec, Byrne y Carter notan la tendencia de unos para concentrarse en una categoría u otro más bien que la consideración de combinaciones o hasta competencias entre los varios factores.⁶⁰ La gente que se concentra en sólo un aspecto, o al lado del rompecabezas, es improbable que produzcan una solución completa o la im<gen del problema. En la utilización del modelo tridimensional, esto se hace mucho más claro solamente como dialéctico en la naturaleza la teoría de conflicto social debe ser para analizar suficientemente los niveles diferentes y las categorías de factores descubiertos, sobre todo en el conflicto social. Por ejemplo, más bien que el simplemente intento siempre de colocar los niveles diferentes de realidad social en uno u otro de las cuatro categorías del modelo de Ritzer y luego la tentativa de visualizar algún acoplamiento abstracto entre ellos, Byrne y el análisis de Carter se mueve a un ex<men más complejo de *las relaciones* entre los aspectos que se diferencian de un conflicto más bien que enfocar simplemente a la cual se sostienen el modelo.

Por ejemplo, el modelo de cubo social fácilmente podría animar a considerar no sólo, en este caso, el subjetivo, las consideraciones de micro-nivel de las creencia personales, normas y los valores de Gandhi Mohandas, pero también más lejos analizarlos en el marco de otras facetas del cubo como aplicable. Ritzer reconoce que su modelo, en general, provee sólo una “‘Foto’ a tiempo.”⁶¹ El cubo tridimensional social parece hacer más de que esto. Mientras seguramente, el modelo puede representar un solo momento a tiempo, su diseño y objetivo es animar un análisis más contRnuo y dinámico de desdoblamiento de acontecimientos mientras considera las fluctuaciones y la interacción entre aquellos factores. Por ejemplo, usando sólo tres de los seis factores (por simplificación) en Byrne y el Cubismo Social de Carter: *Seis Fuerzas Sociales de Política Ethnoterritorial en Irlanda del Norte y Quebec* para ilustrar el punto, un análisis comparativo de los aspectos históricos de ambos de los conflictos en la consideración también pueden ser correlacionadas a los aspectos religiosos de estos conflictos y más lejos correlacionadas a factores psycho-culturales. En este ejemplo estos tres factores—la historia, la religión y las consideraciones psycho-culturales cuando son combinados contraste resultados marco exterior de la ventana las dos culturas debido a las diferencias creadas por sus combinaciones respectivas (para una modificación

60. *Id.* en 1.

61. *Cf.* RITZER, *supra* nota 1, en 638.

ampliada de este modelo vea también Russ-Trent, en esta cuestión especial). Las partes siguientes del papel son (citadas) para simplemente ilustrar como estos factores son entrelazados y en realidad fluctuando a través del tiempo y el espacio para crear un ambiente dinámico, en curso, y alguna vez cambiando social provecho en el estudio de los conflictos, en Irlanda del Norte y en Quebec: “La Historia, relatada por los que complicados en conflictos, ponen el contexto para la corriente la política ethno-territorial.”⁶² “Hoy, la religión tiene más saliente como una categoría social en Irlanda del Norte que en Quebec.”⁶³ “Las relaciones tensas y emociones a menudo se intensificaban durante el cambio social o se perciben la crisis política entre Protestantes y Católicos en Irlanda del Norte y entre Anglephones y Francophones en Quebec.”⁶⁴

En estas observaciones de la muestra, la importancia de contexto histórico, los cambios de factores religiosos y los impactos psicológicos de relaciones tensas sociales son todos notados. La dinámica de pasar de los conflictos en estas dos confrontaciones aparentemente similares culturales toma características notablemente diferentes debido a las diferencias de la historia y la religión en cada cultura. Y aunque la tercera declaración parece indicar que el resultado de estas relaciones tensas sobre factores psycho-culturales es el mismo, uno tiene sólo que mirar como esta manifiesto (manifestación) de relaciones tensas ellos mismos de manera diferente en cada ajuste étnico para realizar que estas consideraciones son diferentes también. La sección sobre el terrorismo, bajo Factores Políticos, en Byrne y el artículo de Carter clarifica este punto. Las diferencias de la frecuencia y la intensidad de los actos terroristas de violencia encontrada y en Irlanda del Norte y Quebec, por ejemplo, encuentran sus orígenes en la interacción entre unos los factores que incluyen los niveles que se diferencian de acceso a instituciones políticas históricamente.⁶⁵ (Para (espenol) adicionales en el análisis de culturas similares para descubrir las variables sutiles que dramáticamente pueden cambiar los resultados, ven el Arrendajo MacLeod no Es Ningún Makin Ello).⁶⁶

Otro aspecto impresionante del modelo de Cubismo Social es encontrado en su potencial para alcanzar que la C. Wright la cita del Mills indicando que debe pasar para estudiar objetivamente de alguien propia cultura por el empleo de *imaginación sociológica*.⁶⁷ Note su énfasis sobre el estudio de relaciones (visto la cita encima). En la primera pregunta él ofreció un ingrediente

62. Cf. BYRNE y CARTER, *supra* nota 3, en 4.

63. *Id.* en 7.

64. *Id.* en 12.

65. *Id.* en 10-11.

66. Vea J. MACLEOD, AIN'T NO MAKIN' IT: ASPIRATIONS AND ATTAINMENT IN A LOW-INCOME NEIGHBORHOOD (1995).

67. Cf. LEMERT, *supra* nota 1, en 348-352.

necesario, para un de ganar perspicacias (espenol) en las estructuras de una sociedad, el encuentro” de los componentes esenciales “de aquellas estructuras y la información requerida para entender . . . ¿Ellos son relacionados con el uno al otro?”⁶⁸ Segundo, Mills dirige la pregunta de historia y su importancia en la relación de las dos, la cultura en si y otras culturas. Tercero, Mills incluye preguntas sobre “la naturaleza humana” como lo relaciona a la cultura de modo igual como Byrne y Carter dirigen “los factores psycho-culturales” en su modelo de cubismo social. Finalmente, él se refiere la palabra “el cambio” en todas partes de sus preguntas demostrando la necesidad, en cada una de las áreas de la pregunta, para seguir las dinámica alguna vez cambiados del flujo de acontecimientos sociales en el estudio cultural.

La utilización del modelo de cubismo social para considerar otra vez el ejemplo no violento de Gandhi parecería estimular a un anfitrión entero de preguntas adicionales para el análisis, de los dos el micro y los niveles macro. ¿Cuál era la historia de este conflicto en India? ¿Cuál es la relación entre este conflicto y la historia de colonialismo Británico? ¿Cómo esto se relaciona con las historias de otros movimientos de protesta no violentos? ¿Cómo las estructuras rodean estos acontecimientos? ¿Cuáles son los factores religiosos? ¿Cuáles son los factores políticos? ¿Cuál es la relación de estos factores a la gente del otro lado de este conflicto? ¿En que acerca de historias personales de los líderes individuales a ambos lados de la protesta? ¿Cómo los líderes han influido en otros manifestantes y la sociedad y por que medio? ¿Cómo los factores económicos se relacionan con la sociedad, los subgrupos y los individuos complicados? ¿Qué está cambiando y que no es? ¿Qué conecta todos estos acontecimientos juntos y en que modelo social?

X. CONCLUSIÓN

El modelo teórico nos ayuda a organizar la información y mejor relacionar conceptos e ideas juntos. Las teorías de conflicto sociales están siempre finitas, y parciales en la naturaleza, debido a las limitaciones de las propias capacidades de los teóricos, experiencias y perspectivas. El modelo de teoría de conflicto social que inspira la integración y la síntesis de puntos de vista aparentemente opuestos puede provocar (ideas) en las concordancias y compatibilidades entre ellos y ayudar a científicos sociales prever el modelo nuevos y mejores modelos y teorías. El modelo hablado en este artículo nos ayuda a preguntar más preguntas de sondeo en las relaciones mutuas entre las estructuras sociales alrededor de nosotros y los individuos que creen y los comprenden. Por perspectivas ensanchadoras, sintetizando ideas y explorando dimensiones nuevas, podemos construir sobre los trabajos del pasado y con esperanza

68. *Id.* en 349.

descubrir las relaciones que pueden potencialmente revelar soluciones más holísticas con problemas sociales en la zona, a escala nacional y a escala mundial. El conflicto social plantea uno de los problemas sociales más complejos y difíciles sociales de todos para teóricos sociales para analizarse, entenderse y resolverse. Quizás unas las perspicacias (espenol) ganadas por la discusión y la utilización de este modelo multidimensional resultar< hasta en el desarrollo de instrumentos más prácticos para el futuro en el campo de la teoría de conflicto social y en su aplicación al conflicto social y la resolución de conflicto.

XI. APPENDICES

A. Figure 1: Ritzer's Diagram of Social Analysis

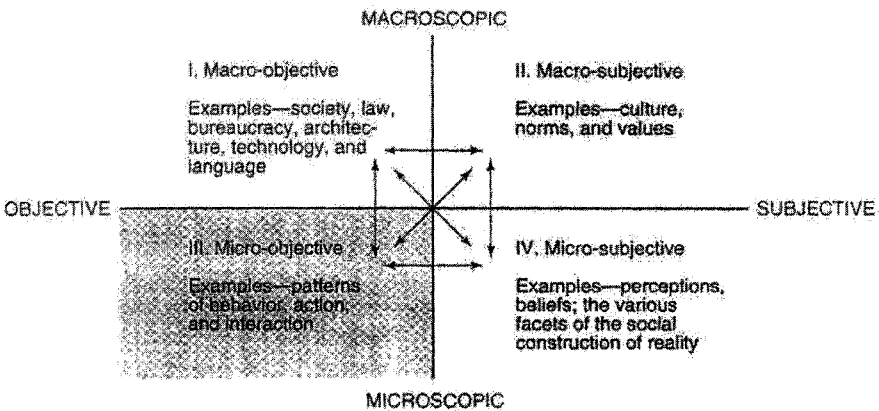
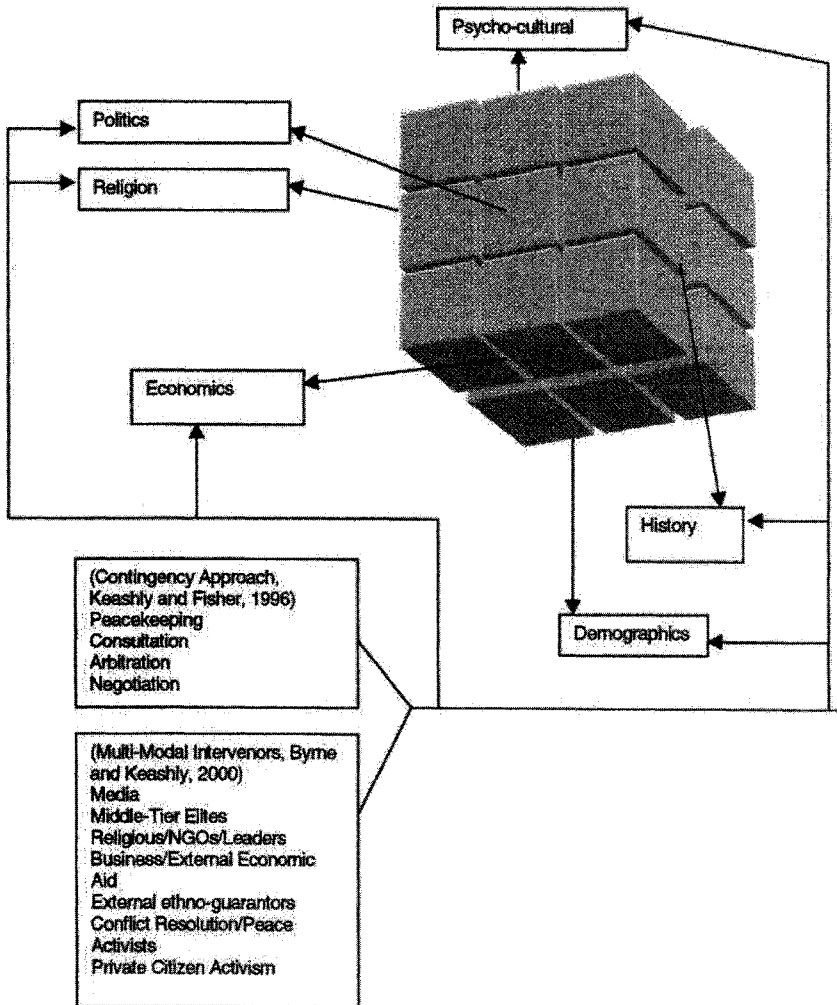


FIGURE 14.1 Ritzer's Major Levels of Social Analysis*

*Note that this is a "snapshot" in time. It is embedded in an ongoing historical process.

B. Figure 2: Early Warning-Contingency “Social Cube” Escalators/De-escalators (Byrne & Carter 1996, Byrne & Keashley 2000)



UN MARCO CONCEPTUAL PARA UN ANÁLISIS MULTIFACETICO, DE VARIOS NIVELES DEL ORIGEN DE LA VIOLENCIA EN EL LUGAR DE TRABAJO

Bini Litwin * **

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I. INTRODUCCIÓN

La violencia es una cuestión que a menudo es reportada en la crónica en todo el mundo, con historias en medios de comunicación sobre la violencia en los hogares, calles, escuelas y los centros de trabajo. Aunque ningún sector de sociedad es inmune a la violencia, “las historias sobre la violencia en los centros de trabajo han inundado la prensa... shock ha sobrepasado el histerismo sobre el crimen en las calles.” Un informe publicado en el año 2000 por la Tercera Encuesta Europea sobre las Condiciones de trabajo indica que más de 15 millones de personas reportaron violencia, hostigamiento sexual, o intimidación en los centros de trabajo en Europa con el mayor numero de las quejas siendo

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** Este artículo fue traducido por Javier Talamo.

1. G.R. VANDENBOS y E.Q. BULATAO. (Editores).. VIOLENCIA SOBRE EL TRABAJO 1, Asociación Americana Psicológica 1996.

sobre la tensión en el trabajo.² De los quince millones de incidentes reportados, trece millones fueron informes de intimidación y acoso y dos millones fueron informes de trabajadores sujetos a la violencia física por personas que comparten centro de trabajo.³ Datos de 1993 por la compañía de seguros Northwest National Life Insurance⁴ indican que la violencia y el hostigamiento en los centros de trabajo estadounidenses son también comunes, más de dos millones de Americanos son víctimas de ataques físicos en el lugar de trabajo, seis millones son amenazados, y dieciseis millones son acosados. El problema de la violencia en el trabajo es claramente global, “cruza las fronteras, lugares de trabajo y grupos ocupacionales.”⁵ El informe de 1999 del Ministerio de Trabajo de los Estados Unidos (DOL) *Futurework Report*⁶ indica que 50,000 trabajadores estadounidenses mueren cada año de enfermedades ocupacionales. Estos números son asombrosos, pero son sólo una parte del problema. Claramente, la violencia afecta directamente la moral del trabajador, la productividad y en última instancia, los recursos económicos de la organización y la rentabilidad. Sin embargo, la violencia indirecta estructural también debe ser considerada cuando uno mira el origen de violencia en los centros de trabajo.

“El origen de la violencia puede ser descrito a lo largo de un continuo que a menudo comienza como el descontento latente y se intensifica en el conflicto abierto y en última instancia la violencia. La violencia a lo largo de un continuo podría abarcar” presiones competitivas, la pérdida de autonomía personal, la vigilancia, reacciones acumulativas físicas y mentales, la fatiga y cambios en los datos demográficos del lugar de trabajo⁷. Estas cuestiones organizativas crean un entorno cultural que impregna el lugar de trabajo, socializa la mano de obra en un paradigma de pensamiento y comportamiento que puede conducir a escalar la violencia dentro del continuo de violencia.

2. La Fundación europea para la Mejora de Vida y el Boletín de prensa de Condiciones de trabajo, Condiciones de trabajo en Europa no que mejora, según la revisión el 14 de diciembre de 2000 *disponible en* <http://www.eurofound.ie/newsroom/press3.htm> (dura 8/28/01 visitado).

3. La Fundación europea para la Mejora de Vida y Condiciones de trabajo, el Hostigamiento y la violencia *disponible en* <http://www.eurofound.ie/working/harassment.htm> (dura 8/28/01 visitado).

4. Empresa de Seguro de vida Nacional De noroeste. *Miedo y violencia en el lugar de trabajo*, 1993.

5. Duncan Chappell y Vittorio Di Martino, el Boletín de noticias Asiático-pacífico, la Violencia en el Trabajo, 1999, *disponible en* <http://www.occuphealth.fi/e/info/asian/ap199/violence04.htm> (dura 2/8/02 visitado).

6. Ministerio de Trabajo estadounidense *Futurework* Informe: Tendencias y desafíos para trabajo en el siglo veintiuno, octubre, 1999 *disponible en* <http://www.dol.gov/dol/asp/public/Futurework/execsum.htm>. (Dura 3/13/00 visitado).

7. M. Carroll (1999, el 15 de diciembre). *El lugar de trabajo propenso violencia: A acercamiento nuevo a ocuparse de hostil, amenazas, y comportamiento descortés*. 96 (8), EL BOOKLIST, el 15 de diciembre de 1999 en 743, 743.

En el análisis de la amplia gama de las acciones que abarcan la violencia, uno puede comenzar por definir los factores que contribuyen a las acciones violentas. Byrne y Carter⁸ identificaron seis fuerzas sociales, descritas como *el cubismo social {la letras cursivas adicional}* que interactúan para crear un clima de violencia. Aunque el modelo de cubismo social de Byrne y Carter ha sido aplicado a conflictos etno-políticos, el modelo multifacético, con relación también puede ser utilizados para desarrollar un marco conceptual para analizar las fuerzas sociales que crean el conflicto en el lugar de trabajo. Estas fuerzas sociales que se interrelacionan en el lugar de trabajo pueden ser analizadas usando las siguientes seis perspectivas: datos demográficos, históricos, psycoculturales, equilibrio de poder, (figura 1) político y económico. Para en última instancia aplicar estas fuerzas causativas a la intervención de conflicto, también hay que considerar la conexión micro-macro a través de los niveles múltiples de análisis utilizado por Byrne y Keashly⁹, que en este análisis considerará al individuo, la organización y la sociedad en general.

II. VIOLENCIA EN EL LUGAR DE TRABAJO DEFINIDA

No hay “ningún acuerdo sobre lo que constituye la violencia en los centros de trabajo.¹⁰” La violencia dentro de los centros de trabajo puede ser vista desde perspectivas múltiples, con la definición más amplia que incluye todos los actos de agresión contra un individuo dentro del ambiente de su centro de trabajo. Esta definición incluiría “cualquier forma de comportamiento por los individuos que son queridos para dañar a colegas corrientes o anteriores o su organización.¹¹” Esta definición incluye todas las formas de agresión, incluyendo, actos violentos y no violentos como robos, la descortesía o la promoción de rumores. Además, uno podría considerar la violencia desde la perspectiva de los actos que son generados directamente dentro del ambiente de trabajo así como los que son secundarios a la organización, por ejemplo: las disputas familiares que podrían ocurrir en el lugar de trabajo que no son relacionadas con el centro de trabajo.

Para los objetivos de este análisis, la violencia en el centro de trabajo será vista como una continuidad de los comportamientos que surgen directamente del ambiente de trabajo. El análisis de multifacético será basado en la descripción de Galtung de la violencia como un triángulo de conflicto que

8. Sean Byrne y Neal Carter, *cubismo Social: Seis fuerzas sociales de política ethnoterritorial en Irlanda del Norte y Quebec*, 3 (2), DIARIO DE PAZ Y ESTUDIOS DE CONFLICTO, diciembre, 1996 en 52.

9. Sean Byrne y Loreleigh Keashly, (*Trabajando con ethno - conflicto político: un multi-modal, el multinivel se acerca para estar en desacuerdo la intervención*), 7 (1), la Pacificación Internacional, marzo, 2000 en 97.

10. VANDENBOS Y BULATAO, *supra* nota 1, en 1.

11. *Id.* en 2.

incluye la violencia directa, estructural (indirecta) y cultural. Según Galtung, la violencia directa incluiría la herida infligida o dirigida por un individuo hacia otro, tal como la herida física, sanciones y o la detención.¹² La violencia estructural es la que viene de la estructura misma e incluye aquellas acciones que intentan dañar al trabajador o la organización por métodos no físicos, por ejemplo: la explotación, la marginalización, la coacción, daño emocional. El uso del poder de la organización sobre su mano de obra para obtener el cumplimiento del trabajador, comúnmente se manifiesta en la desigualdad sexual dentro de los ajustes tradicionalmente patriarcales de la organización. Una tercera forma de violencia, la violencia cultural, incluye “aquellos aspectos de la cultura...que pueden ser utilizados para justificar o legitimar la violencia directa o estructural.”¹³ Según Galtung, la violencia cultural permite que los actos de violencia sean aceptados como la norma, que racionaliza la aprobación latente de la violencia sea directa o sea estructural. Estas formas de violencia tienen diferentes relaciones de tiempo; “la violencia directa es un *acontecimiento*, la violencia estructural es un *proceso* con altibajos y la violencia cultural es un *invariante*, que se mantiene esencialmente igual durante largos períodos.”¹⁴

La violencia en sus varias formas puede ser vista como un proceso dinámico que tiene que ser analizado desde varias perspectivas y niveles de análisis. Tal análisis de varios niveles proporciona un marco para desarrollar las intervenciones apropiadas que son necesarias para efectuar un clima en el lugar de trabajo de paz positiva, definida por Galtung¹⁵ como la reducción o ausencia de violencia de todo tipo.

III. VIOLENCIA EN EL TRABAJO- TENDENCIAS Y OCURRENCIA

La violencia en el centro de trabajo no es un fenómeno único en ningún país particular o cultura. Según la Organización Internacional del Trabajo (ILO) los informes de violencia en los centros de trabajo y el hostigamiento emanan de todas las regiones del planeta, con la violencia siendo una realidad diaria para muchos trabajadores. Según el informe de la Organización Internacional del Trabajo¹⁶, “el entendimiento ha crecido que la violencia en el trabajo no es solamente un problema episódico, individual, si no una cuestión estructural,

12. J. GALTUNG, PAZ POR MEDIO PACÍFICO; PAZ Y CONFLICTO, DEVELOPMENT Y CIVILIZACIÓN. Publicaciones de SABIO, 1996.

13. *Id.* en 197.

14. *Id.* en 199.

15. *Id.*

16. <http://www.ilo.org/public/english/protection/safework/violence/violwk/violwk.htm> Duncan Chappell y Vittorio Di Martino, *Safework* la Violencia en el Trabajo, la Organización internacional de trabajo, *disponible en* (dura 8/28/01 visitado).

estratégica arraigada en factores más amplios sociales económicos, de organización y culturales.”¹⁷ Aunque las percepciones y la sensibilidad de la violencia puedan variar enormemente de país a país, esto sin embargo se encuentra países en desarrollo y en naciones industrializadas.¹⁸

La violencia de lugar de trabajo fue descrita en 1984 por el General de Cirujano estadounidense C. Everett Kropp como un problema de salud pública de proporción significativa, que verdaderamente ha “asumido la proporción de una epidemia.”¹⁹ Desde entonces se han generados datos considerables acerca de la violencia directa en el lugar de trabajo, con tendencias que muestran aumentos y disminuciones a través de los años. Aunque tendencias recientes muestren una disminución en el número de homicidios en el lugar de trabajo en Estados Unidos, hay un aumento en reportes de intimidación y acoso dentro de la comunidad europea, aunque existen variaciones entre sectores de trabajo y naciones individuales. Los aumentos de la violencia en el lugar de trabajo y el hostigamiento también pueden ser una reflexión del reconocimiento público y la preocupación en todo el mundo sobre los peligros verdaderos y potenciales de la violencia en los centros de trabajo. Aunque sea real o un producto del aumento de los casos reportados, esta nueva conciencia ha aumentado los esfuerzos para identificar el origen y las estrategias posibles para confrontar el conflicto organizacional.

Según el informe de la ORGANIZACIÓN INTERNACIONAL DE TRABAJO *SafeWork*, hay varios ejemplos que ilustran “el alcance, la dimensión y los tipos de violencia asociado con los lugares de trabajo en muchas partes del mundo”²⁰ incluyendo:

En Sudáfrica, algunas encuestas relatan que cuatro de cada cinco trabajadores han sufrido el tratamiento hostil en el lugar de trabajo.

En el Reino Unido, una encuesta en año 1994-95 encontró que más de 11,000 trabajadores de venta al público habían sido víctimas de la violencia física y más de 350,000 habían sido sujetas a amenazas y a abuso verbal.

En Francia, más de 2,000 ataques han sido reportados sobre el personal del sistema parisiense de transporte en 1998.

17. *Id.* en 8

18. *Harassment & Violence* (European Foundation for the Improvement of Living Working conditions) en <http://www.eurofound.ie/working/harassment.htm> (last visited Feb 8, 2002)

19. M.D. SOUTHERLAND, M.D., P. A. COLLINS Y K.D. SCARBOROUGH, *VIOLENCIA DE LUGAR DE TRABAJO: CONTINUO DE A DE AMENAZA A MUERTE*. Anderson Publishing Compañía 1997, 1.

20. <http://www.ilo.org/public/english/protection/safework/violence/violwk/violwk.htm> Duncan Chappell y Vittorio Di Martino, *SafeWork* la Violencia en el Trabajo, la Organización internacional de trabajo, disponible en (dura 8/28/02 visitado).

En Japón, un teléfono directo de intimidación recibió más de 1,700 solicitudes de consulta durante dos períodos cortos en junio y octubre, del año 1996.

En Alemania, una encuesta en 1991 encontró que el noventa y tres por ciento de la mujeres encuestadas habían sido acosadas en el centro de trabajo.²¹

Un informe reciente del Ministerio de Justicia estadounidense indica que; “aproximadamente mil empleados son asesinados (en Estados Unidos) cada año mientras realizan su labores de trabajo existen mas de dos millones de incidentes de violencia en el trabajo que han sido reportados, incluyendo un millón de asaltos simples y 400,000 asaltos con agravantes...la vasta mayoría no son reportados.”²² Los números son asombrosos y requieren una respuesta.

Una conspiración de silencio rodea la violencia en los centros de trabajo, los trabajadores a menudo ignoran los riesgos y aceptan la violencia como la parte del trabajo.²³ Un estudio por la Sociedad para la Dirección de Recursos Humano encontró que “el cuarenta y ocho por ciento de los empleados inspeccionados experimentaron un incidente violento en trabajo...incluyendo amenazas verbales (el treinta y nueve por ciento), empujes (el ventidos por ciento) y peleas (el catorce por ciento).”²⁴ Las mujeres parecen ser particularmente vulnerables a la violencia en el lugar de trabajo, teniendo el treinta y nueve por ciento más probabilidad que los hombres a ser víctimas de homicidio en el lugar de trabajo²⁵. La Encuesta Internacional de las Víctimas de Crimen (ICVS)²⁶, que primero relató la persecución en el lugar de trabajo en año 1996, revelo que las mujeres en todos los continentes relataron una incidencia más alta de asalto dirigido contra ellas en comparación con aquellos relatados por los hombres, al mismo tiempo las mujeres en EE UU relataron una incidencia más alta de hostigamiento que los hombres en un ventitres por ciento a un dieciseis por ciento²⁷. Con un estimado de dieciseis millones de casos de

21. <http://www.ilo.org/public/english/protection/safework/violence/eusurvey/eusurvey.htm> Pascal Paoli, el Jefe del proyecto, *SafeWork* la Violencia en el Trabajo en la Unión europea hallazgos Recientes, la Organización internacional de trabajo disponible en (dura 8/28/02 visitado).

22. Violencia de Lugar de trabajo 1992-1996, revisado; el 18 de julio, el informe de Ministerio de Justicia estadounidense, 1998 disponible en <http://www.osha-slc.gov/SLTC/workplaceviolence/> (dura 8/18/01

23. Frema Engel, *Violencia, crimen y trauma en trabajo: un problema pasado por alto*. EAP RESUMEN. Julio / agosto 1987, en 29.

24. William Atkinson, *la cara diaria de violencia de lugar de trabajo*. 47 (2), MANEJO ARRIESGADO, febrero, 2000, en 12, 12.

25. SOUTHERLAND, COLLINS y. SCARBOROUGH, supra nota 19.

26. <http://www.ilo.org/public/english/protection/safework/violence/intro.htm> *SafeWork* la Introducción a la Violencia en el Trabajo, la Organización internacional de trabajo, disponible en (dura 8/28/01 visitado)

27. La empresa de Seguro de vida Nacional De noroeste, supra nota 4 en 2.

hostigamiento solamente en los Estados Unidos²⁸, la profundidad y la amplitud de la situación es evidente. Hay que preguntarse si la enorme mayoría de la violencia que no es reportada es una consecuencia de violencia latente estructural, que suprime a las víctimas quien temen la pérdida de sus empleos si el hostigamiento sexual es relatado.

El impacto directo de incidentes en el lugar de trabajo más allá de el daño directo físico no puede ser ignorado. El efecto sobre la salud de trabajador, manifestada por quejas causadas por el estrés y los gastos asociados con el ausentismo también deben ser considerado. La Tercera Encuesta Europea sobre Condiciones de trabajo²⁹ reporto que el cuarenta por ciento de los trabajadores europeos fueron expuestos a la violencia física, la tensión, el cuarentaisiete por ciento, expuesto a la intimidación de y a la tensión y el cuarentaisiete por ciento expuesto al hostigamiento sexual y la tensión. Además, el treinta y cinco por ciento de trabajadores expuestos a la violencia física, intimidación y el hostigamiento sexual reportaron un ausentismo del treinta y cinco por ciento, el treinta y cuatro por ciento y el treinta y uno por ciento respectivamente durante período de previo de doce meses.³⁰ Los gastos de tales incidentes han sido estimados por varios estudios en países del mundo entero, las reclamaciones de perdida de salarios debidos a los actos de violencia por trabajadores hospitalarios en Canadá aumentaron en un ochenta y ocho por ciento desde el año 1985 y los gastos directos de la violencia psicológica en una empresa alemana fueron estimados en \$112,000 (EE.UU.) y los gastos indirectos de \$56,000.³¹

Verdaderamente, el problema es más grande en naciones en desarrollo, donde los informes sobre las condiciones de los centros de trabajo comienzan a surgir y no se ha oído la voz coherentemente de la clase obrera que surge. Según Él Qinglian, el autor de *las Trampas del Desarrollo de la China*, la clase obrera de China ha sido marginada “y por ahora, la desigualdad sigue subiendo rápidamente, y en los años venideros mientras China abre sus mercados bajo las reglas de la Organización Mundial del Comercio, las luchas laborales y las preguntas desde el extranjero sobre las prácticas laborales probablemente aumentaran.”³²

28. ATKINSON, supra nota 12.

29. <http://www.ilo.org/public/english/protection/safework/violence/eusurvey/eusurvey.htm> Pascal Paoli, el Jefe del proyecto, *SafeWork la Violencia en el Trabajo en la Unión europea hallazgos Recientes*, la Organización internacional de trabajo disponible en (dura 8/28/01 visitado).

30. *Id.*

31. <http://www.ilo.org/public/english/protection/safework/violence/violwk/violwk.htm> Duncan Chappell y Vittorio Di Martino, *Safework la Violencia en el Trabajo*, la Organización internacional de trabajo, disponible en (dura 8/28/01 visitado).

32. Erik Eckholm, los Derechos de los Trabajadores Sufriendo como China Va Capitalista, veces de NUEVA YORK 8/24/01 available en www.NYTimes.com.

El mercado estadounidense no es ningún extraño a los gastos de violencia en el lugar de trabajo. El informe de NWNL nota que las víctimas estadounidenses de violencia o el hostigamiento "han experimentado dos veces la tasa de condiciones causadas por el estrés, incluyendo la depresión, la cólera, el insomnio, dolores de cabeza y úlceras ... y eran veinte veces más probable que dijeran que su productividad ha sido reducida."³³ Se ha estimado que la violencia en el lugar de trabajo estadounidense ha causado \$55 millones en salarios perdidos cada año, no incluyendo días cubiertos por enfermedad y el permiso anual.³⁴ " Los gastos relacionados a la pérdida de la productividad, establecimientos de responsabilidad y gastos de seguridad no son fácilmente cuantificables, pero sin embargo, tienen que ser considerados como consecuencia de la violencia en el lugar de trabajo.

Los datos relacionados a la incidencia de violencia estructural en el lugar de trabajo son principalmente de naturaleza cuantitativa, en particular desde la perspectiva de cuestiones de igualdad en el lugar de trabajo, prácticas de empleo injustas o inseguras, la explotación y/o comportamientos culturales de la organización, muchos de los cuales son basados en cuestiones de minoría y de género. Aunque las mujeres han logrado algunas ganancias en término de la igualdad en el lugar de trabajo tales como lograr que la desigualdad de salario haiga disminuido, hay evidencia considerable de que la discriminación persiste. Un análisis comprensivo global de segregación ocupacional por el sexo nota que la segregación ocupacional es extensa en todo el mundo, con ocupaciones dominadas por hombres sobrepasando las dominadas por mujeres. Esto es de particular preocupación, ya que las ocupaciones femeninas tienden a ser menos remuneradas, tienen un estado inferior, y menos oportunidades para el avance. Basado en la encuesta, ha sido concluido que la situación del mercado de trabajo corriente no es el ideal para las mujeres.³⁵ Según el informe DOL *Futurework*³⁶, las mujeres estadounidenses y las minorías siguen ganando menos que sus colegas blancos masculinos. El informe de DOL también nota que los ingresos de las mujeres Afro americanas e hispanas ganan el sesenta y cinco y el cincuenta y cinco por ciento, respectivamente, de los ingresos de los trabajadores blancos y las mujeres blancas ganan aproximadamente el setenta y cinco por ciento de cada dólar ganado por hombres blancos.

Aunque algunas injusticias de salario puedan ser explicadas por diferencias de la educación, la experiencia o habilidades, las diferencias "parecen ser en

33. LA EMPRESA DE SEGURO DE VIDA NACIONAL DE NOROESTE, supra nota 4, en 6.

34. VABDENBOS Y BULATAO, supra nota 10 en 14.

35. Richard Anker, *Género y empleos: segregación sexual de ocupaciones en el mundo*.

Repasado por: Jennifer Tikka, *Mujeres y empleos*, 122 (10), MENSUALMENTE TRABAJA REVISIÓN, Octubre, 1998.

36. EL SUMARIO DE EJECUTIVO DE SUMARIO DE EJECUTIVO DE MINISTERIO DE TRABAJO estadounidense, supra nota 6.

gran parte el producto de discriminación obstinada.”³⁷ La nueva mano de obra, que incluye más minorías y mujeres, ha cambiado la dinámica de el lugar de trabajo y ha creado conflictos, mientras las necesidades psycho-culturales de los trabajadores han cambiado y el equilibrio de poder ha evolucionado. Como una organización responde a las necesidades individuales y colectivas de su mano de obra puede ser considerado un precursor al desarrollo de conflicto dentro del ambiente de la organización. Es este comportamiento de la organización (la cultura) mostrada a través del tiempo lo que en última instancia determinará el nivel de violencia cultural dentro de la organización. Para unir los factores micro y macro que crean la violencia directa, estructural y cultural, es necesario explorar el origen y la naturaleza del conflicto que produce fuerzas y examinar sus interrelaciones a través de los niveles múltiples de análisis más directamente.

Aunque el análisis siguiente principalmente sea dirigido hacia una historia de caso basada en datos compilados dentro de Estados Unidos, el uso del análisis trasciende las fronteras geográficas de Estados Unidos, con el uso del análisis global en la naturaleza tal como es reflejado por la universalidad de los orígenes de la violencia en el lugar de trabajo.

IV. FUERZAS DEMOGRÁFICAS

Las poblaciones de una organización tienden a ser un microcosmo de la sociedad, a menudo reflejando la mezcla de diversidad racial, étnica, sexual y cultural evidente dentro de la sociedad en general. Tendencias demográficas, en particular en Estados Unidos, estiman mas diversidad dentro de la maño de obra lo cual es compatible con una población cada vez más diversa. Aunque esta presunción sea algo específica por industrias, con la educación, habilidades y la experiencia que a menudo están creando oportunidades de trabajo dentro de trabajo específicos, uno no puede negar que la maño de obra global esta cambiando. Las organizaciones que son esencialmente una reflexión de su ambiente social deben responder a aquellos cambios. “Uno de los aspectos más cruciales de cualquier organización independientemente del tamaño o el diseño es el ínter conectividad de las partes humanas de toda su partes.”³⁸

Para entender la dinámica del comportamiento una organización, tanto funcional como disfuncional, hay que comenzar por mirar la composición de la maño de obra de la organización. Según el informe de DOL de ano 1999³⁹, las tendencias recientes de la maño de obra estadounidenses reflejan lo siguiente:

37. *Id.* en 9.

38. C.D. MARRÓN y C. SNEDEKER editores. ESTÉ EN DESACUERDO Y LA DIVERSIDAD, Hampton la Prensa, la sociedad anónima. 1997 en 140.

39. EL SUMARIO DE EJECUTIVO DE SUMARIO DE EJECUTIVO DE MINISTERIO DE TRABAJO estadounidense, supra nota 6.

Tres de cuatro mujeres con niños y seis de diez mujeres están ahora en la maño de obra.

La proporción de las familias de padre solteros se ha más que duplicado durante los últimos treinta años, de el once por ciento en 1970 al venticiente por ciento de casas de familia con niños hoy.

En 1996, veinte por ciento de la población proporcionó el cuidado informal a un pariente o un amigo de mas de cincuenta años de edad. Se espera que esto se eleve cuando los “baby boomers” alcancen sesenta y cinco años de edad.

Las tendencias migratorias proyectan que dos de cada tres del los 820,000 inmigrantes que entran en EE UU cada año entrarán a la maño de obra a su llegada.

Para el año 2006, casi la mitad de todos los trabajadores estadounidenses serán empleado en industrias lo que producen o usan intensamente la tecnología de información, productos, y servicios.

Los anglosajones serán una parte menor de la población total y las minorías son proyectadas a elevarse de uno de cada cuatro Americanos a casi uno de cada dos. En el año 2010, los Hispaños serán el grupo de minoría más grande.

Habrà una incidencia mas alta de “trabajo en casa”, creando el potencial para el abuso de las horas de trabajo normales, deberes y beneficios.

Los baby boomers actualmente son el cuarenta y siete por ciento de la fuerza obrera, lo que aumentará la categoría de edad cincuenta y cinco + en la mano de obra durante los próximos veinte años.

Uno de cada cinco Americanos trabaja cuarenta y nueve por semana (o más) y $\frac{3}{4}$ de los trabajadores relatan mas tensión en el trabajo que la generación previa.

El informe de DÓL⁴⁰ demuestra una población nacional que será cada vez más diversa con una concomitante necesidad de promover educación equitativa, oportunidades de entrenamiento para mujeres y minorías mientras ellos aumentan su presencia en la maño de obra. Los datos del informe de DÓL notan que el logro educativo varía a través de líneas raciales y étnicas, con tarifas de graduación de secundaria más bajas para el extranjero comparado con los norteamericanos (el 65 por ciento al 84 por ciento). Para satisfacer las exigencias de trabajos cada vez más menos industriales y más de servicio, y una economía tecnológicamente orientada, estos nuevos trabajadores necesitarán el acceso igual a oportunidades de entrenamiento y educación.

Las provisiones para el cuidado infantil y de los mayores también serán necesarias para satisfacer las necesidades de cuidado de familia relacionadas a

40. *Id.*

los números crecientes de mujeres en la mano de obra. Considerando la cara del trabajador Americano esta cambiando, las organizaciones tienen que reconciliar la diversidad creciente y las necesidades asociadas de su maño de obra con expectativas de trabajo. Las exigencias sobre los trabajadores para que respondan a las obligaciones dela casa y de la familia y a sus obligaciones de trabajo, crean el potencial para el aumento de la tensión y el descontento. El impacto de un número creciente de mujeres en la mano de obra no es único a Estados Unidos. Según un estudio Británico,⁴¹ “madres que trabajan eran el grupo más descontento en la sociedad, debido a la presión de controlar una familia moderna.”

Según un estudio de el Instituto Nacional de Seguridad Ocupacional y la Salud en Estados Unidos, “la tensión de trabajo puede ser definida como las respuestas dañosas físicas y emocionales que ocurren cuando las exigencias del trabajo no emparejan las capacidades, recursos, o las necesidades del trabajador. La tensión de trabajo puede causar mala salud y hasta daños físicos.”⁴² Hay considerable documentación sobre la relación entre la tensión en el trabajo y el comportamiento contra productivo y el descontento del trabajador. El descontento en última instancia ha sido relacionado a el funcionamiento de trabajo y su efecto macro sobre los resultados de organización y relaciones.⁴³

El conflicto también proviene de diferencias demográficas relacionadas a identidades sociales, étnicas y culturales con las costumbres valores, la lengua y creencia que nos crean en-grupos y de-grupos, descritos por Simmel⁴⁴ como una fuente de conflicto. “Exigencias de grupos de acción minoritarios, mandatos de gobierno, y la inmigración (legal e ilegal) significa que aquellos que están disponibles y entrenados para el empleo vienen de una miríada de fondos lingüísticos y culturales.”⁴⁵ Estas diferencias tienen el potencial para crear

41. ¿Linchar, las madres realmente pueden tener una carrera? Si Ud piensa que las cosas se han mejorado para madres que trabajan, piensan otra vez. Como Finola Linchan descubre, muchos patrones todavía creen que las mujeres deberían escoger entre el trabajo o niños. EL PERIÓDICO DE GUARDA, el 24 de enero de 2000, Manchester, el REINO UNIDO.

42. J. Marra, 2000, febrero. *Perfil: empleados copiadores y evaluación del potencial para violencia*, 82 (2), DIRECCIÓN PÚBLICA en 25.

43. R.A. GIACALONE y J. GREENBERG, *COMPORTAMIENTO ANTISOCIAL EN ORGANIZACIONES*, 1997, Publicaciones de SABIO.

44. GEORG SIMMEL, EL FORASTERO. En C. Lemert editor, *teoría Social: las lecturas multiculturales y clásicas*, 1999, en 184, Westview Prensa.

45. C.D. MARRÓN Y C. SYKES editores., *CONFLICTO Y DIVERSIDAD*, 1997, Hampton Prensa, sociedad anónima. En 139.

barreras⁴⁶ de comunicación socioculturales, que pueden desfavorablemente “afectar la calidad y la cantidad de productividad de el trabajador.”⁴⁷

V. EQUILIBRIO DE FUERZAS DE PODER: GÉNERO Y MINORÍAS

La cuestión de poder, tanto verdadero como percibido, también debe ser considerada cuando se mira el conflicto potencial. Por ejemplo: las influencias de identidad socioculturales del individuo como ellos interpretaran, concebirán y utilizarán el poder en relación con la organización y la sociedad en general.⁴⁸ Para minorías y trabajadores en economías en desarrollo donde “el suministro de trabajo infinitamente excede la demanda,”⁴⁹ el lugar de trabajo a menudo refleja perspectivas sociales y estereotipos, que colocan límites y animan los sentimientos de amor propio bajo, la ineficacia y la enajenación. Como el individuo es excluido y mantenido fuera de la estructura de poder establecida, la oportunidad para otros de explotar, excluir y suprimir su inclusión es reforzada. Bennett propone que la ineficacia percibida y la carencia de control sobre su propio ambiente actúan como un agente de violencia directa que se manifiesta como la desviación del empleado y resulta en esfuerzos “tentativos para recuperar el control (la función correctiva)⁵⁰ y en la agresión hostil (la función vengativa).” Volkan nota que la percepción de desequilibrios de poder aumenta la probabilidad de comportamiento primitivos, que promueve el conflicto de organización.⁵¹

Los comportamientos que causan la desviación de lugar de trabajo que incluye comportamientos como el retraso, la tardanza, la descortesía y el socavar de la empresa, así como actos físicamente dañosos, que son un problema costoso y penetrante.⁵² Considerable atención se le ha dado, en particular en el Reino Unido, a la cuestión de intimidación en el lugar de trabajo, que ha sido definida por la Unión de Fabricación, la Ciencia y la Finanzas como “el comportamiento persistente, ofensivo, abusivo, de intimidación, malévolo o insultante, el abuso de poder . . . el cual hace que el

46. R. COHEN, *QUE NEGOCIA A TRAVÉS DE CULTURAS: ÓBICES DE COMUNICACIÓN EN DIPLOMACIA INTERNACIONAL*, 1991, Instituto de los Estados Unidos de Paz.

47. MARRÓN Y SYKES, *supra* nota 45, en 140.

48. COHEN, *supra* nota 46.

49. CHAPPELL Y DI MARTINO, *supra* nota 5.

50. R.J. BENNETT, *INEFICACIA PERCIBIDA COMO UNA CAUSA DE DESVIACIÓN DE EMPLEADO*. En R. W.Griffin, A. O'Leary - Kelly y J. M. Collins, editores. 1998. *Comportamiento disfuncional en organizaciones: el comportamiento violento y anormal (el Volumen 23, Sepárese A) JAI Presiona la sociedad anónima*. En 221.

51. *See* Vamik Volkan, *Blood Lines, From Ethnic Pride to Ethnic Terrorism* (Farrar, Straus and Giroux 1997).

52. BENNETT, *supra* nota 50.

recipiente, se sienta amenazado, humillado o vulnerable y . . . lo cual puede hacer que ellos sufran la tensión.”⁵³ Un estudio en año 1994 conducido por la Escuela del negocio de Universidad Staffordshire notó que uno de cada dos empleados del Reino Unido habían sido intimidado en su trabajo durante su vida laboral, lo que causa la angustia al individuo así como a la organización.⁵⁴ Los desórdenes secundarios relacionados a la tensión han sido relacionados con problemas cardíacos, el alcoholismo, así como perturbaciones mentales y emocionales, con el venticinco por ciento de los accidentes en el trabajo en el Reino Unido implicando a trabajadores bajo la influencia de alcohol. Aunque la intimidación en el lugar de trabajo pueda tomar muchas formas como el hostigamiento sexual, la intimidación en el lugar de trabajo es un ejemplo claro del abuso de poder que se deriva de un desequilibrio de poder entre dos individuos.⁵⁵

Cambios demográficos acentúan la necesidad de enfrentar la desigualdad en el lugar de trabajo expresamente en relación con la cara cambiante del trabajador, que refleja un crecimiento en particular en el número de mujeres, minorías y personas más de cincuenta y cinco en la mano de obra estadounidense.⁵⁶ Como la mano de obra sigue reflejando la población general, y las mujeres y las minorías aumentan su visibilidad, se puede esperar que los conflictos raciales y de género se intensifiquen. En su esfuerzo de buscar el reconocimiento, las mujeres se han convertido tanto en agentes como en recipientes del comportamiento hostil y disfuncional. El advenimiento del movimiento masculino ha reflejado una necesidad por los hombres de ocuparse de los cambios percibidos de una sociedad patriarcal en respuesta a la mayor visibilidad de las mujeres y las minorías en todas partes de la sociedad.⁵⁷

Como el número de mujeres en el lugar de trabajo esta aumentando, el potencial para el conflicto relacionado a el género también aumenta. Los informes de incidentes sexuales en el lugar de trabajo por mujeres atraviesan todos los continentes; notable como el 5.4 por ciento en Europa Occidental, el 7.5 por ciento en el Mundo Nuevo, el 5.2 por ciento en América Latina, y el 3.7 por ciento en África.⁵⁸ Un informe sobre el aumento de la vulnerabilidad de las

53. Andy Ellis, la Intimidación de Lugar de trabajo, Ruskin el Colegio, Oxford, el REINO UNIDO tuvo acceso sobre 8/28/01 <http://www.stress.org.uk/bullying.htm> (8/28/01 pasado visitado).

54. *Id.*

55. *Id.*

56. EL SUMARIO DE EJECUTIVO DE SUMARIO DE EJECUTIVO DE MINISTERIO DE TRABAJO estadounidense, supra nota 6.

57. M. MESSNER, *HOMBRES Y MASCULINIDAD*, En política de masculinidad: Hombres en movimientos, 1998, Publicaciones de SABIO.

58. Duncan Chappell y Vittorio Di Martino, *Safework la Violencia en el Trabajo*, la Organización internacional de trabajo, disponible en <http://www.ilo.org/public/english/protection/safetwork/violence/intro.htm> (dura 8/28/01 visitado).

mujeres en la mañõ de obra estadounidense conducida por la Sociedad para la Gestión de recursos humanos, indica que el cuarenta y cinco por ciento de víctimas en el lugar de trabajo eran mujeres en 1999 comparado con el cuarenta y uno por ciento en año 1996.⁵⁹ La raza y la identidad étnica aumentan la vulnerabilidad de un individuo al hostigamiento, con las mujeres de minoría quizás las más vulnerables. El impacto de las percepciones culturales y la voluntad de relatar el asalto y el hostigamiento se reflejan en el bajo numero de reportes de tales incidentes por trabajadores Asiáticos con el cuatro por ciento de los hombres y el 1 por ciento de las mujeres que relatan asaltos, y sólo el 1.3 por ciento de las mujeres Asiáticas que relatan incidentes sexuales.⁶⁰ Claramente, el efecto de cambios verdaderos o percibidos del poder, siendo el resultado de los cambios demográficos de el lugar de trabajo puede ser una fuente de conflicto ya que la dinámica del sistema establecido es desafiada.

La incidencia de segregación en el trabajo según el género refleja las limitaciones patriarcales establecidas por creencia sociales y estereotipos. La segregación ocupacional por el sexo sobre una base global es extensa según Richard Anker, quien nota que las ganancias en el mundo en total no han sido observadas en el Asia Oriental, la mayoría del Medio Oriente y los países de África de Norte y algunos países con una economía en transición.⁶¹ Según un estudio Británico, la igualdad en el salario y en las oportunidad han sido obtenidas principalmente por una elite de mujeres instruidas, mientras que los que laboran en las ocupaciones de bajo salario han recibido un impacto mínimo de las iniciativas de igualdad de salario basado en el genero.⁶² De modo similar las mujeres estadounidenses han aumentado su visibilidad y sus números en el lugar de trabajo, aunque ellos no hayan aumentado su igualdad.⁶³ Independientemente de las ganancias hechas en el lugar de trabajo, las mujeres siguen siendo descritas en términos de su modo de vestir y no sobre lo que ellas logran.⁶⁴ La influencia de las creencias patriarcales, sociales y de organización son inherentes en la desigualdad de grupo oprimida sobre una base global y así tienen que ser considerada en las fuerzas demográficas que crean el conflicto en el lugar de trabajo por la segregación de trabajo, las carencias de inclusión y las

59. Veces de NUEVA YORK, 12/15/99.

60. CHAPPELL Y DI MARTINO, *supra* nota 59.

61. ANKER, *supra* nota 35.

62. BREZO JOSHI Y PIERELLA PACI, PAGA DESIGUAL PARA MUJERES Y HOMBRES: EVIDENCIA DE LOS ESTUDIOS DE COHORTE DE NACIMIENTO BRITÁNICOS, MIT PRENSA, 1998. Revisión por Alexander Kronemer, *Estrechando el Hueco de Salario*, 112, (11) *Revisión Mensualmente De trabajo*, noviembre, 1999.

63. BREZO JOSHI Y PIERELLA PACI, PAGA DESIGUAL PARA MUJERES Y HOMBRES: EVIDENCIA DE LOS ESTUDIOS DE COHORTE DE NACIMIENTO BRITÁNICOS, MIT PRENSA, 1998. Revisión por Alexander Kronemer, *Estrechando el Hueco de Salario*, 112, (11) *Revisión Mensualmente De trabajo*, noviembre, 1999.

64. C. Kramer, *Asediado Mattel el PRESIDENTE dimite como fregaderos de beneficio*. La Empresa de Espejo de Veces, febrero. 4, 2000, Los Angeles. B-6.

oportunidades ofrecidas basadas en la clasificación demográfica del individuo más bien que en sus capacidades.

Un equilibrio adicional del factor de poder proviene de las cuestiones de relaciones inherentes en la integración de las culturas, lenguas y las creencias religiosas que son asociadas con el crecimiento corriente y las proyecciones del número de inmigrantes y minorías en la mañosa de obra global. Mientras que las economías se hacen más interrelacionadas sobre una perspectiva global, la integración de las mañosa de obra que pueden ser cada vez más culturalmente diversas, con creencia que se diferencian acerca de la afiliación de grupo, el respeto para la autoridad, normas y las costumbres, así como los niveles que varían de habilidades de comunicación seguirán desafiando ambientes de trabajo. El desafío presentado es crear un ambiente sensible a estos cambios dinámicos y evitar el potencial para el conflicto que proviene de la desconfianza y la ignorancia de otros y sus culturas respectivas.

La diferenciación de clase dentro de una estructura jerárquica de organización puede crear la animosidad, la desconfianza y un ambiente adversarial. La capacidad de la organización para dirigir y reconocer la autovaloración inherente del individuo y proveer las ocasiones para la inclusión en prácticas de la organización tienen el potencial para mitigar o intensificar el conflicto. Con el compromiso a una estructura participante, transformacional de organización, las diferencias que existen dentro de la comunidad de organización pueden ser utilizadas para solidificar y desarrollar el acuerdo general de grupo a diferencia de la creación del desacuerdo de grupo y la enajenación.

VI. FUERZAS HISTÓRICAS

Las fuerzas históricas que contribuyen al conflicto de organización tienen que ser analizadas desde la perspectiva individual y de organización con las experiencias pasadas que crean un clima dentro de el que el individuo y la organización forman una relación y desarrollan una identidad mutua. El individuo así trae su historia individual a la organización, que es un producto biológico, cultural y social.⁶⁵ A su turno, los comportamientos individuales se hacen una función de las perspectivas únicas individuales bajo la influencia de las perspectivas de la organización. La unión de la identidad individual y de organización forma la cultura de la organización que ha sido definida como “probada, adaptable, compartiendo deliberadamente y inconscientemente el conocimiento compartido y los valores que dirigen normalmente el desarrollo de la cima hacia abajo, la cultura informal de la organización que es a menudo un producto de las prácticas y las creencias que se han desarrollado como normas

65. E. Goffman, 1955. *Sobre trabajo cara*. En C. Lemert editor. *Teoría social: las Lecturas Multiculturales y Clásicas* Westview Prensa, 1999.

con el tiempo. La percepción de organización, pensamiento, y sentimiento.”⁶⁶ Aunque la estructura formal de una organización desarrolla así una historia única, sobre la cual una cultura corporativa forma unas normas establecidas de comportamientos de organización, incluyendo normas, valores y creencias.⁶⁷

Han propuesto a un paradigma basado en valores que sugieren que las estructuras, normas y la cultura de una organización afecte el comportamiento ético dentro de aquella organización. Los valores establecidos por la gerencia de la organización influyen el comportamiento de toda la organización por ejemplo: esto es la adhesión a un modo verídico.⁶⁸ Uno también podría proponer que la carencia de valores en una organización o la adhesión a normas sociales, tales como prácticas poco éticas/inseguras, influyen en comportamientos de sus trabajadores hacia la organización en general. La relación entre los departamentos de la organización es la influenciada por la disparidad o la concordancia de la cultura dentro de la organización así como por las creencias individuales y sociales que el individuo trae a aquella organización.⁶⁹ La identidad de la organización sirve como un marco dentro de el cual se espera que la maño de obra funcione, con la estructura de la organización colocando límites sobre el trabajador con sus procesos burocráticos que crean una autoridad legal sobre el trabajador y sus actividades.⁷⁰ Robinson y Kraatz opinan que “la cultura de la organización a menudo puede servir la misma función que la estructura formal, generando presiones informales para el cumplimiento de sus normas...o de manera informal sancionando las desviaciones.”⁷¹ La estructura formal de una organización tales como su modo de manejar agravios, el comportamiento disfuncional, y la descortesía, influyen en el nivel de conflicto y de violencia dentro de la organización.” Los empleados quien dijeron sus empleadores tienen agravio, hostigamiento y bajos niveles de seguridad relataron niveles mas bajos de violencia el lugar de trabajo . . . [Así como] niveles mas bajos de descontento con sus empleos y niveles mas

66. S. ALLCORN, ENFADE EN EL LUGAR DE TRABAJO: ENTENDIMIENTO DE LAS CAUSAS DE AGRESIÓN Y VIOLENCIA. Libros de Quórum, 1994 en 102.

67. MÁXIMO WEBER, LA MÁQUINA BUROCRÁTICA, (1909-1920). En C. Lemert editor. Teoría social: las lecturas multiculturales y clásicas, Westview Prensa, 1999.

68. GIACALONE Y GREENBERG, supra nota 43.

69. W.L. URY, J.M. BRETT Y S.B. GOLDBERG, CONSIGUIENDO DISCUSIONES RESUELTAS: DISEÑANDO SISTEMAS PARA REDUCIR GASTOS DE CONFLICTO, Industria editorial de Josey-bajo, 1988.

70. WEBER, supra nota 67.

71. S.L. ROBINSON Y M.S. KRAATZ, CONSTRUYENDO LA REALIDAD DE COMPORTAMIENTO NORMATIVO: EL EMPLEO DE ESTRATEGIAS DE NEUTRALIZACIÓN POR EXTRAVAGANTES DE ORGANIZACIÓN. En R. W.Griffin, A. O'Leary - Kelly y J. M. Collins, editores. (1998). Comportamiento disfuncional en organizaciones: el comportamiento violento y añormal (el Volumen 23, Sepárese A) JAI Presiona la sociedad anónima., 1998, en 204.

bajos de enfermedades causadas por el estrés."⁷² Las prácticas de la empresa en cuanto al uso de la mediación, grupos consultivos, mediadores o métodos similares para reparar los descontentos o las discusiones, pueden contribuir decisivamente en prevenir que pequeños agravios se conviertan en conflictos más graves o violentos.⁷³

La relación histórica que una organización tiene con su ambiente externo es a menudo un indicio de lo que comparten internamente. La política y prácticas que una organización emplea internamente así como externamente son una reflexión de las creencias de la organización y la cultura establecida, por ejemplo: la justicia social y la sensibilidad ecológica. La organización, así como el trabajador individual, tienen la posibilidad de aceptar o rechazar las costumbres sociales y las normas como ellos las interrelacionen dentro de su propia organización así como la relacionen a la comunidad externa. Estableciendo y manteniendo una política ética, de confianza, considerada y práctica, la organización proporciona un modelo que anima al individuo desalentado a apoyar un ambiente de trabajo civil y cooperativo. La organización así tiene la capacidad de servir como un modelo a imitar por los trabajadores, con el comportamiento disfuncional a menudo siendo una reflexión del comportamientos destructivos expuestos aquellos que están en el poder.

La relación histórica y las creencia culturales de una organización a menudo reflejan las de la sociedad en general, creando una atmósfera dentro de la cual la violencia cultural surge. Así, la organización alienta el comportamiento y lo las creencia de la organización que potencialmente pueden contribuir a la violencia estructural y lo directa. Para aquellas organizaciones que escogen, sea por ignorancia, o porque se niegan, a atender las necesidades de su maño de obra, el potencial existe para crear disparidades y desigualdades estructurales que crean el conflicto dentro de la organización. Estas prácticas a su turno crean un ambiente propicio para la violencia directa y estructural ya que los trabajadores son negados el reconocimiento de sus capacidades individuales y sus méritos.

El estilo y la estructura de la gerencia, sus creencias comunes, mitos y rituales así como el compromiso de organización a la verdad, la honestidad y el respeto hacia otros crean un ambiente que anima o desanima el conflicto. En nivel de claridad de estas creencias y con que vigor son compartidas influyen la armonía y la estabilidad de la organización.⁷⁴ Basado en el trabajo hecho por Secord y Backman (1964) y Sherif (1969), Robinson y Kraatz proponen que en

72. La empresa de Seguro de vida Nacional De noroeste, supra nota 4 en 12.

73. C.A. CONSTANTINO Y C.S. COMERCIANTE, DISEÑANDO SISTEMAS DE DIRECCIÓN DE CONFLICTO: UNA GUÍA A CREACIÓN DE ORGANIZACIONES PRODUCTIVAS Y SANAS, Industria editorial de Josey-bajo. 1996.

74. ROBINSON Y Kraatz, supra nota 71.

ambientes ambiguos es menos probable que el individuo confíe en normas objetivas. Consecuentemente, los individuos aceptarán "acciones y señales de otros empleados...con aquellos que no conforman teniendo más probabilidad de emplear estrategias desafiantes."⁷⁵ No específicamente, sin embargo, poderosas influencias agresivas negativas de la organización conducen a la enajenación del empleado.⁷⁶ Claramente el individuo y la organización no pueden ignorar el pasado histórico, que es en última instancia influencia de la cultura y la sociedad.

VII. FUERZAS ECONÓMICAS

La realidad económica en una economía competitiva, global requiere que las organizaciones mantengan su viabilidad financiera, a menudo confiando en la productividad del trabajador para mantener una ventaja competitiva. Independientemente del producto específico de una organización, en última instancia todas las organizaciones son imputadas con la responsabilidad de su efectividad y eficacia. Como una organización obtiene y mantiene la efectividad y la eficacia es basado en la adquisición y la distribución de sus recursos. La política y prácticas con las cuales los objetivos económicos son logrados pueden tener un efecto profundo sobre los que son afectados por la adquisición y la distribución de recursos, en particular los trabajadores. Aunque el impacto cuantitativo y cualitativo financiero de violencia y el conflicto sobre organizaciones haya sido notado previamente, la exploración de la relación entre el individuo, la organización y la sociedad es necesaria para establecer una perspectiva más amplia de como las fuerzas económicas dan lugar al conflicto en el lugar de trabajo.

Gastos económicos directos relacionados al conflicto en el lugar de trabajo han sido documentados en los numerosos estudios que cuantifican la productividad disminuida, la prevención y estrategias de la intervención, el litigio, salarios perdidos, la salud y los beneficios por enfermedad. El informe del DOL une los gastos económicos debidos a los conflictos con la salud y los agravios de los trabajadores estadounidenses. Por ejemplo: uno de cada cinco Americanos trabajan cuarentainueve horas o más semanalmente con la privación del sueño siendo asociada a la perdida de productividad, el ausentismo, la enfermedad, estos gastos suman 18 mil millones al año. Los informes del DOL continúan relatando que 50,000 trabajadores estadounidenses mueren cada año de enfermedades ocupacionales, el treinta y ocho por ciento de las enfermeras sufren problemas en la columna durante su carrera y los trabajadores de la salud sufren 600,000 heridas con agujas cada año, con algunos de estos incidentes siendo la causa de enfermedades y en algunos casos la muerte. Los mineros de

75. *Id.* en 213.

76. ALLCORN, *supra* nota 66.

carbón con la enfermedad del pulmón negro cuestan mil millones de dólares a la economía estadounidense cada año. Los días de trabajo perdidos cuestan a los patrones estadounidenses \$15-20 mil millones cada año en gastos de compensación a los trabajadores.⁷⁷ El Instituto Nacional de Seguridad en el Trabajo ha estimado que los gastos causados por la violencia en el trabajo puede ser tan alto como cuarenta y cinco mil millones de dólares. Buss, (1993) y Camara y Schneider, (1994) notan un costo por robo y malversación de cuarenta a 120 mil millones de dólares y Murphy, (1993) ha estimado los gastos debidos a la delincuencia entre seis y 200 mil millones de dólares.⁷⁸ Los gastos en otros países son tan asombrosos como los de Estados Unidos, se estima que los gastos debido al alcoholismo y las enfermedades relacionadas cuestan aproximadamente 1.7 mil millones de libras y 8 millones de días de trabajo perdidos a la economía del Reino Unido. Un estudio en el Reino Unido el estudio notó que 1 de cada 8 (alrededor de 3 millones) habían sido intimidados en el trabajo en los últimos cinco años, conduciendo a desórdenes de ansiedad y consecuentemente a los costos relacionados con estos los desórdenes. 1/3 a 1/2 de toda la tensión se relacionó a enfermedades directamente atribuible a la intimidación en el lugar de trabajo, lo que a su turno ha sido relacionado a la incidencia de problemas cardíacos, el alcoholismo, problemas mentales, el descontento en el trabajo, accidentes, problemas de familia y a ciertas formas de cáncer.⁷⁹

Una mayor dependencia en la tecnología para mejorar la eficacia y la productividad también ha sido relacionada a altos niveles de tensión. Esto es relacionado a la pérdida de la privacidad y el aislamiento creado por el trabajo en casa lo cual crea el potencial para la explotación y el abuso así como mayores exigencias de productividad.⁸⁰ La influencia de la tecnología sobre los niveles de tensión del trabajador no es específica a Estados Unidos. La Organización internacional de trabajo informa que " la Automatización, la subcontratación, la interconexión 'y el nuevo' empleo por cuenta propia conduce a un aumento en el mundo de el número de personas que trabajan solas,⁸¹ creando un potencial similar para la explotación del trabajador y el aislamiento como ha sido identificado en Estados Unidos por el informe de DOL.

77. EL SUMARIO DE EJECUTIVO DE SUMARIO DE EJECUTIVO DE MINISTERIO DE TRABAJO estadounidense, supra nota 6.

78. ROBINSON y KRAATZ, supra nota 71.

79. ELLIS, supra nota 53. 8/28/01 <http://www.stress.org.uk/bullying.htm> tenido acceso.

80. EL SUMARIO DE EJECUTIVO DE SUMARIO DE EJECUTIVO DE MINISTERIO DE TRABAJO estadounidense, supra nota 6.

81. CHAPPELL Y DI MARTINO, supra nota 5 en 4.

Aunque los gastos indirectos asociados con el descontento del trabajador, la hostilidad, la tensión, la enfermedad y la cólera así como la desigualdad en el lugar de trabajo, injusticias, prácticas ilegales bien sean menos cuantificadas, cualitativas, la investigación experimental ha justificado el impacto económico del empleado y los comportamientos disfuncionales de la organización. Kacmar y Carlson han notado la relación entre comportamientos percibidos como disfuncional (la violencia estructural sobre el trabajador) y los resultados de aquel comportamiento sobre el trabajador (el actor) y la organización. Comportamientos políticos relacionados al uso ineficaz de los recursos como por ejemplo: el emplear, el despido, asignaciones, degradaciones, y aumentos han sido asociados a la pobre moral así como las percepciones negativas externas de las organizaciones estudiadas, con la ineficiencia y la baja moral responsable por el noventa por ciento de los resultados disfuncionales dentro de la organización.⁸²

Como los recursos son adquiridos y distribuidos por una organización tiene que ser estrechamente examinado como un factor en el conflicto de la organización. Las organizaciones miran cada vez más las fusiones y las adquisiciones como un método para aumentar los recursos disponibles y asegurar la estabilidad financiera. Aunque a menudo esto es una ventaja a la viabilidad a largo plazo de una organización, el duro trabajo emocional por parte de todos los participantes, representa "un evento significativo y un acontecimiento potencialmente agotador."⁸³ El efecto emocional se expresa a menudo en cólera, la hostilidad y la enajenación que causa la desmoralización, el descontento y disminución de la productividad. El impacto y al individuo y la organización esta inextricablemente unido, con el potencial para desigualdades estructurales que pueden conducir a la violencia que afecta las ventajas económicas alcanzadas por la fusión y la adquisición. Las cuestiones relacionadas a la combinación de culturas corporativas y globales, la pérdida de empleos, el cambio de estado y relaciones del grupo de trabajo sirven como una fuente de cólera para el empleado y pueden causar la violencia. La necesidad de alcanzar la ventaja económica también conduce a la reducción del número de empleados de y la asimilación de trabajadores y de funciones de trabajo. En un estudio conducido en Finlandia se demostró que la asociación entre la reducción del tamaño de una empresa y las bajas por enfermedad médicamente certificadas son significativas. La reducción del tamaño de la empresa asociada con altos niveles de inseguridad laboral, lo cual aumenta las exigencias psicológicas y

82. K.M. KACMAR Y D.S. CARLSON, UN ANÁLISIS CUALITATIVO DE APSECTS DISFUNCIONAL DE COMPORTAMIENTO POLÍTICO EN ORGANIZACIONES. En R. W.Griffin, A. O'Leary - Kelly y J. M. Collins, editores. *Comportamiento disfuncional en organizaciones: el comportamiento violento y añormal* (el Volumen 23, Sepárese B) JAI Presiona la sociedad anónima. 1998.

83. S. CARRETERO Y C.L. TONELERO, FUSIONES Y ADQUISICIONES: EL FACTOR HUMANO, Butterworth - Heinemann, Ltd. 1992 en 35.

físicas del trabajo, las disminuciones en los aspectos de control del trabajo y perjudica las relaciones con colegas.⁸⁴ Como una organización y el individuo responden a estas cuestiones es a menudo una reflexión de sus creencias y sistemas, y son sujetas a presiones externas tales como las de las fusiones, o las regulaciones gubernamentales.

Hay considerable documentación sobre la relación entre la tensión en el trabajo y el comportamiento anti-productivo y el descontento del trabajador.⁸⁵ El descontento en última instancia ha sido relacionado por Gruenberg con el funcionamiento del trabajo⁸⁶ y con el efecto macro sobre los resultados de la organización y sus relaciones. Ciertamente, las condiciones de trabajo en Europa no mejoran, y muchos trabajadores en Europa trabajan en circunstancias difíciles, quizás esto es un reflejo de las exigencias globales para la productividad y la competencia que refleja la intensificación del trabajo que ha ocurrido durante la última década.⁸⁷

Como los recursos son distribuidos también influye en el conflicto del lugar de trabajo. La violencia estructural demostrada por la distribución injusta de recursos, de salarios, de beneficios y de oportunidades puede crear una mano de obra frustrada, hostil, agresiva que muestra comportamientos antisociales y que conduce al sabotaje de la organización. Si los trabajadores se perciben a sí mismos como las víctimas del sistema, con una pérdida simultánea de poder y de identidad, ellos se convierten en empleados cada vez más hostiles y alienados.⁸⁸ Tales comportamientos pueden ser demostrados por el robo, el daño a la propiedad y el chisme que es provocado por la prácticas de la gerencia⁸⁹ y que en su última instancia chocará con los recursos económicos de la organización. Según Volkan, cuando los individuo se enfrenta con la inhabilidad de soportar el conflicto, ellos experimentarán la desesperación, el miedo y la humillación.⁹⁰ El efecto neto a la organización es el desacuerdo, la productividad disminuida y en última instancia la pérdida de la ventaja competitiva en el mercado.

84. MIKA KIVIMAKI, JUSSI VAHTERA Y JAANA PENTTI, *LOS MEDIADORES DE LA RELACIÓN ENTRE LA REDUCCIÓN DEL TAMAÑO DE Y LA SALUD*, el Instituto finlandés de Salud Ocupacional, disponible en <http://www.apa.org/pi/wpo/niosh/abstract12.html> (dura 8/28/01 visitado).

85. GIACALONE Y GREENBERG, *supra* nota 43.

86. M. Cámaras, *la Satisfacción de Trabajo de Mujeres Directivas y Ejecutivas: Revisar de las asunciones*. 75 (2) DIARIO DE EDUCACIÓN PARA NEGOCIO, noviembre, 1999, en 69.

87. La Fundación europea para la Mejora de Vida y Condiciones de trabajo, el Boletín de prensa, *supra* nota 2.

88. PABLO FREIRE, *PEDAGOGÍA DEL LOS OPRIMIDO*, la Industria editorial Compañía (publicando Compañía) de Continuo, 1999.

89. VOLKAN, *supra* nota 51.

90. *Id.*

El compromiso de una organización al bienestar de sus trabajadores y como distribuye sus recursos económicos tienen el potencial para crear el conflicto por prácticas relacionadas al salario y los beneficios, contrataciones y despidos, promociones y prácticas de comunicación. Como trabajadores compiten por recursos limitados y su propio espacio, la competencia y el desequilibrio de poder se desarrollan y las lealtades cambian del grupo al individuo. La política de personal es una reflexión de como la organización percibe el valor de su mano de obra y como tal, puede crear una deshumanización, un ambiente injusto, maduro para el descontento de los empleados y el conflicto. Este conflicto puede ser manifiesto o latente, que ocurre en el intra-grupo o un conflicto de Inter.-grupo, así como entre la dirección y trabajadores. Aunque estos comportamientos pueden ser una manifestación de comportamientos sociales, así como de procesos individuales cognoscitivos, uno no puede ignorar el acoplamiento entre las prácticas de la organización y las acciones individuales y comportamientos.

La influencia de otros individuos quienes tienen un interés económico en el individuo o la organización también tienen el potencial para contribuir al conflicto dentro de la organización. La intervención de la unión en el conflicto entre la dirección y el trabajador puede servir más bien para enturbiar los asuntos y alentar el conflicto que servir para mediar una resolución pacífica de los problemas. La intervención gubernamental por cuerpos reguladores también puede contribuir a la creación de una orientación "de un nosotros" contra "ellos" dentro de una organización tales como una la política en Estados Unidos de relatar abusos al Medicare que animan la mano de obra a identificar fechorías de las organizaciones. Para los que procuran crear el cambio o corregir los males percibidos, el relator quien está dispuesto de hablar claro y romper el código de silencio es visto a menudo como desleal y condenado al ostracismo del grupo. Las facciones a favor y contra una causa crean un ambiente de hostilidad y de lucha. Aunque establecido como un mecanismo protector, intervenciones reguladoras a menudo sirven como un conducto para el conflicto y el aumento de la disfunción dentro de la organización.

VIII. FUERZAS PSYCHO-CULTURALES

Hay una miríada de asuntos que son abarcados dentro del contexto de las fuerzas psycho-culturales ejercidas dentro de una organización. Estas cuestiones incluyen aquellos que son generados por la conducta social, y el entorno psicológico dentro del cual un individuo se relaciona en el Inter.-grupo y el intra-grupo a nivel de la organización.⁹¹ Como el individuo responde a una situación dentro del contexto de su ambiente particular es a menudo un factor

91. La isla JANIS, EL GRUPO PIENSA: LOS ESTUDIOS PSICOLÓGICOS DE DECISIÓN DE POLÍTICA Y FIASCOS, Houghton Mifflin, 1982.

de las fuerzas psycho-culturales que determinan las relaciones de impacto y el comportamiento.⁹² Aunque los factores psycho-culturales sean respondidos a menudo desde la perspectiva individual, el acoplamiento a la cultura histórica de la organización debe ser considerado como una suma de sus partes. Sin embargo, para el objetivo de este análisis, las fuerzas psycho-culturales serán vistas principalmente en el nivel del individuo y su relación al grupo. Factores individuales psycho-culturales, como el género, la raza, la identidad étnica, la cooperación, el control, estereotipos y los procesos del grupo influyen en las percepciones individuales de la realidad, que a su turno establece la base para el comportamiento humano.

La teoría de la construcción social propone que un individuo responde a una situación dada y toma decisiones sobre sus acciones, basado en influencias ejercidas por su ambiente social. Lederach, agregando a el trabajo hecho por Schulz y Blumer, nota que "el conflicto social surge y se desarrolla sobre la base del significado y la interpretación que la gente de atan a las acciones y eventos...el conflicto es conectado al significado, el significado al conocimiento, y el conocimiento es arraigado en la cultura."⁹³ Los Ejemplos de comunidades con bajo nivel de conflicto demuestran "[factores] distintivos psycho-culturales que producen las interpretaciones compartidas del mundo y facilitan el manejo de las diferencias sin recurrir a la violencia."⁹⁴ Lo que somos es una reflexión de nuestras experiencias sociales, las normas y las expectativas de la sociedad y como hemos sido condicionados a responder. Nuestras experiencias influyen en nuestras acciones presentes, que son de modo similar influenciadas por el grupo social con quien nos relacionamos en la organización.

Mirando el comportamiento, hay también que considerar la influencia inconsciente de las emociones humanas que provienen del id, el Ego y el Super ego, sobre el que, según Freud, el hombre tiene poco control. La teoría de Freud del aparato psíquico describe los comportamientos de adaptación tales como la hostilidad, la agresión, la retirada y el desaliento, que a menudo son utilizados para ocuparse de la confusión interna y externa.⁹⁵ Aunque "grandes fuerzas sociales como el sexismo, el racismo, y la desigualdad de clase formen nuestras biografías, es como individuos que experimentamos y tenemos sentido de

92. Jervis, R. (1976). Percepciones y percepciones malas en política internacional. Princeton, NJ: Princeton Prensa de Universidad.

93. J.P. LEDERACH, PREPARANDO PARA RESOLUCIÓN DE CONFLICTO DE PAZ A TRAVÉS DE CULTURAS, En Preparación para paz, transformación de conflicto a través de culturas. Syracuse Prensa de Universidad 1998 en 8.

94. M.H. ROSS, LA CULTURA DE DIRECCIÓN DE CONFLICTO CONSTRUCTIVA EN CONFLICTO BAJO SOCIEDADES en la Dirección de Conflicto: Interpretaciones e Intereses a Perspectiva Comparativa, Allyn y Tocino 1993 en 35, 36.

95. SIGMUND FREUD, EL APARATO PSÍQUICO Y LA TEORÍA DE INSTINTOS (1900-1939). En C. Lemert editor. Teoría social: las lecturas multiculturales y clásicas, Westview Presionan 1999.

nuestras vidas."⁹⁶ En última instancia, cada individuo desarrolla la relación desde su perspectiva única, con la concordancia de su historia, y las agrupa por líneas raciales, étnicas, sexuales, y la edad que influye en la solidaridad dentro de un grupo. Así, el individuo y su ambiente social son inextricablemente unidos, con comportamientos individuales formados por expectativas sociales y clasificaciones así como por fuerzas inconscientes.

La capacidad de una organización de competir en el mercado, en un nivel local o global, es a menudo una reflexión del compromiso de la organización y el sentido de objetivo común. Durkheim describe la pérdida de equilibrio (añomia) que ocurre cuando las creencias establecidas de los grupos y los valores son desafiados.⁹⁷ El conflicto surge y la solidaridad de grupo y la identidad son puestas en peligro. Teóricos recientes, como Vanik Volkan,⁹⁸ proponen que la cohesión del grupo y la estabilidad son atadas a una cultura común, con la identidad de grupo basada en una visión compartida. Volkan ha propuesto que los grupos retroceden cuando están bajo tensión y regresan a las formas primitivas de comportamiento, en particular cuando la existencia de un desequilibrio de poder es percibido. Considerando que la organización es un microcosmo de la sociedad, las fuerzas sociales impactan el acuerdo general del grupo o el desacuerdo dentro de la organización. Las designaciones de grupos crean desequilibrios de poder y la competencia), que si no es controlada, puede conducir a una escalada de conflicto y afectara los objetivos de la organización; por ejemplo: la violencia estructural dirigida hacia la organización. Las percepciones verdaderas o imaginadas de desigualdad aumentan los desacuerdos y limitan la capacidad de los varios grupos para trabajar en equipo y en un ambiente de cooperación. Las percepciones de ineficacia entre grupos oprimidos pueden animar la política de organización y prácticas que afectan desproporcionadamente minorías, los ancianos y las por ejemplo: desigualdad en el salario, oportunidades, y el hostigamiento sexual. Tales percepciones de ineficacia a menudo crean desacuerdos entre grupos de trabajo "con la percepción de pérdida de control sobre el ambiente de trabajo . . . propuesto como una causa de desviación en lugar de trabajo."⁹⁹ El "locus de control" (LOC), las creencias de una persona sobre el control de los acontecimientos de la vida, tienen una relación directa con la satisfacción del trabajador y la predicción de su comportamiento dentro de la organización.¹⁰⁰ Las personas con

96. Judith Lorber, " *Noche a su día: " la construcción social de género*. En L. Richardson, V. Taylor, y N. Whittier editores. *Fronteras Feministas IV*. 33-47 McGraw 1997 en 33, 1.

97. Emile Durkheim, *Añomie y la División Moderna de Trabajo* (1902) En C. Lemert editor (teoría Social: las lecturas multiculturales y clásicas, Westview Presionan 1999.

98. VOLKAN, supra nota 51.

99. BENNETT, supra nota 50, en 221.

100. M. Riipinen, necesidades Extrínsecas ocupacionales y la relación entre necesidad de logro y locus de control, 128, (5) el Diario de Psicología, 1994 en 577.

un LOC interno sienten que ellos son responsables de lo que les pasa, mientras los que los que tienen un LOC externo, sienten que ellos no tienen ningún control sobre lo que pasa. El LOC, es uno de tres indicadores psicológicos que son usados para mostrar el potencial para el comportamiento violento en el trabajo. La carencia de control de un individuo sobre sus circunstancias puede crear altos niveles de tensión, y en última instancia puede conducir a la acción irracional o la violenta contra otros. La tensión del trabajo y la actitud negativa son identificadas como otros indicadores de comportamiento disfuncional en el trabajo. Los, " delincuentes, y los criminales violentos tienen un mucho menos necesidad de afiliación que los no son delincuentes los cuales no necesariamente ven interacciones con otros como experiencias positivas y es menos probable que se preocupen si sus acciones pueden hacerle daño a otras personas."¹⁰¹

Así, que para aquellos que están enojados dentro de la organización y hostiles a un procesos de grupo, el potencial para el comportamiento disfuncional y violento puede ser exacerbado por la percepción de un LOC disminuido o la tensión del trabajo.

El abuso de drogas así como el comportamiento agresivo pueden ser considerado los factores psycho-culturales que han sido asociados con la violencia en el lugar de trabajo.¹⁰² Estos comportamientos en el lugar de trabajo son a menudo las manifestaciones de comportamientos agresivos ejercidos fuera del ambiente de trabajo, por ejemplo: La violencia domestica. Bennett y Lehman ¹⁰³relatan un acoplamiento entre las drogas y el uso de alcohol en el trabajo y la baja afinidad para la cohesión de grupo, alto niveles de antagonismo y la violencia en el lugar de trabajo. "El abuso de drogas ha sido asociado con malas relaciones con los supervisores y los colegas . . . que puede conducir a la violencia en el lugar de trabajo y a los actos peligrosos que pueden poner en peligro a colegas."¹⁰⁴

IX. FUERZAS POLÍTICAS

En el siglo veintiuno, la presión sobre las organizaciones para permanecer competitivas en un ambiente global cada vez más tecnológico sigue intensificándose. En última instancia, las organizaciones deben confiar en la naturaleza de las relaciones que existen entre sus varios accionistas, incluyendo

101. M.S. O'Connell, *Perfil: empleados copiadores y evaluación del potencial para violencia*, 82 (2). Dirección Pública, febrero, 2000 en 25, 25.

102. VABDENBOS Y BULATAO, supra nota 10.

103. J.B. BENNETT Y W.E.K. LEHMAN, ALCOHOL, ANTAGONISMO, Y VIOLENCIA QUE ATESTIGUA EN EL LUGAR DE TRABAJO: BEBIDA DE CLIMAS E INTEGRACIÓN ENAJENACIÓN SOCIAL.. En G.R. VandenBos, E.Q. y Bulatao, editores. *Violencia sobre el trabajo*, Asociación Americana Psicológica 1996.

104. EL INFORME DE MINISTERIO DE TRABAJO estadounidense, el capítulo 5, 1999 en 7 disponible en <http://www.dol.gov/dol/asp/public/futurework/report/chapter5/main.htm> (Dura 3/13/00 visitado).

a miembros del consejo de trabajadores, clientes, agencias reguladoras y el público, para obtener los resultados deseados por la organización y mantener la viabilidad económica. La naturaleza de estas relaciones requiere que las alianzas y los procesos de grupo sean establecidos y nutrido, lo que a su turno dicta como la organización estará puede lograr sus metas y cumplir con las necesidades de sus varios accionistas. Las acciones tomadas por los accionistas de la organización para satisfacer estas exigencias, pueden ser consideradas de naturaleza política en lo que se refiriere a aquellos comportamientos que podrían ser considerados inteligentes o prudentes.

Las organizaciones confían en procesos políticos para alcanzar sus objetivos, los que pueden ser funcionales o disfuncionales. La política funcional de una organización es lo que apoya a la organización en el alcance de sus objetivos, no a el individuo que hace la decisión. La política disfuncional de la organización es para los que son egoístas y no sancionados por la organización. El uso del poder y el control de otros para lograr sus objetivos al costo de otros, se considera un empleo negativo de comportamiento político.¹⁰⁵

La interacción de los varios actores y como los grupos son formados dentro del ambiente del lugar de trabajo prepara el escenario para el comportamientos políticos dentro de la organización. A menudo estas interacciones serán determinadas por el poder y las acciones de los varios grupos establecidos. El proceso de grupo en última instancia diferencia a los que tienen el poder de los que tienen menos poder para efectuar los cambios dentro de la organización, mientras que el máximo poder a menudo que queda con un grupo definido y selecto. Como los que están en el poder utilizan su poder y ejercen la influencia política afecta la agenda de la organización a través de sus acciones y el comportamiento de los que tienen poder político. Estas acciones en última instancia crean o al menos influyen la cultura, la visión y la misión de la organización. El potencial para la disfunción surge debido a las alianzas y los comportamientos políticos expuestos por los que tienen el poder de formular y hacer cumplir la política. Esto puede ser percibido como injusto por aquellos menos poderosos. La injusticia y a menudo la duplicidad de acción de aquellos con el poder puede conducir a un ambiente de desconfianza, de sospecha y puede causar la rebelión entre la maño de obra, por ejemplo: huelgas, la baja moral, y la hostilidad.

La presión para alcanzar los objetivos de la organización puede conducir a una cultura que es reflejada en una mentalidad de guerrero donde el ganador gana todo, lo que promueve una estrategia competitiva de triunfo que promueve la ganancia cueste lo que cueste.¹⁰⁶ La competencia es un fenómeno aprendido y la cooperación es al menos tan integral a la naturaleza humana como es la

105. KACMAR Y CARLSON, *supra* nota 81, en 82.

106. CONSTANTINO Y EL COMERCIANTE, *supra* nota 72, en 7.

competencia. La competencia en su estado crudo a menudo requiere que alguien pierda para que el otro pueda ganar.¹⁰⁷ Tal competencia puede ser un signo de conflicto que surge, en particular "cuando generado por la competencia incontrolada, agresiva entre unidades de trabajo o colegas."¹⁰⁸ La cultura política de tales organizaciones de guerrero "es a menudo reflejada también en los métodos empleados para controlar y combatir la amenaza de conflicto."¹⁰⁹ Tal ambiente promueve la disensión en todas partes de la organización, conduciendo en el desacuerdo entre la dirección y su maño de obra. En última instancia, la agenda es controlada por los que tienen el poder, con la fuente del poder siendo derivada por aquellos que están menos dependiente de los demás.¹¹⁰

Simmel ha dicho que la cohesión de grupo proviene, tanto de la armonía como del desacuerdo dentro de un grupo, con el conflicto visto como una dualidad de propósito y la unidad siendo alcanzada cuando la armonía y el desacuerdo existen. Sin embargo, desequilibrios de poder y las agendas políticas individuales que interfieren con la cohesión de grupo en última instancia interrumpen la estabilidad de la organización. Si los individuos pierden su sentido de cohesión, es más probable que confundan la razón con la emoción, lo que los hace más propenso a actos irracionales basados en aquella emoción.¹¹¹ Kacmar y Carlson han estudiado la relación entre comportamientos políticos y resultados de organización, mirando comportamientos como el favoritismo, el nepotismo, la discriminación sexual, el empleo del poder y el comportamiento egoísta. Los comportamientos políticos identificados en el estudio de Kacmar y Carlson demostraron un cuarenta por ciento de descontento y un treintauno por ciento de cambio de personal entre los que encuestados con resultados de la organización siendo afectados por el descontento, la desconfianza y la baja productividad. Según Kacmar y Carlson, estos comportamientos todos afectan directamente la rentabilidad de una organización, lo cual se complica si el tratamiento injusto es documentado y se toman acciones legales.¹¹²

La sensibilidad de la organización a su ambiente externo tiene el potencial para aumentar el conflicto entre la organización y sus accionistas externos por ejemplo: agencias reguladoras y de consumidores. Cuando los objetivos financieros de una organización son colocados por encima de los de su ambiente y su mano de obra, ganancias a corto plazo pueden ser realizadas pero a costa

107. A. KOHN, *EL NÚMERO UNA OBSESIÓN*. En *Ninguna competición: el caso contra competición (competencia)*, Houghton Mifflin 1986.

108. CONSTANTINO Y EL COMERCIANTE, *supra* nota 72, en 6.

109. *Id.* en 7.

110. URY, BRETT Y GOLDBERG, *supra* notan 68.

111. SIMMEL, *supra* nota 43.

112. KACMAR Y CARLSON, *supra* nota 81.

del alcance de las estrategias a largo plazo. El énfasis sobre el instinto de conservación individual anima la competencia destructiva en lugar de la colaboración más productiva a largo plazo.

Hay una necesidad clara al comportamiento de la organización que aplica un proceso político justo y equitativos. Alexis Herman, Secretario estadounidense de Trabajo, nota que:

- En esta economía nueva, tenemos que pensar en políticas amistosas familiares de un modo nuevo. No como beneficios complementarios. No como beneficios. Pero para buenas ideas son buenas para trabajadores y buenas para el negocio. No haga ningún error. Las empresas tienen éxito en el mercado global cuando los trabajadores tienen éxito alrededor de la mesa de la cocina.¹¹³

X. CONCLUSIONES, SÍNTESIS Y IMPLICACIONES DE POLÍTICA

El lugar de trabajo global se ha convertido en una entidad cada vez más compleja, reflejando no sólo los sistemas de una organización y sus creencias, pero también los de su mano de obra y de la sociedad en general. Como un microcosmo de la sociedad, las organizaciones son expuestas a una miríada de fuerzas, que influye en sus relaciones, internamente y externamente. Estas fuerzas, que tienen el potencial para crear un clima de conflicto y comportamientos violentos, han sido identificadas como demográfico, histórico, equilibrio de poder, económico, político y psycho-cultural. Cada una de estas fuerzas interrelacionadas con un nivel sistémico de la organización así como con en el nivel del trabajador individual quien es de modo similar un producto de y un agente de las fuerzas identificadas. En última instancia, como parte de la sociedad en general, tanto el individuo y la organización son partes del sistema más grande social que a su turno, afecta el ambiente de la organización.

Considerando la naturaleza dinámica de las relaciones mutuas establecidas dentro de un ambiente de la organización y los factores múltiples que desafían aquel ambiente, hay que reconocer y entender como estos factores pueden crear el potencial para el conflicto destructivo. Es a través de la conciencia y la aceptación de estos factores que la organización puede comenzar a identificar y desarrollar estrategias para responder a los conflicto de modo positivo, y de manera no adversaria. Un sistema multi-modal, y de múltiple niveles debe ser aplicado al diseño de los sistemas de discusión que son requeridos para la organización, el trabajador y la sociedad para responder productivamente a la miríada de conflictos presentados.

113. EL INFORME DE MINISTERIO DE TRABAJO estadounidense, el Capítulo 8, 1999 en 4 disponible en <http://www.dol.gov/dol/asp/public/futurework/report/chapter8/main.htm> (Dura 3/13/00 visitado).

La estrategias del diseño de sistemas de disputas apropiados son basadas en un análisis cuidadoso de la organización, identificando su estructuras y las fuentes de conflicto y los factores, que afectan la capacidad de la organización de alcanzar sus objetivos indicados. Sandole recomienda un método de tres pilares que es usado comprensivamente para trazar un mapa del conflicto. Así, uno puede identificar si el conflicto es latente o la manifiesto e identificar los participantes, las cuestiones y los objetivos usados para alcanzar objetivos así como la orientación ambiental al conflicto. La identificación de los actores en el conflicto, incluyendo los accionistas internos y externos, permiten determinar las fuerzas que influyen en la dinámica de las relaciones y las fuentes de conflicto. El trazar un mapa de el conflicto también permite definir el nivel del conflicto, si es individual, de organización o social en la naturaleza y si el conflicto es basado en la estructura de la organización o dentro de las relaciones interpersonales. El enlace entre las cuestiones estructurales y no estructurales debe ser notado, particularmente los que están relacionados a la relaciones, creencias, valores y el control de los recursos. Las cuestiones no estructurales a menudo son manifestadas dentro del marco de la cultura de la organización y el equilibrio de poder, requiriendo al diseñador del sistema que identifique el las fuerzas que son la fuente de conflicto¹¹⁴. Se puede ver la complejidad de las fuentes que se identifican el conflicto en cuestiones tan estructurales como las líneas ambiguas de autoridad, que paradójicamente pueden ser la fuente, así como el resultado, de cuestiones de relaciones basadas en desequilibrios de poder jerárquicos. Una vez que las cuestiones han sido identificadas, es igualmente importante informar a todos los niveles de la organización cuando se esta diseñando los sistemas. Lederach (1998) propone que los objetivos de la organización y el cambio puedan ser logrados mejor por los actores implicando en todos los niveles, incluyendo niveles superiores, medias e inferiores.

La gama de estrategias potenciales puede ser vista a lo largo de un continuo, que incluye métodos preventivos, facilitados, investigativos, consultivos o impositivos. Las estrategias de prevención pueden ser aplicadas en conflictos tan profundos como los de las minorías y los de género. Tales estrategias deberían ser enfocadas hacia el desarrollo de un ambiente de colaboración, que transforme la política de recursos humanos y que acentúe procesos tales como el trabajo en equipo y entrenamiento cultural. El desarrollo del empleado puede ser dirigido por los talleres que se ocupan de las relaciones interpersonales, la educación asertiva, relaciones con los invitados, manejo de la tensión, habilidades de comunicación, y programas de prevención de violencia, que apoyan el desarrollo de comportamientos positivos y la acción

114. D.J.D. Sandole, *un trazar un mapa de comprensivo de conflicto y resolución de conflicto: un acercamiento de tres pilares*. 5, (2). Paz y Estudios de Conflicto, 1998 en 1.

entre aquellos que sufren injusticias y pérdida de voto. Tales estrategias de prevención son útiles en el aumento de la capacidad los accionistas para obtener control sobre las fuentes de conflicto sobre una base interna, mientras que los trabajadores aumentan sus habilidades individuales los que les permite hacer impactar las fuerzas negativas. Estas estrategias son diseñadas para crear procesos de equipo y a autorizar a los que son privados del sus derecho al voto por el desequilibrios de poder.¹¹⁵ Los programas que identifican la intolerancia, los actos violentos y agresivos y el comportamiento potencial violento pueden ser puestos en práctica para mediar el comportamiento disfuncional. Tales programas deberían ser una reflexión de la creencia de organización y la cultura y ser comunicado claramente a todos dentro de la organización. La política que hace cumplir el comportamiento aceptable debería ser iniciada a través de todos los niveles de las organizaciones, incluyendo la dirección superior y debería estipular las consecuencias para los que no las cumplen.¹¹⁶ Los programas de ayuda a los empleados deberían estar disponibles para asistir en el manejo de problemas que requieren consejos, tales como el abuso de sustancias o los conflictos de familia. VanDer Wall ha sugerido siete puntos para prevenir el conflicto en el lugar de trabajo que incluyen; obtener apoyo de la gerencia, realizar una revisión de los números de casos de violencia en el lugar de trabajo, desarrollar políticas y procedimientos, conducir entrenamiento sobre la política y los procedimientos, asegurar acceso fácil a programas de ayuda de empleado, incluyendo a profesionales de salud mental, y tener una política clara, y procedimientos de sentido común para terminaciones y despidos.¹¹⁷

No todas las fuerzas ejercidas sobre una organización pueden ser resueltas por estrategias preventivas. Las intervenciones como la mediación, y la negociación proporcionan ocasiones para resolver muchos de los conflictos que puede estar encajados profundamente dentro de las fuerzas sociales ejercidas sobre la organización. Las estrategias desarrolladas por la organización para ocuparse de estas fuerzas deben ser reflexivas de las fuentes del conflicto identificado en todos los niveles por la evaluación cuidadosa y el análisis. Estas estrategias también deben ser compatibles con los recursos de la organización y la filosofía. El diseño de un sistema comprensivo de disputa que incluye, tanto cuestiones estructurales y de relación permitirá el uso de estrategias apropiadas que encajen con las necesidades individuales de la organización.

Considerando la complejidad de las fuerzas que crean el conflicto dentro de una organización, los métodos de múltiples niveles, y los de múltiples modales son necesarios para identificar las fuentes de conflicto y desarrollar las

115. CONSTANTINO Y EL COMERCIANTE, *supra* nota 72.

116. ATKINSON, *supra* nota 12.

117. S. VanDer Pared, *Prevención de violencia de lugar de trabajo: una gufa para patrones y médicos*. Febrero, 2000, 45 (2) HR REVISTA, en 152.

intervenciones apropiadas para promover un estado de armonía dentro de la organización (Figura 2). Tal método puede crear un organismo synergístico, capaz de responder dinámicamente a los conflictos que son "una parte necesaria de vida, (creando las intervenciones que) no necesitan ser emprendidas de manera destructiva."¹¹⁸ Así, una organización tiene la oportunidad y la capacidad de ser a un agente positivo de cambio, el que puede crear un ambiente transformable de paz positiva, capaz de satisfacer las necesidades del individuo de la organización y de la sociedad.¹¹⁹

118. L. KRIESBERG, *CONFLICTOS CONSTRUCTIVOS: DE ESCALADA A RESOLUCIÓN*, (1988). Rowman y Editores Littlefield, Inc. 1988 en 1.

119. ELISE BOULDING, *CONSTRUYENDO UNA CULTURA GLOBAL CÍVICA; EDUCACIÓN PARA UN MUNDO INTERDEPENDIDO*. Syracuse Prensa de Universidad 1990.

XI.APPENDICES

A. Higo 1: Los Orígenes de Violencia en el Lugar de Trabajo

FACTOR DE CONFLICTO	VIOLENCIA DIRECTA (física)	VIOLENCIA ESTRUCTURAL	VIOLENCIA CULTURAL
DEMOGRÁFICO	La diversidad cultural, sexual, étnica, impulse desequilibrios, y la tensión que conduce al abuso / daño físico.	Cultural, sexual, envejeza la discriminación y desigualdades. Las barreras de comunicación, estereotipos basados en "la identidad", de casa / familia presionan.	La política institucional y las prácticas que no hacen caso a las identidades culturales, sexuales, étnicas de maño de obra prácticas de exclusión.
HISTÓRICO	Las costumbres individuales que utilizan la violencia física como el medio de lograr "finales". El descontento, la tensión, impulsa desequilibrios; la incertidumbre sobre normas conductuales conduce al abuso / daño físico, la agresión.	El individuo, la organización, valores de sociedad, creencia, costumbres en el desacuerdo o ambiguo que crea la tensión, el descontento, la hostilidad, el comportamiento disfuncional esto es el robo, el ausentismo; procedimientos de agravio; hostigamiento	La política institucional y las prácticas que perdonan (hacen cumplir) poco ético, inseguro, malsaña, descortés, deshumanizando condiciones; estructura de organización jerárquica, patriarcal.
ECONÓMICO	La distribución injusta / desigual de recursos que crean el descontento, la cólera, la frustración conduce a abuse/harm/aggression físico. Intervención de tercero que abastece de combustible conflicto. Sabotaje físico de organización.	Adquisición injusta / desigual y distribución de prácticas poco éticas de recursos, injustas que conducen a productividad disminuida, ausentismo, tensión, tarifas / de salud / heridaVentajas; fusiones / Adquisiciones-reduction/changes en maño de obra; sabotaje no físico de organización.	Las prácticas institucionales que hacen cumplir la adquisición ineficaz, desigual / insegura y la distribución de recursos. Costumbres individuales, sociales, creencia acerca de igualdad / justicia de otros.
EQUILIBRIO DE PODER	Violencia física, hostigamiento sexual; abuso verbal; tensión de trabajo; horas extra(abuso); temas de salud; volumen de ventas alto; huelgas	Carencia de ocasiones; injusticias de paga basadas en género, estado de minoría; prácticas de discriminación.	La política y las prácticas que no hacen caso y/o castigan la diversidad; prácticas de exclusión

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FACTOR DE CONFLICTO	VIOLENCIA DIRECTA (física)	VIOLENCIA ESTRUCTURAL	VIOLENCIA CULTURAL
POLÍTICO	Agendas individuales; la negación de trabajador tiene que encontrar necesidades de organización; abuso de ambiente	Desacuerdo entre tenedores de apuestas; carencia de misión clara de organización; agendas surtidas(mixtas)	Duplicidad comportamiento de dirección; desacuerdo de creencia, cultura ser / t trabajadores y dirección
PSYCHO-CULTURAL	Desequilibrios de poder (LOC), conflicto de inter/intra-grupo, comportamientos disfuncionales, abuso de sustancia, tensión de trabajo, afinidad negativa conducida a los actos de violencia / agresión dirigida hacia otros.	Las exigencias de tecnología crean el aislamiento, psych, el abuso de sustancia; comunicación pobre; la carencia de procesos de agravio, demográficos, la clase, el género, la raza(carrera), la identidad étnica "desconfía" la / animosidad	Social construyen de organización, el comportamiento individual; las expectativas de comportamiento, la carencia de creencia comunes, respetan para la autoridad, el respeto para otros.

B. Higo 2: Estrategias para Violencia en el Lugar de Trabajo

FACTOR DE CONFLICTO	INTERVENCIONES		
	PREVENTIVO	ADR NEGOCIADO	ADR FACILITADO
DEMO-GRÁFICO	Acompañando; equipo de edificio; educación de (entrenamiento) de comunicación; Relaciones de invitado; acción afirmativa; enfade y la tensión mgment; educación (entrenamiento) asertiva; cruce la educación (entrenamiento) cultural	Negociaciones de unión; procesos de recurso humanos; alquiler de prácticas; salario y política / prácticas de hora; órgaño. Política y procedimientos; política de permiso de familia.	Ombudsperson; reunión de reflexión; mediación por 3r partido; planificación estratégica; edificio de acuerdo general; empleado grupos consultivos; procedimientos de agravio.
HISTÓRICO	Educación (entrenamiento) y desarrollo en cultura org. y prácticas y exigencias de trabajo; org. compromiso a justicia ambiental / social; apoyo de costumbres / prácticas sociales; lugar de trabajo civil	Prácticas relacionadas a las cultural / familia necesidades de maño de obra; feria y prácticas de trabajo equitativas; inclusión de planificación estratégica de todos los niveles en y fuera el organización.	Inclusión de trabajador en misión org. y prácticas; procedimiento de agravio, procesos de cumplimiento
ECONÓMICO	Feria y distribución equitativa de recursos; prácticas claramente indicadas fiscales; medidas de productividad cuantitativas y cualitativas; retención de feria y prácticas de reclutamiento; educación (entrenamiento) de tecnología, apoyo; acentúes y la dirección de cólera; trabajo que corresponder para experimentar y educación (entrenamiento); programas de bienestar; fumar de cese	La unión negoció y lo la entrada de grupos de trabajo de empleado en la feria y prácticas equitativas HR y ventajas, medidas de resultado; entrada de destacamento de fuerzas en de organización financiero, objetivos de productividad, planificación estratégica; el consumidor introduce en la política establecida y prácticas	Cuerpo gobernante, comunidad, responsabilidad de organización a consumidores internos y externos, registro, leyes; ombudsperson programas; 3a mediación de partido para discusiones; combinación mediada cultural con adquisiciones / fusiones

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FACTOR DE CONFLICTO	INTERVENCIONES		
	PREVENTIVO	ADR NEGOCIADO	ADR FACILITADO
EQUILIBRIO DE PODER	Feria y política de recursos equitativa humana y prácticas; desarrollo de empleado y programas de adiestramiento; equipo de edificio / de programas de comunicación; política de dirección de puerta abierta; programa de relaciones de invitado	Programas de prevención de violencia; par revisión; proceso negociado para revisión de agravios y apreciaciones de funcionamiento de trabajo disputadas	Revisión Mediada de prácticas org., procesos; procedimientos de agravio; apoyo de política de soplador de silbido; ombudsperson; programa de cumplimiento
POLÍTICO	Alineación de objetivos org., prácticas con creencia de tenedores de apuestas internas y externas, normas, valores; responsabilidad de dirección a componentes	Prácticas de recursos negociadas humanas, ocasiones de avance; iguale y prácticas de trabajo de feria	3a mediación de partido para agravio de lugar de trabajo esto es igualdad sexual; avance con en todos los niveles de org.
PSYCHO-CULTURAL	Programas de ayuda de empleado (EAP) programas; subsidios por enfermedad; equipo de edificio; asertivo, la cólera, acentúa la educación / apoyo de dirección; alineación de trabajador a tareas org.; cruce la educación (entrenamiento) de sensibilidad cultural; EAP, la sustancia abusa de programas; tolerancia cero por armas / violencia	Procedimientos de agravio; la unión / empleado trabaja la entrada de grupos en prácticas de trabajo	Programas de sugerencia de empleado; ombudsperson / work la entrada de destacamento de fuerzas en org. estructuran y prácticas

MIRANDO A TRAVES DE UN CRISTAL OSCURAMENTE: APLICANDO LOS LENTES DEL CUBISMO SOCIAL AL CONFLICTO DE POLICÍA- MINORÍA EN AMÉRICA

K. Michelle Scott *

I. EXTRACTO	1131
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EXTRACTO

En los últimos años, ha habido una corriente continua de preocupación e interés creciente en las naciones del mundo sobre el empleo por parte de las autoridades de fuerza excesiva y brutal, a veces mortal donde las circunstancias no garantizan tales acciones. En los Estados Unidos, mucha de estas preocupaciones han provenido de una conciencia que surge de un modelo de violencia excesiva por parte de la policía, dirigida a los miembros de grupos de minoría raciales y étnicos—incluyendo Indios Americano, Americanos Africanos, Americanos Asiáticos y Americanos Hispanos.

Una cantidad significativa de la literatura sobre el conflicto entre la policia y los grupos de la minoria en las areas centrales de los Estados Unidos analizando que el racismo ocupa el enfoque en casos de empleo de fuerza excesiva. Sin embargo, hay una consecuencia negativa asociada con la limitación del análisis del conflicto entre la policía y grupos de minoría a la dinamica racial. Ya que cuando lente esta estrecho de análisis es usado, esto cede poca información viable y sustancial para apoyar un entendimiento adecuado del conflicto y su resolución. Esto no señala adecuadamente las cuentas internacionales de violencia policíal contra la ciudadanía en aquellas naciones donde el racismo es menos dinámico y donde la policía y ciudadanos a menudo comparten una herencia racial, por ejemplo, Jamaica, Ciudad de México y Brasil.

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** Este articulo fue traducido por Karen Montas-Coleman y Cindy Olea.

Para animar un análisis más comprensivo de muchos factores que se forman para producir el conflicto entre estos grupos prolongado en el nivel internacional, Byrne y Carter (1996) proponen un marco teórico etiquetado: "cubismo social." La perspectiva del cubismo social trata el conflicto entre la policía y los grupos de la minoría como un rompecabezas complejo de dinámica social que se combina como una unidad integrada para sostener los comportamientos de conflicto. Este papel utiliza el paradigma del cubismo social para estender nuestro análisis del conflicto complejo y prolongado entre funcionarios policiales y grupos de minoría en América. Ultimamente, debería hacerse evidente como este paradigma analítico puede ser aplicado a cualquier conflicto entre grupos prolongado que implica la violencia patrocinada por estado, independientemente de donde resida.

Ya sea en Ciudad de México, Sao Paulo, Los Angeles o Jamaica, se ha hecho evidente que los policías en todo el mundo buscan modos nuevos de legitimar su poder e influencia realizando actos arbitrarios de violencia similar al vigilantismo "o la justicia popular."¹ En muchos casos, la violencia policial es infligida a una ciudadanía implícitamente designada, a menudo distinguible por su pobreza, clase, raza, afiliaciones religiosas y/o creencia políticas. A menudo táctas historias institucionales y culturales, de violencia es sancionadas por estado y ha sido comparada con el barbarismo y el terrorismo donde las cuentas globales de abusos de derechos humanos comparten una dinámica: hay una violencia prolongada y el conflicto es a veces mortal entre la policía y la ciudadanía, los que ellos han sido designados para proteger.

En los años pasados, grupos de supervision internacionales y agencias de prensa han pintado una imagen horrible de abusos policial sobre casi cada frente nacional. Sus informes incluyen las cuentas siguientes:

- El 25 de julio del 2000 la policía de Kenya rodeó un autobús y ordenó a siete pasajeros quienes eran sospechados como ladrones que se pongan sobre la tierra; cada uno de los siete entonces fueron asesinados con un tiro en la espalda ²
- En Enero del 2001 la policia en Tanzania usaron gas y municiones para romper una demostración política y mataron al menos 37 personas. Este incidente vino sobre reportes sobre abuso de parte de la policia e la Isla dePemba.³

1. Paul Chevigny, *Derecho(ley) y Orden(pedido) Vigilando en Ciudad de México y Kingston, Jamaica*, *NACLA Informe sobre las Américas*, 44 (1996), pp. 24-30.

2. Amnistía Internacional, *Kenia: la Policía ejecuta a siete personas a sangre fría*, (2001). Disponible en: <http://web.amnesty.org/802568F7005C4453/0...19B!>

3. Amnistía Internacional, *Zanzibar Dar es Zalema: la Amnistía Internacional llamadas(llama) sobre las autoridades a respetar la libertad de asamblea*, (2001). Disponible en: <http://web.amnesty.org/802568F7005C4453/0...95B!>

- En Abril del 1999 la B.B.C. filmaron las fuerzas de seguridad de Sud African quienes usaron fuerza mortal contra los individuos quien se habían rendido. La policía infligió palizas, quemaduras de cigarrillo, choques eléctricos y la asfixia sobre los sospechados y restringió su acceso a la atención medica ⁴
- En Marzo del 1997 la policía Australiana fue filmada mientras brutalmente golpeaba y daba patadas a los Aborígenes mientras ellos estaban dominados por otro oficial.⁵
- En Junio del 1995 la violencia estallo cuando policías Mexicanos fueron detenidos en la conexión con la matanza de 17 personas mientras caminaban a una protesta política ⁶
- “Entre 1983 y 1993, la policía mató un promedio de 182 personas cada año en Jamaica; de hecho, la policía mató a más personas que los que hirieron.”⁷

Y la lista de indiscreciones de policía continúa ... La policía Británica recientemente ha sido cargada por el abuso racial contra su ciudadanos Negros⁸; la Policía Nacional de Israel constantemente esta bajo ataque por su empleo de fuerza fisica excesiva⁹; los miembros de la fuerza Guatemalteca de policía ha sido acusada con la tortura y la matanza de cinco niños en un caso traído antes el comité Inter-Americano Derechos Humano¹⁰, y la policía Brasileña tiene una muy larga asociación con cuentas que proliferan e implican la imposición de violencia mortal sobre Afro-Brazileros¹¹. Por consiguiente, la mayoría de los casos de violencia contra los derechos humanos en el mundo son aquellos abusos que implican oficiales de la policía.

Los informes extendidos de las atrocidades patrocinadas por los estados obligan nuestro análisis de la motivacion para tales actos. Seguramente ellos sugieren un conflicto implacable, complejo y endémico, dinámico entre la

4. Amnistía Internacional, Sudáfrica: la Tortura y el mal uso de fuerza mortal por fuerzas de seguridad deben terminarse, (2001). Disponible en: <http://web.amnesty.org/802568F7005C4453/0...C07!>

5. Amnistía Internacional, Australia: empleo de policía fuerza excesiva contra Aborígenes ningún incidente aislado, (2001). Disponible en: <http://web.amnesty.org/802568F7005C4453/0...DE9!>

6. Kevin A. Obrien, Notaciones Nacionales: México(Méjico), *Relaciones Pacificadoras e Internacionales*, 24 (1995), p. 11-17.

7. Chevigny, (1996), supra nota 1, en 27.

8. Darcus Howe, Como la policía Británica se hizo brutos, *el Hombre de Estado Nuevo*, 130 (1996), p. 22.

9. Sergio Herzog, ¿Está allí un perfil distinto de acusado de policías de violencia? El caso israelí, *Diario de Justicia criminal*, 28:6, (2000), pp. 457-71.

10. Ana Birch(anuncio Birch), Guatemala enjuiciada para tortura, asesinato de niños, *NACLA Informe sobre las Américas*, 32:5, (1999), p. 4.

11. Michael J. Mitchell y Carlos H. Madera, las Ironías de ciudadanía: Color de la piel, brutalidad por parte de la policía y el desaffo a democracia en Brasil, *Fuerzas Sociales*, 77 (1999), pp. 1001-20.

institución de vigilancia y seleccionan los grupos de la gente. En consecuencia esto nos conviene, en la consideración del conflicto de grupo de policía-minoría en América, para examinar la magnitud de las fuerzas sociales que sirven para abastecer de combustible y mantener tales conflictos al grado que ellos son manifestados en todo el mundo. Así, la belleza del marco social cubista descansa en sus concesiones para el examen cercano de estas fuerzas.

“Específicamente, en este tiempo presente, el derecho de usar la fuerza física es atribuído a otras instituciones o a individuos sólo al grado al cual

El estado lo permite. “ - Max Weber, 1918

- En noviembre del 1998 seis policías de Ciudad de Kansas le pegaron un tiro fatal a Timothy L. Wilson, un joven Afro-Americano de 13 años quien conducía un camión de recogida que le prestaron.
- En abril del 1999 un policía de Hartford pegó un tiro fatal en la espalda a Aquan Salmon; Aquan era un joven desarmado de 14 años Afro-Americano sospechoso de un intento de robo en la calle.
- En junio del 1999, LaTanya Haggerty, una joven de 19 años Afro-Americana, fue matada por la policía de Chicago después de una parada de tráfico; los oficiales divulgaron que ellos confundieron su teléfono de celular con arma de mano.¹²

En los últimos años, ha habido una corriente estable de interés entre las naciones del mundo sobre el empleo por los policías fuerza excesiva y brutal, erza a veces mortal donde las circunstancias no garantizan tales acciones. En los Estados Unidos, tal preocupaciones han provenido de una conciencia que surge de un modelo de violencia excesiva de la policía dirigida a los miembros de grupos de minoría raciales y étnicos - incluyendo Indios Americano, Afro-Americanos, Americanos Asiáticos y Americanos Hispanos.

Para muchos Americanos, es embarazoso el concepto que dentro de sus fronteras, gente de color rutinariamente es sujetado a una forma de opresión legitimada infligida por algunos policías. En una tierra que hace mucho se ha jactado “de una moralidad consciente” el pensamiento es que para elevar la sociedad Americana encima de la lucha de naciones donde los derechos humanos parecen siempre en un premio, hemos venido para comprender que la sociedad Americana no es completamente diferente de otros donde la represión sancionada por estado de ciudadanía seleccionada existe. Pero en verdad, es del estado que estimula la violencia excesiva y brutal de policía contra minorías.

12. Amnistía Internacional, de los Estados Unidos de América: Raza(carrera), Derechos y Brutalidad por parte de la policía, septiembre 1999. Disponible en: <http://www.amnesty.org/ailib/aipub/1999/AMR/25114799.htm>.

Como el concepto de Myrdal “del problema Negro,”¹³ violencia injustificada de policía dirigida a minorías raciales y étnicas en América causa una inquietud moral que representa una de muchas paradojas en nuestro sistema “democrático”. En uno de sus informes recientes de brutalidad por parte de la policía en América, titulada: los Estados Unidos de América: Raza, Derechos y Brutalidad por parte de la policía, Amnistía Internacional destaca que:

“Siguen los informes frecuentes e inquietantes de tiroteos injustificados de parte de la policía, con el tiroteo de oficiales sobre sospechosos desarmados, escenas de escapes de crímenes no violentos, durante paradas de tráfico, en el final de persecuciones en circunstancias cuestionables. En algunos casos sospechantes han sido golpeados con fuego múltiple de parte de la policía. En la mayor parte de los casos, las víctimas eran Afro-Americanas, otra minoría, y unos eran niños.”¹⁴

Varios meses antes de la salida de este informe, el ministro de la Justicia estadounidense Janet Reno habló en un Almuerzo de Club de Prensa Nacional sobre la brutalidad por parte de la policía dirigida hacia minorías en América, ella dijo:

“La situación es nacional en el alcance y alcanza a la toda la gente a través de este país. Para demasiadas personas, sobre todo en comunidades de minoría, la confianza que es tan esencial a la vigilancia eficaz no existe porque los residentes creen que aquella policía ha usado la fuerza excesiva, aquella aplicación de la ley es demasiado agresiva, aquella aplicación de la ley es influida, irrespetuosa, e injusta.”¹⁵

Skolnick y Fyfe observan que, “cada orden social está en algún nivel mantenido por la amenaza de algun castigo ... pero en algunos sitios profundamente en la experiencia Americana es la idea que el orden legal y su sistema de castigo son inadecuados para enfrentarse con el problema, si definido como el crimen, como inmigrantes o como grupos de minoría. “¹⁶ De hecho,” la evidencia de tratamiento discriminatorio y la tendencia en contactos

13. Gunnar Myrdal, el problema Negro como una cuestión moral, (1944) en *Teoría Social: las Lecturas Multiculturales y Clásicas*, Carlos Lemert, editor, pp. 245-247. Roca, Compañía: Westview Prensa, 1999.

14. Amnistía Internacional, supra nota 12.

15. Id, en 2.

16. J. Skolnick y J. Fyfe, *Encima del Derecho(ley): Policía y el Empleo Excesivo de Fuerza*, Nueva York, NUEVA YORK: la Prensa Libre(gratis), 1994.

de policía con los miembros de la comunidad Negra, los Latinoamericanos y las comunidades Asiáticas extensamente es documentada por organizaciones no gubernamentales, las comisiones de encuesta, en casos de tribunal y pleitos ... Tal tratamiento es contrario no sólo a la Constitución estadounidense, pero también a las obligaciones estadounidenses bajo la ley internacional para eliminar todas las formas de discriminación racial.”¹⁷ Por consiguiente, las discrepancias entre las protecciones de derechos humanos explicadas en las leyes de los Estados Unidos y los abusos de derechos humanos cometidos por algunos policías abastece de combustible la hostilidad creciente entre minorías y la policía. De verdad, “la brutalidad por parte de la policía, en particular contra minorías, es una de las más serias violaciones de derechos humanos duraderas y divisivas en los Estados Unidos.”¹⁸

En América, como en la mayor parte otros estados y naciones del mundo, la policía y los militares son los únicos grupos confiados con la autoridad y la capacidad para usar la violencia para la protección o la destrucción de vida. Pero a diferencia de los militares, “la policía no se encuentran en bases - ellos están extendidos en todas partes de la comunidad.”¹⁹ Equipado con uniformes, insignias, armas, municiones, rocíos químicos, el gas lacrimógeno, perros, armas de electrochoque y clubs - algunos policías patrullan las calles no sólo “para proteger y servir,” pero frecuentemente infligir la tiranía y la represión.

No sorprendentemente, la gran mayoría de encuentros entre ciudadano-policía ocurren donde el policía está en una capacidad oficial y raras veces son libre del matiz de conflicto. Desde el principio, dos fuentes de conflicto son inherentes en cada uno de estos encuentros: el primero implica la circunstancia que trajo a los grupos juntos, y el segundo implica las disparidades de poder significativas entre el oficial y el ciudadano. Agregue a este micro-conflicto existente un encuentro que junta al policía y el problema (el ciudadano de minoría) en un entorno social donde los estereotipos, percepciones negativas, la desconfianza y el miedo actúan recíprocamente en medio de la opresión estructural, y se hace evidente por qué las hostilidades entre los miembros de la fuerza de policía y grupos de minoría siguen existiendo. Pero de todos modos, esto no contesta claramente: ¿Qué conduce al abuso de policía de poder, en particular contra ciudadanos de minoría, y en particular en América, donde las virtudes de igualdad y la libertad son promulgadas en casi cada símbolo nacional?

17. Amnistía Internacional, *supra* nota 12, en 6.

18. Jim Lobe, *Brutalidad por parte de la policía encontrada para ser institucionalizado. Reloj de Derechos humanos*, (1998) disponible en: http://www.oneworld.org/ips2/jul98/21_21_070.html.

19. Jorge Kelling, *ventanas Rotas y discreción de policía. El Instituto Nacional de Justicia, Oficina de Programas de Justicia, Ministerio de Justicia estadounidense*, (1999), p. 5.

EL MARCO DEL CUBISMO SOCIAL

Una cantidad significativa de las consideraciones dadas a los grupos minoritarios de la policía en conflicto en los Estados Unidos tiene como tema principal el racismo como la causa del uso de fuerza excesiva de parte de la policía.

De hecho, la Unión de Libertades Civiles Americana recientemente declaró que, "el abuso de la policía, sobre todo contra la gente de color, está profundamente enraizado más que nunca, y parece imperativo reformarlo."²⁰ Sin embargo, "mientras la raza es un factor clave en la brutalidad policial, esto no es el problema exclusivo. El empleo por policía de fuerza excesiva y tiroteos cuestionables es reportado con alarmante regularidad en variadas situaciones, que a veces cruzan las líneas raciales."²¹

Ciertamente, "existe una división racial entre Anglo-Americanos y Afro-Americanos en los Estados Unidos - una división tan pronunciada que aparentemente trasciende las fuertes políticas que existen sobre el tema."²² Sin embargo, hay una negativa consecuencia asociada con la limitación del análisis del conflicto entre-grupo de la policía y grupos de la dinámica racial. Ya que cuando este lente estrecho de análisis es usado, esto permite muy poca información viable y sustancial para apoyar un entendimiento adecuado del fenómeno. Esto no intenta sugerir que el racismo no es un factor principal en el conflicto entre la policía y los grupos minoritarios; pero en cambio, esto sugiere que un estrecho enfoque del racismo en el análisis de la mayoría de este conflicto amenaza con oscurecer en nuestra conciencia las formas complejas en las que otras fuerzas sociales se combinan para manifestar este conflicto.

Para ejemplificar la idea que el racismo, en sí mismo, es simplemente un instrumento - y no necesariamente una causa - de opresión, Steinberg²³ acertadamente destaca esta observación en el carácter de Tshembe en la obra "Les Blanc" de Lorena Hansberry.

"La raza - el racismo - es un dispositivo. No más. No Menos. Esto no explica nada del todo ... Dije que el racismo es un dispositivo que, en sí mismo, no explica nada. Esto es simplemente un medio. Un invento para justificar el control de algunos hombres sobre los demás."²⁴

20. Unión de Libertades Civiles Americana, Acción: el antídoto para desesperarse. Justicia criminal: Enfoque Encuentros De policía, 1, (pasado visitado el 4 de octubre de 2000). Disponible en: <http://www.aclu.org/issues/criminals/police.html>.

21. Amnistía Internacional, supra nota 12, en 6.

22. David Weisburd y Rosann Greenspan, actitudes De policía hacia alcaldada: Conclusiones de un estudio nacional, *Ministerio de Justicia estadounidense, Instituto Nacional de Justicia* (2000), p. 6.

23. Steven Steinberg, *el Mito Émico: Raza(carrera), Identidad émica y Clase en América*, Boston, MAMÁ: Prensa de Faro, (1989).

24. *Id.* en 170.

Posteriormente, “lo que a menudo parece ser una erupción de los odios tradicionales [como los asociados con la raza] en examen detallado termina involucrando lo político y lo económico como los elementos reales e inmediatos.²⁵ Por esta razón, no podemos permitirnos, en el examen de conflicto inter-grupo, ignorar las maneras en la cual la variedad de temas sociales se combinan para influenciar el conflicto. Cuando los conflictos inter-grupo son la consecuencia de numerosas prácticas sistémicas reflejadas en desigualdades sociales, las soluciones propuestas al conflicto deben implicar una consideración adecuada de aquellas prácticas.

Además, una concentración sobre el racismo no toma en cuenta los grupos de minoritarios como participantes (pasivos y/o activos) en el conflicto de inter-grupo. Después de todo, la cólera acumulada, el cinismo, la rabia y la alienación sentida por grupos minoritarios en respuesta a las tendencias percibidas en la conducta de la policía “da lugar a los testigos quienes fallan en cooperar con la policía, los ciudadanos quien ven a acusadores como el enemigo, los abogados que desprecian las reglas las que ellos han jurado mantener, y a los jurados quien anhelan ‘vengarse’ con un sistema que tiene antes sus ojos, consistentemente los ha maltratado ... “. Así, el conflicto es intensificado por los sentimientos y las hostilidades de miembros que representan ambos grupos.

Finalmente, una concentración sobre diferencias raciales y étnicas como el ímpetu para la brutalidad por parte de la policía no representa de manera adecuada aquellas ocurrencias del abuso policial donde el oficial y el ciudadano comparten la misma herencia racial y étnica. Ya que aunque la gran mayoría de informes de violencia excesiva de policía en América haya sido asociada con encuentros entre oficiales blancos y los ciudadanos quienes son los miembros de grupos de minoría, hubo los casos donde las minorías han sentido igualmente temerosas de abuso durante encuentros con los policías quien son también los miembros de grupos de minoría. En muchos de estos casos, el abuso ha venido en forma del apoyo de un oficial “al código de silencio” mediante “el pensamiento azul” y el mirar de hacia el otro lado cuando sus parejas realizan abusos. Posteriormente, el miedo que hace mucho tiempo existe sobre la brutalidad policial ha resultado en una ansiedad generalizada donde las minorías esta preocupadas sobre los abusos de cualquier oficial policía, independientemente de la raza del oficial. La evidencia sobre esta dinámica ha sido presentada a la Asociación de Los Estudiantes de Derecho (ley) Negros de Nueva Jersey donde Delacy Davis, un veterano Afro-Americano con 10 años en la policía de Nueva Jersey, reporto una carta que él había recibido de un compañero Afro-Americano en respuesta al activismo de él [Delacy’s] para el beneficio de ciudadanos de la minoría. Según Delacy, la carta estaba “llenada

25. Randall Kennedy, política de Sospechoso, *la República Nueva*, 11/12, (1999). Disponible en: <http://www.tnr.com/archive/0999/091399/coverstory091300.html>.

de obscenidades que le sugerian que 'pensara azul'.²⁶ Durante su presentación a los estudiantes de la ley, Davis, quien fundó Policías Negros Contra la Brutalidad Policial, reconoce que hay algunos oficiales de minoría quien no les importan los ciudadanos de la minoría.²⁷

Para animar un análisis más profundo de muchos factores institucionales lo que se forman para producir el conflicto de inter-grupo prolongado, Byrne y Carter proponen un marco teórico etiquetado: "cubismo social"²⁸ y aunque el marco cubismo social no supone cubrir el espectro entero de factores relacionados con la manifestación de un conflicto de inter-grupo, efectivamente "senala algunas de las cuestiones más salientes de estos conflictos complejos."²⁹

El modelo de el cubismo social senala el conflicto de inter-grupo como un complejo rompecabezas de la dinámica social que se combina como una unidad integrada para sostener los comportamientos de conflicto de inter-grupo. La seis dinámica (o los pedazos del rompecabezas) son: factores históricos, religiosos, demográficos, políticos, económicos y psychocultural. Donde el cubo social de conflicto es aplicado, cada dinámica es separada y analizada para producir un cuadro holístico del conflicto. Una vez que tal cuadro existe, se hace más fácil percibir la complejidad del conflicto, y posiblemente, menos difícil identificar su resolución. Así, considerando la naturaleza compleja del conflicto prolongado entre la policía y los miembros de grupos de minoría en América, el paradigma cubismo social será usado para ensanchar nuestro análisis de este conflicto.

- En Julio del 1998 un mexicano nacional que estaba desarmado, Pedro Oregon, fue fatalmente tiroteado - seis veces en la espalda, dos veces en la cabeza y una vez en su mano - por seis policías de Houston quien entraron a su casa durante una incursión de droga.
- En Octubre del 1998 Donta Dawson, de 19 años, un joven Afro-Americano que estaba desarmado fue fatalmente tiroteado por un policía de Filadelfia quien se acercó al joven mientras él estaba sentado en un carro estacionado con el motor encendido.
- En Mayo del 1999 la policia de Ciudad de Nueva York hirio críticamente a Dante Johnson, un joven negor de 16 años, que estaba desarmado, mientras el joven corrio cuando tres policias lo pararon para hacerles preguntas.

26. J. Johnson, el policía del Nueva Jersey habla sobre la brutalidad por parte de la policía, la violencia, *el Caballero Diariamente(a diario)*, (1995), p. 2.

27. *Id.*

28. Seán Byrne y Neal Carter, Cubismo Social: Seis fuerzas sociales de política ethnoterritorial en Irlanda del Norte y Quebec, *Diario de Paz y Estudios de Conflicto*, 3, (1996), pp. 52-71.

29. *Id.* en 52.

Fuente: Amnistía Internacional ³⁰

Desde que el primer servicio de vigilancia de noche fue establecido en Boston en 1631,³¹ cientos de libros, estudios, artículos, eruditos y médicos han discutido la relación histórica entre la policía Americana y su ciudadanía. Históricamente, la policía en América ha representado una jerarquía (aunque no son ninguna jerarquía), establecidos y apoyados por la opinión pública para el refrenamiento social de poder y el mantenimiento de disciplina social y orden. Sin embargo, tal refrenamiento y la disciplina tienen el potencial de ser abusadores³² ya que son diseñados para controlar el acceso al poder social y económico para mantener el status quo de las distinciones de clase social.³³

La historia del conflicto entre los grupos de policía-minoría en América claramente refleja los desacuerdos de clase promulgados por el pensamiento de "fuera del grupo/ dentro del grupo" - el idealismo de grupo y las teorías de el predominio social. Lobe observa que cuando la Comisión Nacional Consultiva sobre Desórdenes Civiles estudió los disturbios de las razas de los años 1960, encontró que la policía simbolizaba "el poder blanco, el racismo blanco y la represión blanca," (los símbolos de la dominación del grupo de estado privilegiada) a muchas las minorías de la nación.³⁴ Pero la desconfianza de los grupos minoritario y el desdén contra la policía en América no es arraigado en los años 1960; tampoco es la desconfianza de la policía y el desdén contra las minorías de la América. Las hostilidades entre estos grupos comenzaron más de dos siglos antes; sus raíces se ponen en las herencias de colonialismo, vigilantismo y la esclavitud.

"En América, el apuntamiento de la policía de la gente negra para la búsqueda excesiva y desproporcionada y el asimiento es una práctica más antigua que la misma República."³⁵ De hecho, uno podría decir que la historia de vigilancia en América ha sido fundada sobre la vigilancia de minorías raciales y étnicas. Skolnick y Fyfe observan:

"Indios Americanos fueron sin cuestion el primer grupo "ajenos" que sintio el asalto y la violencia por parte de grupos privados y la

30. *Id.* Amnistía Internacional, supra nota 12.

31. Bryan Vila y Cynthia Morris, *el papel de policía en sociedad Americana: una historia documental*, Westport, CT: Prensa de Selva frondosa, (1999).

32. Emile Durkheim, *Suicidio y modernidad*, (1897) en *Teoría Social: las Lecturas Multiculturales y Clásicas*, Carlos Lemert, editor, pp 74-82, Roca, COMPAÑÍA: Westview Prensa (1999).

33. Kelling, *Id.*

34. Lobe, *Id.*

35. Tracey Maclin, *Raza(carrera) y la cuarta enmienda*, *Vanderbilt Revisión de Derecho(ley)*, 51:12, (1998), p. 333.

violencia oficialmente sancionada. Considerado como amenazas y erradicable, la población natal de que debía hacerse los Estados Unidos ha sido sujeta a la violencia masiva y sostenida por grupos privados y soldados de el gobierno.”³⁶

En el año 1704, después de la designación formal de la fuerza de policía, las patrullas de los esclavo fue formada como uno de los primeros deberes oficiales de la policía en América; estas patrullas eran un precursor a la policía moderna.³⁷ Estas patrullas de la policía estaban autorizada para arbitrariamente buscar los cuartos de los esclavos, al azar detener a Negros en las calles, “y entrar a la casa de cualquier persona Negra quien mantuvo sus luces prendidas después de la 9 de la noche.”³⁸ Maclin observa que las prácticas de las patrullas de esclavo no son completamente diferente a la práctica de hoy de policía.³⁹

Al principio de los años 1900, la policia con frecuencia era participante y/o observadores aprobantes de el linchamiento de los Negro del Sur.⁴⁰ Mas tarde, en los años 1960, los Americanos alrededor del Pais fueron testigo (a travez de la television) de la brutalidad y la violencia infligida sobre los Negros durante la campaña por los derechos civiles. No es sorprendente que las comisiones investigando los disturbios y los desordenes civiles de los anos 1970 encontraron que la policia usaba la fuerza excesiva con rutina sorbe todo contra los Negros.⁴¹ Los descubrimientos de las comisiones sin embargo, no eran noticias para los ciudadanos Negros quienes ya reconocian que ellos sentirian la ira de la ejecucion de la ley con mas probabilidad que los Blancos.

Un sondeo Gallup en año 1965 reveló que el 35 por ciento de los hombres Afro-Americanos cuestionados cree que la brutalidad por parte de la policía ocurre en sus comunidades, mientras sólo el 7 por ciento de hombres blancos cree que hay brutalidad por parte de la policía en su communities.⁴² Solo dos años despues de el estudio de Detriot en el año 1967- el estudio conducido por la Liga Urbana revelaro que el 82 por ciento de los residentes creen que había alguna forma de brutalidad por parte de la policía en su comunidades.⁴³ Aproximadamente 24 años después de el estudio de Detriot, una encuesta en el año 1991 conducida por Los Angeles Times revelo que el 33 por ciento de Latinoamericanos y el 44 por ciento de Afro-Americanos piensan que la

36. Skolnick y Fyfe, Id. en 26.

37. Vila y Morris, Id.

38. Maclin, Id. en 34.

39. Id.

40. Skolnick y Fyfe, Id.

41. Id.

42. Unión de Libertades civiles Americana, Id.

43. Id.

brutalidad dada contra Rodney King por la policía de Los Angeles es una conducta muy común por parte de la policía, mientras sólo el 19 por ciento de Angloamericanos piensan que el comportamiento es común.⁴⁴ Estas conclusiones subrayan las creencias de la minoría que es considerado para muchos la angustia del grupo y la rabia relacionado con la brutalidad. Las imágenes de los medios de comunicación rutinariamente refuerzan estas creencias. De hecho, las imágenes de ataques conducidos por la policía sobre protestadores pasivos siguen siendo jugadas de nuevo en las mentes de muchos Americanos. Sume a estos cuadros las imágenes del disturbio del año 1980 en Liberty City de Miami luego de la absolución de la policía quienes golpearon fatalmente a un ejecutivo Afro-Americano de seguros Arthur McDuffie, y en Los Angeles en el año 1992 los disturbios que siguieron la absolución de los policías acusados con el ataque al motorista Rodney King, y es fácil de entender como entre el grupo minoritario “la desconfianza y la hostilidad se predice seguirá al abuso y la represión.”⁴⁵

La contribución a la grieta histórica entre grupos de la minoría y la policía son estereotipos profundamente encajados en los miembros de ambos grupos y mantenida por el discurso transgeneracional. Por ejemplo, una guía de entrenamiento para la policía distribuida durante los años 1940 por el Estado del Ministerio de Justicia de California notó lo siguiente:

“Los policías notarán ciertos rasgos de comportamiento distintivos de Negros como un grupo, y de otros grupos de minoría ... Los miembros de grupos de minoría son más de lo común sensible y defensivo ... ellos se hacen aprensivos y continuamente temeroso de insulto o discriminación ... Los negros y la juventud Mexicana-Americana, como grupos, parecen más inclinados a reaccionar agresivamente a la discriminación ... El Negro del Sur es más subordinado al blanco de todos los modos. En su deseo de desechar este hábito de servilismo de toda la vida, es probable que la persona aparezca ser grosero y arrogante, o al menos mal educado.”⁴⁶

Treinta y tres años más tarde, el estudio de Bayley y Mendelsohn⁴⁷ sobre la policía de Denver, apoyaron el estereotipo de minoría beligerante. Su estudio reveló que aunque la policía “entienda que las minorías no han recibido

44. Skolnick y Fyfe, Id.

45. Id. en 16.

46. Davis McEntire & Robert B. Powers, *A Guide To Race Relations For Police Officers*, in *THE URBAN POLICEMAN: A PSYCHOLOGICAL AND SOCIOLOGICAL VIEW* 74, 74-82 (John R. Snibbe & Homa Snibbe, eds., 1973).

47. David Bayley y Harold Mendelsohn, *Minorías y la Policía: Confrontación en América*, Nueva York, NUEVA YORK: la Prensa Libre(gratis) (1969).

trato justo en la sociedad Americana ... Ellos [la policía] sin embargo son ofendidos por la militancia y asertivo de ellos [minorías].”⁴⁸ Bayley y Mendelsohn observaron:

“Puede haber poca duda que los policías son sensibilizados a la gente de minoría...[La policía] cree que la participación de minorías en el crimen es más grande que en otros grupos étnicos; aquellas minorías implican a policías en mediar de situaciones muy ambiguas y muy emocionales, y frecuentemente implican crímenes contra personas; aquella hostilidad hacia policías es más grande entre la gente de minoría, en particular en forma de resistencia a los arrestos, y que ataques físico a oficiales está más común en estas áreas que en otro sitio ...”⁴⁹

Esto sugiere que algun policía pueda entrar en encuentro con una minoría con una expectativa de confrontación; los estereotipos que apoyan estas nociones se han cambiado poco durante los años.

Como el discurso histórico entre la policía sobre minorías, los miembros de grupo de minoría también han mantenido un discurso histórico sobre la policía. Por los años, tal discurso ha servido para transmitir verdades, mitos y los estereotipos “del otro”, así exacerbando el conflicto entre los dos grupos. Por ejemplo, más de 50 años McEntire y Powers citaron a un representante de la oficina del ministro de la Justicia de Richmond quien observó: “el Negro promedio cree que si es detenido, él inmediatamente será golpeado en la cabeza con una macana(baston). Demasiado Negros creen que a ellos les irá peor siempre los detienen.”⁵⁰ Posteriormente, cada historia nueva de abuso de policía refuerza “la creencia por minorías que ellos son objetos de abuso - una creencia que históricamente ha provocado los arrebatos principales de violencia contra la policía.”⁵¹

La creencia de que grupos de minoría creen ser los objetos de violencia de policía han sido documentados en todas partes a través de la historia Americana. De hecho, sus quejas de abuso han sido fuera de proporción en relación a su representación en la población.⁵² Y seguramente, las conclusiones sobre el modelo de brutalidad por parte de la policía sugieren que las preocupaciones de grupo de minoría sean justificadas. Hace más de 30 años Bayley y Mendelsohn divulgaron que, “el abuso Físico [en manos de policía]

48. Id. en 150.

49. Id. en 97.

50. McEntire y Poderes, Id., en 322.

51. Lobe, Id., p. 2.

52. Id.

comúnmente es más experimentado por minorías;”⁵³ y todavía hoy, hay” la evidencia que minorías raciales y étnicas [son] desproporcionadamente las víctimas de mala conducta de policía, incluyendo el arresto ilegal y el hostigamiento así como el abuso verbal y físico.”⁵⁴ Sin embargo, sólo un pequeño número de oficiales blancos recientemente preguntados, creen que aquellos ciudadanos de minoría son tratados peores que ciudadanos blancos.⁵⁵

Las discrepancias en percepciones de grupo son reforzadas y legitimados basado recuentos históricos grupos opuestos.⁵⁶ Por consiguiente, la realidad de cada experiencia individual será subjetiva, a un grado, basado en nociones preconcebidas de la constancia perceptual colectiva. En última instancia, esto significa que cada grupo se agarrará a sus historias y percepciones, ya que ello por estos relatos cada uno refuerza la legitimidad de su posición. La consecuencia es que los dos grupos se han hecho más y más polarizados.

- En diciembre de 1998 Tyisha el Molinero, una Afro Americana de 19 años fue baleada 12 veces por cuatro policas blancas de Riverside (California) después de que ellos la encontraron inconsciente en su coche cerrado, con un arma sobre sus piernas(regazo).
- En junio de 1999 policías de Nueva Jersey dispararon 27 tiros a un vehículo conducido por Stanton Crew, un muchacho Afro Americano, desarmado, cuando él intentó maniobrar alrededor de dos coches de policía que habían bloqueado su vehículo en una persecución de policía; Crew murió en el tiroteo.
- En agosto de 1999 un equipo SWAT de California en medio de una incursión anti droga entró en la casa de una familia de inmigrante Mexicanos e hirieron fatalmente a Mario Paz, un hombre anciano y desarmado, por la espalda.

Fuente: Amnistía Internacional ⁵⁷

Schribner y Fusarelli notan que el grado al que la religión hace impacta la sociedad y forma la cultura política es confusa y abierta a discusión.⁵⁸ Esta discusión es complicada basada en el concepto evasivo de la religión, y la dificultad en la determinación de su impacto exacto sobre la política pública.

53. Bayley y Mendelsohn, *supra* nota 48, en 127.

54. Amnistía Internacional, *supra* nota 12, en 3.

55. Weisburd et al., *supra* nota 22.

56. Byrne & Carter, *supra* nota 29.

57. Amnistía Internacional, *supra* nota 12, en 3.

58. Jay Schribner y Lance Fusarelli, *Rethinking the Nexus between Religion and Politica Culture: Implications for Educational Policy* [Reconsiderando la Conexión entre Religión y Cultura Política: Implicaciones para la Política Educativa] 28 EDUC. URB. SOC'Y 279, 279 (1996).

Aún y de todos modos, instituciones sociales y políticas unen a la religión en la creación de sociedades bipolares y en la conservación de un estilo de vida.⁵⁹

En el siglo 19, Durkheim propuso que las pasiones de los individuos debe ser regulada por una fuerza externa.⁶⁰ De lo contrario, él concluye que los deseos insaciables e ilimitados del individuo conducirían a la interrupción social. Para mucha la historia de humanidad, la religión y el estado han servido como la regulación de las fuerzas de comportamiento humano. Posteriormente, la ley del Dios y la ley del hombre trabajan simultáneamente para mantener la disciplina social y el orden. La iglesia y el estado ambos tienen una tolerancia baja por la desviación. Además, ellos tradicionalmente han competido o han trabajado enfrentados por el acceso al poder, por privilegios y las personas. Cada institución trata de producir la sociedad ideal, basada en mantenimiento del orden social establecido.

Los principios que manifiestan valores autoritarios son también inherentes en lo religioso y declaran los ideales de preeminencia, la supremacía y la regla. Por consiguiente, la ideología religiosa fortifica muchas de las sanciones represivas evidentes en la sociedad. De hecho, esto es basado en doctrina religiosa y mitos de que muchas sociedades primero concedieron al concepto de relaciones jerárquicas que implican seres subordinados y super-ordenados. En cuanto a esto, los principios religiosos de obediencia, sobre como ellos pueden ser aplicados al subordinado en la sociedad, están relacionados con la institución social y política de orden público. Los principios de seres superiores y subordinados están evidentes en el tratamiento dispar de la aplicación de la ley de ciudadanos. Por ejemplo, Chevigny observa que:

Toda la brutalidad por parte de la policía, incluyendo la famosa paliza con macanas a Rodney King en Los Angeles, comparten [una] relación [a] subordinación; es aparente en la práctica de policía de obligar a las personas a acostarse sobre la tierra... El empleo de fuerza mortal, excepto cuando el oficial actúa en defensa del mismo u otro, es un caso restrictivo, como la tortura - el oficial no obtiene nada de la víctima él mata. Él dice a la sociedad por los disparos que la vida de la víctima merezca menos que la aserción de autoridad y Control."⁶¹

Aunque los científicos sociales no siempre puedan estar de acuerdo sobre el valor de la religión, la mayoría está de acuerdo que las instituciones religiosas sirven para beneficiar "individuos, la sociedad en total o algún grupo

59. Byrne & Carter, *supra* nota 29.

60. Durkheim, *supra* nota 33.

61. PAUL CHEVIGNY, *EDGE OF THE KNIFE: POLICE VIOLENCE IN THE AMERICAS [LA PUNTA DE EL CUCHILLO: VIOLENCIA DE PARTE DE LA POLICIA EN AMERICA]* 12 (1995).

social dentro de una sociedad.”⁶² Gamarra propone que, “la religión está unida al poder como un orden disciplinario y un sistema de ética ... Esto es interiorizado por la gente [y] institucionalizado en las mentes de los individuos.”⁶³

Este concepto es compatible con la ideología del estado policiaco que existe en la sociedad Americana. Después de todo, nuestros líderes saben que “si el estado debe existir, el dominado debe obedecer la autoridad reclamada por los poderes que existen,”⁶⁴ - un concepto compatible con la ideología religiosa.

- En diciembre de 1998 Franklyn Reid, un inmigrante Jamaiquino desarmado, buscado por la violación de libertad condicional, fué perseguido y fatal baleado detrás del cuello, a poca distancia por un policía del Connecticut. Reid estaba sobre sus rodillas cuando le pegaron el tiro.
- En abril de 1999 policías de Nueva York pegaron 12 tiros a Gidone Bush, un hombre psíquicamente enfermo sin hogar, cuando él los amenazaba a ellos con un martillo.
- En Mayo de 1999 Margaret Mitchell, una mujer de 54 años, sin hogar, que empuja un carro que hace compras, fue fatalmente herida a tiros por policías de Los Angeles cuando los oficiales pensaron que ella intentaba atacarlos con un destornillador.⁶⁵

Como se ha notado antes, hay argumentos válidos para contestar sobre las reclamaciones que el racismo es el factor exclusivo en el conflicto de grupo de minoría y la policía en América. El argumento cubismo social, por un lado, podría proponer que el racismo manifestado en este conflicto (y en otros) es un síntoma profundo, son conflictos más endémicos. De todos modos no se puede negar que la persistencia de ideología racista en América es saliente a la naturaleza prolongada del conflicto de grupo de minoría y de policía.

Un examen de los datos demográficos raciales y socioeconómicos asociados con los informes de violencia de policía, claramente demuestra el papel de estas variables en la subyugación de policía y el maltrato de minorías.

62. JAMES PEOPLES & GARRICK BAILEY, *HUMANITY: AN INTRODUCTION TO CULTURAL ANTHROPOLOGY* [HUMANIDAD: UNA INTRODUCCIÓN A LA ANTROPOLOGÍA CULTURAL], 223 (2000).

63. Jeffrey Gamarra, *Conflict, Post-Conflict and Religion: Andean Responses To New Religious Movements* [Conflicto, Después de el Conflicto y la Religión: Andean Respuestas a Los Nuevos Movimientos Religiosos], *J. OF S. AFR. STUD.* 271, 272 (2000).

64. Max Weber, *What is Politics?*, in *SOCIAL THEORY: THE MULTICULTURAL AND CLASSICAL READINGS* 110, 110-15 (Charles Lemert, ed., Westview Press 2d ed. 1999) (1918).

65. Amnistía Internacional, *supra* nota 12.

Se podría discutir que la tendencia de policía basada en la dinámica racial y socioeconómica de los ciudadanos de la América está escrita entre líneas de historia Americana con el objetivo de mantener un sistema de castas. Esta línea de pensamiento es compatible con la teoría de conflicto, que según Cureton, "... Implica que el uso discriminatorio de la ley contra subordinados refleja la percepción de las reglas, percepción de amenaza (por subordinados) a su poder, recursos e intereses."⁶⁶

Un análisis del tratamiento histórico de minorías raciales y étnicas en los Estados Unidos no podía soportar el escrutinio de teoría de conflicto, que se supone que el mantenimiento de la distribución dispar de poder está en la raíz de mucho conflicto "racial". Hasta después de que los Americanos Africanos oficialmente habían sido liberados de las obligaciones de esclavitud y los Indios Americanos le habían repartido tierra para reservaciones, enormes distorsiones basadas en las teorías de superioridad racial habían sido usadas para justificar el tratamiento discriminatorio de minorías raciales y mantener su subordinación en el sistema.⁶⁷ Como el Africano - e Indios Americano, otros grupos raciales también han sufrido mucho basado en el sistema Americano de castas. Por ejemplo, Skolnick y Fyfe observan que durante el siglo 19, las leyes sancionadas de los Estados Unidos Occidentales han sido usadas para abastecer de combustible el grupo vigilante para terrorizar personas Mexicanas y Chinas.⁶⁸ Los autores concluyen que, "la búsqueda 'de orden público' en el Oeste citado - como esto a veces se hace hoy - un esfuerzo especial contra grupos de minoría considerado peligroso a disposiciones constituidas, valores morales y el predominio racial."⁶⁹ Así, la teoría de conflicto sostiene que "porque los oficiales de aplicación de la ley son una extensión de las reglas del poder, el trabajo de la policía es suprimir o contener la amenaza percibida que los subordinados representan."⁷⁰ Más allá de la teoría, esta es la experiencia vivida por las minorías en América.

Se debería notar en este punto que preocupación sobre el uso por la policía de fuerza excesiva es menos profunda que la fuerza considerada necesaria para realizar los deberes de trabajo de un oficial y más en el grado de tendencia a la que tal fuerza es aplicada. Seguramente, "mientras algunos miembros de sociedad no cumplan la ley y se resistan a la policía, la fuerza

66. Steven Cureton, *Justifiable Arrests or Discretionary Justice: Predictors of Racial Arrest Differentials* [Detenciones Justificables o Justicia Discrecional: Profecías de Cálculos Diferenciales de Detención Raciales], 30 J. OF BLACK STUD. 703, 704 (2000).

67. SKOLNICK & FRYE, *supra* nota 16.

68. *Id.*

69. *Id.* en 27.

70. Cureton, *supra* nota 67, en 704.

permanecerá una parte inevitable de controlar”;⁷¹ sobre esto hay poco desacuerdo. Sin embargo, “la Investigación que muestra que la detención de Blancos por parte de los negros [o el encarcelamiento, el abuso, y la fatalidad] son diferentes y son asociados con características de grupo como la raza, la edad, el bajo estado socioeconómico, los porcentajes de grandes concentraciones de negros, y el desempleo pueden ser considerado la evidencia de prácticas discrecionales discriminatorias.”⁷² De hecho, hay evidencia significativa de tales disparidades en el tratamiento. Estadísticas reportadas por el Instituto sobre la Raza y la pobreza⁷³ claramente revela una tendencia racial en el uso de política de aplicación de la ley. Según las conclusiones del Instituto:

- En el estado de Minnesota, un hombre negro tiene 27 veces más probabilidad de ser encarcelado que un hombre blanco.
- Aunque automovilistas Afro Americanos constuyen el 16.9 por ciento de los conductores en la I-95, en el estado de Maryland, ellos constuyen casi el 73 por ciento de los que son detenidos y perseguidos por la policía de Maryland, y
- Aunque los Afro Americanos constituyan sólo el 13 por ciento de los usuarios de drogadel país, ellos representan el 37 por ciento de los detenidos, 55 por ciento de los condenados y el 74 por ciento de los que estan en la prisión por ofensas relacionadas a las drogas.

Estos son solamente unos ejemplos de las disparidades en el tratamiento de la aplicación de la ley de minorías en los Estados Unidos. El establecimiento de tendencias estadísticas para reflejar un modelo de tratamiento dispar es una tarea para desalentar, sin embargo, porque no cada caso de maltrato recibido es reportado. Aún y de todo modo, “hay evidencia que sugerir que los Africanos Americanos son discriminados por la policía quienes usan su discreción personal más bien que responder a la conducta criminal real...”.⁷⁴

Probablemente no hay práctica reconocida recientemente de la policía que demuestra el papel de los datos demográficos raciales en este conflicto de inter-grupo sea mayor que la práctica que por muchos años ha dicho que “la acción iniciada por policía es basada en la raza, la identidad étnica o el origen nacional

71. SKOLNICK & FRYE, *supra* nota 16, en 37.

72. Cureton, *supra* nota 67, en 704.

73. Institute on Race and Poverty, *Racial Profiling Data Collection Status Report* [Instituto sobre la Raza y la Pobreza, Informe de Estado de Colección de datos Racial] (2000) at <http://www1.umn.edu/irp/ARB%20.html>.

74. Cureton, *supra* nota 67, en 705.

de un individuo más que en el comportamiento de aquel individuo”.⁷⁵ Y aunque numerosos analistas hayan concluido que el estilo racial es un subproducto de la guerra contra la droga iniciada en los años 1980s, hay la evidencia histórica que las minorías en América han sido tenidas como sospechosas, (y así “identificadas”), mucho antes de que la nación reconociera que había un problema de drogas. Como la historia Americana lo demuestra, los datos demográficos raciales y étnicos tradicionalmente han sido suficiente para sospechar, detener y condenar a gente de color.

En otras consideraciones de como las fuerzas demográficas afectan este conflicto de inter-grupo prolongado, hay que tener en cuenta el papel de la cambiante estructura demográfica de America. Usando datos del año 1999 obtenidos del Censo Demográfica de los Estados Unidos, Pollard concluye que, “minorías Raciales y étnicas ahora consideradas como un-cuarto (25%) de la población de Estados Unidos. Para el año 2015, las proyecciones indican que las minorías serán un-tercio (33%) de todos los Americanos.”⁷⁶ Estos números reflejan un aumento dramático en la población de minoría nacional. Sin embargo, esta información concluye que más que aumento del número de minorías, esto también supone un aumento en la percepción de amenaza de estas minorías a la clase dominante. Por consiguiente, sanciones sociales - como aquellas asociadas con la ley - serán aplicadas más severamente sobre los que representan la amenaza. Con el aumento del número de minorías en los Estados Unidos, no será sorprendente encontrar aumentos paralelos del número de los casos de abuso de minoría reportados a las manos de la policía - la institución más evidente de control social.

Mirando por el lente de datos demográficos para examinar el conflicto de grupo de minoría y la policía, sera provechoso confirmar el porcentaje de policias de minorías en la fuerza policial nacional basada en la representación de grupos raciales y étnicos en estas comunidades. ¿Por ejemplo, en que grado está la representación de minoría en los rangos (jerarquía) de la policía en proporcion a la representación de esta minoría en la sociedad Americana? Seguramente, un examen de este número sería crítico al avance o el retraso de la noción de teoría de conflicto explicado por Cureton,⁷⁷ y el análisis de su importancia al conflicto de grupo de minoría de policía.

Utilizando datos obtenidos por el Ministerio de Justicia Estadounidense, Lott⁷⁸ condujo un estudio extenso de la composición racial y sexual de los

75. Institute on Race and Poverty, *supra* nota 74, en 1.

76. Kelvin Pollard & William P. O'Hare, *America's Racial and Ethnic Minorities*, [Las Minorías Raciales y Etnicas en America], 54 Population Bull. 1, 7 (1999).

77. Cureton, *supra* nota 67.

78. John Lott, Jr., *Does a Helping Hand Put Others At Risk? Affirmative Action Police Departments and Crime* [Una Mano Ayudante Pone A Otros en Peligro? Acción Afirmativa, Entre los

datos demográficos de departamento de policía en 189 ciudades. Él concluyó que aunque "...los departamentos de policía municipal varían enormemente en su composición racial y sexual, y hubo aumentos grandes de la proporción de Negrosos y de mujeres oficiales...la mayor parte de los departamentos no tienen ningunos Negros, Hispanos, o Asiáticos...".⁷⁹

Hay poca duda que una representación proporcionalmente equivalente de minorías en la vigilancia, en la sociedad Americana, podría tener un impacto crítico sobre el grado de violencia de policía contra las minorías. Lott observa:

"Las ventajas potenciales para la aplicación de la ley de oficiales multiraciales o femeninos parecen obvias. Los policías de minoría pueden ser más eficaces en áreas de minoría simplemente porque los residentes podrían facilitar mas la información que conducirá a detenciones y convicciones ... La Confianza es también importante para otros motivos, como los informes de disturbios que estallan después de que policías blancos han disparado a un hombre negro puede testificar."⁸⁰

La estadística disponible de la Oficina de Censo Estadístico Estadounidense del año 1999 indica que en 1998, oficiales Negros formaban el 19.4 por ciento del servicio público de policías y detectives de la nación, mientras que los oficiales hispanos eran el 8.8 por ciento.⁸¹ Sin embargo, esta estadística puede engañar en cualquier esfuerzo por distinguir la representación de minorías sobre las fuerzas de policía de ciudades individuales. Esto podría ser por ejemplo, que un número más grande de oficiales de minoría es empleado en sólo unas ciudades y estados mientras una escasez relativa de oficiales de minoría es empleada en la gran mayoría de ciudades y estados. Un ejemplo principal de como el porcentaje de oficiales de minoría podría influir en conflicto de grupo de minoría de policía es el Estado Nueva Jersey, que recientemente ha recibido a un cantidad de publicidad negativa relacionada a sus prácticas dispares raciales dirigidas hacia conductores de minoría. Zolper informa que en 1998, sólo el 14 por ciento de policías del Nueva Jersey eran minorías, comparado con una población de minoría del 26 por ciento.⁸² Este

Departamentos de Policía y Crimen], 38 *ECON. INQUIRY* 239, 239-77 (2000).

79. *Id.* en 241.

80. *Id.* en 239.

81. UNITED STATES CENSUS BUREAU, EMPLOYED CIVILIANS BY OCCUPATION, SEX, RACE AND HISPANIC ORIGIN [Oficina de Censo de los Estados Unidos, Extracto Estadístico de los Estados Unidos Empleados Civiles por la Ocupación, el Sexo, Raza y Origen Hispana] (1999).

82. T. Zolper, 5,000 *Applying for State Police*, TRENTON BUREAU, [Solicitud de la Policía, Oficina de Trenton] at: <http://www.bergen.com/news/police07199912077.html>.

tipo de discrepancia enorme anima la mentalidad de los grupos que entran / grupos que salen basados únicamente en la raza.

- En junio de 1998 a Antoine Reid, un desarmado “trabajador de la calle” le fue pegado un tiro en el pecho por un policía de la Ciudad de Nueva York quien no trabajaba ese día, cuando Reid insistió en lavar el parabrisas del coche del oficial.
- En enero de 1999 Luis Enrique Hernandez murio después de haber sido maniatado por tres oficiales del Departamento de policía de Fort Worth.
- En Mayo de 1999 Lewis Rivera, un hombre sin hogar, fue detenido por los policías quien lo rociaron con pimienta, le dieron patadas, ataron sus manos y pies y lo arrastraron en un coche de policía. En menos de una hora después del asalto él fue encontrado muerto en una celda para detenidos.

FUENTE: AMNISTÍA INTERNACIONAL ⁸³

Estrechamente alineado con factores demográficos es la influencia economía sobre este conflicto de inter-grupo, que es estimulado por las percepciones de favoritismo institucional y disparidades en la distribución de recursos económicos. Disparidades económicas inherentes en el sistema Americano de castas que reproduce la dominante y subordinada estructura de clases. Y ya que el papel de aplicación de la ley es construido para mantener un orden social deliberado, la policía es vista por clases subordinadas como ejecutores de designaciones de clases.

Donde un sistema de castas existe, la calidad de la existencia de una persona es basada en su posición en el ciclo de producción de esa sociedad; esto determinará su poder político.⁸⁴ Por consiguiente, donde las minorías son relegadas por la discriminación institucionalizada a la escala de producción inferior de sociedad, el valor asignado a la condición de su existencia está subordinado al colocado sobre la existencia de los miembros de la clase dominante. Esto produce un ciclo de opresión que se manifiesta como el maltrato justificable sobre los que percibidos como menos productivos, y posteriormente, de menos de valor para la sociedad. La enajenación experimentada por la clase subordinada y la superioridad sentida por la clase dominante que enciende el conflicto polariza las posiciones de los grupo. Esta

83. Amnistía Internacional, *supra* nota 12.

84. Karl Marx, *The Two Factors of a Commodity: Use-Value and Value*, in SOCIAL THEORY: THE MULTICULTURAL AND CLASSIC READINGS, [los Dos Factores de Una Materia: Valor de Uso y Valor, En Teoría Social: las Lecturas Multiculturales y Clásicas], (Charles Lemert, ed., Westview Press, 2d ed. 1999) (1867).

polarización tiene correlación fuerte en el conflicto de grupo de minoría de policía.

Donde las clases subordinadas están preocupadas, Travis observa que “los grupos raciales, étnicos y socioeconómicos se diferencian considerablemente en sus creencias sobre la legitimidad de ley; la mayor proporción de Negros (el 29 por ciento) y Latinoamericanos (el 31 por ciento) que Blancos (el 19 por ciento) ven que las normas legales no ayudan a unificar.”⁸⁵ Además, Travis nota esto, “los residentes cuyo SES (el estado socioeconómico) es bajo, son dos veces más probable que aquellos cuyas SES es alto, a reportar niveles altos de ‘cinismo legal.’”⁸⁶ Esto sugiere que el cinismo sentido por las minorías económicamente subordinadas de América, sobre el papel de aplicación de la ley sea en gran parte un subproducto de su resentimiento sobre las disparidades sociales extendidas. Lipschutz apunta:

“Esto no es sobre el tamaño del pedazo del pastel de alguien...Es sobre quien tiene derecho bajo los términos del contrato [social], para participar en división del pastel. Y esto no es principalmente sobre minorías étnicas que exigen mayores derechos o beneficios; esto es mayormente sobre los elementos de la mayoría blanca temerosa de perder lo que ellos ven cada vez más como un juego de suma-cero.”⁸⁷

Basado en los comentarios de Lipschutz, cuando el grupo de estado privilegiado percibe sus perspectivas económicas y sociales bajo el desafío por el grupo subordinado, un conflicto de inter-grupo surgirá.⁸⁸ El conflicto de inter-grupo entre la policía y minorías entonces, es una representación microcósmica de un conflicto más extendido, sistémico en la sociedad Americana.

La manifestación de este conflicto también está evidente en el modelo de presencia de policía en comunidades. Cureton observa que, “...Hay evidencia que las operaciones de vigilancia y los servicios de la policía son concentrados en ciertas áreas de personas de bajos-ingresos, generalmente de no-Blancos ...[Y], la concentración de policía en estas áreas de bajos-ingresos y socialmente desorganizadas pueden aumentar la probabilidad de detenciones

85. JEREMY TRAVIS, *Attitudes Toward Crime, Police and the Law: Individual and Neighborhood Differences* [Actitudes hacia crimen, la policía y la ley: Diferencias entre Individuos y Vecindades] NAT'L INST. OF JUST. (1999), at: <http://www.ncjrs.org/txtfiles1/fs000240.tx>

86. *Id.* en 3.

87. Ronnie Lipschutz, *From “Culture Wars” to Shooting Wars: Culture Conflict in the United States* [De las guerras de cultura a guerras punzantes: conflicto de cultura en los Estados Unidos], at <http://scholarship.cdlib.org/ias/crawford/crawford11.html>. (last visited Jan. 23, 2002).

88. *Id.*

para residentes en aquellas áreas.”⁸⁹ Por consiguiente, la concentración aumentada de policía en áreas de ses inferiores, aumentará la probabilidad que la violencia discrecional será infligida a residentes de minoría.

Desde luego, uno de los argumentos primarios para una presencia más grande de policía en vecindades de ingreso inferiores implica los informes de conducta criminal más alta en esos áreas. De hecho, Rand nota que, “las Personas de casas con ingresos inferiores [son] más vulnerables al crimen violento que las casas de ingreso más altas.”⁹⁰ Sin embargo, hay una incidencia más alta de crimen violento en vecindades mal pagadas, y así, una demanda explícita de la presencia mayor de policía en estas comunidades, lo que también podría reflejar las disparidades económicas de sociedad Americana. Merton hipotizó que, “el comportamiento aberrante puede ser considerado sociológicamente como un síntoma de disociación entre aspiraciones culturalmente prescritas y avenidas socialmente estructuradas para la realización de estas aspiraciones.”⁹¹

La pregunta siguiente, conmovedoramente planteada por Merton, apunta a considerar más fuerte la influencia la que una estructura económica dispar tiene sobre la conducta criminal. Merton pregunta:

“¿Qué, en breve, son las consecuencias del comportamiento de la gente situada diferente en una estructura social de una cultura en la que el énfasis sobre objetivos de éxitos se ha hecho cada vez más separado de un énfasis equivalente sobre procedimientos institucionalizados para la busca de estos objetivos?”⁹²

Las opiniones de Merton no son ofrecidas como excusas para la conducta criminal; pero en cambio, como una posible teoría para las causas de tal comportamiento cuando esto es obviamente asociado con las disparidades económicas entre grupos. En efecto, sus conclusiones no son distintas a los estudios más tempranos de poblaciones de empobrecidos inmigrantes conducidas por Thomas y Znaniecki, quienes encontraron que la conducta criminal “de campesinos” puede ser “la solución trágica de una difícil situación social que implica poderosas tendencias individuales.”⁹³ Consecuentemente,

89. Cureton, *supra* nota 67, en 704.

90. Michael Rand, *Criminal Victimization in the United States*, [Persecución criminal en los Estados Unidos] 1994, UNITED STATES, DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS (1997).

91. Robert K. Merton, *Social Structure and Anomie*, IN SOCIAL THEROY: THE MULTICULTURAL ANC CLASSIC READINGS [Estructura Social y Anomie, En Teoría Social: las Lecturas Multiculturales y Clásicas], (Charles Lemert, ed., Westview Press 2d ed. 1999) (1938).

92. *Id.* en 235.

93. Thomas y Znaniecki, *Disorganization and the Polish Immigrant*, IN SOCIAL THEROY: THE MULTICULTURAL ANC CLASSIC READINGS [Desorganización y el inmigrante Polaco En Teoría Social: las

puede haber una presión inherente hacia la desviación entre los estratos económicos inferiores.⁹⁴

- En el año 1997, Ana de Frankie Perkins, una mujer Afro Americano, murio después de que la policía la ahogó y golpeó con la rodilla en el pecho.
- En Septiembre del año 1997, Jeremiah Mearday, un Afro Americano de 18 años, sufrió una mandíbula rota después de ser golpeado en la cara con una linterna por un policía de Chicago.
- En el año 1994 Shirley Alejos, una mujer hispana, fue esposada y golpeada por la policía de Chicago al grado que su cara estaba irreconocible en fotos tomadas después.
- En Junio del año 999 Gregorio Riley, murio después ser colocado en un asimiento por la policía de Chicago.⁹⁵

Amnistía Internacional informa que hay un modelo de abuso de policía cometido por los miembros de las fuerzas nacionales de policía. Por ejemplo, en Octubre del año 1999 en el informe que enfocó a la ciudad de Chicago, funcionarios de Amnistía revelaron las conclusiones de un estudio del período de veinte años entre los años de 1972 y 1992.⁹⁶ Según este estudio, la policía de Chicago durante interrogaciones rutinarias participaban en la tortura sistemática de los sospechosos. El estudio reveló que los oficiales abusaban a los sospechosos mentalmente y físicamente, implicándose en juegos dolorosos como la Ruleta Rusa, y el asfixiar, el ahogamiento, puñetazos, y choques-eléctricos. Amnistía informa que, “la Mayor parte de las víctimas fueron Afro Americanos o minorías y los oficiales implicados eran blancos.”⁹⁷

Es interesante que los casos “de la brutalidad por parte de la policía a menudo nos dan la impresión que la policía está ‘fuera de control’ que ellos no obedecen las normas burocráticas-legales del estado ...”⁹⁸ cuando ellos muy bien pueden estar obedeciendo normas estatales. Seguramente, las alegaciones repetidas de brutalidad por parte de la policía y los millones de dólares gastado cada año por los que ejecucian la ley, para arreglar reclamaciones por daños y la recompensa por el daño excesivo infligido por oficiales, sugiere la institucionalización de normas relacionadas a la fuerza excesiva.

Lecturas Multiculturales y Clásicas] (Charles Lemert, ed., Westview Press 2d ed. 1999) (1918).

94. Merton, *supra* nota 92.

95. Amnesty International, *Summary of Amnesty International's Concerns on Police Abuse in Chicago* [Sumaria de las preocupaciones Sobre Abuso de Policía en Chicago], 1999 at <http://www.amnesty.org/ailib/aipub/1999/AMR/25116899.htm>.

96. *Id.*

97. *Id.* en 1.

98. Chevigny, *supra* nota 62 en 28.

Chevigny observa que “... La policía son los jugadores principales en el drama político que es siempre tenso para nosotros en democracias liberales: el equilibrio entre la violencia y el orden.”⁹⁹ Él agrega:

“Sin embargo, se reconoce que la violencia es usada directamente para controlar a la gente e imponer la orden... Desafiar la policía ... Es equivalente al desafío del orden. Pero el nivel de violencia que la policía usa varía de manera, desde simplemente detener a una persona desafiante, hasta dispararle o torturarle[a él] ... ”.¹⁰⁰

No hay duda que la vigilancia de América representa una institución política. De hecho, “el término ‘la policía’ era al principio sinónimo de toda la gobernación interna del estado, incluyendo mantener el orden.”¹⁰¹ Sin embargo, la autoridad para mantener el estado sanción al orden social rara veces es aplicado a todos los ciudadanos sobre una base igual, desde “... que es raro y riesgoso para la policía intentar subordinar los que no son subordinados, [o] usar la violencia de degradación contra la gente quien es clase media o superior o quien no son de la minoría.”¹⁰² Por consiguiente, la vigilancia es una institución que sus operaciones son legitimadas por el gobierno al grado que esto realiza su autoridad para regular el comportamiento y mantener el control social de las clases inferiores. “El policía es, en naturaleza de su vocación, un defensor del status quo.”¹⁰³ Por lo tanto, es según el diseño que la autoridad ha dado a la policía para hacer cumplir la ley, que inmediatamente los distingue de los ciudadanos “ordinarios” los que están obligados a obedecer la ley. Este fortalecimiento conduce a identidades distintas y separadas entre los grupos que hacen cumplir la ley y los que deben obedecer la ley. ¿La pregunta entonces se hace, a que grado el poder concedido a aquellos para hacer cumplir la ley desarrollan en ellos las actitudes elitista de la clase dominante?

Una actitud elitista de policía estaba más evidente entre aquellos Oficiales en la famosa Unidad de Crímenes de la Calle de la Ciudad de Nueva York (SCU) quien ha sido asociado con el fatal tiroteo al inmigrante Afro-Americano Amadou Diallo en 1999. En este caso, el lema del SCU’s, Nosotros Poseemos la Noche, sólo no podríamos dar “la policía la actitud de un soldado, quien no pasa mucho tiempo pensando en los derechos de su enemigo,”¹⁰⁴ pero también

99. *Id.* en 11.

100. *Id.* en 11.

101. *Id.* en 10.

102. *Id.* en 12.

103. BAYLEY & MENDELSON, *supra* nota 48 en 28.

104. Anonymous, United States: *The Thin Blue Line*, THE ECONOMIST [La Línea Fina Azul El

sugiere su actitud superior. Este lema refleja una cultura de policía claramente alienada de valores democráticos¹⁰⁵ y una institución donde la tolerancia por el abuso es reforzada por una asociación con los valores de la clase dominante.

Chevigny observa que, “el control del nivel de violencia es el problema esencial de derechos humanos con el trabajo ordinario de policía.”¹⁰⁶ Esto cada vez se convierte en un complicado reto a la carga dada a oficiales de la ley por la institución Americana política. Por un lado, “los ciudadanos, políticos y grupos de interés personal siempre han presionado la policía para ‘hacer que tiene que ser hecho’¹⁰⁷ para hacer cumplir la orden, mientras por otro lado la sociedad America se jacta de ser una nación donde los derechos humanos son supremos. Por consiguiente, las fronteras entre la autoridad y el refrenamiento podrían ser percibidas como relativamente ambiguo, excepto a los que intencionadamente afirman su autoridad con la tendencia y la maldad.

- En Marzo del año 1991, el motorista Rodney King fue brutalmente golpeado - recibiendo más de 56 golpes en las manos de policías de Los Angeles – por no pararse durante una búsqueda de policía.
- En Agosto del año 1997 Abmer Louima, un inmigrante haitiano, fue golpeado y sodomizado con un palo de uno cepillo después de su detención por la policía de la Ciudad de Nueva York.
- En Febrero del año 1999 un inmigrante Africano, desarmado, Amadou Diallo, fue fatalmente baleado por la policías de la Ciudad de Nueva York quienes dispararon 41 tiros y perforaron su cuerpo con 19 balas después de que ellos confundieron su cartera con un arma.

Fuente: Skolnick y Fyfe,¹⁰⁸ y New York Times¹⁰⁹

Probablemente mas que cualquier otro informe recientes, los casos prominentes de Rodney King, un motorista Africano Americano; Abner Louima, un Inmigrante haitiano, y Amadou Diallo, un inmigrante Africano, más sucintamente caracteriza las preocupaciones aplastantes sobre la brutalidad por parte de la policía y la fuerza excesiva dirigida a minorías en América. En cada caso, estos incidentes picaron la fuerza de policía contra la población de minoría, claramente reflejando las profundidades de distinciones de grupo.

Economista], May 6, 2000, available at <http://proquest.umi.com/pdqweb?TS=973030>.

105. KELLING, *supra* nota 19.

106. CHEVIGNY, *supra* nota 62 en 11.

107. KELLING, *supra* nota 19 en 11.

108. SKOLNICK Y FYFE, *supra* nota 16.

109. Shaila K. Dewan, *City and Louima Lawyers Continue Settlement Talks* [La Ciudad y Abogados Louima Siguen Conversaciones de Establecimiento], N. Y. TIMES, Dec. 5, 2000, at B3.

Skolnick y Fyfe observan que como un grupo, "... La policía se identifica a menudo como una fuerza moral, protegiendo a los miembros inocentes y productivos del público contra los que hacen brutalidades y victimizaran a ciudadanos ordinarios decentes."¹¹⁰ y seguramente, hay miles de policías moralmente conscientes que se ponen en el camino de riesgo cada día para proteger otros. Pero en las tragedias King, Louima y Diallo, las minorías a través de América están un paso más cerca de identificarse como las víctimas "de una fuerza moral" salida mal.¹¹¹

Boudreau observa que, "en esta edad de ambigüedad, los individuos y grupos a menudo buscan un refugio de seguridad en una identidad de grupo único e histórico."¹¹² Así, identidades de grupos colectivos son creadas basadas en experiencias compartidas históricas de grupos. Estas identidades separadas refuerzan las percepciones de frontera entre grupo-interno y grupo-externo por el cual las hostilidades proporcionan a los grupos posiciones recíprocas para conservar la cohesión de intra-grupo. En este caso, la fuerza de la policía y el hallazgo de la comunidad de la minoría es el sentido de la identidad, la fuerza y el consuelo dentro de sus socios de grupo, subconscientemente usando tal membresía para radicalmente distinguirse de el otro. Los factores sicoculturales inherentes en el conflicto de grupo de minoría de policía son los más evidentes en las distinciones expresadas de cada grupo en relación al otro.

Pero donde no hay ninguna igualdad en el estado de grupo, tales distinciones amplifican el grado al cual los miembros de grupo privados del derecho al voto y marginados son excluidos de lograr el acceso del poder de la sociedad y el privilegio. Ya que la policía está autorizada a un grado inmenso, y los grupos de minoría permanecen efectivamente des-autorizados, la policía históricamente ha representado los intereses "de grupos de estado privilegiados" mientras los grupos de minoría históricamente han representado el problema de la sociedad. Consecuentemente, como un grupo compite para controlar el otro y el otro lucha para resistirse ser controlado, un conflicto surge entre el autorizado y el des-autorizado, el opresor y el oprimido, el dominador y el dominado.

Si por la proyección de un poder sobre el otro (como en el caso de la policía) o el reconocimiento de alguna existencia victimizada (como en el caso de la comunidad de minoría), la polarización entre los grupos se hace más

110. SKOLNICK Y FYFE, *supra* nota 16 en 92.

111. Tom Boudreau, *Intergroup Conflict Reduction Through Identity Affirmation: Overcoming the Image of the Ethnic or Enemy "Other."* [Reducción de el Conflicto de Intergupo por Afirmación de Identidad: Vencimiento de la Imagen del los Etnicos o Enemigo 'Otro']. (unpublished) (on file with author).

112. Georg Simmel, *Conflict and the Web of Group Affiliations*, in ON INDIVIDUALITY AND SOCIAL NORMS [Conflicto y el Web de Afiliaciones de Grupo, En Sobre Individualidad y Normas Sociales], 70, 70-96. (University of Chicago Press, 1971) (1995).

prominente cada vez, una controversia que implica la brutalidad o la fuerza excesiva de parte de la policía estalla. La polarización se manifiesta a si misma en forma de símbolos culturales y normas. Por ejemplo, el concepto de la policía de “un código de silencio,” “pensando en azul,” “la cortina azul,” y “la pared azul,” representan un sistema de creencia compartido diseñado para reforzar el lazos de grupo. Skolnick y Fyfe observan que, “la cultura fundamental de vigilancia es en todas partes similar, lo cual es comprensible desde que por todas partes los mismos rasgos del papel de policía - el peligro, la autoridad y el mandato para usar la fuerza coactiva - están presente. Esta combinación genera y apoya las normas de solidaridad interna, o la hermandad.”¹¹³

Asimismo el concepto de grupo de minoría con una persecución compartida trae a los miembros juntos. De hecho, es la idea de una persecución compartida lo que nos permite hacer este análisis del conflicto de grupo entre policía-minoría por el cual el grupo de minoría es singular; si no, las distinciones entre grupos de minoría son tan prominentes que cualquier tentativa de agruparlos juntos sería estropeada.

Algunos científicos sociales han teorizado que la policía es un ejemplo de un grupo de minoría. Por ejemplo, McEntire y Powers notan que porque “un grupo de minoría es cualquier grupo hacia el que otros tienen prejuicios,”¹¹⁴ la policía podría ser considerada un grupo de minoría basado en prejuicios asociados con la ocupación. También, Bayley y Mendelsohn concluyen que “... Hay varios grupos de minoría en América, y uno de ellos es la policía.”¹¹⁵ Estas conclusiones sin embargo, son flojas ya que ellos ignoran que las distinciones primarias entre la minoría y otros grupos en América son la tradición de dominación compartida por los miembros del grupo de mayoría y la tradición de persecución compartida por los miembros de grupos de minoría. Como un grupo, las minorías en América representan a los miembros de un colectivo tradicionalmente victimizado - es decir la gente de color quien constituye “los segmentos sin el poder... La clase trabajadores y lo más baja, la pobreza stricken, el semicalificado y lo inexperto, y el bajo e inculto.”¹¹⁶ Esta característica de persecución es un concepto crucial asociado con las cuestiones de sicocultural en el corazón del conflicto. Y como el concepto de policía de pensar azul, el sentido de grupo de minoría de persecución no puede ser ignorado, reducido al mínimo o compartido con el otro enemigo.

113. SKOLNICK Y FYFE, *supra* nota 16, en 92.

114. MCENTIRE Y PODERES, *supra* nota 47, en 316.

115. BAYLEY Y MENDELSON, *supra* nota 48, en 55.

116. Cureton, *supra* nota 67, en 705.

“Las Relaciones de conflicto por si mismas
no producen una estructura social,
Pero sólo en cooperación con fuerzas unificantes.”¹¹⁷

En 1936 Karl Mannheim escribió que, “la tesis principal de la sociología de conocimiento es que hay modos de pensamiento que no son suficientemente entendido mientras sus orígenes sociales sean oscurecidos.”¹¹⁸ Consecuentemente, este análisis del conflicto de inter-grupo entre la policía de América y comunidades de minoría ha intentado ensanchar el lente por el cual el conflicto de grupo de minoría y la policía es percibido para reducir tal oscuridad.

Una sociedad que sanciona la dominación de un hombre sobre otro es la misma sociedad que sanciona la asignación desigual de poder, la distribución desigual de riqueza y la confirmación desigual de derechos humanos. Y finalmente, esto es la misma sociedad en la cual existe un colectivo y hegemónico contrato social, dentro de el que sus ciudadanos acuerdan ser dominados y controlado, ya que ellos son convencidos de la necesidad del refrenamiento social. En este caso, el estado socialmente sancionado ejerce un sistema de opresión donde la actividad humana es nunca realmente libre, pero sólo el pensamiento para ser así; esto es un concepto en particular saliente para la minoría en América.

Este documento ha utilizado el paradigma social cubista para ensanchar nuestro análisis y entendimiento del conflicto complejo y prolongado entre la institución de aplicación de la ley y grupos de minoría en América. También debería estar claro a partir de este análisis que el inter-grupo está en desacuerdo entre la policía y la ciudadanía en todo el mundo, independientemente de la nación, nunca puede ser reducido a una o dos dinámicas sociales. El uso del paradigma social cubista en cuanto a esto debería apoyar esfuerzos de entender la naturaleza estructural de violencia de policía y con esperanza, producir una serie de diseños de pacificación para reestructurar el papel paradójico de policía en un mundo donde su presencia a menudo se encuentra con el sentido de la necesidad y el sentido del miedo.

117. Simmel, *supra* nota 113, en 77.

118. Karl Mannheim, *The Sociology of Knowledge and Ideology*, IN SOCIAL THEORY: THE MULTICULTURAL AND CLASSICAL READINGS, [La Sociología De Conocimiento E Ideología. En Teoría Social: las Lecturas Multiculturales y Clásicas] (Charles Lemert, ed., Westview Press 2d ed. 1999) (1936).

USOS DEL CUBISMO SOCIAL EN ANÁLISIS DE LOS CONFLICTOS COMUNITARIOS

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I. INTRODUCCIÓN

La teoría del Cubismo Social,² una teoría originalmente diseñada para el análisis del conflicto etnoterritorial internacional, puede ser usada en el análisis de micro-conflictos en otros escenarios tal como las comunidades americanas. Muchas comunidades americanas son multi-étnicas y multi-culturales. Además, en algunas áreas de los Estados Unidos, como en el sur de la Florida, las comunidades suelen tener más diversidad étnica que en otras partes del mundo. Esto presenta una variedad de desafíos en el análisis de los asuntos que las comunidades enfrentan.

En contraste con otras teorías que solo ven un asunto de sólo una o dos perspectivas, el cubismo social guía al investigador a ver un problema de varias maneras y también a reconocer que en diferentes tiempos, bajo distintas

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2. Seán Byrne y Neil Carter, Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec [Cubismo Social: Seis Fuerzas Sociales de Política Etnoterritorial en Irlanda del Norte y Quebec, PERIODICO DE PAZ Y ESTUDIOS DE CONFLICTO] Vol. 3 No.2 J. OF PEACE & CONFLICT STUD. 52-71 (1996).

circunstancias y en varios escenarios, los factores se interrelacionarán en diferentes maneras. En una comunidad compuesta de varios grupos étnicos, el Cubismo Social tiene la capacidad de influirse mutuamente y de considerar un gran espectro de factores en una multiplicidad de circunstancias cambiantes. La aplicación del cubismo social en una comunidad local estadounidense es única y llevara la delantera en los campos de resolución de conflicto etnoterritorial y la planificación estratégica de comunidades. Los resultados de tales investigaciones informarán a la comunidad y permitirán que las agencias jurídicas, líderes políticos, y proveedores de servicios educativos ayuden en el desarrollo de un plan estrategico de comunidad.

Esto también permitirá que las comunidades analizen otros conflictos y problemas más allá de aquellos relacionados únicamente al conflicto étnico. Asuntos tal como la prevención e intervención de violencia entre familias, vecindades y escuelas serían ejemplos apropiados para el empleo de este marco analítico.³

Otras teorías internacionales como la Teoría Multi-modal de Intervención,² la Paradigma Integrada de Anidar de Lederach,⁴ la vision de paz compartida de Boulding,⁵ y Diplomacia de Multi-via de Diamond y McDonald,⁶ podrían entonces contribuir considerablemente hacia la estructura de modelos de resolución y dirección de conflicto en comunidades estadounidenses. Entonces la teoría del mantenimiento de la paz internacional tendra implicaciones mas amplias que lo antes previsto.

II. LA TEORÍA DE CUBISMO SOCIAL

Muchas naciones luchan con dificultad continua contra la disensión interna hasta la guerra, cuyos orígenes pueden ser remontados al conflicto étnico. La disensión interna puede ser mínima, sentida en un nivel casi imperceptible. Otro conflicto interno puede surgir, pero será dirigido, manteniendo el problema a nivel de discusión, y asi nunca elevándose a un conflicto.⁷ La

3. Seán Byrne y Loreleigh Keashley, *Working with Ethno-Political Conflict: A Multi-Modal Approach in PEACEKEEPING AND CONFLICT RESOLUTION [en Trabajando con Etno-Conflicto Político: un Acercamiento Multi-modal. PACIFICACIÓN Y RESOLUCIÓN DE CONFLICTO]* (2000).

4. JOHN PAUL LEDERACH, *BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES [CONSTRUYENDO PAZ: RECONCILIACIÓN SOSTENIBLE EN SOCIEDADES DIVIDIDAS]* (1997).

5. ELISE BOULDING, *BUILDING A GLOBAL CIVIC CULTURE: EDUCATION FOR AN INTERDEPENDENT WORLD. [CONSTRUYENDO UNA CULTURA GLOBAL CÍVICA: EDUCACIÓN PARA UN MUNDO INTERDEPENDIENTE.]*, 95-117 (1988).

6. LOUISE DIAMOND Y JOHN MCDONALD, *MULTI-TRACK DIPLOMACY: A SYSTEMS APPROACH TO PEACE. [DIPLOMACIA DE MULTI-VIA: UN SISTEMA DE ACERCAMIENTO A LA PAZ]* 11-25 (1996).

7. Los ejemplos han incluido: Afganistán, Angola, Armenia, Azerbayán, Bangladesh, Bélgica, Bhutan, Bosnia-Herzegovina, Birmania, Burundi, Estonia, Etiopía, Georgia, Guatemala, India, Indonesia, Irak, Latvai, Líbano, Liberia, Malí, Moldova, Niger, Irlanda del Norte, Paquistán, las Phillipinas, Rumania,

mayoría de conflictos no se manifiestan, y de aquellos que se presentan, por lo general son resueltos a través de recursos legítimos, respetados por los interesados.⁸ Esto puede ser a causa de un número de factores, incluyendo medios alternativos de adaptación tal como: el consentimiento, la emigración, la resistencia menor, o un sentido fatalista que no se puede hacer nada.⁹

A pesar del sentido que la gran mayoría de disputas no se manifiestan en conflictos, muchos revientan a través del mundo entero. Debido al número de tales conflictos, la tendencia de que son excesivamente prolongados, el fervor particular que algunos son combatidos, el impacto a los participantes, y el impacto a otros en la comunidad global, teorías han sido desarrolladas justo para examinar, analizar, manejar o resolver los conflictos internacionales étnicos.

Una tal teoría es el Cubismo Social, diseñado como un marco analítico para el estudio de conflicto etnoterritorial internacional.¹⁰ Mientras esta teoría fue diseñada para ser usada en el análisis de conflicto internacional, a mejor vista, su aplicación puede ser vital al entendimiento de los micro-conflictos, incluyendo aquellos dentro de las comunidades, organizaciones y hasta en las familias de los Estados Unidos. Cuando uno considera el número de grupos étnicos que componen las comunidades americanas, la noción se vuelve fascinante, tan como lógica. Muchas comunidades americanas están compuestas de varios grupos étnicos. Esto presenta asuntos de cultura y la manera en cual diferentes grupos piensan, reaccionan y resuelven conflictos. Además, algunos de estos grupos podrían venir de regiones donde el conflicto etnoterritorial ha jugado una parte significativa en su socialización. De modo que, cuando emigraron a los Estados Unidos, las percepciones de grupos opuestos también podrían haber emigrado resultando en la continuación del conflicto étnico en comunidades americanas. Algunas de estas comunidades antes desconocían estos conflictos, y por lo tanto carecen de entendimiento en sus orígenes.

Diseñado para el estudio de conflicto etnoterritorial, el Cubismo Social propone un modelo para el análisis de conflicto que acentúa la interacción de varios factores, más bien que el estudio simplemente de uno o varios factores. Literalmente usando la imagen de un cubo Rubik la teoría reconoce un cubo social de conflicto que tiene seis aspectos interrelacionados: la historia, la

Rwanda, Sudáfrica, España, Shri-Lanka, Sudán, Tadjikistán y Turquía. MICHAEL E. BROWN, *Causas e Implicaciones de Conflicto Étnico*, See MICHAEL E. BROWN, *ETHNIC CONFLICT AND INTERNATIONAL SECURITY* 3 (1993). [Vea MICHAEL E. BROWN, *CONFLICTO ÉTNICO Y SEGURIDAD INTERNACIONAL* 3]

8. Louis Kriesberg, *CONSTRUCTIVE CONFLICTS: FROM ESCALATION TO RESOLUTION* [CONFLICTOS CONSTRUCTIVOS: DESDE ESCALADA A RESOLUCIÓN] 52-53 (1998).

9. Byrne, *supra* nota 1.

10. *Id.*

religión, los datos demográficos, las instituciones políticas y el comportamiento no-institucional, la economía y factores sicoculturales.¹¹

A través de asignar uno de estos factores a cada lado del cubo, y notando que el cubo es dinámico, constantemente en movimiento a medida de que los factores se influyen mutuamente, uno fácilmente puede imaginar los lados del cubo actuando recíprocamente a varios tiempos con fuerzas cambiantes. Como el cubo Rubico, cada lado no sólo esta en contacto y en relación con los cuatro otro lados simultáneamente, pero más bien, partes de cada lado pueden moverse y servir como catalizadores para otros factores y sub-factores o facetas. Así, como el rompecabezas del cubo Rubico, el cubo social parece estar configurado de muchas maneras según la interacción de cada situación, circunstancia, posición, participantes y el conflicto.¹²

Este investigador ve el cubismo social como dinámico. Como tal, esto es un marco vivo, que está en movimiento constante. Esta es una de las fuerzas del Cubismo Social. Uno puede tomar información nueva y agregarla a la faceta apropiada, así amplificando el marco analítico y de paso haciendolo mas actual. Así, cuando fuerzas exteriores están en juego en este campo contextual, el marco, que esta diseñado para ser dinámico, puede acomodar esta actividad nueva. Esta flexibilidad se hizo más aparente aun cuando este investigador consideró un número de otras bases teóricas.

Además, este investigador supone que el cubo puede ser utilizado en análisis de conflictos subnivel y subgrupo, porque es reproductivo. El cubo puede ser usado para analizar conflicto en segmentos específicos de una comunidad o al nivel individual. Por ejemplo, como tema para estudio continuado, se supone que una familia forma un cubo nuevo, utilizando el cubo de cada lado de la familia y el cubo de la comunidad. Datos nuevos no sólo cambian el cubo, tambien pueden reproducir el cubo, resultando que cuando una familia nueva es formada, el marco (el cubo) nuevo que cada familia trae crea un cubo nuevo. Así, también da impacto al cubo de cada punto de origen. Por lo tanto, se puede usar el cubo social como un instrumento de análisis para el conflicto dentro de una familia en particular. Aquel concepto es sugerido como tema para estudio futuro, y este investigador tiene la intención de seguir este tema despues de concluir este estudio.

Revisando sus fuerzas, la amplificación y la adaptabilidad de la teoría son aparentes. Las teorías siguientes sirven como ejemplos de diferentes modos de ver la capacidad dinámica del cubo. Por ejemplo, las principales críticas del funcionalismo estructural incluyen su incapacidad de tener tratos con cambios, conflictos¹³ e historia¹⁴. El cubismo social, diseñado como un marco analítico

11. *Id.* en 52.

12. *Id.*

13. GEORGE RITZER, *SOCIOLOGICAL THEORY* [Jonatán Turner y A.Z. Maryanski, citado en Edición

para el conflicto etniterritorial, se ocupa con todos los tres aspectos: 1) el aspecto dinámico que permite que la información nueva sea agregada, así dirigiéndose al factor de cambio; 2) es un marco para el conflicto, que es la base para utilizarse como análisis; y 3) la historia es incluida como uno de los seis factores.

La teoría de conflicto, como avanzada por Dahrendorf,¹⁵ dirige enormes estructuras sociales y asuntos tal como intereses implícitos y evidentes. Sin embargo, igual al funcionalismo estructural, no toma en cuenta al individuo, mas bien toma una vista macroscópica.¹⁶ Este investigador cree que el cubismo social, permite que un cubo pueda ser usado para un individuo.

De modo interesante, la teoría de conflicto como avanzada por Collins, incluye lo microscópico y es la contención de Collins que la teoría de conflicto ve las estratificaciones de la sociedad, y mas ampliamente, los conflictos dentro de grupos y organizaciones.¹⁷ Este aspecto integrado puede contribuir al cubismo social. Sin embargo, el cubismo social toma la teoría de conflicto y le da el marco analítico y la estructura que le faltaba. De una perspectiva pragmática, el cubo nos permite crear un anteproyecto para el análisis de conflicto que la teoría de conflicto sugiere, pero no provee.

El Neo-marxismo, visto como la respuesta teórica a las deficiencias del Marxismo, y la teoría crítica moderna ambos fallan a ver el conflicto de manera comprensiva, los factores más holísticos del cubo.¹⁸ Hasta la teoría de sistemas, captada como una de las teorías más significantes de hoy, trata principalmente con el conflicto entre sistemas, y no necesariamente considera la interacción entre los sistemas y todas las facciones que contribuyen. El cubismo social, que puede ser usado para dirigir sistemas, no esta limitado a sistemas de diseño artificial, tampoco excluye el asunto de conflicto dentro de un sistema o subsistema. Esto permite que sea usado para el análisis de conflicto de intrasistemas, que sería especialmente útil entre comunidades y organizaciones.

III. APLICACIÓN DE CUBISMO SOCIAL EN EL ANÁLISIS DE ASUNTOS COMUNITARIOS

Ha sido propuesto que la teoria de cubismo social puede ser aplicada en el análisis de conflictos en comunidades estadounidenses, demostraría útil explorar brevemente como tal marco podría ser beneficioso. Un problema visto

de TEORÍA SOCIOLOGICA], 5th ed. 250-251 (2000) (citing Jonathan Turner and A.Z. Maryanski).

14. *Id.* en 250.

15. *Id.* en 259-263 (citando Ralf Dahrendorf).

16. *Id.* en 259-260.

17. *Id.* en 259-263, (citando Ralf Dahrendorf).

18. RITZER, *supra*, nota 12 en 284-287.

en muchas comunidades es la cuestión de violencia. La violencia puede ser clasificada en muchos niveles, puede originarse de varias maneras y puede manifestarse en una variedad de contextos: familia, vecindad, lugar de empleo, y más allá del escenario local, regional, nacional e internacional. Si una comunidad deseara dirigirse a la cuestión de violencia, el Cubismo Social podría ser usado como el marco analítico y el investigador podría aplicarlo usando varios procedimientos y contextos.

Para los objetivos de esta breve ilustración, la cuestión social de violencia será usada y el micro-contexto de violencia familiar será la unidad de análisis. El primer lado del cubo social que debe ser identificado es la historia.

Primer Lado: Fondo Histórico

Si una comunidad deseara analizar la cuestión social de violencia, la prueba útil sera un entendimiento y estudio de la historia. ¿Qué cuenta la historia sobre la violencia familiar y como ha sido experimentada?¹⁹

La pregunta es frecuentemente planteada en cuanto si la violencia de familia es un producto de nuestra sociedad moderna. El aumento de violencia reportada a través de los medios de comunicación puede conducir a la suposición que la violencia familiar es el producto de películas, televisión, crímenes de imitación y acontecimientos contemporáneos.²⁰ Sin embargo, a pesar de las tendencias recientemente publicadas en la violencia familiar, esta violencia no es nueva, ni únicamente un producto de nuestra sociedad moderna.

De vista histórica, la violencia dentro de la familia contra las mujeres, puede ser remontada a través de los siglos y codificada en leyes seculares y escrituras religiosas.²¹ La hipótesis de la relación heredada de los siglos antepasados era del poder desigual, sin duda. Los hombres, estaban supuestos a hecer las reglas...y a gobernar como padres de familia en casa.²²

La doctrina de la intimidad de familia, otra creación de derecho común inglés, estableció que el hogar era sujeto a la privacidad que no debía ser interferida por el gobierno.²³ Esto y la doctrina de cobertura han sido

19. *Id.* en 317-336.

20. DEBORAH PROTHROW-STITH, DEADLY CONSEQUENCES: HOW VIOLENCE IS DESTROYING OUR TEENAGE POPULATION AND A PLAN TO BEGIN SOLVING THE PROBLEM. [CONSECUENCIAS MORTALES: COMO VIOLENCIA DESTRUYE NUESTRA POBLACIÓN ADOLESCENTE Y UN PLAN PARA COMENZAR LA SOLUCION DEL PROBLEMA]. 29-47 (1991).

21. Jerry Von Talge. *Victimization dynamics: The Psycho-Social and Legal Implications of Family Violence Directed Toward Women and The Impact on Child Witnesses.* [Dinámica de persecución: las Implicaciones Psicosociales y Legales de Violencia Familiar Dirigida Hacia Mujeres y el Impacto en Testigos Infantiles] 27 W. ST. U. L. REV. 111-172 (2000).

22. MONA HARRINGTON, WOMEN LAWYERS. [Mujeres Abogadas] 5 (1993).

23. SANDRA LIPSITZ BEM, THE LENSES OF GENDER: TRANSFORMING THE DEBATE ON SEXUAL

importadas por los colonizadores y se hicieron parte de la tradición legal americana y la política pública.²⁴

Los años 1800 vieron el reconocimiento legal de la prerrogativa masculina en los años primitivos, y los principios de limitaciones en el abuso cerca de los años 1870. Sin embargo, hacia el final de los años 1800, la cuestión de violencia familiar surgió nuevamente. Algunos teorizan que condiciones económicas, seguidas por la primera guerra mundial, incitó que los americanos devolvieran sus atenciones a otras partes.²⁵

Así, las autoridades han sido condicionadas a hacerse la vista gorda a la violencia doméstica así como el abuso infantil. También explica el anatema sentido por oficiales de agencias jurídicas siempre que tuvieron que responder a las quejas de alborotos domésticos, y la demora en la promulgación de las leyes que protegen a mujeres y niños.

Por lo tanto, la historia detrás del género y la violencia familiar apoya que los hombres estén a cargo de mujeres, con las mujeres y niños teniendo menor rango, sea en casa o fuera de las paredes de la casa.²⁶ El factor histórico en el cubo social puede ser visto como un elemento dinámico, tocando sobre todos los otros factores que influyen la manera en cual la sociedad se ha acostumbrado a ver, reaccionar, y responder a la violencia doméstica. Esta noción dominante en que las mujeres son vistas como menos que los hombres ha cobrado forma en la manera que la comunidad piensa, planéa, y actúa.²⁷

Segundo Lado: Religión

Las escrituras religiosas recalcaron el concepto de dominación masculina y suministraron una base racional y justificación para el sistema patriarcal:

Los dos Testamentos de la Biblia ven al hombre como creación directa de Dios, hecho en la propia imagen de Dios, mientras que la mujer, fué creada como una idea adicional, para asistir al hombre, y fue creada de su cuerpo. Hasta en el Nuevo Testamento, la masculinidad de Jesús ha sido interpretada

INEQUALITY [LOS LENTES DE GÉNERO: TRANSFORMACIÓN DEL DEBATE SOBRE DESIGUALDAD SEXUAL], 63 (1993).

24. *Id.*

25. Kathleen O'Connell Corcoran y James C. Melamed, *From Coercion to Empowerment: Spousal Abuse and Mediation*. [Desde Coacción a Fortalecimiento: Abuso Conyugal Y Mediación]. Vol. 7 No. 1 MEDIATION QUARTERLY, 303, 304. (1989).

26. JUDITH LORBER Y SUSAN L. FARRELL, THE SOCIAL CONSTRUCTION OF GENDER [LA CONSTRUCCIÓN SOCIAL DEL GÉNERO] (1991).

27. Von Talge, *supra* nota 20.

por muchos erúditos bíblicos y teólogos para apoyar la autoridad masculina sobre las mujeres²⁸ (Bem, 1993, pp. 4647).

Esta revelación divina sirvió para explicar porqué las mujeres no estaban al mismo nivel que el hombre y para desalentar a los discípulos de manosear el plan de Dios para la humanidad. Esta creencia fué apoyada en la mitología de varias culturas, incluyendo mitología y filosofía griega.²⁹ Tal como en el Viejo Testamento, la mitología griega representa a la mujer siendo creada después del hombre y como la causa de la muerte, la enfermedad y el caos en el mundo.³⁰

Los Estados Unidos era una nación fundada principalmente sobre los principios de derecho común inglés, y fue muy influenciada bajo el dominio de conceptos judeo-cristianos. Así pues, se hace claro que la religión ha tenido una influencia en la creencia que las mujeres y los niños deberían estar bajo el control y regla de los hombres. De la misma manera un número de prácticas religiosas corrientes y creencias que apoyan la noción que los hombres deberían estar en el control de la casa.³¹

Por lo tanto, cuándo uno mira al cubo social de género y la violencia familiar, el factor de religión presta apoyo y justificación a la noción de supremacía masculina y el plan divino de Dios para los géneros. Ya que la religión influye la esencia fundamental del sistema de valores de una persona, la noción se hace más difícil de dirigir, enfrentar, y cambiar.

Tercer Lado: Psicocultural

La cultura juega un papel importante en la formación del lente por el cual los individuos y grupos perciben al mundo.³² La cultura es central para el modo como los individuos y las familias organizan sus experiencias de vida, psicológicamente y emocionalmente. Esto influye como buscan ayuda, como caracterizan el problema, lo que ellos consideran las causas de dificultades familiares, su experiencia subjetiva de conflicto y la violencia.³³ El conflicto es

28. LIPSITZ BEM, *supra* nota 22 en 46-47.

29. *Id.* en 49-56.

30. *Ver Id.* en 46-56, la discusión de la representación en pintura de Adán y Eva, con Eva comiendo la manzana como la causa de que los seres humanos sean expulsados del Jardín de Edén. Esto es en paralelo con el cuento griego de Pandora, la primera mujer, quien abrió la caja que liberó la muerte, la enfermedad y otros males sobre el mundo. En ambos, mujeres son vistas como la fuente de mal y el sufrimiento, así explicando porque deben ser controladas por hombres.

31. *Id.*

32. DAVID W. AUGSBURGER, CONFLICT MEDIATION ACROSS CULTURES: PATHWAYS AND PATTERNS [MEDIACIÓN DE CONFLICTO A TRAVÉS DE CULTURAS: SENDEROS Y PAUTA FIJA]. 21-23 (1992).

33. *Id.*

universal pero distinto en cada cultura; esto es común a todos pero las experiencias son únicas para cada individuo.³⁴

Del mismo modo, la manera en que cada cultura vé a las mujeres, los niños y a la unidad de familia tendrá impacto en como perciben el conflicto en el hogar, a quienes creen ser responsables de aquel conflicto, como el conflicto puede ser resuelto y si es apropiado buscar o aceptar ayuda fuera de la familia. La cultura influirá lo que es considerado como normal, contra el nivel de conflicto aún la violencia familiar séa vista como lo normal.³⁵

Una manera normal de disminuir un conflicto en una sociedad es huir del escenario de un accidente-esto constituye un delito serio en otras sociedades. Las fronteras humanas son fronteras culturales de creación social. Las fronteras legales y fronteras emocionales son dibujadas según los valores culturales, mitos y preferencias.³⁶ Según Lederach, el sentido común de cada persona, su experiencia acumulada y el conocimiento son la base primordial de como crean, entienden y responden al conflicto.³⁷

Muchas comunidades en los EE.UU tienen residentes de varias culturas. Un exámen de las culturas representadas en una comunidad contribuiría mucho al entendimiento de la violencia familiar. No todos los residentes perciben el problema de la misma manera, ni tienen la misma experiencia del problema, ni desean intervención de la misma manera. En consecuencia toda intervención debería ser diseñada considerando diferencias culturales.

Por ejemplo, en el condado de Broward, en el sudeste de la Florida, se presenta una variedad de circunstancias socioeconómicas, culturales y otras circunstancias demográficas que pueden contribuir a la violencia familiar. El condado atrae a inmigrantes recién llegados y turistas de todas partes de los Estados Unidos y del mundo. Esto puede agregar a la tensión y estrés, sobre todo a familias jóvenes que crían sus hijos sin el apoyo emocional de sus parientes y a veces hasta sin la ventaja de sus normas culturales. Además, algunas culturas ven el conflicto y la violencia dentro de la familia no sólo como un asunto privado, sino como un comportamiento aceptable.³⁸

Además, el sur de la Florida presenta muchos otros factores que empeoran las situaciones de violencia familiar, tal como: pocos recursos más allá de sus familias inmediatas para desahogar la rabia; una comunidad multi-cultural en cual algunos miembros ni entienden, ni aprecian las cuestiones o las necesidades de grupos culturales y étnicos de la vecindad; el ingreso bajo y la

34. *Id.* en 18.

35. JUAN PAUL LEDERACH, PREPARING FOR PEACE: CONFLICT TRANSFORMATION ACROSS CULTURES. [PREPARANDO HACIA LA PAZ: TRANSFORMACIÓN DE CONFLICTO A TRAVÉS DE CULTURAS]. (1995).

36. AUGSBURGER, *supra* nota 31 en 23.

37. LEDERACH, *supra* nota 34 en 9.

38. AUGSBURGER, *supra* nota 31, en 130-142.

pobreza. Estos son los factores que el Cubismo Social considera en su marco dinámico.

Cuarto Lado: Instituciones Políticas y Comportamiento de Organizaciones Particulares

La legislación de violencia doméstica siendo presentada, argumentada y codificada en la ley de los Estados Unidos, es una señal de los cambios en la política pública de los siglos pasados. Carl J. Friedrich, define la política como “un curso propuesto de acción de una persona, grupo, o gobierno dentro de un ambiente que proporciona los obstáculos y oportunidades que la política estaba supuesta a vencer en un esfuerzo de alcanzar un objetivo o realizar una oportunidad o meta.”³⁹ Anderson afirma que la política debe suponer un comportamiento determinado en el tratamiento de una cuestión o un problema, y él establece seis criterios en consideración de las consecuencias de la política pública.⁴⁰

Primero, que la política sea prudente y útil, no algo que ha sido hecho al azar o por casualidad. Segundo, las acciones deben ser tomadas a través de tiempo por funcionarios del gobierno. Tercero, la política pública surge como una respuesta a las quejas, para acción o inacción, en cuanto a cuestiones específicas hechas por ciudadanos individuales, oficiales públicos, legisladores, grupos, etc., hacia funcionarios del gobierno y agencias gubernamentales. Cuarto, la política pública negocia con acción, de lo que el gobierno de veras hace, y no de puro propósito. Quinto, la política pública debe dar acción específica, positiva o negativa, en vez de no hacer nada solo porque un asunto todavía no se ha convertido en problema público. Sexto, en forma positiva, la política pública es autoritaria, basada en la ley y lleva en ella la legitimidad, el reconocimiento y las capacidades de ejecución.⁴¹

En lo esencial, la política pública refleja una acción intencional emprendida por el gobierno, generalmente en respuesta a cuestiones planteadas por uno ú varios grupos, como acción ciudadana, interés especial, etc. Esta sujeto al cambio a medida que la percepción de los asuntos cambian. La opinión pública por lo tanto puede convertirse en política pública, que a su turno efectúa nuestras leyes y procesos judiciales.⁴² Esto apoya la contención de Sharp, que el poder político fluye de la interacción entre todas o algunas de las fuentes siguientes: 1) la autoridad; 2) los recursos humanos; 3) las habilidades y

39. JAMES E. ANDERSON, PUBLIC POLICYMAKING [PÚBLICO POLICYMAKING] en 9 (1997).

40. *Id.* en 10-12.

41. *Id.* en 12.

42. *Id.* en 10-12.

conocimiento; 4) los factores intangibles; 5) los recursos materiales; y 6) las sanciones.⁴³

El movimiento femenino corriente que comenzó en los años 1960 también desafió el paradigma antiguo.⁴⁴ Entendiendo el poder del voto, se formaron grupos de mujeres para ejercer su derecho de votar. Primero concertaron esfuerzos para elegir a mujeres o a hombres que apoyaran los intereses de las mujeres. Por lo tanto, la percepción de los oficiales elegidos comenzó a cambiar a causa del poder de estos bloques de votación.⁴⁵ En la misma época, las universidades comenzaron a ofrecer cursos y eventualmente títulos en estudios de mujeres. Esto impactó a la nueva generación de mujeres quienes entraban a la edad adulta con expectativas infinitamente diferentes que las de sus madres, abuelas, o cualquier generación anterior en la historia americana. Esto también tuvo impacto con la generación nueva de hombres, cuyas propias autopercepciones y expectativas comenzaron a cambiar.⁴⁶

En reacción, la legislación de violencia doméstica entró en vanguardia en muchos estados a mediados y hasta el fin de los años 1970 y al comienzo de los años 1980. Esto codificó el reconocimiento que la violencia dentro de la casa no sería tolerada y que constituye un comportamiento ilegal. Posteriormente, la mayor parte de los estados ampliaron sus leyes de violencia doméstica agregando la violencia de una naturaleza emocional y psicológica.⁴⁷

La manera que nuestro gobierno y otras instituciones perciben la violencia familiar es una consideración importante en el análisis de violencia. A la luz de la acción legislativa y judicial, un número de instituciones apolíticas, tal como organizaciones no lucrativas, comenzaron a dedicarse a tratar esta cuestión, y nuevas agencias y centros fueron iniciados especialmente en esta área.⁴⁸

Quinto Lado: Datos demográficos

Los Estados Unidos está viviendo una epidemia de violencia familiar (los términos *violencia familiar* y *violencia doméstica* son usados de manera intercambiable aquí) en comunidades y vecindades en cada región de nuestro país. Según Herzberger, ni las últimas estadísticas reflejan el ritmo de suceso

43. GENE SHARP, *THE POLITICS OF NONVIOLENT ACTION: PART ONE POWER AND STRUGGLE* [LA POLÍTICA DE ACCIÓN SIN VIOLENCIA: PARTE PRIMERA PODER Y LUCHA] 11-12 (1973).

44. HARRINGTON, *supra* nota 21 en 3-12.

45. *Id.*

46. LIPSITZ BEM, *supra* nota 22 en 39-42.

47. VonTalge, *supra* nota 20 en 111-130.

48. SHARON HERZBERGER, *VIOLENCE WITHIN THE FAMILY* [VIOLENCIA DENTRO DE LA FAMILIA], 188-208 (1996).

con exactitud y...ellos dramáticamente subestiman la verdadera incidencia de maltrato.⁴⁹

La violencia en el hogar ha causado que miles de mujeres y niños escapen de sus casas atemorizados por su seguridad, y por sus propias vidas. Esta fuga resulta en el desplazamiento y contribuye considerablemente al nivel de personas sin hogar.

El efecto de violencia familiar en la sociedad aparece en incidentes de violencia en el lugar de trabajo. Partidos abusivos a veces vienen al lugar de empleo para acosar y amenazar a víctimas en persona, o sea por llamadas telefónicas, faxes o el Internet. Estas mujeres pueden perder sus empleos o creen que renunciando es la única manera de cortar otro punto de contacto. Probablemente, tendrán que solicitar subsidios de desempleo o ayuda pública.⁵⁰

La violencia familiar no sólo abarca la noción tradicional de violencia doméstica entre esposos o compañeros, sino también el abuso de cualquier miembro de familia contra otro, como el abuso de padres por sus hijos o hermanos y hermanas, uno contra otro. Mientras las tendencias en violencia familiar indican al aumento del abuso conyugal, la estadística más alarmante se relaciona con el abuso juvenil.⁵¹ La violencia literalmente puede ser engendrada dentro de casa a través de las generaciones sucesivas.⁵²

Entendiendo la composición de una comunidad, demográficamente, se puede ver el número de familias nuevas, grupos de edades, y culturas diferentes; lo que nos permite un mejor análisis de los problemas y el diseño de intervenciones.⁵³

Sexto Lado: Economía

A través de la historia de la cultura occidental, han prevalecido tres creencias acerca de las mujeres y los hombres: que tienen naturalezas psicológicas y sexuales fundamentalmente diferentes, que los hombres son intrínsecamente el sexo dominante o superior, y que las diferencias de macho-hembra y el predominio masculino son naturales.⁵⁴ Como tal, sus creencias se adaptan como la norma no sólo por hombres, sino también, al menos por fuera, por mujeres.

49. *Id.* en 5.

50. JERRY LEE BRINEGAR, *BREAKING FREE FROM DOMESTIC VIOLENCE* [LIBERACIÓN DE VIOLENCIA DOMÉSTICA] 1-11 (1992).

51. R. EMERSON DOBASH Y RUSSELL DOBASH, *VIOLENCE AGAINST WIVES*, [VIOLENCIA CONTRA ESPOSAS] 233-243 (1979).

52. HERZBERGER, *supra* nota 47 en 5-17.

53. *Id.*

54. LIPSITZ BEM, *supra* nota 22 en 1.

Debido a las limitaciones puestas hacia las mujeres, las mujeres estaban económicamente en una categoría diferente que los hombres. Esto es una consideración importante en el análisis de violencia familiar, en muchos casos los ingresos desproporcionados de mujeres, y como tal, la relación entre los poderes en la relación, así como el acceso a alternativas en tratar la violencia familiar.⁵⁵ Si las mujeres no tienen tal acceso, ellas no tienen el poder económico, a pesar de la apariencia de tener riqueza. ¿Pero cómo podrían producir, controlar y tener acceso a los excesos de recursos cuando las reglas de la sociedad, creadas por y para hombres, perpetúan una discriminación de hecho contra las mujeres?⁵⁶

Cómo la sociedad valora el trabajo y la contribución de uno va al corazón de la cuestión de género. Divisiones del género dentro de la fuerza obrera han jugado un papel importante en la perpetuación del sueldo bajo de las mujeres.⁵⁷ Si las mujeres se quedan en empleos de pago bajo, entonces su producción, control y el acceso a otros recursos esta limitada o hasta imposible.

Bern, usa el término androcentrismo para notar la tendencia de ver la experiencia masculina como la norma, indica que los patrones tienen la tendencia de imponer normas para hombres y mujeres basadas en la experiencia masculina que mientras uno trabaja cada día, el hogar y los niños son cuidados por otra persona, por lo general una esposa.⁵⁸

Aunque tenga empleo, ella sigue siendo responsable por el cuidado de los niños, de la casa, la cocina, etc. Y aunque tenga ayuda de afuera como niñeras, criadas, etcétera, la mujer todavía permanece como la persona responsable por los horarios, por contratos los empleados, supervisando los empleados, y por tomar decisiones como despedir los empleados o hacer arreglos alternativos cuando no están disponibles. Además, en muchos hogares, hasta cuando ambos compañeros trabajan, las mujeres hacen y están supuestas hacer, una parte desproporcionada de tareas domésticas.⁵⁹

Dos áreas tienen importancia: el primero es la familia individual, el segundo, la comunidad. Para la familia, un análisis de economía nos ayuda a entender cuáles recursos están disponibles para solucionar la violencia. Tal

55. Vea Judith Buber Agassi, *Theories of Gender Inequality: Lessons from the Israeli Kibbutz* [*Teorías de Desigualdad Sexual: Lecciones del israeli Kibbutz*], in *THE SOCIAL CONSTRUCTION OF GENDER*, supra nota 25, en 313-334 (Judith Lorber & Susan A. Farrell eds., 1991).

56. *Id.* en 316-317.

57. Vea Johanna Brenner, *Feminization of Poverty and Comparable Worth: Radical Versus Liberal Approaches*, in *The Social Construction of Gender*, [*Feminización de Pobreza y Valor Comparable: Aproximaciones Radicales Contra Liberales*, en *LORBER Y FARRELL*, supra nota 25, en 205.

58. LIPSITZ BEM, supra nota 22 en 62-65.

59. *Id.*

ayuda puede incluir recursos para la terapia, abogados, y gastos de alojamiento para un miembro de la familia que este desplazado.

El segundo punto, el conocimiento de la economía de una comunidad asistirá en el análisis de los recursos que la comunidad tiene disponible para sus residentes, y cuales residentes pueden necesitar recursos adicionales.

IV. UTILIZACIÓN DE TEORÍA INTERNACIONAL PACIFICADORA EN EL DISEÑO DE SOLUCIONES COMUNITARIAS

Además, examinando los principios del desarrollo de paz internacional, Lederach, indica que cambio requerirá un equilibrio de poder en la relación por cual todos los comprometidos reconocen el uno al otro de una nueva manera. Tal reconocimiento aumentará la voz y la participación de los impotentes en obtener sus necesidades básicas y válidara sus preocupaciones.⁶⁰ El también indica que cuando los partidos más débiles obtienen un entendimiento de si mismos, así como un conocimiento de las relaciones y contextos, por lo general exigirán cambio.⁶¹

Curle afirma que el movimiento hacia la paz puede ser entendido a través de los roles que surgen en una progresión típica de conflicto que pasa por cuatro etapas:

- 1) Una etapa latente u ocultada en la que la conciencia es necesaria;
- 2) confrontación, en cual el conflicto ya no es ocultado;
- 3) negociación, que puede ocurrir cuando niveles de conciencia de interdependencia han ocurrido entre los partidos; y
- 4) una reestructuración, en la que la negociación y mediación próspera ha causado una reestructuración de la relación. Curle refiere a esta etapa final como "justicia aumentada".⁶²

Lederach indica que el movimiento a lo largo de esta matriz a veces puede parar o saltar hacia adelante o hacia atrás. De la misma manera, no todo conflicto puede ser resuelto de tal manera que fácilmente puede sostener la paz.⁶³ Sin embargo, como Curle advierte en esta matriz, el conflicto latente no puede ser resuelto hasta que haya reconocimiento de la existencia del conflicto.⁶⁴

Revisando los aspectos del desarrollo de la paz internacional y la pacificación, Lederach (1997) usa una pirámide como medio de describir los

60. LEDERACH, *supra* nota 3 en 65.

61. *Id.* en 64.

62. LEDERACH, *supra* nota 3 en 64-66 (citando Curle).

63. *Id.* en 66.

64. *Id.* en 64-66.

tipos de actores y las aproximaciones que pueden ser vistos. El primer nivel es el liderazgo, como líderes militares, políticos y élites; el enfoque tiende hacia procesos llevados a cabo por mediadores sumamente visibles, e implican cese de fuego y negociaciones de alto nivel. El segundo nivel representa a los líderes que son conocidos en sectores particulares, tal como los intelectuales, líderes étnicos y religiosos, organizaciones no gubernamentales y élites de media hilera. El acercamiento tiende hacia equipos enterados y parciales, comisiones de la paz, talleres y entrenamiento. El tercer nivel contiene a líderes locales, el liderazgo de raíces comunitarias, especuladores de comunidades y las cabezas de organizaciones no gubernamentales indígenas. Sus accesos tienden hacia la reducción del trauma de la posguerra, las organizaciones de raíces comunitarias y entrenamiento local, la reducción del prejuicio y los esfuerzos psicosociales.⁶⁵

Lederach sugiere que cada uno de estos niveles juega un papel significativo en el esfuerzo hacia la paz y que entre más alto el nivel es, más es el acceso que uno tiene a la información y más grande es el impacto en las decisiones que uno tiene al conjunto, mientras que, en el más bajo nivel de mando, uno tendrá más experiencia con la gente victimizada y los resultados de decisiones de gran escala, pero menor será la capacidad de ver la imagen más amplia.⁶⁶ Usando esta pirámide en la seguridad de la comunidad y la intervención de violencia, uno puede ver que la comunicación entre los niveles es esencial en el establecimiento de políticas y prácticas en la intervención de mediación de violencia familiar donde los expertos locales y líderes tienen mayor oportunidad de pasar su pericia, y donde líderes de niveles medios y superiores y los que crean las políticas pueden considerar esta información con cuidado. La seguridad de las víctimas puede ser aumentada cuando salvaguardas adicionales son implementados al nivel local, pero para hacer esto, el apoyo de programas financieros, las leyes y la política deben descender de los altos rangos.

V. INTERVENCIONES Y ASOCIACIONES COMUNITARIAS

Byrne y Keashley sugieren que en situaciones internacionales hay un arte de poder identificar problemas específicos y que esto podría resultar en un anteproyecto de problemas que señala soluciones posibles.⁶⁷ Este concepto podría asistir en la identificación de problemas en el área de prevención de violencia y proyectos de intervención y también permitiría la evaluación de problemas. El “paradigma anidado” en el desarrollo de la paz internacional de Lederach, por ejemplo, indica cuatro etapas, representadas como círculos, que pueden ser útiles para la observación de conflictos en términos de tiempo y la

65. *Id.* en 74-80.

66. *Id.*

67. Byrne y Keashley, *supra* nota 2.

planificación de la paz.⁶⁸ El enfoque es holístico y considera el proceso del desarrollo de la paz por etapas desde acabar con la violencia hasta el establecimiento de una visión a largo plazo, atravesando un período de veinte años o más.⁶⁹

El primer círculo es la actual “intervención de crisis”, que requiere acción inmediata, acción a corto plazo, a nivel internacional, a menudo significa el auxilio de emergencia, y en casos de violencia, el cese de hostilidades y de fuego. Por lo general, esto ocurre a lo largo de 2-6 meses de tiempo y se concentra en soluciones inmediatas.⁷⁰ Cuando se trata de violencia familiar, el primer círculo representa la respuesta de las agencias jurídicas a la crisis inmediata de violencia. Aquella respuesta sería inmediata, aunque también pueda pasar repetidamente a través de un periodo de tiempo.

El segundo círculo, de “preparación y entrenamiento”, se ha vuelto cada vez más popular en la resolución de conflictos. Esto implica el entrenamiento de habilidades y actividades preparatorias para que los conflictos en el futuro puedan ser mejor dirigidos. Por lo general, esto ocurre a lo largo de 1-2 años y se considera como la planificación de corto rango.⁷¹ En una comunidad, la policía podría estar entrenada para entender mejor los conflictos y las reuniones periódicas permitirían un contexto para cambiar opiniones sobre el rol de soluciones del conflicto y la mediación en la pacificación de la familia, la comunidad y el desarrollo de la paz.

Tales reuniones también ayudan a introducir información en el diseño de entrenamientos para el futuro. El modelo de entrenamiento anima el empleo de ideas de los participantes en los objetivos, metas y el diseño del entrenamiento.⁷² Conversaciones con oficiales de la policía antes de diseñar el entrenamiento resulta en un diseño más apropiado y puede ser descrito por los participantes como más útil.

El tercer círculo, “el diseño de cambio social”, correlaciona la experiencia de crisis con la necesidad para la mejor planificación prospectiva e implica un plazo de tiempo de 5-10 años. Esto es visto como “pensamiento de la década”, y es el período de tiempo durante el cual muchos diseños de sistemas de discusión son concebidos.⁷³

La necesidad de una sociedad de comunidad viable y significativa basada en la planificación de la comunidad estratégica hacia la paz, es el corazón de este estudio. Más bien que el simple responder a episodios de violencia familiar

68. LEDERACH, *supra* nota 3 en 63-80.

69. *Id.*

70. *Id.* en 76-80.

71. *Id.*

72. LEDERACH, *supra* nota 34 en 55-62.

73. LEDERACH, *supra* nota 3 en 63-80.

en casas individuales o la tendencia de vecinos y oficiales de observar la escalación sin tener un programa de comunidad en el lugar, este círculo promueve el rango largo de planificación y diseño.

Finalmente, el cuarto círculo, del "futuro deseado" es para la visión de largo término, ocurriendo a lo largo de veinte o más años. Durante este tiempo, las generaciones son consideradas en términos de conflicto, prevención de la violencia y la armonía.⁷⁴ Durante este período, Boulding imaginó un futuro donde la paz compartida es generada.⁷⁵ La esperanza es que cuando la paz comunitaria pueda crearse, puede construirse una sociedad establecida, una visión a largo plazo sería el resultado natural. Esto es el objetivo último, el futuro deseado.

Este marco permite que las comunidades comiencen a planear estratégicamente y no esperar hasta que los problemas se intensifiquen. Esto les permitirá identificar problemas previstos y cuestiones que surgen y también iniciará el proceso de planificación y asignará los recursos necesarios. Por consiguiente, diseñadores de sistemas de advertencia temprana deberían desarrollar enlaces con otras organizaciones para que los sistemas de advertencia puedan ser mejorados y puedan formarse grupos de cabecera.

Este concepto podría ser empleado en la planificación estratégica de soluciones de largo rango para la violencia familiar que ha demostrado tener implicaciones de gran alcance en la comunidad. Como ya se estableció, la violencia familiar y sus efectos son sentidos mucho más allá de las paredes de la casa. Así, las comunidades que desean dirigir esta cuestión pueden aprender mucho del uso de conceptos del desarrollo de la paz internacional y de sistemas de advertencia temprana.

Tres ideas me vienen a la mente en la utilización de los conceptos del desarrollo de la paz en un modelo para la planificación y estrategia de violencia familiar. Primero, la resistencia contra la acción temprana y la intervención puede ser vencida. Este cambio de paradigma exige prioridad alta sobre los cambios educativos y sistémicos que causarían el reconocimiento de la violencia y su potencial en las familias arriesgadas, así como en todas las familias. Las familias en peligro incluyen las de ingreso bajo y las que están pasando situaciones de crisis de vida como el divorcio, la relocalización, etc.

Mirando más allá de los mitos de violencia, los sistemas de advertencia temprana pueden ser modificados para que: 1) víctimas potenciales y sus familias puedan ser referidas a las agencias apropiadas para buscar ayuda; 2) las familias recibiendo ayuda de agencias por otras razones pueden ser supervisadas más de cerca por abuso; y 3) decisiones de intervención pueden

74. *Id.*

75. BOULDING, *supra* nota 4.

ser hechas, basadas en el nivel de violencia, la cultura y otras consideraciones contextuales para situaciones donde el abuso ha sido identificado. Esto también podría ayudar a fijar una directriz para el empleo de mediación y otros tipos de intervención.

Segundo, Lederach se dió cuenta que la planificación y estrategia asiste en el establecimiento de cambios de largo plazo⁷⁶ y Byrne y Keashley indicaron que el enlace con otros grupos era un medio eficaz para dirigir los cambios.⁷⁷ Los estudios y la práctica sugieren que la estrategia más acertada para promover cambios no es solo una estrategia, más bien implica una combinación de estrategias que mejor encajan a los individuos y grupos.⁷⁸ Esto estaría apoyado por la teoría del desarrollo de la paz internacional, incluyendo la diplomacia de multi-grados de Diamond y McDonald.⁷⁹ Así, si una comunidad se dirige a las cuestiones de violencia familiar con un ojo hacia el cambio sostenible, debe ocuparse de un número de estrategias y tener servicios de apoyo para el tratamiento continuado.

Tercero, Byrne recomienda la inclusión de todos los accionistas relevantes en el proceso de paz para que la promoción de entendimiento, la tolerancia y el diálogo pueden causar una verdadera oportunidad para que facilitadores del tercer partido ayuden a que los interesados cumplan sus objetivos en la percepción de sus necesidades verdaderas.⁸⁰

Cuando la violencia familiar es vista más completamente a través del Cubismo Social y por la teoría del desarrollo de la paz internacional, se hace claro que la mayoría de los servicios actualmente disponibles en la comunidad están en el primer círculo de intervención de crisis, con algunos encontrados en el segundo. Las víctimas son animadas a marcharse o hacer que el autor sea expulsado, o tolerar la situación. Por lo general, esta costumbre de aconsejar la tolerancia de la violencia dentro de casa nace de normas culturales, psicoculturales, religiosas y morales. Y aún cuando una víctima se marcha o hace que el autor sea expulsado por mandato judicial, expertos dan testimonio al alto nivel de reconciliaciones en las que sin opciones de servicio en desarrollo, poca transformación ocurrirá y así habrá mantenimiento limitado para cambio actual. Sin el cambio sostenible, el modelo de violencia es más probable de reasumir con el tiempo, continuar y hasta intensificarse.

76. LEDERACH, *supra* nota 3.

77. Byrne y Keashley, *supra* nota 2.

78. DIAMOND & MCDONALD, *supra* nota 5.

79. *Id.*

80. Seán Byrne. *Conflict Regulation or Conflict Resolution: Third Party Intervention in the Northern Ireland Conflict-Prospects for Peace* [Regulación o Resolución de Conflicto: Intervención de Tercer-Partido en Conflictos de Irlanda del Norte - Perspectivas para la Paz. DIARIO DE TERRORISMO Y VIOLENCIA POLÍTICA] Vol. 7 No. 2 J. OF TERRORISM & POL. VIOLENCE 1-24 (1995).

También se ha visto que la necesidad de una respuesta comunitaria y de sociedades comunitarias viables son vitales en la aplicación de la ley moderna. Esto es congruente con la teoría del desarrollo de la paz internacional, que estimula la colaboración entre varios accionistas en niveles diferentes.

En consideración de lo mencionado, se hace claro que los conceptos típicamente relacionados con el conflicto etnopolítico y el desarrollo de la paz internacional pueden ser útiles al examinar como y en que manera una comunidad analiza y responde los asuntos sociales, como la violencia.

SOCIEDADES TRAUMATIZADAS: CUBISMO SOCIAL Y EL ESTADO PREDADOR DE HAITÍ

*Karen Jenkins, M.A.**

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INTRODUCCIÓN

Un aumento en sociedades devastadas y traumatizados por la violencia masiva se ha visto a fines del siglo veinte. Las sociedades traumatizadas se desarrollan cuando conflictos severos interétnicos causan drásticas pérdidas compartidas, la humillación por el enemigo, y la impotencia que impide la adaptación positiva a la situación¹. Vemos los ejemplos del resultado del genocidio en Rowanda y Bosnia, el militarismo brutal en Haití, y los choques entre los Palestinos e Israelíes en el Medio Oriente. Mientras muchas de estas sociedades no aparentan estar traumatizadas en la superficie, estos acontecimientos aun pueden afectar procesos sociales².

Por más de 200 años, Haití ha sufrido tales traumas. La esclavitud y la colonización, una sucesión de dictaduras predatoras, sanciones económicas y el aislamiento internacional, siguen atormentando a Haití. En este escenario Pos Guerra Fría, el desafío para los eruditos en la resolución de conflicto y abogados, los funcionarios del gobierno, y actores no gubernamentales se han desarrollado unos mecanismos multi-modalos y multidimensionales para ocuparse de estados fracasados y de sociedades traumatizadas. Este capítulo examinará la eficacia de cubismo social como un marco analítico para ocuparse del conflicto multi-fasetico en Haití.

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1. VAMIK VOLKAN, BLOOD LINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM 43 (1998). [Linias de Sangre: Del orgullo étnico al terrorismo étnico].

2. *Id.*

Según Byrne y Cárter, los estudios de política etnoterritorial típicamente examinan estructuras políticas y económicas, para acentuar los intereses de grupos en competencia, o usan un acercamiento psicoanalítico para acentuar fuerzas psicológicas y culturales.³ Byrne y Cárter abogan por la perspectiva del “cubismo social” acentuando, la interacción, de los mecanismos materiales y psicológicos. El cubo social de conflicto tiene seis interrelacionadas facetas o fuerzas: historia, religión, datos demográficos, instituciones políticas, economía, y factores socioculturales.⁴

El cubismo social evoca las imágenes del Cubo “Rubik’s” lo cual al torcer o girar el cubo en cualquier dirección, cause un movimiento que cambia la interacción de los varios elementos del juego. Estas seis fuerzas sociales, cuando combinadas, producen diferentes modelos de comportamiento inter-grupo o interacción. Ninguna fuerza puede ser aislada para explicar su relación a otras fuerzas, ni puede una sola ser la única razón de conflicto. Por ejemplo, un dilema para fabricantes de política internacional es que ellos no tienen una metodología científica para evaluar los significados culturales, políticos, y sociales del trauma en las vidas de poblaciones civiles ni como medir cuanto estas experiencias traumáticas cambian las vidas diarias de los individuos afectados. Poca investigación empírica es conducida para valorar los resultados, por lo que objetivos humanitarios son frecuentemente subordinados a agendas políticas. Aunque la magnitud de tales problemas se han aclarado, los métodos de prevención y la reconstrucción de sociedades dañadas han permanecido evasivos. Por consiguiente, la enorme carga de sufrimiento humano y pérdida de productividad social y económica continua ocultada detrás de un velo de negligencia, ignorancia, y negación.⁵

El cubismo social ofrece un marco analítico para evaluar los significados culturales, políticos, y sociales de trauma. Usaré las seis fuerzas para examinar el estado de Haití hoy. ¿Puede esta perspectiva verter una nueva luz sobre esfuerzos para reconstruir una sociedad traumatizada de modo que promuevan el desarrollo económico, la reconstrucción de sociedad civil, la justicia, la democracia, y derechos humanos, y prevenir una recaída a nuevas crisis y el caos? Mi contención es que descuidando la interacción entre estas seis fuerzas, así como la psicología colectiva de la gente desplazada de sus hogares y de su país, con la reconstrucción económica y política de la comunidad, no puede

3. Seán Byrne & Neal Carter, A Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Québec, 3 J. PEACE & CONFLICT STUDIES 52, 52-66 (1996). [Un Cubismo Social: Seis Fuerzas Sociales de la Política de Ethnoterritorial en el Norte de Irlanda y Québec].

4. *Id.*

5. Richard Mollica, Trauma and Reconstruction in Kobe, Bosnia-Herzegovina, and Columbia, Harvard School of Public Health 1, 1-4, available at <http://www.cgp.org/cgplink/vol16/articlesvol16.html> (last visited Jan. 19 2002). [El trauma y la reconstrucción en Kobe, en Bosnia Herzegovina, y en Columbia].

apoyar una resolución durable. La resolución del conflicto político continuo en Haití requiere no sólo el restablecimiento político, sino una curación más amplia de la sociedad traumatizada. La transformación de este material y la anomalía psicológica requieren esfuerzos a corto plazo y a largo plazo por muchos actores.

Haití es un país de extrema polarización política, división de clase, una identidad nacional fracturada y contrastes socioeconómicos muy rígidos.⁶ Las elites quien artificialmente perpetúan los extremos de las tradiciones coloniales de la nación se han probado indispuerto de ha abandonar su estado y riqueza (y por lo tanto el poder) en la pos independencia Haití. Estos desacuerdos han exacerbado grietas culturales en lengua, prácticas religiosas, y las actitudes hacia el color de la piel – que solo puede impedir la transición a la democracia que el gobierno haitiano ahora intenta efectuar.⁷

Haití ha aguantado muchos acontecimientos horrorosos en su breve historia. Quizás la perpetuación de estos traumas a través de su historia, sin la ventaja de la curación como una nación, inhibiendo el desarrollo de Haití hoy. Volkan describe la transmisión transgeneracional de trauma como “cuando una persona mayor [o grupo] inconscientemente eternaliza su ser traumatizado sobre la personalidad de un niño [o un grupo] en desarrollo. El niño [o el grupo] se convierte entonces en un depósito para las partes no deseadas, y las dificultades de una generación mayor. Como los mayores [y la comunidad] tienen influencias sobre los niños, el niño absorbe sus deseos y expectativas y se prepara ha actuar sobre ellos. Se hace la tarea del niño de lamentarse, voltear las humillaciones y los sentimientos de impotencia que pertenece al trauma de sus antecesores.⁸

Volkan usa el término “trauma escogido” para describir la memoria colectiva de una calamidad que una vez le aconteció a los antepasados. Desde luego, es más que solo un recuerdo simple; es una representación mental compartida del acontecimiento, que incluye información realista, expectativas fantaseadas, sentimientos intensos, y defensas contra el pensamiento inaceptable.⁹ Él mantiene que la palabra “escogido” propiamente refleja un grupo grande que inconscientemente define su identidad por la transmisión transgeneracional de personalidades heridas infundidas con la memoria del trauma de los antepasados. Haití como país sufre de un trauma de transmisión

6. Jennifer L. McCoy, ROBERT ROTBERG, HAITÍ, *Renewed: Political & Economic Prospects 1-26* (Robert I. Rothberg ed., Brookings Institution Press, 1997) (1997). [Haiti Nenovado: Los Prospectos Políticos y Economics].

7. IRWIN P. STOTSKY, *SILENCING THE GUNS IN HAITI: THE PROMISE OF DELIBERATIVE DEMOCRACY* 17 (1997). [CALLAR LOS FUSILES EN HAITI: LA DELIBERATIVE PROMESA DE LA DEMOCRACIA].

8. VOLKAN, *supra* nota 1, en 43.

9. *Id.* en 48.

transgeneracional. Usaré el cubismo social para analizar las varias fuerzas sociales que se entrelazan para producir la crisis en Haití hoy.

II. HAITÍ: UNA DESCRIPCIÓN DE UNA HISTORIA TURBULENTA

Quizás el elemento sigular más importante para entender el Haití contemporáneo es que permanece la única nación en la historia fundada por los esclavos quienes derrocaron a sus dueños... Este aspecto único de la historia haitiana es, tanto una ventaja como una responsabilidad.

-Chetan Kumar

Haití fue el primer país Caribeño en ganar su independencia, cuando los franceses fueron expulsado en el año 1804, y sólo la segunda república del hemisferio después de los Estados Unidos. Haití, antes conocido como el Saint-Dominque, comparte aproximadamente un tercio de la isla de Hispaniola con la República Dominicana.¹⁰ La historia haitiana moderna comenzó en el año 1492, cuando Cristóbal Colon desembarco en Haití cerca del Cabo Haitien en la costa norte de Hispaniola.¹¹ La isla se hizo una colonia importante y la morada del gobierno Español en el Mundo Nuevo hasta que España perdió el interés por Haití ya que su obsesión por el oro había agotado los recursos naturales de la isla.

Durante un periodo cincuenta años de esclavizar a los habitantes, medio millón de Indios Arawak había sido exterminado en las minas de oro españolas.¹² Sin embargo, el genocidio de los Indios natales no paso inadvertido en España. El misionero Bartolomé de las Casas inicio una campaña contra la esclavitud India, alcanzando su abolición en el año 1542. La medida no solo llego muy tarde para prevenir la extinción de los Arawak, también causó el principio de esclavitud Africana en el Mundo Nuevo.¹³ Hacia el año 1517, Carlos V autorizó la exportación de 15,000 esclavos Africanos a Santo

10. DAVID MALONE, DECISION-MAKING IN THE UN SECURITY COUNCIL: THE CASE OF HAITI 1990-1997 40 (1998). [La toma de decisions en el Concilio de la Seguridad de ONU: El Caso de Haití].

11. Leslie A. Benton, & Glenn T. Ware. Haiti: A Case Study of the International Response and the Efficacy of Nongovernmental Organizations in the Crisis, at <http://www.law.emory.edu/EILR/volumes/spg98/benton.html> (last visited Jan. 19, 2002). [Un caso de la Respuesta Internacional y la Eficacia de Organizaciones de Nongovernmental en la Crisis].

12. James Ferguson, Papa Doc, Baby Doc: Haiti and the Duvaliers I (1987). [Papa Doc, Bebe Doc: Haiti y los Duvaliers].

13. *Id.* en 2.

Domingo, y así el sacerdote y el Rey lanzaron sobre el mundo el comercio de esclavos Americanos y la esclavitud.¹⁴

Después de casi cien años de lucha por la isla de parte de los Españoles, Británicos, y el Franceses, España cedió a Santo Dominique, ahora Haití, a los Francés en el año 1695 según el Tratado de Ryswick.¹⁵ Hacia el año 1789 la colonia francesa antillana de Santo Domingo suministraba las dos terceras partes del comercio exterior de Francia y era el mercado europeo individual más impresionante para el comercio de esclavos. La esclavitud era una parte integral de la vida económica de la era en la colonia más grandiosa del mundo, el orgullo de Francia era la envidia de todas las otras naciones imperialistas. La estructura económica descansaba totalmente sobre la labor de medio millón de esclavos.¹⁶ Santo Domingo también ha sido afamado por ser la colonia más represiva que engendro un sistema de castas de dominación francesa y preparo el escenario para la discordia social y la explotación política que permanece hoy.¹⁷

La discordia social entre blancos y negros se ensancho, y se extendió por los dueños de esclavos franceses y sus esclavas negras quienes produjeron una nueva clase, los mulatos, también conocidos como gen de couleur o affranchis. El estado social de esta nueva clase era una combinación de los blancos y los negros. Por lo general los dueños de las plantaciones educaban a su progenie y a menudo les cedían títulos de tierras, entonces a pesar de la discriminación institucional contra ellos, muchos mulatos se hicieron ricos dueños de tierras, estableciéndose como una clase viable.¹⁸ La discriminación racial, cruel y abusiva, fueron el sello de las colonizaciones francesa en esta sociedad de tres estados el de los blancos, los mulatos, y los negros.

La nación moderna de Haití es el producto de una revolución contra la esclavitud y el colonialismo que comienzo en el año 1791. Mas o menos en los cincuenta años en que se introdujo la revolución esclava de Haití los negros comenzaron a reaccionar al tratamiento brutal de sus dueños. Las continuas contiendas raciales impulsadas por la inspiración de la revolución francesa, contribuyó al brote de una revolución. Durante este período de guerra civil, Toussaint L'Ouverture surgió como el líder negro dominante de la primera rebelión de esclava a gran escala acertada en las Américas.¹⁹ L'Ouverture

14. C. L. R. JAMES, *THE BLACK JACOBINS: TOUSSAINT L'OUVERTURE AND THE SAN DOMINGO REVOLUTION* (Vintage Books 1989) (1963). [Los Jacobinos Negros: TOUSSAINT L'OUVERTURE Y LAS REVOLUCION DE SAN DOMINGO].

15. *Id.*

16. JAMES, *supra* nota 14, en 6.

17. Benton & Ware, *supra* nota 11.

18. *Id.*

19. *Id.*

eventualmente gano el control de la isla entera. Sin embargo en el año 1802, las fuerzas napoleónicas enviadas para deponer a L'Ouverture lo llevaron a Francia, donde más tarde murió en la prisión. Sin embargo, Napoleón y sus tropas, agotadas y derrotadas en Europa, finalmente concedieron a la rebelión haitiana.²⁰

Haití proclamó la independencia el primero de enero del año 1804. Esto surgió como una nación bajo el mando sucesivo de dos figuras, Toussaint D'Ouverture y Jean - Jacques Dessalines. Después de dos siglos de dominio colonial español y francés, y tras la revolución francesa y un nuevo gobierno basado en los "Derechos del Hombre," la población esclava comenzó a luchar por derechos políticos iguales a esos poseídos por isleños blancos y la elite mulata.²¹ La primera república negra libre del mundo por lo tanto ha sido caracterizada por el odio racial y la corrupción. La revolución de los esclavos prácticamente eliminó la población blanca y se degeneró enredándose en un periodo de atrocidades que duro diez años conocido como la "Guerra de las Castas."²²

Después del gobierno de Dessaline's, la competencia desesperada entre negros y mulatos se manifestó en la división eventual de Haití: un reino negro al norte controlado por Henry Christopher (el rey Henry I de Haití), quien gobernó severamente de un palacio en el Cabo Haitiano, y al sur en Port-au-Prince una república controlado por el mulato Alexandra Petion debajo de la póliza laissez-faire.²³ Después de la muerte de Petion en el año 1818, el senado republicano seleccionó al comandante de la Guardia Presidencial, el General Jean Pierre Boyer, como el nuevo presidente vitalicio. El presidente Boyer entonces invadió a Santo Domingo después de su declaración de independencia de España, con la isla entera controlada por Haití hasta el año 1844.

Tras la muerte del rey Henry en el año 1820, Boyer fue capaz de consolidar Haití y establecer un gobierno notable de sólo relativa estabilidad por mas de veinticinco años. Después de décadas de aislamiento de la comunidad internacional, Francia acordó a reconocer la independencia haitiana a cambio de una indemnidad financiera de 150 millones de francos. La mayoría de las naciones, incluyendo los Estados Unidos, rechazaron a Haití por casi cuarenta años, temeroso que su ejemplo podría causar desorden en otros países esclavistas. Durante las décadas siguientes Haití se vio obligada a incurrir en préstamos de setenta millones de francos para reembolsar la indemnidad con las esperanzas de ganar el reconocimiento internacional. Bajo Boyer, la economía se estancó y la división entre negros y los mulatos se ensanchó. El gobierno de

20. *Id.* en 2.

21. CHETAN KUMAR, *BUILDING PEACE IN HAITI* (1998). [Construyendo la paz en Haití]

22. STOTSKY, *supra* nota 7 en 18.

23. Benton & Ware, *supra* nota 11 en 2.

Boyer cedió dando le el paso a una sucesión de veintidós jefes de Estado, entre el año 1843 y el año 1915, cuando los Estados Unidos invadió a Haití.²⁴

Desde el comienzo de su independencia, la forma del gobierno de Haití ha sido, prácticamente, una dictadura. El método principal de derrocar a los dictadores ha sido por golpes de estado, la ejecución o el exilio. En el año 1915 los Marines norte americanos invadieron Haití con una fuerza media de 2,000 soldados para controlar el país. Aunque habían motivos legales, los motivos prácticos de la invasión eran proteger intereses estadounidenses de negocio y mantener lejos a Alemania (la primera guerra mundial había comenzado y las aguas entre Haití y Cuba son el paso principal del océano del este al Canal de Panamá).

Después de veinte años de ocupación, la estabilidad política, y algunas mejoras en la infraestructura, los Marines estadounidense se retiraron. La ocupación estadounidense tuvo pocos efectos duraderos a parte de reforzar el racismo entre los negros y mulatos porque los Marines le concedían a los mulatos el poder político sobre haitianos negros.²⁵ En la ausencia de instituciones establecidas políticas o sociales, los militares permanecieron la única institución cohesiva en el país, y el instrumento por el cual los gobiernos futuros gobernarían. Muchos haitianos consideran la retirada estadounidense como una segunda independencia.²⁶

Después del fracaso de varias tentativas a finales de los años 1950 para moverse hacia un gobierno democrático elecciones militarmente controladas le dieron la victoria a Doctor François Duvalier. El acceso "noiriste" Duvalier, o Papa Doc" termino con la tradición del gobierno de la elite de mulatos gobernando el país, pero no hizo nada para mejorar los servicios que el estado ofreció a sus ciudadanos. En 1964, Papá Doc se declaró presidente vitalicio y formó la infama fuerza paramilitar, el "Tontons Macoutes." El régimen de Duvalier ha sido marcado por el terror y la corrupción, por las decenas de miles de haitianos que han sido asesinados o exiliados. El reinado de terror de Duvalier finalmente se deshizo veintinueve años más tarde, en febrero del año 1986, cuando su hijo, Jean-Claude, fue escoltado al exilio por los Estados Unidos.²⁷

En diciembre del año 1990, Jean Bertrand Aristide, un carismático sacerdote Católico, ganó el sesenta y siete por ciento del voto en una elección presidencial la que los observadores internacionales consideraron en gran parte libre y justas. Aristide tomo posesión del cargo en febrero del año 1991, pero

24. Malone, supra nota 10.

25. *Id.*

26. Robert Debs Heintz, Jr. & Nancy Gordon Heintz, *Written in Blood: The Story of the Haitian People, 1492-1995* 489 (1996). [Escrito en Sangre: La Historia del Pueblo Haitiana].

27. Ferguson, supra nota 12 en 119.

fue derrocado por los elementos descontentos del ejército y fue obligado a dejar el país en septiembre del mismo año. Se estima que entre 300 y 500 haitianos fueron asesinados los días después el golpe en septiembre, y 3,000 en los siguientes tres años. El golpe creó un éxodo en gran escala del país; de hecho, los guardacostas estadounidense rescataron un total de 41,342 haitianos, del año 1991 al año 1992, más del total, número de refugiados rescatados en los diez años anteriores.²⁸

El clima político y los derechos humanos siguieron deteriorándose como los militares y el gobierno de facto autorizó la represión, el asesinato, la tortura, y la violación en abierto desafío de las condenas de la comunidad internacional. La intervención militar estadounidense que restauró Aristide a su puesto en el año 1994 demostró una vez más que la violencia permanece el elemento decisivo en la política haitiana; la violencia representaba el único medio viable de terminar con la dictadura.²⁹ La intervención, sin embargo, ha tenido consecuencias contradictorias. Mientras esto resucitó el proceso difícil de democratización y facilitó la emasculación relativa de los órganos represivos del estado, esto también protegió el equilibrio viejo de poder de clase e impuso parámetros para la transformación económica. El resultado fue más bien un cambio de régimen que la creación de un estado nuevo.³⁰ En las elecciones de noviembre del año 1995, René Preval, antes un ministro en la administración de Aristide, fue elegido en la segunda elección libre en la historia Haitiana. Sin embargo, las condiciones en el país, permanecieron volátiles durante los siguientes cinco años.

Aristide ganó la reelección en noviembre del año 2000 con el aplastante noventa y dos por ciento del voto (aunque se estimó que sólo el diez por ciento de la población participó en la elección). Sin embargo Las elecciones han sido muy controversiales. Muchos de los principales partidos de oposición y seis candidatos desconocidos (demasiado asustados para participar) boicotearon la elección.³¹ Competidores acusaron a Aristide de aparejar las elecciones, incitando violencia, intimidando a los opositores, y hasta utilizando bombardeos contra rivales políticos. La comunidad internacional aun no reconoce las elecciones como legítimas. El aire de conflicto contrastó con la

28. UNITED STATES DEPARTMENT OF STATE, Background Notes: Haiti, March 1998, at http://www.state.gov/www/background_notes/haiti_0398_bgn.html (last visited Jan. 19, 2002).

29. Robert Fatton, Jr., *The Rise, Fall and Resurrection of President Aristide*, in *HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS* 1, 136 (Robert I. Rothberg ed., 1997). [La Ascensión, la Caída y la Resurrección de Presidente Aristide, en *HAITI RENOVARON: las PERSPECTIVAS POLITICAS Y ECONOMICAS*].

30. *Id.*

31. David Gonzalez, *Final Haitian Vote Tally Shows Aristide Winning 91.69%*, N.Y. TIMES, Nov. 30, 2000, at A15. [El Conteo Final Muestra que Aristide gana con el noventa y uno punto sesenta y nueve por ciento del Voto].

euforia pública que acompañó la victoriosa elección del sacerdote en el año 1990, cuando él se hizo el primer presidente libremente elegido de Haití.

El pasado y el presente de Haití ejemplifica una sociedad traumatizada por la violencia, la pobreza, y un aparato predador estatal. Si el país se va a curar de su pasado, debe destruir los remanentes del régimen predador, substituyéndolo con un gobierno humano, democrático que puede responder a las necesidades de la nación. Próximo, la entrelazada relación de la historia, datos demográficos y la estructura política, serán considerados, para entender mejor el trauma sociocultural de Haití.

III. DATOS DEMOGRÁFICOS: LA DISPOSICIÓN DE LA TIERRA

Lo único que ata a Haití al hemisferio son la latitud y la longitud. Piense en Haití como un fragmento de África negra, un fragmento desalojado del continente madre que fue a la deriva a través del océano Atlántico y se conectó con las Antillas.

-Heinl y Heinl

Aproximadamente 700 millas sudeste de la Florida, Haití comparte una isla Caribeña con la República Dominicana. Haití esta localizada entre las islas de Cuba, Jamaica, y Puerto Rico. La proximidad geográfica plantea cuestiones de seguridad nacional en la región, con Haití como un parachoques democrático, dejando a Cuba como el único país en el hemisferio todavía bajo una dictadura. La proximidad de Haití a los Estados Unidos ha inducido una formación de una gran comunidad de expatriados en América de ciudadanos haitianos y una afluencia de haitianos que buscan el asilo político y económico.³²

Factores demográficos siguen siendo una cuña entre la gente haitiana evocadora de Haití pos-colonial. Aproximadamente el noventa por ciento de todos los haitianos (noirs) son negros ébano. El diez por ciento restante tienen rastros variantes de sangre blanca y se conocen como "juanetes" o "mulatres." Esta división racial, lo Haitianos la llaman exactamente así y hablan de dos razas- es el aspecto más importante de la vida en Haití. Esto domina la existencia de la nación entera. Es también, en las palabras de uno de los pensadores más capaces de Haití, Alcuis Charmant, "... El mal supremo de nuestra República, el virus que lo devasta, y el camino a la ruina."³³ De verdad, es basado en ideologías contrarias acerca de la mejor forma de gobierno para el país.³⁴

32. McCoy, *supra* nota 6, en 21; HEINL & HEINL, *supra* nota 26.

33. HEINL & HEINL, *supra* nota 26 en 5.

34. STOTZKY, *supra* nota 7 en 22.

Las dos terceras partes de los 7.5 millones de ciudadanos de Haití viven debajo del nivel de la pobreza nacional con un ingreso medio anual de menos de doscientos cincuenta dólares, mientras un pequeño grupo de militares y ciudadanos pertenecientes a la elite continúan oprimiendo a la población.³⁵ La seguridad humana en Haití es peligrosamente débil, no sólo desde un punto de vista político, sino más importante de un punto de vista de salud. El Programa de Desarrollo de Naciones Unidas (PDNU) informa que la expectativa de vida en el nacimiento es sólo cincuenta y seis años, comparados con setenta y seis en Costa Rica y los Estados Unidos.³⁶ Haití tiene una población abrumadamente rural con sólo el treinta por ciento de la población viviendo en áreas urbanas.

La infraestructura física de las ciudades también se ha debilitado debido a obligaciones financieras, que se intensificaron entre los años 1991 y 1994, aumentos en la población, y la degradación ambiental. El Banco Interamericano de desarrollo informa que menos del cuarenta por ciento de las necesidades de agua de la capital son cumplidas y que la disposición de basura sólida en Port-au-Prince y el "Cap Haitien" contribuyen a condiciones sanitarias deplorables. Los caminos y la infraestructura en Haití urbano y rural son dañados por la erosión y una mala administración vertiente.³⁷

Haití tiene la tasa mas alta de analfabetismo en el hemisferio Occidental y una de las mas altas en el mundo. Aproximadamente el sesenta y cinco por ciento de todos los haitianos son analfabetos. El otro treinta y cinco por ciento—entre quien se encuentra una elite magníficamente educada con títulos de las mejores universidades del mundo— pueden leer y escribir.³⁸

Un Viejo dicho en Haití es que el 80 por ciento de la población es Católico y el 100 por ciento practica el Vudú. Esto no es literal verdad, pero es dudoso si más del 15 por ciento Haití de la población Haitiana—incluyendo una pequeña pero vigorosa comunidad Protestante— practica el cristianismo exclusivamente. Como lo hizo Judaísmo en Israel y Shinto en Japón, "Vudú" ayudo definir la nacionalidad haitiana aunque el catolicismo Romano, en su variante francesa, permaneció la religión oficial hasta del año 1987.³⁹

35. KUMAR, *supra* nota 21; McCoy, *supra* nota 6 en 2

36. McCoy, *supra* nota 6, en 2.

37. *Id.*

38. HEINL & HEINL, *supra* nota 26 en 5.

39. Patrick Bellegard-Smith, *Resisting Freedom: Cultural Factors in Democracy; the Case of Haiti*, in *HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS* 1, 28 (Robert I. Rothberg ed., Brookings Institution Press 1997) (1997). [Resistiendo a la Libertad: los Factores Culturales en la Democracia; el Caso de Haití, Haiti Renovo: las PERSPECTIVAS POLITICAS Y ECONOMICAS].

IV. EL ESTADO PREDADOR: ESTRUCTURAS POLÍTICAS EN HAITÍ

El estado haitiano tradicionalmente ha funcionado como una fuerza parásita, sacando con sifón recursos económicos del campesinado por impuestos draconianos y otros medio, haciendo cumplir su voluntad por una multiplicidad de controles incluyendo la amenaza y el empleo de fuerza.

-Donald Schultz

Durante la historia de Haití de gobernación por cuarenta y dos emperadores, reyes, presidentes, y otros jefes de Estado, todos excepto tres acabaron su término por un sangriento golpe de estado o "coup de état," por muerte violenta o el exilio.⁴⁰ En Haití una cultura profundamente encajada de depredación ha criado la autocracia y la corrupción, la injusticia extrema social, y el estancamiento económico. Es en este contexto que se habla del estado contra la sociedad, de los militares que simultáneamente trabajan como brazo represivo del gobierno y con sus propios intereses.⁴¹ Como lo describen Norte y Rotberg, el estado predador extrae los ingresos de un grupo del electorado sin preocuparse por el impacto sobre la sociedad en general. Durante la historia de Haití independiente, la presidencia a servido como una fuente de ingreso privado para el gobernante.⁴² Caracterizado por pocos gastos productivos, el estado se convirtió, como comenta Mats Lundahi "a la vez demasiado pequeño y demasiado grande: demasiado pequeño en el sentido que no ha logrado crear un ambiente de política conducente a la productividad y el crecimiento; demasiado grande si uno toma en consideración el número de empleados de sector público quienes han sido tomados en el servicio de kleptocrats para asistir en la creación de ingresos privados para el gobernante o que han servido únicamente como los recipientes de fondos públicos sin cumplir sus deberes y solo apoyado políticamente al gobernante."⁴³

En este sentido, proceso Duvalierism no era una aberración, si no la culminación de un de experiencias históricas, incluyendo algunas proveídas por la cultura Africana, la esclavitud, una guerra sangrienta de liberación, la reimposición del dominio de la elite y la sumisión de masas, los ciclos crónicos

40. Elizabeth D. Gibbons, SANCTIONS IN HAITI: HUMAN RIGHTS AND DEMOCRACY UNDER ASSAULT 177 THE WASH. PAPERS 1, 2 (1998). [Las SANCIONES EN HAITI: los DERECHOS Y la DEMOCRACIA HUMANOS BAJO ASALTO].

41. Donald E. Schultz, Political Culture, Political Change, and the Etiology of Violence, in HAITI RENEWED: POLITICAL AND ECONOMIC PROSPECTS 1, 93 (Robert I. Rothberg ed., 1997). [La Cultura política, el Cambio Político, y el Etiology de la Violencia, en Renovadas Perspectivas Políticas y Economicas en Haití].

42. McCoy, supra nota 6 en 9.

43. *Id.*

de tiranía, el caos y los efectos de una ocupación prolongada estadounidense. El resultado ha sido el desarrollo de un síndrome complicado de comportamiento destructivo y auto destructivo político marcado por autoritarismo, paternalismo, personalismo, patrocinio, nepotismo, demagogia, corrupción, cinismo, oportunismo, racismo, incompetencia, parasitismo, rigidez, intolerancia, rivalidad, desconfianza, inseguridad, venganza, intriga, superstición, volatilidad, violencia, paranoia, xenofobia, explotación, odio de clase, ilegitimidad institucional, apatía de masas, aversión, y sumisión.”⁴⁴

La democratización de Haití ha sido un proceso lento y arduo. La degeneración del estado predador comenzó en el otoño del año 1986 con la caída de la dictadura de Jean-Claude “Baby Doc” Duvaier. Cinco gobiernos internacionales diferentes observaron las elecciones en diciembre del año 1990, en cual Aristide, el candidato del Frente Nacional por la Convergencia la Democrática (FNCD) capturó el sesenta y siete por ciento del voto popular. La transición de autoritarismo al populismo era una función del ascendiente de sociedad civil. El golpe del año 1991 que siguió, sin embargo, que el equilibrio viejo de poder de clase, así como los órganos vitales represivos del estado de Duvalierista, sobrevivieron la salida de Jean-Claude Duvalier e instigaron la recaída a una dictadura de la sociedad haitiana.⁴⁵

El golpe represento para la aspiración de haitianos ordinarios debido a un embargo Americano económico instituido para expulsar el régimen dirigente militar. “Las motivaciones para esta intervención eran en apariencia la restauración de la democracia y los derechos humanos, pero podría haber un motivo subyacente en que la estabilización de Haití era el único modo político aceptable de evitar una afluencia políticamente inaceptable de refugiados haitianos a los Estados Unidos.”⁴⁶

“Tanto el regreso de un líder populista como Aristide o la estabilización de regla militar, era aceptable para el gobierno Americano, siempre y cuando el problema de los refugiados fuera arreglado aun que el arreglo significara la repatriación, el uso de medios brutales para desalentar la salida, y el restablecimiento en países ya sobrecargados en América Central y el Caribe.”⁴⁷

En el centro de la crisis corriente nacional haitiana hay un conflicto incendiario entre grupos al mando dentro y fuera del gobierno sobre la dirección política nacional generalmente, y la reforma económica

44. Schultz, *supra* nota 41 en 95.

45. Gibbons, *supra* nota 40 en 1.

46. RICHARD FALK, *PREDATORY GLOBALIZATION: A CRITIQUE* 58-9 (1999).

47. *Id.* en 59.

específicamente. Políticamente, el mando de Haití esta rasgado entre los partidarios del Presidente Aristide y su "Fanmi Lavalas" y los partidarios de la Organización Política Lavalas (la Organización Politique Lavalas, OPL) conducido por Gerardo Pierre Carlos. Ambos partidos políticos salieron del movimiento populista Lavalas originalmente conducido por Aristide. OPL ahora es opuesto a la influencia percibida de Aristide sobre la política haitiana y lo acusa vagamente de tener tendencias antidemocráticas. El primer paso hacia la democracia debe ser el dismantelar los controles del antiguo Estado y los monopolios públicos y privados que formaron la base del estado depredador.⁴⁸ Mientras estos mecanismos continúen, la seguridad regional Caribeña y la colocación de refugiados permanecerá una cuestión central.

Detrás de los valores, actitudes, creencia, y el comportamiento que promueve la violencia política y el estado depredador en Haití son necesidades económicas y las relaciones. Mientras las bases militares institucionales de violencia han sido destruidas, los restos de la subestructura económica permanecen en gran parte intactos. Las cuestiones críticas aquí, tanto para la democracia como para la estabilidad política, son la pobreza, la desigualdad, el crecimiento económico, y el conflicto de clase.⁴⁹

V. ESTRUCTURA ECONÓMICA: ¿SUMARÁ ALGUNA VEZ?

La estructura económica de Haití puede estar cerrada en un equilibrio de bajo nivel que no ofrece ninguna salida fácil... los Gobiernos hasta los bien intencionados, con una burocracia purgado y honesta tienen una tarea Hercúlea en este aspecto.

-Mats Lundahl

Haití ha sostenido por mucho tiempo la distinción dudosa de ser la nación pobre del hemisferio occidental. En una economía con un crecimiento de sólo 0.9 por ciento per cápita anual entre los años 1965 y 1980, -2.4 por ciento contribución entre los años 1980 y 1992,⁵⁰ una pérdida del treinta por ciento del PBI entre 1991 a 1994 período militar, y 2.4 por ciento contribución durante el año 1999,⁵¹ la necesidad de la reconstrucción masiva económica es crudamente clara. Aproximadamente el ochenta por ciento de la población vive en una pobreza abyecta. Casi el setenta por ciento de todos los haitianos dependen de

48. McCoy, *supra* nota 6, en 5.

49. Schultz, *supra* nota 41 en 101.

50. McCoy, *supra* nota 6, en 6.

51. United States Central Intelligence Agency, CIA World Factbook (2000), available at <http://www.cia.gov/cia/publications/factbook>.

la agricultura, la cual consiste principalmente de la labranza a pequeña escala y emplea dos tercios de la fuerza obrera económicamente activa.⁵²

Haití aun no ha recuperado del embargo económico estadounidense que se lanzó en el año 1993 para arrancar a la fuerza el gobierno de Raoul Cedras. El embargo devastó la miserable base económica de la nación. Durante los tres años de gobierno militar, las condiciones en todas las áreas de la vida haitiana empeoraron perceptiblemente. Enfermedades infecciosas como el cólera y la tuberculosis eran desenfrenadas, ya que sólo el cuarenta por ciento de la población tuvo acceso a la medicina moderna. Escuelas gratis estuvieron disponibles para sólo el diez por ciento de los niños haitianos. La deforestación y la labranza excesiva severamente erosionó la tierra, y el país de 7.5 millones tenía una de las densidades demográficas más altas en el mundo. La economía encogió más del dos por ciento cada año durante los años 1980, luego se desplomó treinta por ciento durante el gobierno militar. Las calles estaban llenas de cráteres, la mayoría de los prisioneros no tenían ni agua ni electricidad, y algunos jueces no tenían ni lápices ni papel.⁵³ “El gobierno militar era incompetente, corrupto, y violento con 3,000 a 4,000 muertes atribuidas a la violencia de estado durante este periodo. Cuando la Operación Restaura la Democracia se inició en otoño del año 1994, Haití era un desastre económico.”⁵⁴

El embargo era una espada de doble filo. “Mientras que la acción sancionada por la Naciones Unidas indudablemente puso presión a la junta militar que controlaba el país, los haitianos pobres sufrieron sus peores efectos. Además, las consecuencias negativas del embargo crearon muchos desafíos nuevos para los que buscaban ayudar a que Haití se recuperara. Las empresas de asamblea estadounidenses que habían estado en Haití, y que luego se habían mudado a petición del gobierno estadounidense querían compensación. La infraestructura haitiana se deterioró mucho durante el embargo y costaría mucho más reparar la. En resumen el embargo – que fue útil a corto plazo al derrotar el régimen militar- devastó a Haití económicamente, haciendo el objetivo estadounidense de largo plazo de restaurar el crecimiento mucho más complicado.”⁵⁵

La ayuda externa es esencial al desarrollo futuro económico de Haití. Comparaciones de indicadores sociales y económicos indican que Haití se ha quedado atrás de otros países en vía de desarrollo (particularmente en el

52. *Id.*

53. DAVID J. ROTHKOPF, *THE PRICE OF PEACE: EMERGENCY ECONOMIC INTERVENTION AND U.S. FOREIGN POLICY 15-6* (1998). [El Precio de la Paz: Intervención Económica de Emergencia y Política Extranjera Estadounidense].

54. *Id.* en 16.

55. *Id.* en 16-17.

hemisferio) desde los años 1980. El estancamiento económico de Haití es resultado de pólizas económicas realizadas inadecuadamente en el pasado, la inestabilidad política, la escasez de buena tierra arable, la deterioración ambiental, uso continuo de las tecnologías tradicionales, la subcapitalización, la migración las poblaciones hábiles, y una tarifa débil nacional de los ahorros.⁵⁶ La inversión doméstica y extranjera privada ha sido lenta para volver a Haití debido a dudas sobre las condiciones políticas y la reforma económica, aunque instituciones financieras internacionales y las agencias de donante han prometido sumas sustanciales para asistir a Haití en la restauración y la ampliación de su infraestructura física. Tasas domésticas de intereses altas y mercados de capitales mal desarrollados internos son otros factores que refrenan el funcionamiento económico.⁵⁷ Hoy, la institución militar no existe, pero la oligarquía permanece. Las perspectivas para el desarrollo económico y una mejora sustancial de las condiciones de vida son problemáticas. La redistribución de poder económico a favor de la mayoría pobre no parece probable. Aunque Mintz haya dicho que casi ningún cambio político beneficioso a largo plazo puede ser logrado sin tal redistribución, esto es una cuestión explosiva.⁵⁸ Más que cualquier otro factor individual, la amenaza de guerra de clase causo el golpe que derrocó a Aristide en septiembre del año 1991. Una resurrección de aquel espectro habría polarizado de nuevo Haití, amenaza mas violencia y espanto a inversionistas. La reconstrucción económica es crítica a la continua expansión democrática en Haití. Además de las dificultades económicas y políticas, sin embargo, un obstáculo más difícil para obtener las democracia en Haití puede ser causada por influencias psicológicas y culturales. La tradición de un estado depredador y opresivo ha dejado a los haitianos profundamente desconfiados del gobierno y de los extranjeros.

VI. FACTORES SOCIOCULTURALES: CREANDO DE UNA COMUNIDAD COHESIVA

“Todos estamos en el Mismo Barco, y Este Barco no va a la Florida”
-Jennifer McCoy

La historia de Haití es una de intereses bruscamente opuestos, visiones crudamente competitivas de estado y la nación, y una estructura de clase rígida. Si “la mente Haitiana” o la actitud se propone a significar las posiciones políticas, económicas, y sociales de la mayoría, los haitianos han sido de una

56. UNITED STATES DEPARTMENT OF STATE, *supra* nota 28.

57. *Id.*

58. Schultz, *supra* nota 41 en 102.

actitud sólo dos veces en su historia. Su primera unión como un pueblo fue en el período entre los años 1791-1804, cuando ellos valientemente se unieron contra la esclavitud y el colonialismo francés. La segunda en el año 1990, cuando una mayoría de al menos del sesenta y siete por ciento eligieron a Jean-Bertrand Aristide a la presidencia en las primeras elecciones libres y democráticas. Los acontecimientos desde aquella elección, sin embargo, reflejan los desacuerdos profundos que se desarrollaron en esta sociedad entre esos dos momentos definidos.⁵⁹

El orgullo de sus logros históricos permite que los haitianos piensen en sí mismos como una nación a pesar del enorme golfo social que divide los de debajo de los de arriba, este mismo orgullo crea un foco hacia adentro que impide a muchos haitianos aprender de otros.⁶⁰ Todos los haitianos sinceramente se consideran los miembros de la raza Africana y reclaman lazos de hermandad con Africanos negros. Sin embargo, los haitianos cultos siempre han compartido el menosprecio paternalista Europeo de cosas africanas.⁶¹ La cuestión fundamental es como crear un sentido entre haitianos que ellos están todos en el mismo barco y que si un grupo o clases va al agua, el barco entero se hundirá.

“El problema es aquellas elites haitianas francamente creen, y han creído durante un siglo y medio, el que ellos pueden sobrevivir sin la mayoría pobre, rural de Haití. La estructura social, no simplemente el ingreso, las mareas históricas, ni simplemente el pasado inmediato, está en la raíz de la crisis moderna de Haití. De verdad, una resolución positiva a esta crisis es imposible a no ser que se entiendan estas cuestiones culturales e históricas.⁶²

La solución, afirma Trouillot, implica un contrato social entre el estado y la sociedad, que deletrea las obligaciones de cada uno al otro. Para Haití, como a la mayoría de otros países, el estado precedió la nación en la independencia. Pero, a diferencia de otras siguientes democracia, el estado haitiano no alcanzó un contrato social que podría producir el sentido de la identidad nacional. En vez la elite haitiana del siglo diecinueve reaccionó a la subida del campesinado no con un paquete de las ventajas sociales que hubiera hecho que la mayoría creyese que ellos estaban en realidad en el mismo barco que las elites, pero con una forma de política de segregación social. Las elites han creído que ellos

59. McCoy, *supra* nota 6, en 10.

60. See KUMAR, *supra* nota 21.

61. STOTZKY, *supra* nota 7 en 23.

62. *Id.* en 18.

podrían sobrevivir sin la mayoría. Así, un sentido de igualdad y de identidad a través de las clases sociales nunca se alcanza en Haití.⁶³

Esta división cultural entre haitianos ha creado una violencia interioridad en relación con la diversidad étnica de la población. La variación en el color de la piel es quizás el más “real” de los agentes en la lucha cultural: en Haití existe una tensión histórica entre la antigua elite mulata y clase media negra. Esto es una cuestión compleja, sin embargo; ningún aspecto de historia haitiana es más confuso que el aspecto físico de su gente. Se dice, que Haití está dividido por el color, pero esto es una sobre simplificación. Es más cercano a la verdad decir que el conocimiento de color varía entre clases sociales y también dentro de cada clase, y que para muchas personas la piel clara es simbólicamente importante. Pero esta declaración simplemente toca la superficie. El color de la piel de la gente debe verse como parte de una perspectiva global que incluye el tipo de pelo, el tipo de nariz, los tipos de labios, el color de los ojos, el tamaño de los oídos y otros rasgos, como el peso y el pelo facial, y el tipo de cuerpo.⁶⁴ Tan importante como el color es para los haitianos, sin embargo no está claro que esto determinó la identificación de una clase dirigente tanto como hizo la educación, registros militares, y conexiones personales. Mientras el color es una cuestión culturalmente significativa, esto no fue ni al nacimiento de la nación, ni hoy, tan limpiamente un marcador que grupos sociales puedan ser descritos en términos de color.

Así mismo la variación en el empleo de lengua es una manifestación de división cultural. Todos los haitianos hablan la lengua Criolla haitiano de una manera u otra; del ocho al diez por ciento de la población (las elites) hablan el francés bastante bien para reclamar la fluidez; sin embargo, sólo una minoría diminuta dentro de la elites es realmente bilingüe en él y francés y la lengua Criollo. Más importante que el bilingüismo es los mensajes dados a los niños del grupo elite que es inaceptable para los miembros de su clase hablar la lengua Criolla.⁶⁵ Hasta la restauración de Aristide a la presidencia, el francés era la lengua oficial en las escuelas y en los sistemas tribunales. De este modo, la lengua es una barrera social eficaz que niega la participación de la mayoría en ciertas instituciones estatales por los que el noventa por ciento de los haitianos están excluidos del poder. Además, existen matices sutiles de significado dentro del Criollo haitiano que ilustran prejuicios culturales y el cinismo. Por ejemplo, la palabra leta en la lengua Criolla “el estado” y “rufián.” La gente urbana, por su parte llama a los campesinos rurales “mounn” que significa “extraños.”⁶⁶

63. McCoy, *supra* nota 6, en 4.

64. STOTZKY, *supra* nota 7, en 21-22.

65. HEINL & HEINL, *supra* nota 26 en 5; STOTZKY, *supra* nota 7 en 21.

66. STOTSKY, *supra* nota 7 en 21.

El lenguaje se manifiesta en una división cultural que es un instrumento de dominación. Si uno imagina que la hegemonía es relativamente abierta o relativamente cerrada, la esencia del concepto no es la manipulación, pero la legitimación. Las ideas, valores, y las experiencias de grupos dominantes son validadas en el discurso público; y los que pertenecen a grupos subordinados no son, aunque ellos puedan seguir prosperando más allá de las fronteras de opinión recibida.⁶⁷

Las cosas mismas que reconciliaron a los haitianos son las cosas mismas que los mantienen separado. La lengua y la religión ayudaron a los campesinos haitianos a afrontar el déficit de poder entre el amo y el esclavo, él opresor y el oprimido, y Europa dominante y África subyugada. Tanto en la lengua haitiana como en la religión haitiana, uno encuentra los compromisos necesarios y subterfugios que emplean los débiles para sobrevivir.

VII. Religión en Haití: ¿Vudú o Catolicismo- Se tiene que escoger?

"A menudo se dice que Vudú mantuvo a Haití atrasada. Probablemente lo contrario es lo cierto: Vudú prospero porque los jefes de Haití negaron a la ciudadanía multitudinaria la posibilidad de transformar un vida socialmente y económicamente estancada. "

-Robert Rotberg

El Vudú esta profundamente arraigado a la cultura haitiana; es una amalgamación de los cultos de "animista" del Oeste de Africa infundido con el ritual Católico. Vudú (también escrito Vudú o Vodoun) juega un papel central en la vida y la historia de Haití, él desatenderlo es impedir el conocimiento de esta gente. El Vudú haitiano es el sistema de creencia dominante, por lo tanto, una importante característica nacional. La lucha entre Vudú y la fe principal cristiana de Haití (el catolicismo Romano y, últimamente, el protestantismo presentado por misioneros Americanos) ha sido un elemento constante en la evolución social.⁶⁸

Convicciones religiosas y sus representaciones dividen a haitianos culturalmente. La elite proclaman su adhesión al cristianismo. Públicamente, la elite asocia la religión del pueblo con el mal, y gobiernos sucesivos haitianos han perseguido a muchos individuos quien abiertamente practican el Vudú. Sin embargo hay extensa evidencia que muchos de la elite constantemente practican aspectos del Vudú detrás de puertas cerradas. Ellos así reclaman para sí mismos un sentido de superioridad cultural basada en adhesión al cristianismo y el rechazo del Vudú (ellos hasta han aceptado el estímulo y el apoyo de la

67. T.J. Jackson Lears, *The Concept of Cultural Hegemony: Problems and Possibilities*, 90 AM. HIST. REV. 567, 567-93 (1985) [El Concepto de la Hegemonía Cultural: los Problemas y las Posibilidades]

68. HEINL & HEINL, *supra* nota 26, en 5.

jerarquía Católica en la persecución de creyentes Vodoun), mientras siguiendo la práctica Vudú ellos mismos.⁶⁹

Un gran número de los campesinos, también, dicen ser Cristiano Católicos Romanos, ellos lo practican y siguen el ciclo anual de eventos Católicos – pero ellos se refieren a sí mismos como “sirvientes de dios” miembros de la mayor religión del pueblo Vodoun, Vudon o Vudú (estos términos se intercambiarán). En Vudú, el catolicismo es unido con religiones Haitianizadas Africanas para formar un sistema integrado de creencia y rituales. Como un campesino dijo, “hay que ser católico para servir el loa (espíritus Vudú).”⁷⁰

Vudú es tan político como religioso. El presidente Aristide estaba consciente, del símbolo y de la realidad de Vudú cuando él tomó el juramento de oficio en la lengua Criolla y recibió la faja presidencial de un mambo (sacerdotisa femenina) en febrero del año 1991, con las formas simbólicas de saludo que resonó profundamente dentro de la población. Su empleo deliberado de Criollo indicó una rotura y la discontinuidad en el modelo cultural que era de manera extraña simbólico de la síntesis en Vudú, y ataco, a lengua de la elite (el francés) y su religión (el catolicismo).⁷¹

Sin embargo, Vudú tiene un lado expectativo. Duvalier amplió su control sobre la población empleando el Vudú y el Houngans (sacerdotes masculinos). Houngans tradicional jugaban un papel importante en la comunidad local y en el pasado, pero no sistemáticamente, habían sido explotados por los gobiernos haitianos para alcanzar objetivos políticos sobre todo cuando las elecciones eran inminentes, mientras después de las elecciones el Vudú a menudo era proscrito.⁷²

Duvalier aprovechó su conocimiento de Vudú y su influencia sobre las masas para establecer una relación más sólida y duradera con sus líderes. Rotberg sugiere que porque el Vudú presenta una forma de gobierno en las áreas rurales ya que el país no hace, Vudú sólo será substituido por el desarrollo. Vudú es resistente. Sin Duvalier, como sin Soulouque, sus conexiones al estado se desollaren. Su base pequeña, segura, parroquial de poder permanecerá hasta aquel día distante cuando la modernización –si es que alguna vez lleve a las partes mas profundas de Haití- eroda las fundaciones de universo protector de seguridad cognoscitiva.⁷³

69. Stotzky, *supra* nota 7, en 22

70. Fatton, *supra* nota 29 en 138.

71. Bellegard-Smith, *supra* nota 39 en 29

72. MATS LUNDAHL, POLITICS OR MARKETS?: ESSAYS ON HAITIAN UNDERDEVELOPMENT 278 (1992). [La Política o El Mercado: Un Ensayo sobre el Subdesarrollo Haitiano].

73. Robert I. Rotberg, Vudu and the Politics of Haiti, in THE AFRICAN DIASPORA 365 (Martin L. Kilson & Robert I. Rothberg eds., 1976).

Vudú se hizo tan estrechamente asociado con el régimen Duvalier que una vez que Duvalier escapo, muchos hougans y mambos fueron asesinados en el levantamiento popular.⁷⁴

VII. CONCLUSIÓN

La curación del trauma que han experimentado los haitianos durante los últimos 200 años es una tarea titánica. Más importante la tarea es entender que tanto lo material (económico y político) como dimensiones psicológicas (socioculturales) actúan recíprocamente para mantener o mitigar el conflicto en una sociedad. El cubismo social permite para la identificación de varios factores sociales ínter relacionados que se entrelazan y sus efectos perjudiciales sobre Haití. Estos factores deben ser examinados en luz del uno al otro para iniciar el entendimiento del conflicto. Aunque los factores, cuando combinados, puedan producir el modelo diferente de importancia o la urgencia, es importante no permitir que un factor ensombrezca otros solamente porque este parece más importante en el momento. Según Byrne y Carter, la naturaleza entrelazada del cubo indica que enfocando en una sola dirección hace improbable un acuerdo, y aún las mejoras de una sola faceta pueden mejorar otras también.⁷⁵

Si circunstancias históricas no permiten que una nueva generación cambie las tradiciones de ineficacia, la representación mental de la calamidad compartida continuara vinculando a los miembros del grupo. Pero en vez del cultivo del amor propio la imagen mental de los acontecimientos unirá a la gente por un sentido continuado de ineficacia, como si los miembros del grupo existiesen bajo la victimización.⁷⁶ Para que los haitianos como una sociedad salgan de esta etiqueta de victimización es importante analizar el presente dilema usando el acercamiento de cubismo social al conflicto de interrumpo para considerar como mecanismos estructurales y socioculturales actúan recíprocamente para exacerbar o mejorar el conflicto político, la lucha económica y divisiones culturales que enfrenta el país.

74. Fatton, *supra* nota 29 en 139.

75. Byrne & Carter, *supra* nota 3 en 66.

76. VOLKAN, *supra* nota 1, en 76.

CUBISMO SOCIAL: UNA MIRADA COMPRENSIVA EN LAS CAUSAS DE CONFLICTO EN SRI-LANKA

*S. I. Keethaponcalan**

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I. INTRODUCCIÓN

El conflicto entre el Sinhalese étnico y los Tamiles en Sri Lanka es uno de los problemas étnicos prominentes en el mundo hoy. Sri Lanka es una nación de la isla situada en el océano indio al sur del continente indio. Aproximadamente, dieciocho millones de su población esta compreses la tres grupos sociales importantes. Según el censo del ano 1981, cual es la cuenta apropiada pasada los emprendido, Sinhalese constituye 74.6 por ciento, y los Tamiles forman un 18.1 por ciento de la población total.¹ La gran mayoría de Sinhalese son religioso, budistas. Por otra parte, los Tamiles son Hindus. Los musulmanes que constituyen 7.4 por ciento de la población total, incluyen musulmanes que hablan Tamil y Sinhala.² Sin embargo, como una minoría religiosa los musulmanes en Sri Lanka ha desarrollado una identidad distinta del

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1. Para la descripción detallada de información demográfica, ve SUNIL BASTIAN, DEVOLUTION AND DEVELOPMENT IN SRI LANKA (LA TRANSFERENCIA Y EL DESARROLLO EN SHRI-LANKA) (1994).

2. La mayor parte miembros de la población Musulmana, el tercer grupo social más grande en el país, hablan el tamil, pero no se consideran como la parte de la comunidad de tamil. La complejidad del estado Musulmán en el país no está en el hecho que ello ni pertenece al cingalés, ni tamil grupos étnicos con el número grande de Musulmanes sobre todo urbanos que abrazan el Sinhalés como su lengua y medio de educación. Desde, sin embargo, los Musulmanes en Sri-Lanka han desarrollado una identidad Musulmana distinta basada en religión, ellos son considerados como un grupo separado social. Teóricamente, los Musulmanes permanecen neutros en el conflicto. En la práctica, sin embargo, su posición siempre se inclina hacia el gobierno de Sri-Lanka.

los Sinhalese y los Tamiles.³ Aparte de estos grupos sociales mayores, también hay un pequeño número de gente indígena y Burgers. El cristianismo es profesado por los Sinhalese, Tamiles y Burgers es la religión de aproximadamente ocho por ciento de la población.

Como dos de los grupos étnicos mayores los Sinhalese y los Tamiles están en conflicto sobre reclamos territoriales. Los Tamiles están en guerra contra el estado de Sri Lanka por un estado separado en la provincias noroeste de la isla, la cual reclaman es su "patria tradicional."⁴ Aunque la confrontación entre estos grupos se podría rastrear a la era histórica y pre-colonial, el período después de la independencia atestiguó un intenso conflicto y una guerra. Los Sinhalese y los Tamiles son dos grupos étnicos diferentes con características distintas. Lingüísticamente, el Sinhalese habla Sinhala, que se describe como lenguaje indo-Aryan. Los Tamiles hablan étnicos Dravidian. Los Tamiles viven mayormente en las partes norteñas y este de la isla mientras que los Sinhalese se concentran en el resto de las provincias, aunque, la guerra étnica ha alterado seriamente los modelos demográficos en el pasado.

Sri Lanka fue gobernada por tres poderes coloniales occidentales (El Portugués, el holandés, y el Británico) por casi cuatro siglos. Al final del régimen británico surgió una élite cristianizada, educada, y de habla inglesa, compuesta por miembros de ambos grupos étnicos. Este grupo representó no solamente relaciones étnicas cordiales sino también un exitoso foro para la reforma constitucional para entonces "Ceilán."⁵ Las diferencias comenzaron en los años 1920 y culminaron al mediados 1980 con una expresión violenta y la lucha por un estado separado para la minoría, los Tamiles.⁶

El movimiento del separativo de Tamil, resultó de la demanda por mayor autonomía para el Tamil en las provincias norteñas y al este de Sri Lanka. El descontento Tamil con la política nacional de Sri Lanka, entonces llamada Ceilán fue expresado incluso antes de que la nación isla se le concediera independencia en el año 1948. El grito por mayor autonomía, que proporcionó la fundación para el movimiento separativo, ganó fuerzas con la aparición de

3. Ve generalmente, S.I. Keethaponcalan, Ph. D., *Understanding the Ethnic Conflict in Sri Lanka: A Conflict Resolution Perspective*, in CONFLICT RESOLUTION AND PEACE STUDIES: AN INTRODUCTORY HANDBOOK (*Entendimiento del Conflicto Étnico en Sri-Lanka: una Perspectiva de Resolución de Conflicto*, en RESOLUCIÓN DE CONFLICTO Y ESTUDIOS DE PAZ: UN MANUAL INTRODUCTORIO) (Colombo: Friedrich Ebert Stiftung and Center for Policy Research Analysis, 2000).

4. Para más detalles ve, TULF, *Tamil United Liberation Front Towards Devolution of Power in Sri-Lanka – Main Documents, August 1983 to October 1987* (*Tamil Unió Frente De liberación Hacia Transferencia de Poder en Sri Lanka - Documentos Principales*) (Madras: TULF, 1988).

5. J.A. Wilson, S.J.V. CHELVANAYAKAM AND THE CRISIS OF SRI LANKAN TAMIL NATIONALISM, 1947-1977: A POLITICAL BIOGRAPHY, 107 (S.J.V. CHELVANAYAKAM Y LA CRISIS DE SRI LANKAN TAMIL NACIONALISMO, 1947-1977: UNA BIOGRAFÍA POLÍTICA) (1994).

6. *Id.*

S.J.V. Chelvanayakam, considerado por muchos como el padre de la fundación del nacionalismo Tamil.⁷ El movimiento de Chelvanayagam por la autonomía regional era una lucha fundamental sin violencia, modelada en la manera Gandhian a del *satyagraha*. La lucha sin violencia que duró por cerca de treinta años no solo falló en producir algún resultado substancial a favor de la gente de Tamil pero en años posteriores forzó los elementos radicales entre los Tamiles la vanguardia de la lucha nacional.⁸ Esta situación fue causada por la creencia excesiva a la violencia por el estado de Sri Lankan, así como también los militantes de Tamil en años posteriores por la resolución del conflicto.

El ciclo vicioso de la violencia fue perpetuado por acciones y reacciones de los partidos implicados en el conflicto y corrió e conflicto en una guerra intensa. La guerra, que ha reclamado millares de vidas en ambas caras del espectro, es luchada por las fuerzas armadas de Sri Lankan y los tigres de la liberación de Tamiles Eelam - la fuerza principal el luchar entre los Tamiles. Puesto que a ambas partes le falta el poder de imponer una solución militar ante la otra y la carencia del confianza en medios pacíficos de alcanzar sus metas, la guerra continúa por cerca de 18 años sin ninguna muestra de solución pacífica.⁹ Desde que en Sri Lanka, aparte de sus implicaciones internas, es altamente peligroso regionalmente, así como internacionalmente. Una atención académica substancial es pagada analizar las causas, las consecuencias, y las maneras de ocuparse del conflicto. Estos estudios, sin embargo, abarcan un método descriptivo histórico o toman un factor como la causa básica del conflicto y enfocan particularmente en ese elemento. Por ejemplo, los factores económicos se analizan más a menudo como posible causa principal del conflicto.¹⁰ Este estudio, sin embargo, discute que la psicología de la gente fundamental para este conflicto y el resto de los factores tienen un papel que influencia en formar la psicología.

II. CUBISMO SOCIAL

El cubismo social proporciona una herramienta comprensiva para mirar conflictos étnicos y entender las fuerzas múltiples detrás de ellos. Por lo tanto,

7. *Vea generalmente*, J.A. Wilson, *Sri Lankan Tamil Nationalism: Its Origin and Development in the Nineteenth and Twentieth Centuries*, (Sri Lankan tamil Nacionalismo: Su Origen y Desarrollo en los Siglos Diecinueve y Vigésimos) (2000).

8. *Id.*

9. Keethaponcalan, *supra* nota 3.

10. Perera, J., *Sri Lanka: History of Ethnic Relations, Formation of the Tamil National Identity and the Demand for a Separate State*, in 9 (2/3) SCANDINAVIAN J. OF DEV. ALTERNATIVES, 67-84. (Sri-Lanka: *Historia de Relaciones Étnicas, Formación del tamil Identidad Nacional y la Demanda de un Estado Separado*, en 9 (DE 2/3) J ESCANDINAVA. DE DEV. ALTERNATIVAS, 67-84.)

es un marco útil para el análisis del conflicto.¹¹ Además, Byrne y Carter consideran que “el cubo social del conflicto teniendo seis facetas o fuerzas correlacionadas: historia, religión, demográficos, institución política y comportamiento, economía, y psychocultural. Estas seis facetas sociales se combinan para producir modelos del comportamiento de inter-grupo.”¹² Este artículo, por lo tanto, analiza el conflicto de Sri Lanka usando el cubismo social como el marco. Este capítulo, sin embargo, no abrazan todas las seis fuerzas en la manera prevista por el marco original del cubismo porque el conflicto de Sri Lanka requiere un marco levemente modificado para entender el conflicto.

Una faceta del marco original del cubismo es demografía. En Sri Lanka, aunque la demografía desempeña un papel prominente en el origen del conflicto está implicada muy de cerca con el interior geográfico de los factores así como fuera de la isla. Por lo tanto, es imprescindible darles igual valor a los factores geográficos también. Sin embargo, puesto que los factores demográficos y geográficos no son dos variables independientes sino son entrelazados, este artículo substituye la demografía en el modelo original del cubismo por “geodemografía.” Esto permite al investigador considerar geográfico así como factores demográficos igualmente.

El término “política” o “político” no está sólo mucho en la literatura de estudiante, sino todavía sigue siendo vago como concepto. Byrne y Carter (1996) aunque no definió la “faceta política” del cubo, discuten límites y terrorismo como factores políticos.¹³ Este artículo toma (1) las instituciones políticas, y (2) las constituciones como factores políticos. El marco original de cubismo es escaso de aplicarse el conflicto de Sri Lanka, pues no proporciona al espacio para la discusión de factores étnicos que son una de las facetas fundamentales en este conflicto. Byrne y Carter (1996) aplican cubismo a los conflictos de Irlanda del Norte y de Quebec que son sobre todo conflictos basados religiosos.¹⁴ Por lo tanto, es comprensible que ellos usaron la religión como una faceta en su análisis. Mientras el Sri Lanka el conflicto es principalmente étnico esto lo tiene un ángulo religioso. Por lo tanto, es también importante tomar factores religiosos en consideración. Para acomodar estas facetas diferentes, este artículo considera la psicología como a parte de cultura e incluye la civilización para incluir factores étnicos, raciales, religious, y culturales.

11. Sean Byrne & Neal Carter, *Social Cubism: Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, in 3 PEACE AND CONFLICT STUDIES 2, 52-71. (Cubismo Social: Las Fuerzas Sociales de Política Ethnoterritorial en Irlanda del Norte y Quebec, en 3 Paz y CONFLICTO ESTUDIAN 2, 52-71.)

12. *Id.* en 4.

13. *Id.*

14. *Id.*

Esencialmente, este modelo del cubismo de los artículos incluye las seis facetas siguientes: (1) Geodemografía (geografía y demografía), (2) historia, (3) economía, (4) política (constituciones e instituciones), (5) civilización (étnico, racial, religioso y cultural), y (6) psicología.

III. GEO-DEMOGRAFÍA

He discutido en otro sitio que la causa principal del conflicto entre los Sinhaleses y los Tamiles en Sri-Lanka es “ el miedo de extinción “ entrelazada con la sospecha, y complejidades superiores e inferiores. Estos factores serán analizados detalladamente bajo el subtítulo “la psicología.” Sin embargo, los factores psicológicos han sido profundamente bajo la influencia de otras facetas de cubismo social. En aquel sentido la geografía y la demografía del país han jugado un papel crucial en la intensificación del conflicto entre los protagonistas.

En lo que la distribución demográfica del país está preocupada los Sinhaleses y los Tamiles son los dos grupos mayores social. Sin embargo, hay divisiones internas de estos grupos. Los Sinhaleses se dividieron (1) Kandyan el Sinhaleses (2) Sinhaleses de país bajo según la posición geográfica de la gente. Los desacuerdos entre estos grupos estaban obvios y claros en la pre independencia el período. Sin embargo, después de la independencia estas diferencias en gran parte han desaparecido.¹⁵ Los Tamiles, de otra parte, son divididos en dos grupos sociales. Primero, “ los Tamiles de Ceilán “ o ahora los “ Sri Lankan Tamiles “ quien consideran como los habitantes originales de regiones del Norte y de Este. Entonces el supuesto “ Tierra adentro Tamiles ” “ o “ los Tamiles de origen reciente, “ quien ha sido traído al país por la administración Británica colonial para emplearlos en las plantaciones de té, y quien se concentra principalmente en Sri-Lanka central y áreas urbanas como Colombo, la ciudad de Congreso. A pesar de los pueblos llanos entre el Sri Lankan Tamiles y los Tierra adentro Tamiles, ellos oficialmente consideran como dos grupos diferentes. El Tierra adentro Tamil no tiene un papel directo en el conflicto. Por lo tanto, cuando nos referimos al Tamil en este artículo signífico(piense) el Sri Lankan Tamiles.

Cuando concedieron a Sri-Lanka la independencia por los Británico en el año 1948, los Tamiles disfrutaron de la mayoría absoluta en las provincias del Norte y Orientales del país, que constituye nueve provincias en total.¹⁶ Los Tamiles no sólo considerados las provincias del Norte y Orientales como su patria pero también la autonomía insistida más gran regional para áreas de mayoría de Tamil hasta antes de la independencia, como ellos eran sospechosos

15. Esto no debe sugerir que estas diferencias han desaparecido completamente. En un micro-nivel, uno todavía puede notar que la gente deliberadamente se refiere a las diferencias de dentro la sociedad Sinhalese.

16. Los Tamiles tienen su fuerza demográfica en la provincia Oriental actualmente.

sobre las intenciones de líderes Sinhala en vísperas de la independencia. Una de las circunstancias que crearon mucha reacción de la gente de Tamil era, como ellos prefirieron llamar ello, “ el estado el establecimiento patrocinado “ de la gente Sinhala por gobiernos sucesivos en las áreas de Tamil. Los Tamiles creyeron que los establecimientos han sido apuntados a reducir la mayoría de Tamil en estas dos provincias que han sido consideradas tan fundamental para su supervivencia como un grupo étnico. Las consecuencias de los esquemas de establecimiento, los Tamiles temieron, conducirán al debilitamiento de su posición políticamente así como amenazarán a su existencia a largo plazo.

Los Sinhalés de otra parte fuerte disputó esta reclamación y discutió que era necesario establecer establecimientos para acomodar la población de crecimiento en el sur. La base del argumento de los Sinhalés es que es injusto para un grupo que representa sólo el doce por ciento de la población para reclamar casi un tercio del paisaje total del país. Independientemente los argumentos de los grupos que compiten, el efecto neto del estado el establecimiento patrocinado en las provincias del Norte y Orientales es que esto con eficacia redujo el predominio de Tamil en la provincia de Este. También esto desconectó la contigüidad de áreas de mayoría de Tamil y así seriamente desafió el concepto de patria y reforzó la percepción de amenaza que los Tamiles tenían sobre sus colegas Sinhaleses.

La percepción de amenazar no sólo existen entre los Tamiles, pero el Sinhalés también poseyó un miedo de predominio de Tamil. Los Sinhalés son, en cierto modo, una mayoría con un complejo de minoría. Aunque los Sinhalés sea la comunidad de mayoría dentro del estado de Sri-Lanka regionalmente ellos son una minoría a los Tamiles, como el Estado del Sur Indio al Tamil Nadu constituye aproximadamente cincuenta y cinco millones de Tamiles.¹⁷ Sólo un agua estrecha llamada Palk el Estrecho divide al Tamil Nadu y del norte la mayor parte punto de Sri-Lanka. Los Tamiles disfrutaban de pueblos llanos culturales, lingüísticos, así como religiosos con sus colegas en el Tamil Nadu. Interesantemente, el Tamil Nadu era el primer estado alguna vez para abiertamente exigir la separación de la República de India en temprano de los años 1960. Aunque, el movimiento separatista desapareció tarde en los años 1960, el nacionalismo de Tamil permaneció fuerte y unos hasta sugirieron que el deseo de la separación entre los líderes de Tamil Nadu no hicieron totalmente de moda lejos.

Las relaciones entre los Tamiles en Sri-Lanka y India eran tan fuertes que el movimiento militante de Tamil en sus tempranos días disfrutó del apoyo

17. *Ve generalmente*, T.E. ANANDARAJAH, CENTER FOR REGIONAL DEVELOPMENT STUDIES. NO. 18, THE PROVINCIAL COUNCIL SYSTEM AND DEVOLUTION OF LAW AND ORDER (CENTRO PARA ESTUDIOS DE DESARROLLO REGIONALES. NO 18, EL CONSEJO PROVINCIAL SISTEMA Y TRANSFERENCIA DE DERECHO DE LEY Y ORDEN) (1994).

enorme de la gente de Tamil Nadu. Después de que los disturbios étnicos de 1983¹⁸ en Sri-Lanka, en la que los Tamiles han sido embrutecidos, los líderes políticos en el Tamil Nadu compitieron entre ellos para apoyar la militancia de Tamil en Sri-Lanka. Con la matanza del primer ministro anterior de Sr. de la India Rajiv Gandhi, para el que los Tigres De liberación de Tamil Eelam (LTTE) han sido culpados a un grado más gran eliminó esta base de apoyo. Sin embargo, la colaboración entre Tamiles en India y Sri-Lanka causó una sospecha en la psique Sinhala, en la que ellos concibieron la colaboración como una conspiración para formar a un Tami Eelam más gran, centrado alrededor del estado separado de Tamil Eelam en Sri-Lanka. Los Sinhalés básicamente detuvo la creación de Tamil Eelam en Sri Lanka como una almohadilla de lanzamiento para la creación de un estado de Tamil más gran. Los Sinhalés le importan el estado de Tamil más gran es una amenaza directa al estado de Sinhala y la raza. Los Sinhalés siguen resistiendo cualquier sugerencia para la transferencia de poder, que es el foco de cualquier tentativa en la resolución de conflicto, demandando que cualquier poder delegado eventualmente conduciría a la creación de Tamil separado Eelam y el estado de Tamil más gran.

IV. HISTORIA

La historia es uno de los factores más discutidos en este conflicto. Esto ha sido interpretado por los partidos contrarios según sus posiciones y, a un grado más gran, explotado para reforzar aquellas posiciones. El análisis de la explotación de Tamil de historia para justificar sus exigencias, Rajanayagam indica que “más relaciones entre los dos grupos deterioraron más historia se hizo un arma en la batalla para justificar la demanda de Tamil de la autonomía y, en principio, la independencia,” según Nissan y Stirrat.¹⁹

El presente y el pasado en términos de la interacción de dos opusieron entidades, Sinhala y Tamiles, siempre han sido separados como ellos son hoy. Segundo, ellos consisten en argumentos sobre los acontecimientos que según dice ocurrieron entre el cuarto siglo B.C. y el décimo siglo A.C.D. Tercero, ellos presentan los dos comunidades históricamente y continuamente opusieron por la guerra, uniendo un pasado antiguo y al presente sin respeto para el hiato de siglos. Cuarto, las historias son concernidas en “una reclamación nacional de la gente de su propio territorio. Finalmente cada lado presenta el otro como un poco más bárbaros. Cada lado en el contexto político presente sostienen sus

18. *Ve generalmente*, JANI DE SILVA, CENTRIPETAL PRESSURES AND REGIME CHANGES IN THE POST-COLONIAL SRI LANKA IN BASTIAN (PRESIONES CENTRÍPETAS Y CAMBIOS DE RÉGIMEN EN SRI-LANKA POST-COLONIAL EN BASTIAN) (1994).

19. Dagmar Hellman-Rajanayagam, *The Politics of Tamil Past*, in SRI LANKA: HISTORY AND THE ROOTS OF CONFLICT 116 (*La Política de tamil Pasado*, en SRI-LANKA: HISTORIA Y LAS RAÍCES DE CONFLICTO (Jonathan Spencer eds., 1990).

reclamaciones respectivas por el empleo selectivo y competitivo de evidencia arqueológica.²⁰

Ambos partidos demandan que ellos son la gente original de la isla y los otros son invasores. Aunque no haya ninguna evidencia para demostrar que los habitantes originales son o el que los primeros colonos son, un hecho obvio que surgió de las teorías existentes son aquellos grupos y étnicos llegaron a la isla probablemente del subcontinente Indio y partes instaladas diferentes. Parece no hay ninguna discusión sobre el concepto que ambos grupos étnicos se instalaron la isla de India. Sin embargo, algunos eruditos creen que aquellos ambos grupos llegaron a la isla aproximadamente el mismo tiempo. Independientemente de la validez, estas reclamaciones proporcionan una fundación moral para los sentimientos nacionales de ambos grupos, como hay debates viciosos sobre la propiedad legítima de la tierra en foros impresos de la literatura así como públicos.

En el año 1815, Sri-Lanka ha sido traída bajo una administración sólo por los Británico. Antes de la llegada de poderes occidentales coloniales la isla era en control de varios monarcas regionales. Por ejemplo, cuando el portugués llegó en el año 1505, la isla constituyó tres reinos, dos del cual han sido gobernados por reyes Sinhala y uno era por un rey de Tamil. La existencia de un reino de Tamil de Jaffna en la historia escrita de la isla proporcionó el núcleo básico para el nacionalismo de Tamil y todavía sirve como la fundación para la demanda del estado separado de Tamil Eelam. De otra parte, los Sinhalés cree que allí existieron un reino prehistórico Sinhala en Sri Lanka que dominó la isla entera. Esto también ha sido usado para justificar el derecho Sinhala al control político.

Además de su contribución para los sentimientos nacionalistas en cada lados, la historia también funcionó como una fuente de psicología de miedo y la persecución en las mentes de cada étnico comunidades. Por ejemplo, la historia de la isla sugiere que las reglas del Sur Indias del subcontinente Indio, creído para ser a reyes de Tamiles invadieran la isla varias veces. Hay evidencia que el reino Chola ha sido ampliado para incluir las partes de la isla siglos.²¹ Estos argumentos han sido usados para representar a los Tamiles como invasores así como demandar que los Sinhalés eran las víctimas de invasión de Tamil ajena. En la misma vena, los Tamiles afirman que los Sinhalés intentó étnicamente eliminar a los Tamiles de la isla, hasta de la vez antigua. Por

20. *Vea generalmente*, Elizabeth Nissan, & R.L. Stirrat, *The Generation of Communal Identities, in Sri Lanka: History and the Roots of Conflict* 21 (*La Generación de Identidades Comunes, en Sri-Lanka: Historia y las Raíces de Conflicto*) (Jonathan Spencer eds., 1990).

21. R.A.L.H. Gunawardana, *The People of Lion: The Sinhala Identity and Ideology in History and Historiography, in SRI-LANKA: HISTORY AND THE ROOTS OF CONFLICT* 45-86 (*La Gente de León: la Identidad Sinhala y Ideología en Historia y Historiografía, en SRI - LANKA: HISTORIA Y LAS RAÍCES DE CONFLICTO* 45-86) (Jonathan Spencer, 1990).

ejemplo, cargando la historia Sinhala como **Genocidal**, Vanniasingham, un Tamil étnico, escribe en su prefacio:

Según crónicas Sinhalesas, el Rey Dutta Gemunu emprendió una Guerra Santa contra los Tamiles, con un contingente de quinien *bhikkus* en realidad acompañando el Ejército en su campaña. Él mató los treinta y dos sub-reyes de Tamil quien reconocieron el **suzerainty** de Rey Ellalan, y última instancia Ellalan también, y se establecieron en Anuradhapura. Sin embargo, en los últimos días él no tenía ninguna paz mental: él estuvo preocupado que su matanza de millones de Tamiles lo excluirían de entrar al Cielo. Últimamente, él sido consolado por la jerarquía de budista que los Tamiles quien él había causado para ser matado no habían abrazado de budismo y como tal eran equivalente sólo a bestias; la matanza de ellos no era ningún pecado y así él no sería excluido de entrar al Cielo. Obviamente, “los millones de Tamiles” no se refieren a soldados en el campo de batalla, pero a civiles inocentes. Así los registros Sinhaleses admiten que un ataque de **Genocidal** sobre los Tamiles en el segundo siglo ante Cristo continuó en nombre del Señor Buda.²²

La historia post-independiente del país también tiene el mismo impacto en la percepción de Tamil. Unas leyes y política pública formulada por el Sinhala dominaron gobiernos inmediatamente después que la independencia hizo los Tamiles creer que los Sinhaleses debe ahí reducirlos a segundos ciudadanos de clase y eventualmente terminar su existencia. Por ejemplo, uno de los primeros actos emprendidos por el primer gobierno de independencia postal encabezado por tardío D.S Senanayake, debía privar del derecho al voto “a los Tamiles de origen reciente Indio,” quien también se llaman a Tamiles de Estado. Aunque haya diferencias sociales entre los Sri Lankan Tamiles y los Tamiles Indios ellos comparten una cultura similar, la misma lengua y la religión.

Los Tamiles Indios han sido traídos a Islandia por los Británico para trabajar en la industria de té principalmente en la región central del país.²³ La presencia de los Tamiles Indios quien formaron casi el siete por ciento del población de total más tarde representó una amenaza para la gente Sinhalesa así como el gobernar el Partido Unido Nacional (UNP) el Gobierno. Mientras la gente local Sinhalesa sintió que los Tamiles Indios asumían su tierra, el gobernar UNP, que está capitalista en el corazón los consideraron como políticamente infavorable porque los Tamiles Indios tienden a votar con los

22. Vanniasingham. S., *Sri Lanka: The Conflict Within (Sri-Lanka: El Conflicto de Dentro)*(New Delhi: Lancer Group, 1988) p. ix

23. Ve a Perera supra nota 10.

partidos izquierdistas.²⁴ Por lo tanto, el gobierno tuvo la intención matar dos pájaros con una piedra e introdujo los Actos de Ciudadanía de 1948/49, que esencialmente hizo a los Tamiles Indios como una gente apátrida.²⁵

El efecto de este acto sobre las relaciones étnicas era que los Tamiles de Ceilán concibieron esta acción como un paso hacia el predominio Sinhala contra todas las minorías sobre todo los Tamiles de Ceilán. Aunque, el partido de Tamil predominante en entonces, Todo Congreso de Tamil de Ceilán (ACTC) encabezado por tardío G.G. Ponnambalam no lograron oponerse el Acto de Ciudadanía, el diputado Chelvanayagam de Ponnambalam hizo.²⁶ Chelvanayagam se hiende del ACTC y se formó un partido político nuevo llamó el Partido Federal (FP), que pronto se hizo la punta de lanza de nacionalismo de Tamil y la demanda de la autonomía regional. Cuando el partido Federal advertía a la gente de Tamil del movimiento hacia la dominación Sinhala por gobiernos sucesivos, el Sinhala Sólo Actúa ha sido introducido, que reforzó el argumento que los Tamiles son hechos ciudadanos de segunda clase en su propia tierra.²⁷

Sinhala 1956 Sólo Actúa era un resultado directo de la promesa de elección hecha por el Partido de Libertad de Sri Lanka (SLFP) que ha sido formado por S.W.R.D. Bandaranaike, quien desertó del UNP en temprano de los años 1950. Durante la elección 1956 para el parlamento nacional, Bandaranaike prometió a la gente Sinhala que si le dieron una posibilidad para formar el gobierno él haría Sinhala la única lengua oficial del país y él mantuvo su promesa después de una victoria resonante en la elección.²⁸ El Sinhala Sólo Actúa requirieron que los funcionarios licenciarse en lengua Sinhala si ellos quisieran seguir en sus posiciones. Este acto, aunque, afectó toda la oratoria de no Sinhala grupos (de minoría), tenían una repercusión seria para los Tamiles quien dominaron el empleo de sector público.

Además de la aseguración “de la posición legítima” de la gente Sinhala en la vida nacional, el Acto ha sido querido para reducir el predominio de Tamil en el empleo de sector público y esto con eficacia realizó aquella expectativa. “Con la puesta en práctica de Sinhala como la lengua de gobierno,” creen Mitra y Lewis que “el espectro de Tamiles los empleos negados que son en el servicio

24. *Id.*

25. Kumar Rupesinghe, *Ethnic Conflicts in South Asia: The Case of Sri Lanka and the Indian Peace Keeping Force*, in *Journal of Peace Research* (Conflictos Étnicos en el Sur Asia: el Caso de Shri-Lanka y la Paz India que Mantiene Fuerza, en *Diario de Investigación De paz*) (1988), 25 (4), pp. 337-350.

26. *Id.*

27. *Vea generalmente* Loganathan, K., *Sri Lanka: Lost Opportunities, Past Attempts at Resolving Ethnic Conflict* (Sri-Lanka: Ocasiones Perdidas, Más allá Tentativas en Resolución de Conflicto Étnico) (Colombo: Center for Policy Research and Analysis, 1996).

28. Rajanayagam, D.H., *Sri Lanka – A Current Perspective*, in *Asian Affairs* (Shri-Lanka - una Perspectiva corriente, en *Asuntos Asiáticos*) (1991), 12 (3), pp. 314-329.

de gobierno y de Tamiles que pierden su herencia cultural al Sinhales comenzaron a extender en todas partes del Tamiel la Comunidad.”²⁹ Los Tamiles sintieron que por promulgando el Sinhala S6lo Actúan, el gobierno satisfactoriamente empujó la lengua de Tamiel a una posición inferior en condiciones de su importancia en los asuntos nacionales.³⁰

Los escritores de Tamiel, el más a menudo que no, citan el estado esquemas de colonización patrocinados como uno de los jalones principales en la relación hostil entre estas dos comunidades. La comunidad de Tamiel miró los esquemas de colonización una conspiración para dividir su posición suprema en las provincias del Norte y Orientales. La colonización de campesinado Sinhales en las provincias de zona de intento Al norte-centrales y Orientales ha sido lanzada casi inmediatamente después de la independencia con el primer ministro D.S. Senanayake administración a la campaña. Ha sido discutido que la colonización era imperativa para el desarrollo agrícola del país así como la acomodación de la población de crecimiento rápido en el sur por gobiernos sucesivos.³¹ Sin embargo, un objetivo principal pero ocultado debía reducir el predominio demográfico de la gente Tamiel hablando en las provincias del Norte y Orientales. Refiriéndose al impacto de esquemas de colonización los líderes más mayores de TULF, Sr. S. Sivasithamparam y Sr. A. Amirthalingam demandaron que “incursiones serias han sido hechos en estas patrias por la política de colonización planeada con el cingales realizado por gobiernos sucesivos Sinhala desde la independencia.”³² La naturaleza contigua de estas provincias era un hecho en el Tamiel demandan que estas provincias eran su patria y esperaron formar la fundación de la región de Tamiel propuesta.

Por complaciendo en los esquemas de colonización masivos de la gente Sinhala en una región llamada *Manallaaru o Welioya*, los gobiernos estaban acertados en la rotura de esta naturaleza contigua. *Manallaaru o Welioya* todavía, como se considera, es sumamente estratégico por el gobierno con su guerra contra el LTTE. Sin embargo, los programas de colonización reforzaron la percepción de Tamiel de un “Sinhala la conspiración” para étnicamente limpiar y hacer a la gente de Tamiel extinta, y ocupar su patria.

Por lo tanto, la historia de esta isla sólo no ha sido usada por partidos al conflicto según sus interpretaciones y a un grado más gran refuerzan sus posiciones pero esto también ha ayudado a reforzar su teme sobre otro grupo

29. Mitra & Lewis, *Sub-national Movements in South Asia (Movimientos Sub-nacionales en el Sur Asia)* (Boulder, Colorado: Westview Press, 1996), p.44.

30. De Silva, (1994) supra nota 18.

31. Mitra & Lewis supra nota 29.

32. TULF – El tamiel Se unió el Frente De liberación era el partido prominente democrático que representa a los tamiel en el parlamento en los años 1960 y los años 1970. Ve, TULF, supra nota 4 (1988). p. 19.

étnico. El miedo a su turno obligó a los partidos a tomar medidas extremas para asegurar su seguridad y en cierto modo la supervivencia. La decisión de Tamil de conducir a una campaña violenta contra el estado (de Sri Lanka) y mucha política estatal contra las minorías puede ser explicada en condiciones de la psicología de miedo.

V. ECONOMÍA

La economía juega un papel significativo en muchos conflictos modernos étnicos y otros arraigados.³³ El conflicto de Sri Lanka no es ninguna excepción como factores económicos contribuidos infinitamente para el origen y el desarrollo del conflicto así como la escalada de violencia. La faceta económica del conflicto puede ser remontada al período colonial sobre todo la regla Británica. Cuando el Británico intentado llenar su administración en Sri Lanka con trabajadores locales blancos, quien eran bastante más baratos comparados a sus colegas blancos a la isla, los Tamiles en particular los Tamiles de Jaffna estaban en una posición favorable para ocupar el empleo de sector público.³⁴ Esto era debido a las ventajas educativas los Tamiles tenían sobre sus colegas Sinhala. Los Tamiles de Jaffna benefited enormemente de actividades de misionero Americanas centradas en Jaffna durante el período colonial.³⁵ En la etapa inicial, los Sinhalés no era entusiástico sobre la educación inglesa en parte para motivos religiosos. Por lo tanto, sobre el curso de tiempo, los Sinhalés no fueron capaz de competir con los Tamiles por el empleo de sector público. Los comentaristas indican que:

En el momento de la independencia el servicio civil tenía un número desproporcionado de Tamiles en ello, sobre todo en sus filas más altas. Los Tamiles comprendieron aproximadamente el treinta por ciento de los niveles superiores del servicio civil comprendiendo sólo el 22.7 por cientos de la población en el censo 1946. Los Sinhalés comprendió el 69.4 por cientos de la población y el 57.6 por cientos de los niveles superiores del servicio civil.³⁶

33. Byrne, S. & Irvin, S., *Reconcilable Differences: Turning Points in Ethnopolitical Conflicts (Diferencias Reconcilables: Puntos decisivos en Conflictos de Ethnopolitical)* (West Hartford: Connecticut: Kumarian Press, 2000).

34. *Vea generalmente* Hewavitharana, B., *Economic Consequences of the Devolution Package and an Evaluation of Decentralization (Las consecuencias Económicas del Paquete de Transferencia y una Evaluación de Descentralización)* (Colombo: Sinhala Weera Vidahana, 1997).

35. *Vea generalmente* Little, D., *Sri Lanka: The Invention of Enmity (Sri-Lanka: la Invención de Enemistad)* (Washington, D.C: United States Institute for Peace Studies Press, 1994).

36. Mitra & Lewis (1996) supra nota 29 en 148.

Los Sinhaleses, sin embargo, concibió este estado de asunto como el favoritismo Británico la minoría sobre la mayoría. Esto ha sido entendido en condiciones de la política Británica de dividen la regla y la colaboración de Tamil con colonialistas. Naturalmente esta percepción abasteció de combustible la animosidad Sinhala con los Tamiles. Sin embargo, los Tamiles siguieron dominando el empleo de sector público hasta después de la independencia. Según Rajanayagam:

...los Tamiles habían encontrado su vida principalmente en el servicio de gobierno y las profesiones, y la educación, como se decía, era “la industria” principal de la Jaffna. El suelo allí es árido y puede ser hecho fértil sólo con mucho trabajo difícil. Hasta entonces esto no apoya la población y por consiguiente la juventud está dependiente sobre empleos de servicio civiles y las profesiones de profesión. Bajo la regla Británica esto de verdad había conducido a cierto **overrepresentation** de Tamiles en estos sectores, en particular ya que los Sinhaleses se resistió a la educación basada por misión más de los Tamiles y ha sido implicados en comercio y el comercio a un grado más gran.³⁷

Sin embargo, los Sinhaleses concibió el predominio de Tamil de empleo de sector público como “una injusticia histórica” comprometido contra su raza por los maestros coloniales con la ayuda de las minorías de Tamil.³⁸ Con la independencia literalmente que transfiere el poder estatal de los Británicos a los líderes Sinhaleses políticos, los Sinhaleses estaba en una posición cómoda para compensarse para “la injusticia” pasada.³⁹ Las medidas han sido introducidas para asegurar los intereses de la comunidad Sinhalesa dentro del marco legislativo del estado así como bajo capa de la política pública. Lamentablemente, estas medidas han sido demostradas para ser perjudiciales a las aspiraciones de las comunidades de minoría.

La política de lengua era del extremo de importancia en cuanto a esto. Sinhala 1956 Sólo Actúa estaba, entre otras cosas, un golpe principal para la supervivencia económica de los Tamiles de Jaffna como esto requirió que empleados de sector público licenciarse en Lengua Sinhala dentro de un período estipulado. Las decenas de miles de Tamiles perdieron su empleo por consiguiente. Sinhala más lejos ha sido mejorado para ser la lengua de los tribunales pronto después.⁴⁰

37. Rajanayagam supra nota 28 en 316.

38. Hewavitharana B. supra nota 34.

39. Keethaponcalam, supra nota 3.

40. De Silva, supra nota 18.

Lo que la Sri Lankan gobierno se llamó “la estandarización” ha sido introducida en 1972 como una política de educación para ayudar a estudiantes Sinhala obtener la mayor parte de las admisiones a las universidades. Esencialmente, la estandarización “significado que los estudiantes de la corriente de Tamil tuvieron que tener señales de examen de entrada desproporcionadamente más altas que los que la corriente Sinhalesa para conseguir un lugar en la universidad. Esto abiertamente ha sido diseñado para reducir el según se dice sobre-representación de Tamiles en las universidades.”⁴¹ Además, Rajanayagam también indica que esto era la política de estandarización que “golpean a la juventud (de Tamil) **hardest**, y se puede decir que esto provocó el conflicto subsecuente violento, porque esto prácticamente ejecutó su futuro.”⁴²

La política “de nacionalización”, que ha sido caracterizada como “Sinhalesación” por los Tamiles también tenía el mismo efecto sobre la supervivencia económica de la población de Tamil. El S.W.R.D. el gobierno de Bandaranaike introdujo el proceso de nacionalización y el número grande de instituciones que incluyen establecimientos comerciales así como organizaciones educativas han sido traídas en patrocinio del gobierno. Según Rupesinghe:

Con la victoria electoral del SLFP en 1956, proporcionaron la búsqueda de hegemonía Sinhalesa con el poder político. Esto ha sido usado para introducir la legislación contra intereses coloniales económicos, y crear las condiciones para el Sinhalesación del estado. Esta política es reflejada en particular en la política de lengua por el Sinhala Sólo Actúan, pero también en otras esferas como la educación, el empleo, y la colonización de tierra.⁴³

Esta política pone a los Tamiles en una posición fuerte desheredada en competiciones para el empleo en aquellas instituciones. No sólo los establecimientos de negocio y educativos pero también los órganos estatales estaban radicalmente “**Sinhalesized**” durante Bandaranaike la era y después. Por ejemplo, las fuerzas armado del estado estuvieron llenas de los miembros de la comunidad Sinhala. “Del año 1970 no había prácticamente ningún reclutamiento de Tamil en las fuerzas armado “ (Rupesinghe, 1988, p.343).⁴⁴

41. Rajanayagam, nota 18 en 316.

42. *Id.*

43. Rupesinghe supra nota 25 en 343.

44. *Id.*

Hasta hoy estas instituciones permanecen muchísimo Sinhala establecimientos (Manor y Segal, 1985).⁴⁵

La carencia de pasar de ocasiones económicas no sólo frustradas la comunidad de Tamil, en particular la juventud, pero también forzado ellos para pensar en alternativas que asegurarían su poder y desarrollo. En aquel punto de tiempo un estado separado pareció una alternativa viable y los Tamiles también realizaron, probablemente de la experiencia pasada, esto sólo una campaña violenta podría ayudar crear tal estado. La decisión de subir armas ha sido hecha en la altura de la frustración entre la juventud de Tamil. La frustración conduce a la agresión.⁴⁶ Esto ha sido demostrado para estar verdadero en el Sri Lankan Tamil caso.

VI. FACETA POLÍTICA

La faceta política de cubismo social incluye factores constitucionales así como institucionales que incluyen la política de partido en la contribución a la evolución de conflictos étnicos. En Sri Lanka todos estos factores han sido implicados en descontento creciente de los Tamiles hacia el Sri Lankan el Estado así como la enemistad entre los dos grupos contrarios.

La Constitución 1946 Soulbury proporcionó la fundación para la independencia del país en 1948. Aunque preocupaciones locales hayan sido tenidas en cuenta que la constitución Soulbury esencialmente ha sido diseñada por los Británico y estuvo vigente hasta 1972.⁴⁷ En 1972 la Primera Constitución nueva Republicana substituyó esta constitución. La constitución Soulbury proporcionó algunos salvaguardas constitucionales para las minorías porque los Tamiles tenían ya comenzaron a levantar su voz contra el predominio Sinhala en la política de cuerpo del país. Por ejemplo, Todo Congreso de Tamil de Ceilán (ACTC), que era el partido político principal que representa a la gente de Tamil propone una oferta corrientemente sabida como 50:50 (cincuenta y cincuenta). Esta oferta abogó por un arreglo constitucional que aseguraría la mitad de los asientos parlamentarios para ir a todas las minorías.⁴⁸ Primero, esto no se conformó a principios liberales democráticos. De otra parte los Sinhalés de mayoría inmediatamente lo rechazó. Por lo tanto, esta oferta no disfrutó de ningún apoyo principal en entonces.

45. Manor y Segal, Causes of Conflict: Sri Lanka and Indian Ocean Strategy, in *Asia Survey*, (Las causas de Conflicto: Sri-Lanka y Océano Indico Estrategia, en *Asia Revisión*) (1985), 25 (12), pp. 1165-1185.

46. Gurr, T.R., *Why Men Rebel (Por qué Hombres Son Rebelan)* (Princeton, NJ; Princeton University Press, 19

47. Boss, S., *States, Nations, Sovereignty: Sri Lanka, India and the Tamil Eelam Movement (Estados, Naciones, Sovereignty: Sri-Lanka, India y el Movimiento de tamil Eelam)* (New Delhi: Sage Publications, 1994).

48. Perera, (1990) supra nota 10.

Sin embargo, como mencionado en otro sitio, la constitución Soulbury número proporcionado de salvaguardas a las minorías contra predominio de mayoría. Por ejemplo, Pacte 29 “la autoridad expresamente negada al Parlamento para hacer leyes discriminatorias contra o a favor de cualquier comunidad particular. El Consejo Privado observó que esto era una cláusula firmemente enraizada en la que esto no era dentro del poder del Parlamento para enmendar o abrogar dicha cláusula.”⁴⁹ Mientras tanto, una Segunda Cámara (el Senado) también ha sido creada en el parlamento para, entre otros objetivos, acomodar opiniones de minoría.⁵⁰ También la constitución aseguró que el estado permanecería secular porque esto es una comunidad multi-religiosa. La eficacia de estas disposiciones era un sujeto de discusión como los principios han sido violados sobre varios casos. Por ejemplo, Sinhala 1956 Sólo Actúa ha sido pasado en el parlamento a pesar de que la constitución no permitió ningún legislación que favoreció sólo una comunidad racial o religiosa (Para pactar 29).⁵¹

La Primera Constitución Republicana de 1972 no incluyó de Artículo 29, y también suprimió la segunda cámara en el parlamento. Esta constitución hizo el país un estado unitario.⁵² Constitucionalmente dieron al budismo el lugar principal y colocaron la responsabilidad sobre el estado “para proteger y criar el budismo.”⁵³ Sinhala ha sido conservado como la única lengua oficial del estado. Estos rasgos de la constitución nueva reforzaron la opinión de Tamil que ellos han sido hechos ciudadanos de segunda clase dentro del país. La constitución 1978 no hizo ningún cambios principales a estos rasgos polémicos excepto la política de lengua. El Tamil ha sido reconocido como una de las lenguas nacionales en esta constitución (Warnapala, 1980).⁵⁴ Refiriéndose al arreglo sobre el budismo, Warnapala (1980) reclamaciones que “el Capítulo 11, que se ocupa del budismo, está más o menos el mismo como en la Constitución 1972 pero la palabra ‘Sasana’ - la dispensación de budista - es incluida. El empleo de esta descripción tradicional (Sinhala) hace el capítulo sobre el budismo más eficaz” (p.917).⁵⁵

Una característica importante de estas constituciones republicanas es que ellos centralizaron el poder del estado con un grado más gran ambos

49. Vanniasingham, (1988), p. 19.

50. Gunewardena, V. & Wesumperuma, D., *Constitutional Structure and Devolution of Power (Estructura Constitucional y Transferencia de Poder)* (Colombo: Sri Lanka Foundation Institute, 1987).

51. Bose, (1994).

52. Warnapala, W.A.W., Sri Lanka's New Constitution, in *Asian Survey*, (La constitución Nueva de la Sri-Lanka, en *Revisión Asiática*) (1980), 20 (9), pp. 114-130.

53. Perera, (1990).

54. Warnapala, (1980).

55. *Id.* en 917.

administrativamente así como políticamente. Manor y Segal indican esto “... aunque Sri-Lanka tenía un sistema abierto, representativo político basado en el sufragio universal parte posterior tan lejana como 1931, el poder era todavía extremadamente sobrecentralizado. Ningunas instituciones representativas existieron en cualquier nivel intermedio entre el parlamento en Colombo y el nivel local.”⁵⁶

Ambiente tan político abandonó a los Tamiles sin el poder sobre asuntos o sea nacionales o sea sus cuestiones regionales porque la fabricación de política era y ha sido controlada de Colombo. Después la lucha sin violento emprendida por el Partido Federal conducido por S.J.V. Chelvanayagam, dos pactos han sido firmados.⁵⁷ Primero, entre primer ministro Bandaranayake y Chelvanayagam en 1957 y luego entre primer ministro Dudley Senanayake y Chelvanayagam en 1965. El Banda - Chelva el pacto como lo llaman asegurado la transferencia de poder sobre la base de Consejos Regionales y el Dudley - Chelva el pacto también convino que las Administraciones de distrito serían el principio se un para la transferencia. Lamentablemente ambos estos acuerdos unilateralmente han sido desechados por los gobiernos respectivos que obligan a los Tamiles a perder cualquier fe ellos tenían en acuerdos que alcanzan con los gobiernos de Sri-Lanka.⁵⁸

La naturaleza de política de partido en el país también ayudó a intensificar la tensión entre estas comunidades. Dos partidos principales a saber el Partido Unido Nacional (UNP) y el Partido de Libertad de Sri Lanka (SLFP) representan la mayoría gente Sinhale. Ambos partidos pueden ser etiquetados como “Sinhala partidos” a pesar del apoyo pobre del que ellos disfrutaban entre el Tamil y poblaciones Musulmanas porque su base de apoyo es predominately Sinhala.⁵⁹ Los Sri Lankan Tamiles ha sido representado primero por Todo Congreso de Tamil de Ceilán (ACTC) y luego por el Partido Federal (FP). El Tamil Se unió el Frente de Liberación (TULF) ha sido formado en temprano de 1970 como una fuerza combinada de la gente de Tamil y disfrutado abrumando el apoyo de los Tamiles en provincias del Norte y Orientales.⁶⁰ Mientras la gente Musulmana tiende a votar con los partidos supuestos nacionales, el UNP Y EL SLFP, el Congreso de Musulmán de Sri-Lanka (SLMC) los representa desde el

56. Manor & Segal, (1985), pp. 1169

57. Willson, (2000).

58. Loganathan, (1996).

59. Leitan, T. G.R., *Political Integration Through Decentralization and Devolution of Power: The Sri Lankan Experience (Integración Política Por Descentralización y Transferencia de Poder: el Sri Lankan Experiencia* (Colombo, Sri Lanka: Department of History and Political Science, University of Colombo, 1990).

60. Siriweera, W.I., Recent Developments in Sinhala – Tamil Relations, in *Asian Survey*, (Acontecimientos Recientes en Sinhala - tamil Relaciones, en *Revisión Asiática*) 20 (9), pp. 903-913.

medio los años 1980. Los Tamiles Indios predominantemente apoyaron el Congreso de Trabajadores de Ceilán (CWC) y su base de apoyo ha sido limitada a estados de té en Sri Lanka central así como áreas donde la gente de origen Indio vive densamente. Como uno puede concebir, la política de partido en Sri Lanka bruscamente ha sido dividida a lo largo de la lealtad étnica así como religiosa.⁶¹

Esta tendencia indudablemente animó los partidos políticos y sus candidatos a extensivamente emplear lemas étnicos y religiosos para ganar el juego de número, que es una parte esencial de democracia liberal. El más a menudo, lemas étnicos y religiosos girados contra “otras” comunidades “y el otros” han sido representados como enemigos. En hechos los partidos políticos competían para ofrecer la medida posible fuerte contra otras comunidades si ellos fueran elegidos para impulsar. Sinhala 1956 Sólo Actúa, por ejemplo, era al principio una promesa de elección hecha por el SLFP.⁶² Cuando el UNP también endosó una política de lengua, el líder SLFP prometió a la gente Sinhala “Sinhala sólo dentro de veinte cuatro horas.” Como según Vanniasingham

“Bandaranaike encontraron que ‘Sinhala sólo dentro de veinte cuatro horas’ serían el colector de fuego seguro-voto.”⁶³

Partidos de Tamil también, lemas comprensivamente manipulados raciales contra la gente Sinhala así como el estado en particular en áreas de mayoría de Tamil. Así, la resolución para un estado separado de Tamil Eelam entró en vigor como una promesa de elección. Siriweera indica que “según el manifiesto de elección del TULF’s (de 1976)” la pregunta para ser resuelta era si los Tamiles quisieron su libertad o siguieron la servidumbre al Sinhala - el gobierno Dominado.”⁶⁴ Este tipo de miope “la visión” de partidos políticos en este país ayudó sólo a distanciarse el vacío entre las comunidades contrarias.

VII. CIVILIZACIÓN

Al menos, en sus mentes los Sinhalés y los Tamiles son dos grupos diferentes de la gente originada de civilizaciones diferentes. La creencia convencional es que los Sinhalés es los descendientes de una raza al norte India aria y los Tamiles son Dravidians, la cuya base geográfica está en el Sur India. Es imperativo notar que allí existe un discurso de académico interesante, que avanza unas teorías en cuanto al origen y las interrelaciones de estos grupos. Por

61. Leitan, T.G.R., (1990).

62. Misra, S.S., *Ethnic Conflict and Security Crisis in Sri Lanka (Conflicto Étnico y Seguridad Crisis en Sri-Lanka)* (Delhi: Kalinga Publications, 1995). Also See Rupesinghe (1988).

63. Vanniasingham, (1988), p. 13.

64. Siriweera, (1980), p. 903.

ejemplo, algunos eruditos sugieren que los cingalés y los Tamiles sean los descendientes de misma acción racial, probablemente Dravidian y otros mantienen que los Sinhalés es de hecho los descendientes de la gente aborigen llamada *Veddas* quien todavía vive en las áreas de montaña remotas de Sri Lanka en un pequeño número. Aún, estos debates académicos en realidad no hacen ningún cambios sustanciales de las percepciones un grupo sostiene sobre el otro, que es fundamentalmente negativo.

Además, hay diferencias obvias entre estos grupos. Los Sinhalés habla Sinhala y la mayor parte de ellos son el budista. Los Tamiles, de otra parte, hablan el Tamil, y son predominantemente hindúes. Hay una comunidad cristiana que incluye ambo Sinhalés así como Tamil. El factor común de cristianismo no logró hacer cualquier impacto en el acortamiento del hueco entre los antagonistas étnicamente diferentes porque Christian Sinhala y el Tamil Christian sienten la proximidad emocional al budismo y el hinduismo respectivamente. Este accesorio emocional ha sido basado en su lealtad étnica así como la apreciación cultural de aquellas religiones. Esta tendencia hasta ha influido en algún Tamil Christian y Christian Sinhala para declarar que ellos son culturalmente hindúes y budistas respectivamente.

Sin embargo, el aspecto religioso del conflicto es algo complicado. Es sano y salvo asumir que este conflicto es esencialmente étnico más bien que religioso si bien los grupos enredados sean con religiosidad diferentes y factores hasta cierto punto religiosos son implicados. La lengua de Tamil y el hinduismo no son entrelazados tanto como Sinhala la lengua y el budismo son. Para la comunidad Sinhalesa, su lengua y religión son mismas. En otras palabras, uno no puede sobrevivir sin el otro. Rupesinghe indica que “el renacimiento de budista ha sido asociado con el concepto del Sinhalés como una raza ‘aria’, y que el budismo y el Sinhalés eran sinónimos del uno al otro.”⁶⁵ Sinhala el budismo está la fundación de supervivencia Sinhalesa y bien ser y esto es una parte incorporada de su identidad. Los Sinhalés cree que Buda él mismo escogió la isla de Sri Lanka como un lugar donde su enseñanza prosperaría.⁶⁶ Por lo tanto, esto es el deber inviolable de la gente Sinhalesa para proteger el budismo en tierra. Además, los Sinhalés también discute que el “Sinhala el budismo” sólo podría ser protegido en Sri Lanka unitaria. Este argumento es basado en presunción que cualquier forma de transferencia de poder eventualmente conducirá a la separación del país y causará la destrucción de budismo Sinhala.⁶⁷

65. Rupesinghe (1988), p. 342.

66. Brow, J., *Nationalist Rhetoric and Local Practice: The Fate of the Village Community in Kukulewa*, in Spencer, (Retórica Nacionalista y Práctica Local: el Destino de la Comunidad de Pueblo en Kukulewa, en Spencer) (1990), p.128.

67. Hewavitharana, (1997).

El nacionalismo de Tamil, de otra parte, no representa asociación fuerte con el hinduismo. Esto puede ser una razón del apoyo aplastante los extractos separatistas de guerra de la masa en particular Católica de Christian en la zona de guerra. El Tamil en que la Iglesia católica es sumamente crítica del Sri Lankan el gobierno para la manera el que la gente de Tamil era y es tratado en las provincias del Norte y Orientales. Para su parte los duros Sinhala en el sur acusan al Tamil la Iglesia católica para asistir al LTTE.

VIII. PSICOLOGÍA

En el análisis final que es importante es la psicología de la gente que es implicado en conflicto sumamente intenso violento étnico. “El miedo de extinción” juega un papel principal en el empujar a la gente a la violencia extrema en muchos conflictos modernos étnicos. Reiterer cree que este “el miedo de extinción” es abastecido de combustible a menudo por las memorias de matanzas del siglo-viejas y otros acontecimientos horribles en la historia de relaciones mutuas.⁶⁸ Los grupos tienen “un trauma escogido” que asiste en la movilización de sus componentes.⁶⁹ Esto es verdadero para el Sri Lankan la situación también.

Hay un miedo de extinción total, y en Tamil y psiques Sinhalesas, los que correctamente llaman “la crisis de confianza” por los estudiantes de Sri Lankan la política.⁷⁰ Ambos grupos perdieron la fe que ellos plácidamente puedan coexistir dentro de un sistema o hasta al lado. Este miedo es la razón fundamental del deseo Sinhales de mantener el control apretado de la gente de Tamil y sus asuntos. Cualquier esfuerzo de delegar poderes a unidades regionales o el poder de parte con sus colegas de Tamil es opuesto sobre la premisa que tal situación conduzca a la creación de Tamil separado Eelam y eventualmente causará la destrucción de raza de budista Sinhala. La creencia que hay una conspiración de Tamil para establecer a un Tamil más gran Eelam permanece muy fuerte en la psique Sinhala.

De otra parte, los Tamiles creen que aquel Sinhales ha reducido a los Tamiles a una ciudadanía de segunda clase principalmente que usa el poder político y la política hegemónica sobre asuntos de Tamil. Los ejemplos de tales tendencias a menudo son ubicados de las versiones deformadas de historia de

68. Reiterer, A.F., *Reducing Ethnic Conflicts: Contemporary Approaches to Conflict Resolution in Western Europe*, in Klink, A., Renn, O., & Lehner, J.P. (Conflictos Étnicos que Reducen: Accesos Contemporáneos de Estar en desacuerdo Resolución en Europa Occidental) (eds) *Ethnic Conflicts and Civil Societies: Proposals for a New Era in Eastern Europe (Conflictos Étnicos y Sociedades Civiles: Propuestas para de una Era Nueva en Europa Oriental)* (Vermont: Ashgate Publishing Company, 1997).

69. Volkan, V., *Blloodlines: From Ethnic Pride to Ethnic Terrorism* (New York: Farrar, Straus and Giroux, 1997).

70. Gunewardena, & Wesumperuma, (1987).

Tamil y la cultura en manuales de la escuela a lo que está el término como la ocupación militar de fuerzas armado Sinhala en el Al norte y el Este. Ven la legislación y la política pública que afecta al Tamil como instrumentos reducir su presencia en la política establecida. El Tamil es convencido de que todo lo que la política opresiva eventualmente conducirá a la extinción de su identidad y gente como un grupo étnico. Para ellos el único modo de evitar tal lío es de tener el derecho a la autodeterminación o el control al menos total de sus propios asuntos. Varias opciones que incluyen la creación de un estado separado y la introducción de una estructura federal han sido propuestas sobre esta suposición.⁷¹

Por lo tanto, las posiciones finales de estos grupos naturalmente diametralmente son opuesto al uno al otro. Fundamentalmente, el Sinhales quiere mantener el estado existente unitario del estado, que asegura el control del gobierno central de poder sobre todas las unidades y niveles. Los Tamiles quieren crear una unidad que aseguraría su supervivencia y bien ser, serían ello dentro de un estado separado o una estructura federal. Esto es donde ambos los grupos son pegados y son incapaces de moverse hacia una solución pacífica. Los diecinueve años la larga guerra ha demostrado que ambos partidos carecen del poder de imponer una solución militar sobre el otro.⁷² Por lo tanto, un final a la guerra debe ser alcanzado por el diálogo político. Sin embargo la situación de tierra en el país no proporciona ningún causa para la esperanza, al menos en el término de clase. Parece que un cambio hacia una resolución pacífica al conflicto no es posible sin un cambio sorprendentemente principal del entorno político del ajuste de conflicto.

IX. CONCLUSIÓN

Como en muchos otros conflictos étnicos, el Sri Lankan está en desacuerdo demasiado desarrollado de exigencias suaves políticas en un todos de la guerra. La guerra civil hasta ahora ha reclamado más de sesenta mil vidas además del dañador a la cantidad enorme de recursos económicos. Instituciones sociales y políticas no eran inmunes de la destrucción tampoco. Un establecimiento negociado político tiene importancia extrema para asegurar una resolución pacífica con la justicia a todos los grupos complicados. Una solamente solución no puede ser alcanzada sin un entendimiento apropiado de la dinámica múltiple del conflicto. El conflicto Sri Lankan, aunque esencialmente étnico, esto sea multidimensional.

Ya hemos hablado en el gran detalle los varios factores complicados en el conflicto y sus impactos sobre otros factores. Hemos examinado, por ejemplo,

71. *Id.*

72. Keethaponcalan, (2000).

como los factores históricos han influido en psicología de los partidos, y como la psicología tenía un impacto sobre la fabricación de política en condiciones de la economía, política, así como la decisión de usar la violencia para alcanzar objetivos. El Cubismo Social de conflicto nos permite examinar las facetas variadas de un conflicto por proporcionando un marco multidimensional. En este sentido esto es un marco útil para el análisis de conflicto y puede ser aplicado a cualesquiera conflictos arraigados étnicos.

LA ECONOMÍA POLÍTICA DE VIOLENCIA E INSEGURIDAD EN LAS FRONTERAS DE KENIA DEL NORTE: UNA PERSPECTIVA DEL CUBISMO SOCIAL

*Joshia Osamba**

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I. EXTRACTO

Desde los años ochenta, los conflictos y la violencia que implican comunidades pastorales en las fronteras de Kenia del Norte se han hecho endémicos. La violencia, particularmente, ha tomado la forma de robo de ganado y vandalismo. La aparición de jefes militares de ganado entre los grupos

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pastorales ha contribuido a la internacionalización y la comercialización del robo de ganado. Los actos de bandolerismo y el robo de ganado han conducido a la pérdida de vidas humanas y el desplazamiento de poblaciones. En esa forma la violencia y la inseguridad se han hecho la orden del día en la región. Este capítulo analiza la violencia y la inseguridad en las fronteras de Kenia del Norte usando la perspectiva del Cubismo Social para demostrar como los terminos en un conflicto a menudo son relacionados y entrelazados entre ellas. El capítulo también examina las estrategias posibles para la intervención de parte de terceras personas entre el conflicto para controlar o disminuir la violencia.

II. INTRODUCCIÓN

Desde los años noventa, los conflictos comunales se han hecho endémicos en todo el mundo. Existen eventos y tendencias, tanto internos y externos, que han contribuido a la aparición de estos conflictos.¹ En Africa, por ejemplo, el conflicto y la violencia parecen asumir dimensiones diferentes, desde las guerras civiles en Somalia, Liberia, la República Democrática de Congo y Sierra Leone hasta al genocidio en Rwanda y Burundi. Tales conflictos han minado severamente la cohesión social de los estados Africanos.

En los últimos veinte años se ha presenciado un aumento de violencia e inseguridad en la forma del bandolerismo y del robo de ganado (incursiones) en las fronteras de Kenia del Norte.² Por lo general, el robo de ganado entre los grupos pastorales no está limitado por las líneas comunales y las fronteras nacionales. La frase 'las fronteras de Kenia del Norte' se usa en este escrito para referirse a la región bordada por las fronteras de Kenia, Uganda, el Sudan, el Etiópe, y Somalia. El área es mencionada a menudo como 'la zona del bandido' o 'el cinturón del bandido' debido a las armas de fuego ilegales en las manos de los grupos pastorales quienes los usan para crear estragos en la forma del robo de ganado y del bandolerismo.³ El término 'pastoralista' está aplicado en este

1. TED ROBERT GURR Y BÁRBARA HARFF, *ETHNIC CONFLICTS IN WORLD POLITICS [CONFLICTOS ÉTNICOS EN LA POLÍTICA MUNDIAL]* (1994); RODERICK VON LIPSEY, *BREAKING THE CYCLE: A FRAMEWORK FOR CONFLICT INTERVENTION [ROMPIENDO EL CICLO: UNA ARMAZON PARA LA INTERVENCIÓN DE CONFLICTO]* (1997); WILLIAM I. ZARTMAN, *COLLAPSED STATES: THE DISINTEGRATION OF LEGITIMATE AUTHORITY [ESTADOS DERRUMBADOS: LA DESINTEGRACION DE AUTORIDAD LEGÍTIMA]* (1995).

2. John Mbaria, *Suguta Valley of Death [Suguta Valle de la Muerte]* THE EAST AFRICAN, Octubre 9, 2000, p. 12, Disponible en <http://www.nationaudio.com/News/EastAfrican/current/Features/Features1.html>; Makumi Mwagiru, *Borders, Frontiers and Conflict in the Horn of Arica: Some Preliminary Hypotheses [Bordes, Fronteras y Conflicto en el Cuerno de África: Algunas Hipótesis Preliminares]* (2000) (estudio no-publicado: Universidad de Nairobi).

3. Alex Mwangangi, *Kenya's Pastoral Areas: An Arch of Conflict? [Las Áreas Pastorales de Kenia - un Arco de Conflicto?]*, THE EAST AFRICAN, Septiembre 15-21: disponible en <http://www.nationaudio.com/News/EastAfrican/130999/.../opinon2.html>; *Ferocious Tribal Warfare [Guerra*

estudio para denotar a la gente cuyo modo principal de producción es el apañamiento de ganadería como el ganado, camellos, cabras, y asnos sobre bases extensas o en combinación con alguna forma de actividades agrícolas.⁴ En Africa Oriental, tales comunidades incluyen los Turkanas, los Pokots, los Samburus, los Somalís, y los Boranas de Kenia, los Toposas y los Meriles de Etiopía y Sudán, y los Karamojongs y los Jies de Uganda.

De este modo, un estudio de la economía política de violencia e inseguridad entre los desafíos de la globalización y el nuevo orden Mundial es central a nuestra comprensión del conflicto etno-político y comunal en Africa Oriental. Queremos en este capítulo dirigir las siguientes preguntas pertinentes en relación a la violencia y la inseguridad en las fronteras: ¿Cuáles son las causas principales de la violencia y la inseguridad en Kenia del Norte? ¿Está el conflicto basado en los recursos o en la identidad? ¿Cómo nos podemos dirigir al conflicto y la violencia? ¿Cual es el nivel de intervención de resolución de conflicto necesaria en la región?

Así este capítulo examina y analiza la economía política de violencia e inseguridad en las fronteras de Kenia del Norte con el énfasis particular sobre el fenómeno del bandolerismo y el robo de ganado. La primera parte del capítulo proporciona un fondo contextual de la economía pastoral en relacion con el conflicto sobre los recursos, sobre todo en los treinta años pasados. La segunda parte proporciona un análisis del conflicto que usa el modelo del Cubismo Social. La tercera parte discute qué tipo de intervención de terceras personas puede ser útil en la facilitación de la resolución de conflicto. En la conclusión, el capítulo proporciona una discusión comprimida de las ideas claves en la aplicación.

III. EL BANDOLERISMO Y EL ROBO DE GANADO EN LA ECONOMÍA PASTORAL: UN FONDO CONTEXTUAL

La mayor parte de Kenia del Norte es semi-árida y el área es sólo conveniente para un modo de producción pastoral. La evidencia disponible demuestra que los pastoralistas han sido capaces de ganar a duras penas una existencia frugal del áspero ambiente climático de la frontera durante siglos.⁵ En

Feroz Tribal], THE WEEKLY REVIEW, Marzo 12, 1999: disponible en <http://www.africaonline.co.ke/weeklyreview/990312/kenya3.html>.

4. M. Mahmud Khan, *Market-Based Early Warning Indicators of Famine for the Pastoral Households of the Sahel* [Los Tempranos Indicadores de Aviso de Hambre Basado en el Mercado Para las Casas Pastorales del Sahel], 22 WORLD DEVELOPMENT 2 (1994), p. 198.

5. Vera Mohammed Ali Salih, *Agro - Pastoralismo: An underestimated Regional Food Production System* [Agro-Patorialismo: Un Sistema subestimado de Producción Regional De Alimentos], EASTERN AFRICAN SOCIAL SCIENCE RESEARCH REVIEW, Vol. IX, No 1 (1993), p. 23; R.M.A. VAN ZWANENBERG &

todas partes de su historia la ganadería ha sido su salvavida económico y social. Algunos de los pastoralistas como los Turkanas y los Pokots, sin embargo, practican la transhumación, una forma de pastoralismo por el cual sólo los animales son movidos en la búsqueda de pasto y agua mientras las familias se colocan 'permanentemente' en locales dados.

Históricamente, las armas de fuego parecen no haber jugado un papel prominente en la temprana organización militar de las comunidades pastorales y semi-pastorales de Africa del Este. Sólo fué en la ultima parte del siglo décimo que los pionero comerciantes costeros de Africa del Este, los Arabes-Swahili y los 'Khatoumers', se aventuraron dentro de las fronteras de Africa Oriental y la cabecera del Nilo, introduciendo así las armas de fuego como un artículo comercial.⁶ Indudablemente, hoy en día los pastoralistas en la frontera afrontan desafíos sin precedentes en su larga historia lo que a menudo conduce a luchas serias y violentas para la supervivencia. En los últimos veinticinco años, por ejemplo, los cataclismos ecológicos, las sequías, la carestía así como la competencia para los recursos han contribuído al conflicto y la violencia entre comunidades pastorales.⁷ Por lo tanto, la mayoría de las sociedades pastorales en las fronteras se han militarizado y cada vez más confían en las armas de fuego.

Sin embargo, Odegi-Awuondo afirma que las causas originales de los problemas socio-económicos corrientes en áreas pastorales pueden remontarse a la política del gobierno británico colonial.⁸ Por ejemplo, en su tentativa de pacificar estas comunidades, el Gobierno colonial adoptó una política áspera que contribuyó a la marginación económica y política de estas comunidades. Por ejemplo, el Gobierno favoreció el establecimiento de agricultura de plantación de los colonos blancos en Kenia a cargo de la economía de campesino. Para hacer la tierra más fértil disponible para la enajenación por la comunidad blanca, el Gobierno colonial demarcó pequeñas reservas 'tribales'

ANNE KING, AN ECONOMIC HISTORY OF KENYA AND UGANDA , 1800-1970 [UNA HISTORIA ECONÓMICA DE KENIA Y UGANDA 1800-1970] (1975); WARFARE AMONG EAST AFRICAN HERDERS [GUERRA ENTRE LOS PASTORES AFRICANOS DEL ESTE] (Katsuyoshi Fukui & David Turton, eds., 1979).

6. Ver las obras siguientes, BETHUEL A. OGOT, ECONOMIC ADAPTATION AND CHANGE AMONG THE JI-SPEAKING PEOPLES OF EAST AFRICA [ADAPTACIÓN ECONÓMICA Y CAMBIO ENTRE LOS PUEBLOS JI-HABLANDO DE ÁFRICA ORIENTAL] (1996); ETHNICITY AND CONFLICT IN THE HORN OF AFRICA [IDENTIDAD ÉTNICA Y CONFLICTO EN EL CUERNO DE ÁFRICA] (Katsuyoshi Fukui & John Markakis, eds., 1994); 23 INTERNATIONAL STUD. IN SOCIOLOGY & SOC. ANTHROPOLOGY [ESTUDIOS INTERNACIONALES EN SOCIOLOGIA Y ANTROPOLOGIA SOCIAL] (Ali Mazrui, ed., 1977).

7. Fukui Y Markakis, *supra*, nota 6, p. 147.

8. CASPER ODEGI-AWUONDO, LIFE IN THE BALANCE: ECOLOGICAL SOCIOLOGY OF TURKANA NOMADS [LA VIDA EN EL EQUILIBRIO: LA SOCIOLOGÍA ECOLÓGICA DE LOS NÓMADAS TURKANA], p. 44 (1992).

para poblaciones Africanas.⁹ La mayor parte de las comunidades pastorales consecuentemente han sido empujadas de la tierra más fértil en las partes de aparato de secado del país. Además, los funcionarios coloniales consideraron el pastoralismo como un modo primitivo de producción y por lo tanto se han hecho esfuerzos para desalentarlo. Por ejemplo, el primer Gobernador colonial de Kenia, Señor Carlos Eliot declaró que el pastoralismo no tenía ningún futuro en Kenia.¹⁰ También los antropólogos coloniales propagaron mitos sobre el estado bajo el pastoralismo en la evolución humana social y económica.

De esta forma, las comunidades pastorales desde los tiempos coloniales han afrontado el hostigamiento y la represión estatales.¹¹ Por ejemplo, durante el período colonial, Kenia del Norte era un distrito cerrado y fué administrada por oficiales militares. El movimiento libre de la gente y los animales dentro y fuera del distrito fué restringido. Esta política fué dirigida para la supervisión de las actividades de los grupos pastorales. Los británicos se referían a los grupos pastorales como los Turkanas y los Pokots como 'belicosos', violentos y como comunidades recalcitrantes. Esta creación de los estereotipos era una manera de crear una imagen del enemigo y la justificación para la contra-agresión.¹² Por ejemplo, el Gobierno a menudo enviaba expediciones militares punitivas contra los pastoralistas. Tales expediciones a menudo conducían a la matanza de la gente y la confiscación de ganadería.

El Gobierno Keniano de la post-independencia parece haber adoptado la misma estrategia en relación con las actividades frecuentes del robo de ganado en las fronteras.¹³ Sin embargo, a pesar del empleo de fuerza, el Estado no ha alcanzado sus objetivos. Más bien, esto ha exacerbado el problema. Por ejemplo, los bandidos y asaltantes de ganado a menudo poseen armas más sofisticadas que los de las fuerzas de seguridad del Gobierno. Por lo tanto, los bandidos parecen no tener rival en las fronteras. Consecuentemente, las incursiones se desarrollaron casi a la escala de una operación militar como el medio de obtener algunos pocos animales y mejorar la capacidad para la lucha.¹⁴ No sólo los hombres jóvenes han sido matados, sino que las mujeres y niños han

9. R.M.A. VAN ZWANENBERG, COLONIAL CAPITALISM AND LABOUR IN KENYA 1919-1939 [EL CAPITALISMO COLONIAL Y EL TRABAJO EN KENIA 1919-1939] (1975); M.P.K. SORRENSEN, ORIGINS OF EUROPEAN SETTLEMENT IN KENYA [LOS ORÍGENES DE ESTABLECIMIENTO EUROPEO EN KENIA] (1968).

10. David M. Anderson, *Cow Power: Livestock and the Pastoralists in Africa* [El Poder de Vaca: Ganadería y los Pastoralistas en África], AFRICAN AFFAIRS: Vol.92, No.366 (1993), p. 121.

11. WILLIAM R. OCHIENG, AN OUTLINE HISTORY OF THE RIFT VALLEY [UNA HISTORIA ESBOZADA DEL VALLE 'RIFT'] (1980).

12. Fukui Y Markakis, *supra* nota 6, p. 193.

13. ODEGI-AWUONDO, *supra* nota 8.

14. MWANGANGI, *supra* nota 3.

sido asesinados también. Las chozas, tiendas, y cosechas han sido quemadas y saqueadas.

La confusión política en los países vecinos en los años 80 proporcionó una oportunidad para los pastoralistas para adquirir fácilmente armas de fuego mortales.¹⁵ Además, algunos gobiernos africanos han tendido a proporcionar armas a un grupo para luchar contra otro, más bien que la resolución de los conflictos étnicos de muchos años. Por ejemplo, la guerra civil en curso en Sudán del Sur ha demostrado ser un auge para el comercio de arma de fuego en las fronteras.¹⁶ Por ejemplo, el gobierno sudanés tanto como los guerrilleros del Ejército de Liberación de Los Pueblos Sudaneses (SPLA) proporcionan armas a sus colaboradores en la región.

Desde los últimos años de la década de los setentas, la siguiente combinación de factores ha contribuido a la destitución evidente de los pastoralistas en Kenia del Norte.¹⁷ Primero, las enfermedades de ganado borraron la mayor parte de la ganadería. En segundo lugar, las sequías perennes conducían al hambre. En tercer lugar, había un aumento de incursiones sobre los ganados y ataques militares por asaltantes Karamajong y Turkana fuertemente armados, en conjunto llamados Ngorokos (bandidos). Además, entre el año 1984 y el año 1986, el gobierno keniano envió una operación militar punitiva hasta el distrito pastoral de Pokot, en apariencia para recoger armas de fuego ilegales. Aquella mayor operación de seguridad se conoce en el Pokot como el 'Lotiriri' según el ruido de los helicópteros usados en el ataque del gobierno contra ellos y sus animales.¹⁸ Durante las operaciones, las fuerzas de seguridad confiscaron miles de cabezas de ganado Pokot, mientras otros murieron debido a la sequía o la carencia de atención adecuada mientras estaban en manos de las fuerzas de seguridad. Tales medidas obviamente no alcanzaron los resultados

15. Fukui & Markakis, *supra* nota 6; THE WEEKLY REVIEW, *supra* nota 3.

16. *Stop These Merchants of Terror [Pare a Estos Comerciantes de Terror]*, THE WEEKLY REVIEW, Febrero. 25, 1999. Disponible en [http://www.africaonline.co.ke/weeklr review/990312/editorial.html](http://www.africaonline.co.ke/weeklr%20review/990312/editorial.html) ; Marc-Antoine P. de Motclos, *The Proliferation of Light Weapons in Pastoral Northern Kenya [La Proliferación de Armas Ligeras en la Kenia del Norte Pastoral]*, en MONOGRAFÍA, No.30, CONTROLLING SMALL ARMS PROLIFERATION AND REVERSING CULTURES OF VIOLENCE IN AFRICA AND THE INDIAN OCEAN [CONTROLANDO LA PROLIFERACIÓN DE ARMAS PORTÁTILES E INVIRTIENDO LAS CULTURAS DE VIOLENCIA EN ÁFRICA Y EL OCEANO INDICO], Sept. 1998, Cape Town Institute of Strategic Studies [Instituto de Estudios Estratégicos de Cape Town], p. 8, Disponible en <http://www.iss.co.za/Pubs/Monographs/No30/CONTENTS.html>.

17. IN SEARCH OF COOL GROUND: WAR, FLIGHT AND HOMECOMING IN NORTH-EAST AFRICA [EN BÚSQUEDA DE TIERRA FRESCA: GUERRA, VUELO Y REGRESO EN ÁFRICA NORDESTE] (Tim Allen, ed., 1996); Eboe Hutchful, *Demilitarizing the Political Process in Africa: Some Basic Issues [Desmilitarizando el Proceso Político en África: Algunas Cuestiones Básicas]*, 6 AFRICAN SECURITY REVIEW 2, p. 1 (1997); ODEGI-AWUONDO, *supra* nota 8.

18. *Ferocious Tribal Warfare, supra* nota 3.

esperados ya que ellos parecieron no enfocarse bien en las causas del origen del robo de ganado.

Además, desde el final de los años setenta las operaciones de robo de ganado tomaron una dimensión nueva que ha sido basada únicamente sobre intereses individualistas más bien que sociales. Por ejemplo, mientras las incursiones tradicionales dependieron de intereses comunales y han sido supervisados por la comunidad por normas sociales establecidas, estas incursiones nuevas se basan completamente sobre intereses privados y son controlados por líderes armados del pueblo.¹⁹ Esta tendencia ha conducido a la aparición de jefes militares de ganado. El jefe-militar de ganado es un fenómeno que surgió entre el Pokot y el Turkana en los años ochenta. El fenómeno entró en foco cuando varias personas carismáticas, influyentes y ricas surgieron en estas comunidades prometiendo la prosperidad y la seguridad del pueblo. Estos jefes militares de ganado incluyen a los antiguos jefes, antiguos militares, hombres de negocios y expertos de rituales. Ellos han creado milicias armadas privadas que, aparte de proporcionar la seguridad local, también siguen en las incursiones sobre el ganado contra comunidades cercanas y a través de la frontera en Uganda, Etiopía, y Sudán. El jefe-militarismo así al parecer se ha convertido en empresa provechosa para ambos jefes militares y sus subalternos.²⁰ Por ejemplo, ellos han mantenido una red comercial fuerte con países cercanos. Los jefes militares a menudo organizan operaciones conjuntas de robo de ganado, implicando a miles de subalternos en Uganda, Sudán, y Etiopía. Así los Jefes Militares de ganado parecen ser los empresarios nuevos de la violencia. Según Reno, un jefe militar es típicamente un civil quien arma a los civiles con armas rudimentarias para servir sus intereses políticos, económicos y sociales.²¹ Irónicamente algunos funcionarios del Estado, sobre todo las fuerzas de seguridad y ex-militares, también según se informa son contratados en las actividades del robo de ganado, una ocupación que se ha hecho una empresa lucrativa para ellos.

Tradicionalmente, el robo de ganado entre los pastoralistas era una práctica cultural y ha sido considerado como simplemente una especie de 'deporte peligroso'.²² Bajo el sistema tradicional de gobierno, los mayores tenían el poder de controlar o sancionar incursiones. Las incursiones sobre el ganado así han

19. Charles M. Ocan, *Pastoral Crisis in North-Eastern Uganda: The Changing Significance of Raids* [Crisis Pastoral en Uganda del Noreste: La Importancia Variante de IncurSIONES], WORKING PAPER (ESTUDIO EN PROGRESO), No 2., Center for Basic Research Publishers (1992).

20. THE WEEKLY REVIEW, *supra* nota 3.

21. *Ver generalmente*, WILLIAM S. RENO, WARLORD POLITICS AND AFRICAN STATES [LA POLÍTICA DEL JEFE MILITAR Y LOS ESTADOS AFRICANOS] (1998).

22. Mabiria, *supra* nota 2; *ver también* a Macharia Gaiho, *Arming the Pokot was Folly: Now Disarm Them* [Armar del Pokot era Locura: Ahora Desármelos], THE DAILY NATION, Marzo 26, 2001, p. 6.

sido consideradas como una respuesta comunal aceptable a las calamidades naturales y como el medio para rellenar las reservas perdidas. La juventud juega un papel prominente en el sistema del jefe-militarismo. Ellos ofrecen sus servicios uniéndose a los grupos militares gentuzos del jefe militar. La violencia y la inseguridad en las fronteras por lo tanto se han hecho asuntos serios regionales y no simplemente un problema local. La mayoría de las fronteras, por lo tanto, son abandonadas; a menudo obligan a la mayor parte de las familias a escapar de sus casas para los campamentos de refugiados y los pequeños centros de comercio en Kenia y Uganda.²³

El bandolerismo y las actividades del robo de ganado en Kenia del Norte han afectado millones de personas, desde los límites del Turkana en el norte, hasta el Samburu y el Pokot en el centro, y el Keiyo, el Marakwet y el Tugen en el sur de el área de estudio. Las actividades del robo de ganado sin embargo, son más intensas entre el Pokot y las comunidades Turkana. Por ejemplo, cada grupo pastoral intenta inclinar la escala militar a su favor. Esto sigue cambiando sobre todo entre el Pokot y el Turkana.²⁴ Esta rivalidad evidente conduce a un ciclo infinito de incursiones vengativas y contra-incursiones entre las dos comunidades. Las comunidades pastorales así son implicadas en carrera de armamentos de su propia invención. Los bandidos y los jefes militares de ganado parecen prosperar en este ambiente de anarquía. La capacidad de los jefes militares para organizar y armar sus fuerzas son una indicación clara que el Estado ha perdido el monopolio sobre el empleo de la fuerza.²⁵ Esto merece notar que los grupos pastorales a menudo viven en los pueblos dispersados haciendole difícil para el Estado controlarlos con eficacia. A causa del estado de anarquía y la falta de ley en las fronteras de Kenia del Norte, es muy difícil poner en práctica cualquier proyecto de desarrollo. Los pocos oficiales del gobierno y las NGO's (Organizaciones No Gubernamentales) basados en el área viven con el miedo constante de los bandidos.

IV. UNA PERSPECTIVA DEL CUBISMO SOCIAL

El capítulo ahora analiza la dinámica de la violencia y la inseguridad en las fronteras de Kenia del Norte que usa el marco del Cubismo Social.²⁶ El modelo

23. Ocan, *supra* nota 19.

24. THE WEEKLY REVIEW, *supra* nota 3; Mwangangi, *supra* nota 3.

25. *Id.*

26. Sean J. Byrne & Neal Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Conflict in Northern Ireland and Quebec* [Cubismo Social: Seis Fuerzas Sociales del Conflicto Etnoterritorial en Irlanda del Norte y Quebec], en JOURNAL OF PEACE AND CONFLICT STUDIES, 3 (2), Diciembre 1996, p. 52; ver también a Neal Carter y Sean J. Byrne, *The Dynamics of Social Cubism: A View from Northern Ireland and Quebec* [La Dinámica del Cubismo Social: Una Vista desde Irlanda del Norte y Quebec], RECONCILABLE

del Cubismo Social toma el conocimiento de factores potenciales internos para aclarar las complejidades del conflicto. El marco muestra como en los conflictos etno-políticos, el conflicto lleva a su fin en las dimensiones diversas de la vida social como en las áreas políticas, económicas y sociales. Es posible usar el modelo para demostrar la conexión de relaciones entre los factores económicos, políticos, psico-culturales, demográficos, religiosos e históricos. Esta dinámica de conflicto en los varios lugares sociales se relaciona mutuamente el uno al otro para atrincherar el conflicto y hacerlo resistente a la resolución.

El marco de Cubismo Social es útil en el análisis del conflicto porque muestra la necesidad de los intervinientes de resolución de conflicto para analizar el conflicto por todos los ángulos y perspectivas. En otras palabras, exactamente como un cubo que tiene seis lados, las cuestiones en cualquier conflicto dado a menudo son relacionadas y entrelazadas la una a la otra. Consecuentemente, para comprender un conflicto tenemos que identificar y dirigir todos los factores que lo afectan de una forma u otra.

V. FACTORES HISTÓRICOS

Históricamente, las comunidades pastorales han habitado las fronteras de Kenia del Norte desde tiempos inmemoriales.²⁷ Es importante notar que Kenia, como otros países Africanos (excepto Etiopía), es una creación colonial o una 'expresión geográfica'. Antes del colonialismo, cada grupo pastoral era una nación separada viviendo bajo sus propias instituciones sociales y políticas. Las fronteras coloniales, sin embargo, incorporaron los grupos diversos de la gente que no tenían ningunos eslabones culturales o políticos, o quienes eran enemigos tradicionales, en la misma entidad política en nombre de Kenia.

Muchas comunidades pastorales, por ejemplo, no se ven como Kenianos debido a su larga distancia desde el centro de la administración política.²⁸ Por ejemplo, ellos se refieren a cualquier persona que viaja hacia el sur más allá de sus distritos como 'yendo a Kenia'. De modo bastante interesante, el modo de vivir económico de las comunidades pastorales es bastante diferente de la mayoría de otros grupos Kenianos. Al parecer, los pastoralistas parecen sentir que ellos tienen muy poco acceso a los recursos económicos del estado. Las comunidades pastorales en Kenia del Norte, por lo tanto, generalmente ven al gobierno como si representara una especie de colonialismo interno. Por ejemplo, en los años sesenta, los Somalí de Kenia del Norte emprendieron una prolongada, aun fracasada, guerra contra Kenia en una tentativa de separarse y

DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICT [DIFERENCIAS RECONCILIABLES: LOS PUNTOS DECISIVOS EN EL CONFLICTO ETNO-POLITICO], (Sean J. Byrne & Cynthia L. Irvin, eds., 2000).

27. VAN ZWANENBERG & KING, *supra* nota 5, en capítulo 1.

28. Mwagiru, *supra* nota 2.

unirse a la República de Somalia. Menos los misioneros y las ONGs, la participación estatal en el desarrollo económico y la provisión de servicios sociales a los grupos pastorales en Kenia del Norte es mínima.²⁹ Consecuentemente, los líderes pastorales influyentes, por lo tanto, a menudo inculcan ‘una mentalidad de sitio’ en su gente para hacerlos sentir que ellos han sido empujados contra la pared y que deben reaccionar en una forma u otra para reafirmarse, salvar sus intereses y hacer que el gobierno acceda a sus varias exigencias. Por ejemplo, Jay Rothman claramente señala que los conflictos en África a menudo son “profundamente arraigados en las cuestiones existenciales como las expresiones culturales y la misma supervivencia”.³⁰

VI. FACTORES PSICOLÓGICOS

Los factores psicológicos incluyen la identidad, el amor propio, el miedo y la cólera, entre otros. Los pastoralistas tradicionalmente se consideran gente intrépida y endurecida.³¹ Este sentimiento es probablemente debido a su ambiente áspero. Por ejemplo, ellos tienen un alto respeto por su práctica cultural de asaltar al ganado. Además, ellos sienten que, a no ser que ellos mantengan a sus enemigos en la bahía, ellos pueden ser abrumados y derrotados militarmente. De ahí viene la tendencia de organizar incursiones contra sus vecinos. Ellos también tienen un afecto fuerte por su cultura, el cual ellos sienten ha pasado la prueba del tiempo.³² Los grupos pastorales han permanecido homogéneos en los valores y los intereses. Tal uniformidad a menudo conduce a lo que Von Lipsey describe como: “el interés en la conservación de sólo aquellas cosas que son percibidas como valiosas para el grupo o que son capaces de aumentar el poder del grupo en relación a otros dentro de la sociedad. Aquella preservación de los intereses estrechamente definidos trabajan al detrimento de las afiliaciones más amplias requeridas para la estabilidad dentro de la sociedad y el estado.”³³

29. David Western, *Drought: Kenyans Have Not Seen Anything Yet [La Sequía: Los Kenianos no Han Visto Nada Aún]*, THE NATION, Junio 29, del año 2000, disponible en <http://www.climateark.org/articles/2000/2nd/drkehano.html>; ver también a Mukisha Kituyi, *Becoming Kenyans: Maasai Pastoralism [Haciéndose Kenianos: El Pastoralismo Maasái]*, African Center for Technology 1992; ODEGI-AWUONDO, *supra* nota 8.

30. Ver generalmente, JAY ROTHMAN, RESOLVING IDENTITY-BASED CONFLICT IN NATIONS, ORGANIZATIONS AND COMMUNITIES [RESOLVIENDO EL CONFLICTO BASADO EN IDENTIDAD EN LAS NACIONES, ORGANIZACIONES Y COMUNIDADES] (1997).

31. KANA ROBA DUBA, ET. AL., HONEY AND HEIFER, GRASSES, MILK AND WATER: A HERITAGE OF DIVERSITY IN RECONCILIATION [LA MIEL Y LA NOVILLA, HIERBAS, LA LECHE Y EL AGUA: UNA HERENCIA DE DIVERSIDAD EN RECONCILIACIÓN] (1997); ver también a Mbaria, *supra* nota 22.

32. *Id.* en 32.

33. VON LIPSEY, *supra* nota 1.

Durante años ha habido la erosión sistemática del valor de la ideología y los modos de vivir de los pastoralistas. Sin embargo, las ganaderías todavía permanecen como la piedra angular de su economía.³⁴ Por ejemplo, el ganado tiene muchos valores sociales y rituales para la mayor parte de los grupos pastorales. El ganado es usado en muchas formas de relaciones recíprocas como el edificio de alianzas sociales, intercambios en los eventos de matrimonio, el pagar multas, los sacrificios y los préstamos a amigos y parientes. Los pastoralistas ven sus valores culturales como superiores y sin mezcla de la influencia 'exterior'. Así, entre las comunidades pastorales, la matanza de los miembros de grupos-de-auera (sobre todo los guerreros) y el robo de su ganadería son prácticas culturalmente y socialmente aceptables y un signo de valor.³⁵ Por ejemplo, entre el Turkana y el Jie (de Uganda), el asalto de ganado era una actividad tan importante que se esperaba que cada uno participara en ella. Como Juan Lamphear observa: "¿Cualquiera, hasta el no iniciado, podría ir y fajar...Que comerían los hombres no iniciados si ellos solamente permanecieran en casa? ¿Es que el estómago distingue entre hombres?"³⁶ Tal actitud 'de alarde' animó la militancia entre la juventud quien quiso demostrar su virilidad y su valor militar participando en las incursiones. Así, tradicionalmente, el asalto de ganado por las comunidades pastorales era tanto una respuesta natural a los desastres como la sequía, y también una tentativa de aumentar los números de su ganadería como un seguro contra desastres. También, esto era una práctica cultural para demostrar el merecer de su comunidad.³⁷

Los gobiernos Kenianos desde la era colonial han intentado controlar actividades pastorales. Durante el período colonial, por ejemplo, el objetivo ostensiblemente era pacificar los pastoralistas y hacer cumplir el orden público.³⁸ Así, durante un largo rato la política oficial estatal tendió a ver el robo de ganado como un mero problema cultural de los pastoralistas y no una cuestión seria de seguridad estatal. Aún, el robo de ganado ahora ha resultado ser una amenaza para la seguridad del estado.

34. DUBA, ET. AL., *supra* nota 31.

35. Francis Deng, *Reaching Out: A Dinka Principle of Conflict Management [Extendiendo la Mano: Un Principio Dinka de la Dirección del Conflicto]*, p. 95, TRADITIONAL CURES FOR MODERN AFRICAN CONFLICTS: AFRICAN CONFLICT "MEDICINE" [CURAS TRADICIONALES PARA LOS CONFLICTOS AFRICANOS MODERNOS: "MEDICINA" PARA EL CONFLICTO AFRICANO] (I. William Zartman, ed., 2000); DUBA, ET. AL., *supra* nota 31.

36. Fukui & Markakis, *supra* nota 6, p. 63.

37. Deng, *supra* nota 35.

38. OCHIENG, *supra* nota 11.

VII. FACTORES ECONÓMICOS

Los factores económicos también son importantes en nuestra comprensión de la violencia y la situación de inseguridad en las fronteras. Por ejemplo, Ali Said indica que los grupos pastorales tenían economías independientes que alcanzaban a la mayor parte de sus necesidades básicas.³⁹ También, las redes de cambio entre los pastoralistas y los cultivadores siempre han existido. Relaciones tan recíprocas pudieron permitir a los pastoralistas ganar el acceso a los cereales, la sal y el pasto, entre otros artículos, cuando eran requeridos. Sin embargo, actualmente debido a la fuerte competición sobre los recursos y el conflicto en la región, la dicotomía de granjero-pastor se ha hecho bastante patente.⁴⁰

Básicamente, la existencia histórica de la economía pastoral ha sido minada por tres factores principales, particularmente: la aparición de estados-naciones, la penetración de la economía del mercado, los cambios climáticos y los cataclismos ecológicos. La incorporación de la economía pastoral en la economía global del mercado en cierta medida también ha hecho un impacto negativo contra la estructura social, así como contra las fundaciones éticas y morales.⁴¹ La predisposición evidente del gobierno contra la agricultura es una indicación clara del poco respeto que tienen así al pastoralismo en los círculos estatales. Por ejemplo, la economía internacional pone la demanda para más cosechas enajenando efectivamente las tierras pastorales para el establecimiento de plantaciones agrícolas grandes. La mayoría de las tierras pastorales tradicionales han llegado a ser propiedad privada de otra gente bajo el principio, sancionado por el estado, del 'vendedor dispuesto-comprador dispuesto'. Como Juan Maria correctamente lo suma: "La simbiosis vieja entre los pastoralistas y el granjero sedentario se ha estropeado, la sospecha y el conflicto de vez en cuando sangriento han tomado su lugar, alentados por políticos con una agenda de auto-engrandecimiento".⁴²

39. Ali Said, *Resource Use Conflict Between Pastoralism and Irrigation Development in the Middle Awash Valley of Ethiopia* [El conflicto del Empleo de los Recursos entre el Pastoralismo y el Desarrollo de Irrigación en el Medio Valle Awash de Etiopía], EASTERN AFRICAN SOCIAL SCIENCE RESEARCH REVIEW, Vol. 1, No 2., p. 21 y 29 (1994).

40. Gudrun Dahl & A. Hjort, *Pastoral Change and the Role of Drought* [El Cambio Pastoral y el Papel de la Sequía], SAREC Report R. 2, Stockholm: Swedish Agency for Research Cooperation with Developing Countries [Estocolmo: Agencia Sueca para la Cooperación de Investigación con Países en vía del Desarrollo] (1979); ver también a Mohammed Babiker, *East African Dryland Pastoralism: Some Methodological Anxieties* [El Pastoralismo de Tierras Secas de la Africa Oriental: Algunas Preocupaciones Metodológicas], Estudio de Seminario Inédito, Khartoum: Universidad de Khartoum (1999).

41. Ali Said, *supra* nota 39.

42. Mbaria, *supra* nota 22.

Indudablemente, el sistema de producción pastoral requiere un espacio de tierra extenso para movimientos de ganadería en respuesta al cambio de los modelos meteorológicos y climáticos. Los grupos pastorales dependen en gran parte de los productos de su ganadería. Así para seguir con su práctica histórica pastoral ellos tienen que asaltar otras comunidades para abastecer la reserva perdida. De ahí, ellos sufren las incursiones 'dando y dando'. Además, los distritos pastorales de Kenia del Norte son en gran parte subdesarrollados en términos de infraestructuras, asignaciones de recurso, y la disponibilidad de servicios sociales y económicos.

VIII. FACTORES RELIGIOSOS

La religión parece no jugar un papel prominente en la violencia y la inseguridad de los grupos pastorales en las fronteras. Esto merece notar que la mayor parte de los miembros de las comunidades pastorales todavía practican la religión tradicional aunque un número significativo de la gente se han convertido al cristianismo.⁴³ Los expertos tradicionales y rituales (Emuron) tenían mucha influencia en las sociedades pastorales. En caso de conflicto estos líderes religiosos en tándem con los mayores podrían buscar una solución amistosa aceptable a todos los partidos envueltos. Los expertos en rituales han sido considerados como divinamente inspirado y nadie podría desafiar sus decisiones. Además, en el sitio pastoral tradicional, los mayores eran los funcionarios con el poder de decisiones judiciales y políticos.

Los mayores manejaron en varios niveles todos los conflictos principales en la sociedad.⁴⁴ Por ejemplo, siempre que había un conflicto serio entre grupos vecinos, los mayores de ambos lados llamaban una reunión de paz para intentar resolver la discusión. También era permitido asistir y participar en la ceremonia de paz a los miembros del público. La reunión podría ser llevada a cabo en una atmósfera de carnaval marcada por historias, canciones, bailes y proverbios. El nombre de Dios y de los espíritus podrían ser invocados durante la reunión. Un toro sería matado y su sangre rociada en el aire como una manera de atar los disputantes y a los miembros de las dos comunidades del convenio. Como un gesto de reconciliación, el grupo entero comería la carne juntos. La sociedad entera podría ser parte del acuerdo y quien lo violara podría sufrir alguna calamidad. En general, la negociación, la reconciliación o la fabricación de paz se veían como el reestablecimiento de la relación entre la gente, Dios y los espíritus, los cuales se veían como testigos y participantes activos. Los acuerdos se establecían solemnemente por la toma de juramentos y la

43. DUBA, ET. AL., *supra* nota 31.

44. *Id.*

participación en los rituales que se consideraban obligatorios y sagrados. El castigo, la restitución y la reconciliación se basaban en las normas y los valores de la sociedad. Así, el énfasis se colocaba sobre la reparación de relaciones dañadas, más bien que la venganza.⁴⁵

Sin embargo, las sociedades pastorales actualmente se están transformando debido a la influencia occidental y cristiana.⁴⁶ Así los poderes de los mayores y de los expertos rituales han disminuído mientras que la juventud-guerrera y la elite educada adquieren más prominencia en la sociedad. Tradicionalmente, antes de cualquier expedición de asalto, los mayores o los dirigentes espirituales tuvieron que bendecir a los asaltantes. Hoy día, sin embargo, tales bendiciones son raras ya que los mismos jefes militares de ganado tienden a organizar la mayor parte de las incursiones sin consultar el mando tradicional político. Sin embargo, hay todavía unos grupos de expertos rituales que bendicen a los guerreros antes de las incursiones, para ganancias económicas. Por ejemplo, en abril del año 2001, el Presidente Moi de Kenia, como se relata, ha emitido una advertencia a tales expertos rituales diciéndoles que abandonen la práctica o confrontar la detención por la policía.⁴⁷ Es mi contención que estos expertos rituales probablemente no van a hacer caso a tales amenazas, pues, en realidad el estado ya no tiene más el control eficaz de Kenia del Norte. En este sentido hay buenas razones para creer que las maneras indígenas de resolver el conflicto podría ayudar a resolver algunos de los conflictos en las fronteras.

IX. FACTORES POLÍTICOS

La política es un factor principal que contribuye a la inseguridad corriente y a la violencia en las fronteras. La reacción del gobierno a su frustración e inhabilidad de controlar los actos de anarquía ha sido principalmente enviar fuerzas de seguridad, quienes más a menudo no optan por acosar la población paisana, según se dice, la colaboración con bandidos y ladrones de ganado en vez del revestimiento al enemigo.⁴⁸ Actos tan inhumanos tienden a hacer al estado impopular y a la gente indispuesta de cooperar con las fuerzas de

45. *Ver generalmente*, JANNIE MALAN, CONFLICT RESOLUTION WISDOM FROM AFRICA [SABIDURÍA DESDE ÁFRICA DE LA RESOLUCIÓN DEL CONFLICTO], ACCORD (1997); DAVID W. AUGSBURGER, CONFLICT MEDIATION ACROSS CULTURES: PATHWAYS AND PATTERNS [MEDIACIÓN DEL CONFLICTO A TRAVÉS DE LAS CULTURAS: SENDEROS Y MODELOS] (1992).

46. DUBA, et. al., *supra* nota 31.

47. DAILY NATION, Abril 15, 2001, disponible en <http://www.nationaudio.com/News/DailyNation/15042001/News/News72.html>.

48. THE WEEKLY REVIEW, *supra* nota 3 y 16; *ver también* a Joshia Osamba, *The Sociology of Insecurity: Banditry and Cattle Rustling in NorthWestern Kenya* [La Sociología de la Inseguridad: El Bandiderismo y el Robo de Ganado en Kenia Del Noroeste], ACCORD AFRICAN JOURNAL ON CONFLICT RESOLUTION, Vol. 1, Número 2, p. 1 (2000).

seguridad. Por ejemplo, siempre que las fuerzas de seguridad fallan en sus operaciones contra los bandidos, ellos a menudo expresan su cólera sobre la población paisana. Ellos son aterrorizados tanto por el gobierno como por los bandidos. De ahí, la tendencia de los pueblos de correr lejos y la fuga del alcance de ambos. La pregunta que uno puede hacerse es ¿Cuales son las opciones dejadas a los pastoralistas?

Las comunidades pastorales se sienten privados del derecho al voto por el sistema político Keniano.⁴⁹ Por ejemplo, los líderes de las comunidades pastorales a menudo expresan el sentimiento de exclusión del centro de poder nacional y la marginalización en todos los aspectos de vida. Por ejemplo, el gobierno Keniano parece haber adoptado sistemas económicos y políticos que tienden a perpetuar la marginalización de las comunidades pastorales. Este hecho está evidente en la distribución de recursos económicos y políticos. El gobierno aparece reconocer la importancia de estas sociedades sólo cuando esto requiere su apoyo político, como durante el tiempo de elecciones. Como tal, los líderes pastorales a menudo usaban la pobreza y el subdesarrollo en sus áreas como evidencia de la marginalización Estatal.⁵⁰ Algunos líderes políticos locales tienden a animar a su gente a seguir con la práctica histórica y cultural del robo de ganado. Estos políticos parecen temer que una denuncia de la práctica del robo de ganado pueda ser políticamente suicida. Tales líderes reclaman ser los defensores de su gente cuando de hecho su objetivo es salvaguardar sus propios intereses o prevenir la aparición de algún desafío potencial a su autoridad. Es importante notar que aunque estos líderes piden a su gente permanecer firmes en su modo cultural de vivir, estos mismos líderes envían sus niños a colegios locales y en el extranjero para la enseñanza superior.⁵¹ Esto tiende a crear una forma de diferenciación de clase en la sociedad en la que unas familias cultas pastorales siguen poseyendo el poder político a cargo de la mayoría pastoral-campesina pobre.

Además, la elite local política inculca en su gente 'una mentalidad de sitio' de manera que demandan que a no ser que ellos actúen con decisión para defenderse ellos serían borrados por sus enemigos tradicionales.⁵² Por ejemplo, los líderes Pokot han rechazado una solicitud por el Presidente de Kenia, Daniel arap Moi que ellos rinden todas las armas ilegales al gobierno. Ellos declararon que el rendimiento de sus armas haría a su gente vulnerable a ataques por los

49. *Id.*

50. DAILY NATION, Febrero 21, 2000, disponible en <http://www.nationaudio.com/News/DailyNation/21022001/index.html>; Mbaria, *supra* nota 22.

51. Babiker, *supra* nota 40.

52. Mbaria, *supra* nota 22; ver también al DAILY NATION, Abril 22, 2001, disponible en <http://www.nationaudio.com/News/DailyNation/22042001/News/News58.html>.

Karamonjong militarizados de Uganda. El Pokot así vuelve a su historia para apoyar las incursiones y otros actos de violencia contra comunidades vecindarias. Por ejemplo, en marzo 2001, un hombre llamado Samuel Moroto fué elegido como el nuevo Pokot Miembro de Parlamento para Kapenguria para sustituir por uno de los presuntos Pokot Jefes Militares, y el Ministro anterior, el difunto Francis Lotodo. Unos días después de que él oficialmente tomo juramento como el Miembro de Parlamento, Moroto dirigió una reunión grande en su distrito electoral, y él declaró que el Pokot iba a usar la violencia para reclamar toda la tierra, que históricamente les perteneció.⁵³ Algunas de esas tierras han sido incorporadas a los distritos vecindarios de Turkana y Trans Nzoia durante el período colonial. Los comentarios de Moroto fueron vistos como una declaración simbólica de ‘guerra’ contra los no-Pokot.

El Pokot así usa la historia para justificar sus acciones y acentuar la cohesión territorial y comunal. Ellos se sienten justificados en el desahucio del no-Pokot quien ha asumido su tierra hereditaria. Como notan Carter y Byrne: “Las elites políticas a menudo intentan inculcar el sentido del destino común y la solidaridad del grupo acentuando las semejanzas del en-grupo y las diferencias del ex-grupo, representando a los miembros del grupo como permutable y personalizando el conflicto inter-grupo”.⁵⁴ Carter y Byrne al mismo tiempo indican que los grupos tienden a enfocar su cuento para que ellos quepan en su situación, percepción, y visión del mundo corriente.⁵⁵

Hay evidencia clara de prejuicio y discriminación contra los pastoralistas en Kenia. Por ejemplo, ellos a menudo son referidos como ‘primitivos’, ‘incultos’, y una gente que sufre de una mentalidad de ‘acomplejado de ganado’.⁵⁶ Además, pocos miembros de las comunidades pastorales, empleados con salario, realizan mas que nada las tareas de sirvientes como guardias de seguridad en la noche y colectores de basura en las ciudades. Esto está previsto al hecho que la educación occidental aún no es arraigada entre estas comunidades pastorales.⁵⁷

53. MP Warns Over Land in Pokot, DAILY NATION, Marzo 23, del año 2001, disponible en <http://www.nationaudio.com/News/DailyNation/25032001/News/News26.html>; DAILY NATION, *supra* nota 52.

54. Carter & Byrne, *supra* nota 26.

55. *Id.* en 45.

56. Mbaria, *supra* nota 22; Western, *supra* nota 29.

57. Eric Both, *Education, Training and Household Labour among the Rendile Pastoralists of Northern Kenya* [La Educación, Entrenamiento y el Trabajo De Casa entre los Pastoralistas Rendile de Kenia del Norte], INSTITUTE OF DEVELOPMENT STUDIES BULLETIN [EL BOLETÍN DEL INSTITUTO DEL ESTUDIO DEL DESARROLLO], la Universidad de Nairobi, Vol.22, No.4, p. 136 (1991); *ver también a* MICHAEL A. LITTLE, THE ILLUSIVE GRANARY: HERDER, FARMER AND STATE IN NORTHERN KENYA [EL GRANERO ILUSORIO: EL PASTOR, EL GRANJERO Y EL ESTADO EN KENIA DEL NORTE] (1992).

En realidad, los funcionarios del estado a menudo amenazan a los jefes locales con consecuencias horribles por faltar de identificar a los bandidos y los ladrones de ganado quienes pueden estar funcionando en sus localidades. Por ejemplo, estos funcionarios a menudo aplican 'el castigo colectivo' sobre los clanes sospechados, cuyos miembros podrían participar en incursión de ganado contra comunidades vecindarias. Tales actos tienden a enajenar a la gente más lejos del gobierno, quienes ellos ven como una fuerza exterior que interfiere con su modo de vivir. Aparentemente, tal castigo y coacción a menudo abren 'una caja de Pandora' y a menudo exacerbaban el conflicto. Como Juan Burton postula "si las relaciones sociales cooperativas y no-violentas son buscadas por las sociedades, las normas sociales y las instituciones deben ser adaptadas a las aspiraciones humanas y no a lo contrario".⁵⁸

El gobierno ha tendido que condenar el robo de ganado entre las comunidades pastorales basado en gran parte en la falsa asunción que tales incursiones son un factor primitivo que se relaciona con la vida nómada.⁵⁹ Así, el Estado no ve las incursiones como un resultado en parte debido a la intrusión económica moderna que afecta el ajuste sociocultural de los pastoralistas. En gran parte, el cambio de las relaciones sociales y económicas ha compuesto las actividades del robo de ganado.⁶⁰ Parte de la razón es que la comercialización y la internacionalización del robo de ganado parecen unidas al mercado global extendido de la ganadería, los productos de ganadería, y la proliferación de armas, todos durante los años.

Claramente, la pobreza, el hambre y la destitución se han hecho parte de la ejecución agresiva y predatora de los objetivos políticos. En tal guión, el estado se hace un irritante inconsecuente.⁶¹ Corrientemente, la política de las comunidades pastorales parecen ser dominadas por el jefe-militarismo. El estado de inseguridad, la anarquía en las fronteras y el derrumbamiento de las estructuras sociales y económicas han creado una categoría de pastores-campesinos pobres quienes para sobrevivir a menudo recurren a los actos de robo de ganado y bandolerismo.⁶²

58. JOHN W. BURTON, VIOLENCE EXPLAINED: THE SOURCES OF CONFLICT, VIOLENCE AND CRIME AND THEIR PREVENTION [LA VIOLENCIA EXPLICADA: LAS FUENTES DEL CONFLICTO, LA VIOLENCIA Y EL CRIMEN Y SU PREVENCIÓN], p. 26 (1997).

59. Ocan, *supra* nota 19, p. 12.

60. Babiker, *supra* nota 40, p. 8.

61. Salih, *supra* nota 5.

62. Osamba, *supra* nota 48.

X. FACTORES DEMOGRÁFICOS

En las dos décadas pasadas, hubo alguna mejoración significativa de servicios médicos, sobre todo por los misioneros cristianos y las ONGs en las fronteras.⁶³ Tales servicios han conducido a una subida estable de la población de la gente pastoral. Además, los números de su ganadería han aumentado. Estos factores crean presiones demográficas que causan más conflicto sobre el pasto de tierras y el agua. Al mismo tiempo, muchas personas de las comunidades no pastorales han adquirido tierra en las áreas pastorales. Tal pérdida de tierra inevitablemente reduce la capacidad de los pastoralistas para mantener las manadas grandes de ganadería. Los terratenientes nuevos han adquirido hechos de título (certificados) que les dan derechos legales sobre tal tierra. Sin embargo, los grupos pastorales tradicionalmente no reconocen la propiedad de tierra individual ya que su modo de producción requiere el territorio expansivo y el dominio comunal de los pastos de tierra y otros recursos.⁶⁴ Así, las tentativas de las sociedades pastorales para ignorar el dominio individual de la tierra y de las fronteras tienden a exacerbar relaciones tensas entre las comunidades pastorales y las agrícolas. Consecuentemente, hay a menudo un choque de culturas entre los sistemas occidentales y los legales tradicionales de hacienda.

Debido a la inseguridad en las fronteras, los grupos pastorales han abandonado más del cuarenta por ciento de sus tierras de pasto y han comprimido entre áreas más pequeñas.⁶⁵ Este estado de asuntos afecta la economía pastoral, así contribuyendo a la degradación de la tierra, que a su turno exacerba el conflicto.

XI. LA POSIBLE INTERVENCIÓN DEL TERCERO EN EL CONFLICTO

La violencia y la inseguridad que ha sido creada por el bandolerismo y las actividades del robo de ganado en Kenia del Norte se pueden tratar a niveles diferentes de la intervención. Aparece que durante un largo rato el estado Keniano ha tenido que adoptar un acercamiento de arriba-hacia abajo o basado en federal tratar la cuestión. Como ya mencionado, tal método ha fallado miserablemente. Consecuentemente, sugerimos que hay una necesidad de que los funcionarios del estado, los pastoralistas, y otros partidos afectados debían

63. Gufa Oba & Walter J. Lusigi, *An Overview of Droughts Strategies and Land Use in Arican Pastoral Systems [Una Descripción de las Estrategias de las Sequías y el Empleo de la Tierra en los Sistemas Africanos Pastorales]* (1998) (investigación inédita, Kenya Aridlands Research Station).

64. DUBA, et. al., *supra* nota 31.

65. Oba & Lusigi, *supra* nota 63.

venir juntos y dirigirse al problema de un punto de vista en común.⁶⁶ Tal proceso de intervención implicaría el empleo de un acercamiento de “naiz” o de abajo hacia arriba, un acercamiento que a menudo es mencionado como ‘pacificación por debajo’. Al mismo tiempo el conflicto podría serse dirigido por un acercamiento basado en intereses.⁶⁷ Esto es un acercamiento que podría ayudar a los intervinientes asistir a los partidos a identificar sus preocupaciones y necesidades, y por lo tanto posiblemente estar en una mejor posición para desarrollar intereses comunes sobre el cual construir algún acuerdo general. En otras palabras, una transformación de la actitud y la visión del mundo de los pueblos es vital en cualquier intervención de conflicto en las fronteras.

Por ejemplo, el sistema pastoral debe ser reconocido como un componente importante de la economía Keniana más bien que una práctica arcaica que tiene que ser desechada. En este sentido, el estado Keniano y los pastoralistas deben comenzar a reconocer que cada uno tiene el derecho de existir. Al parecer, aparece que los pastoralistas aún no participan totalmente en la toma de decisiones afectando sus vidas sociales y su desarrollo económico. Así es correcto decir que muchas intervenciones de desarrollo pasadas en las áreas pastorales se han hecho un cosechero debido a la neutralidad de los pastoralistas en sus planificaciones e implementación.⁶⁸ Los intervinientes de la resolución de conflicto, por lo tanto, deben intentar dirigirse a las causas subyacentes del conflicto más bien que simplemente tratar los síntomas. De modo bastante interesante, más a menudo que no son ‘los forasteros’ quienes deciden lo que ellos perciben como los problemas que afligen los pastoralistas y sugieren sus resoluciones sin implicar los mismos habitantes del lugar. En otras palabras, la política parece ser que los pastoralistas deben ser ‘visto y no ser enterado’. En aquel respeto, estos intervinientes tienden a hechar la culpa a los pastoralistas o por ‘el abastecimiento excesivo y el sobre pasto’ más bien que dirigirse a las causas subyacentes de sus problemas.⁶⁹

66. *Ver generalmente*, WILLIAM L. URY, ET. AL., GETTING DISPUTES RESOLVED: DESIGNING SYSTEMS TO CUT THE COSTS OF CONFLICT [CONSIGUIENDO QUE SE RESULVAN LAS DISCUSIONES: DISEÑANDO SISTEMAS PARA REDUCIR LOS GASTOS DEL CONFLICTO] (1993).

67. *Ver generalmente*, JOHN PAUL LEDERACH, BUILDING PEACE: SUSTAINABLE RECONCILIATION IN DIVIDED SOCIETIES [CONSTRUYENDO LA PAZ: LA RECONCILIACIÓN SOSTENIBLE EN LAS SOCIEDADES DIVIDIDAS] (1995); *ver también* a DUBA, et. al., *supra* nota 31.

68. *Ver generalmente*, GUDRUN DAHL, SUFFERING GRASS: SUBSISTENCE AND SOCIETY OF WASO BORANA [LA HIERBA SUFRIENDO: LA SUBSISTENCIA Y LA SOCIEDAD DE WASO BORANA] (1979).

69. John Helland, *Some Aspects of and Implementaion of the Development of the Grazing Blocks in North Eastern Province* [Algunos Aspectos y la Puesta en Práctica del Desarrollo de los Bloques de Pasto en la Provincia del Norte-Oriental] (1980) (investigación inédita, Nairobi International Livestock Centre for Africa [El Centro de Ganadería Internacional de Nairobi para África]).

Un punto importante para recordar es que muchos eruditos y practicantes de la resolución de conflicto están de acuerdo que es casi imposible transformar una sociedad a no ser que las necesidades subyacentes de los partidos intrincados en el conflicto sean suficientemente identificadas, reconocidas, y tomadas en cuenta.⁷⁰ Así, cualesquiera soluciones recomendadas por los intervinientes deberían tomar el conocimiento del hecho que las comunidades pastorales han logrado sobrevivir en su ambiente áspero durante miles de años. De ahí, sería irrazonable esperar que ellos cambiaran fundamentalmente su modo de vivir así a un futuro inprobado. Así el cambio debe ser gradual y no debería ser impuesto por encima. Debido a las sospechas y las experiencias negativas pasadas, tanto el Gobierno como los pastoralistas están a menudo embarcados en su capullo, inseguros de las intenciones verdaderas del otro.⁷¹

¿Tendrá el pastoralismo un futuro en Kenia del Norte? ¿Sobrevivirá el modo de producción pastoral contra los varios ataques recorridos contra él? Ambos Aronson y Dyson-Hudsons afirman que el pastoralismo confronta un futuro incierto.⁷² De otra parte, Mustafa Babiker⁷³ indica que los pastoralistas no están estáticos y en todas partes de su historia ellos se han adaptado a las condiciones nuevas socioeconómicas y físicas cuando era necesario. Al mismo tiempo, Babiker no está divertido por las reclamaciones del derrumbamiento inminente del pastoralismo. Además, Babiker afirma que el foco de los estudios de los sistemas pastorales debería cambiarse del modelo de 'las crisis de supervivencia' a favor del marco de 'la supervivencia en las crisis'. Además, Babiker opina que los forasteros bajo la capa de 'expertos' tienden a ofrecer soluciones a los problemas que ellos nunca han experimentados. Algunas de sus recomendaciones son incompletas y no pueden resistir el paso del tiempo. Estos expertos en la resolución de conflicto y del desarrollo raras veces buscan las

70. Ver a BURTON, *supra* nota 58; LEDERACH, *supra* nota 67; URY, et. al., *supra* nota 66; ROTHMAN *supra* nota 30.

71. Maurice Lokong, *Dialogue Education-A Tool for the Equitable Incorporation of Nomadic Pastoral Communities in National Development with Special Reference to the Turkana of North West Kenya* [Educación Diálogica-Un Instrumento para la Incorporación Equitativa de las Comunidades Nómadas Pastorales en el Desarrollo Nacional con Referencia Especial a los Turkana de Kenia Norte Oeste], p.7 (1987) (tesis de diploma inédita, Universidad de Readings); ver también a Both, *supra* nota 57.

72. David R. Aronson, *Must Nomads Settle? Some Notes Toward Policy on the Future of Pastoralism* [¿Debian Colocarse los Nómadas? Algunos Apuntes Hacia la Política sobre el Futuro del Pastoralismo] en WHEN NOMADS SETTLE: PROCESSES OF SEDENTARIZATION AS ADAPTATION AND RESPONSE [CUANDO LOS NÓMADAS SE COLOCAN: LOS PROCESOS DE SEDENTARIZACION COMO ADAPTACIÓN Y RESPUESTA], p. 173 (Philip C. Salzman, ed., 1980); ver también a Neville Dyson-Hudson & Rada Dyson-Hudson, *The Structure of East African Herds and the Future of the East African Herder* [La Estructura de las Manadas de Africa del Este y el Futuro del Pastor Africano del Este], DEVELOPMENT AND CHANGE, Vol.13, 1985, p. 213.

73. Babiker, *supra* nota 40, p. 1.

opiniones de los habitantes del lugar cuando deciden los proyectos de desarrollo apuntados a mejorar sus condiciones.

Es importante notar que la mayor parte de las fronteras Africanas son porosas e impugnadas.⁷⁴ Los bandidos y los ladrones de ganado así lo encuentran fácil de oscilar entre los estados vecinos, cruzando fronteras internacionales a voluntad.⁷⁵ El hecho que los países vecinos han desarrollado diferentes estrategias del manejo de conflicto y regulaciones a menudo les hace difícil de manejar con eficacia los conflictos de las frontera enfadados. Por ejemplo, en Uganda los grupos pastorales son a menudo permitidos por el estado poseer armas de fuego aún en Kenia el gobierno ha prohibido la posesión de armas por los pastoralistas.⁷⁶

Nuestro argumento es que para que la coexistencia pacífica sea alcanzada, las comunidades pastorales deben aceptar la realidad que cada uno es parte de la entidad más amplia geopolítica y económica. Sugerimos que para la paz duradera en las fronteras, los métodos indígenas de la resolución del conflicto y los valores culturales sean incorporados en los mecanismos modernos de la resolución de conflicto. Esto, con esperanza, enormemente podría contribuir a la restauración de la paz, la seguridad, la estabilidad y las relaciones cordiales entre las comunidades pastorales en las fronteras. Ambos Aronson y David Western, entre otros eruditos del pastoralismo, han conmovedoramente discutido que la vida social en las áreas pastorales no se ha mejorado.⁷⁷ Por ejemplo, los pastoralistas todavía confían en la naturaleza para su supervivencia.

Según John Burton, para cualquier intervención eficaz de la resolución de conflicto, los intervinientes de tercero deben evitar las opiniones parciales y preconcebidas sobre la situación local.⁷⁸ Así, para dirigir un conflicto suficientemente hay la necesidad de algún cambio de las instituciones y las estructuras de la sociedad. Así, afirmamos que para prevenir o reducir el conflicto del inter-grupo en las fronteras es necesario dirigirse a las necesidades básicas humanas de la gente, como la seguridad, el reconocimiento, la identidad, el amor propio y la aceptación. La violencia estructural⁷⁹ está evidente en la

74. BORDER AND TERRITORIAL DISPUTES [DISCUSIONES FRONTERIZAS Y TERRITORIALES] (Andrew J. Day, ed., 1987).

75. Mwangiru, *supra* nota 2.

76. SUNDAY NATION, Abril 22, del año 2000, p. 3.

77. Aronson, *supra* nota 72; Western, *supra* nota 29.

78. *Ver generalmente*, JOHN W. BURTON, RESOLVING DEEP-ROOTED CONFLICT: A HANDBOOK [RESOLVIENDO EL CONFLICTO ARRAIGADO: UN MANUAL] (1987); *ver también* a CONFLICT: HUMAN NEEDS THEORY [CONFLICTO: LA TEORÍA DE NECESIDADES HUMANAS] (John W. Burton, ed., 1990).

79. JOHAN GALTUNG, PEACE BY PEACEFUL MEANS: PEACE AND CONFLICT, DEVELOPMENT AND CIVILIZATION [LA PAZ POR MEDIOS PACÍFICOS: LA PAZ Y EL CONFLICTO, EL DESARROLLO Y LA CIVILIZACIÓN] (1996); Burton, *supra* nota 86, p. 32.

manera en que el estado Keniano ha manejado el problema de la gente pastoral desde los tiempos coloniales. La política del gobierno ha impactado negativamente a la producción económica pastoral. Esto debería ser notado de una perspectiva psicológica, los sentimientos de enajenación podrían ser peligrosos, tanto al individuo como al grupo.

Nuestra contención es que para que los conflictos en las fronteras sean reducidos, es necesario identificar las causas de los orígenes subyacentes del problema en vez de culpar a los partidos implicados o simplemente dirigiéndose a los síntomas del conflicto. Esto le conviene a los intervinientes de la resolución de conflicto de identificar y analizar la interacción de los varios factores y sus dinámicas internas y externas cuando se dirigen a la cuestión de la violencia y la inseguridad en las fronteras. Byrne y Carter nos señalan la dirección correcta.

De modo bastante interesante, Von Lipsey ha desarrollado un modelo de la resolución de conflicto que él llama 'el ciclo de la intervención'.⁸⁰ Este marco incorpora 'la relación entre la prevención, la mitigación y la resolución'. Las medidas de resolución de conflicto duraderas a menudo requieren un cambio del status quo y un compromiso fuerte de parte de los partidos implicados para jugar según 'las reglas del juego', más bien que la coacción o el consentimiento de parte de uno de los partidos. En otras palabras, los componentes básicos de la paz deben ser puestos sobre una tierra firme. Jay Rothman, Edward Azar, y Louis Kriesberg sostienen opiniones similares.⁸¹ Por ejemplo, según Rothman, algunos conflictos profundamente arraigados a menudo no pueden ser resueltos porque los conflictos son "maldagnosticados y manejados mal".⁸² Rothman ha propuesto el marco ARIA (el Antagonismo, la Resonancia, la Invención, y la Acción) del manejo del conflicto que puede ayudar a los partidos del conflicto moverse del cambio adversarial al cooperativo. Rothman acentúa la importancia del diálogo positivo entre los partidos para crear un ambiente conducente a la solución de los problema y el entendimiento. Como Azar correctamente indica, los conflictos basados en la identidad son atados para repetirse a no ser que las causas subyacentes hayan sido suficientemente identificadas y tratadas a la satisfacción de todos los partidos.⁸³

80. VON LIPSEY, *supra* nota 1, p. 6.

81. *Ver a* ROTHMAN, *supra* nota 30; Edward Azar, Protracted Social Conflict: Ten Propositions [El Conflicto Social Prolongado: Diez Propociciones] en INTERNATIONAL CONFLICT RESOLUTION: THEORY AND PRACTICE [LA RESOLUCIÓN DEL CONFLICTO INTERNACIONAL: TEORÍA Y PRÁCTICA] (John W. Burton & Edward Azar, eds., 1996); KRIESBERG, LOUIS KRIESBERG, CONSTRUCTIVE CONFLICTS: FROM ESCALATION TO RESOLUTION [LOS CONFLICTOS CONSTRUCTIVOS: DESDE LA ESCALADA HASTA LA RESOLUCIÓN] (1998).

82. ROTHMAN, *supra* nota 30, p. 6.

83. Azar, *supra* nota 81.

Este papel por lo tanto sugiere que esta conexión entre las necesidades humanas y el conflicto debería ser claramente comprendida por los líderes políticos locales, la administración provincial y el estado Keniano. En aquel respeto, los fabricantes de la política del gobierno Keniano deben tomar el conocimiento de estos hechos para identificar como la amenaza ambientalmente (ecológicamente) relacionada a la paz puede ser contenida, o resuelta. En el hecho real, el pastoralismo simplemente no puede ser despedido como una práctica pasada de moda. Como Doornboss correctamente exprime, los pastoralistas, "...han demostrado perspicacia económica y social en la explotación de sus patrias áridas. Aquellas tierras son demasiadas áridas para nada mas que un pastoralismo nómada, o a lo más, transhumante. La única otra opción es emigrar y dejar el arbusto a la caza".⁸⁴

Es necesario conceder a los pastoralistas la oportunidad de determinar su futuro. En aquel respeto afirmamos que los 'forasteros' no deberían imponer decisiones y política importantes que afectan el modo pastoral de existencia sin su participación activa desde las etapas iniciales hasta el proceso de puesta en práctica.⁸⁵ Esto es el hecho innegable que en gran parte han sido principalmente las Organizaciones No Gubernamentales y los misioneros de iglesia que han intentado aliviar la situación grave de las comunidades pastorales con la provisión de escuelas, perforaciones, centros médicos y otras instalaciones.⁸⁶ Como ya declarado, el gobierno Keniano por lo tanto debería cambiar la tendencia de no hacer caso al descuido del bienestar de los pastoralistas en términos del desarrollo y la distribución de recursos políticos y económicos. Probablemente, el Gobierno debería adoptar alguna acción afirmativa para hacer a los pastoralistas subir en términos de la provisión de los servicios de desarrollo, sociales, educativos, y económicos patrocinados por el gobierno.

En general, la intervención de tercero debería ayudar a los partidos disputativos adoptar un acercamiento de 'dar y tomar' al tratar a su conflicto. El empleo de medidas coactivas para modificar un comportamiento o resolver el conflicto puede ser contraproductivo. Esto está evidente en el fracaso del gobierno en las campañas de despastoralización en las fronteras. En el hecho, los pastoralistas consideran las medidas estatales como la provisión de alivio de alimentos durante sequías como una medida a corto plazo substitutiva temporal

84. Fukui & Markakis, *supra* nota 6, p. 87.

85. Western, *supra* nota 29; Osamba, *supra* nota 48.

86. Gufu Oba, *Perception of Environment among Kenyan Pastoralists: Implications for Development [La Percepción del Ambiente entre los Pastoralistas Kenianos: Las Implicaciones para el Desarrollo]*, p. 33, NOMADIC PEOPLES, No. 19, 1985.

mientras ellos esperan ocasiones de volver al pastoralismo, o sea por incursiones sobre el ganado o sea otros métodos de reconstruir su reserva.⁸⁷

La dicotomía “nosotros-ellos” es un futuro común en la interacción humana.⁸⁸ Así, las generalizaciones, las percepciones y la proyección de atributos negativos sobre los otros siempre son manifestadas en los conflictos. Sin embargo, el empleo de los términos negativos y peyorativo como ‘malo’, ‘primitivo’, ‘asesinos insensibles’, ‘bandidos’ deberían ser evitados por los partidos contrarios mientras ellos intentan resolver el problema de la violencia y la inseguridad en las fronteras. Tales términos tienden a crear un ambiente de desconfianza, venganza y ‘el echar el muerto’.

XII. CONCLUSIONES

El capítulo ha intentado analizar la economía política de violencia y la inseguridad en las fronteras de Kenia del Norte usando el modelo del cubismo social. Esto ha indicado que los fenómenos del bandolerismo y el robo de ganado enormemente han contribuido a la aparición de un ambiente de violencia e inseguridad en esta región. El robo de ganado aparece haber sufrido una transformación fundamental de una práctica cultural a una empresa comercial internacional aparentemente debajo del control de Jefes Militares de ganado. En general, el cambio del empleo de la tierra, las presiones demográficas, las condiciones políticas y económicas han contribuido al aumento corriente del conflicto y la violencia en las fronteras. La institucionalización de la violencia y la inseguridad resultante ha contribuido a los problemas sociales, políticos y económicos extendidos entre los pastoralistas.

El gobierno parece no haber adoptado la política y los mecanismos necesarios que podrían ayudar a prevenir y dirigirse a las causas subyacentes de la inseguridad y la violencia en la región. Consecuentemente, la situación se ha hecho insuperable. La flojedad del gobierno ha, por lo tanto, de algún modo contribuido a la aparición de jefes militares, quienes han surgido como los maestros incontestados de la región.

Para hacer cualquier intervención significativa en el conflicto, hay una necesidad de tranquilizar a los pastoralistas que su modo histórico de vivir será reconocido. En aquella conexión, sería apropiado reforzar las capacidades institucionales pastorales con la referencia específica a las normas, las reglas y las regulaciones tradicionales de la resolución de conflicto. En general, la

87. Richard Hogg, *Pastoralism and Improverishment: The Case of the Isiolo Boran o Northern Kenya* [El Pastoralismo y el Empobrecimiento: El Caso del Isiolo Boran de Kenia del Norte], DISASTERS, Vol.4, No.3, 1980, p. 299.

88. VAMIK VOLKAN, BLOODLINES: FROM ETHNIC PRIDE TO ETHNIC TERRORISM [LINEAS DE SANGRE: DESDE EL ORGULLO ÉTNICO HASTA AL TERRORISMO ÉTNICO] (1997).

intervención de tercero en el conflicto debe tomar nota de los intereses, las necesidades y las aspiraciones subyacentes de la población local al desarrollar un marco de resolución de conflicto para la región. El estado, por lo tanto, debe intentar cultivar relaciones buenas que trabajan entre las fuerzas de seguridad y los habitantes del lugar para la ventaja mutua del estado y los habitantes locales. El estudio concluye que un esfuerzo concertado por todos los tenedores de apuestas es giratorio en cualquiera resolución significativa del conflicto en Kenia del norte.

XIII. RECONOCIMIENTOS

Una versión más temprana de este capítulo ha sido publicada en el **ACCORD AFRICAN JOURNAL ON CONFLICT RESOLUTION (EL DIARIO DEL ACUERDO AFRICANO SOBRE LA RESOLUCIÓN DE CONFLICTO)**, Volumen 1, Número 2, 2000. Deseo expresar mi gratitud a Sean Byrne de la Universidad Nova Southeastern por los comentarios y sugerencias valorosos que él hizo sobre los esbozos más tempranos de mi artículo.

COMPLEJIDAD COMO UN AMORTIGUADOR: EL CUBO SOCIAL BELGA

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I. COMPLEJIDAD COMO UN AMORTIGUADOR: EL CUBO SOCIAL BELGA

En toda su historia, Bélgica ha sido una entidad compleja políticamente y socialmente. Al Rey de los Belgas en un informe oficial le dijeron “no hay Belgas”. El país ha cambiado rápidamente de una estructura unitaria a una estructura federal, con diferentes racionamientos y responsabilidades para sus regiones y comunidades. Los cambios demográficos son algo difíciles de trazar en un mapa debido a las restricciones que se presentan al hacer las preguntas durante los censos. La combinación de los múltiples niveles de las instituciones políticas, el conflicto de grupo, la disparidad económica, el simbolismo político, y los factores psicológicos demuestran la utilidad del uso del Cubismo Social para estudiar este conflicto que es relativamente pacífico.¹ Este documento discute que mucha de la complejidad de las instituciones políticas de Bélgica es

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1. Seán Byrne & Neal Carter, *Social Cubism: Six Social Forces of Ethnoterritorial Politics in Northern Ireland and Quebec*, 3(2) J. PEACE AND CONFLICT STUD. 52, 52-71 (1996). NEAL CARTER & SEÁN BYRNE, *A View From Northern Ireland and Quebec*, in RECONCILABLE DIFFERENCES: TURNING POINTS IN ETHNOPOLITICAL CONFLICT (S. Byrne & C. Irvin eds. 2000).

el resultado de los atentados a mitigar el conflicto y a posponer unos desacuerdos significativos.

Un entendimiento de los conflictos de identidad no se completa sin el exámen de la interacción estratégica y de las varias facetas del conflicto. Por consiguiente, este capítulo presenta una breve discusión de los modelos de la interacción estratégica, acentuando el modelo de cambio estructural. Mientras este modelo es útil para señalar la relación entre estructuras y acciones, este es muy general. Por eso combino este modelo con el Cubismo Social para mostrar la interacción y la interrelación de las diferentes facetas del Cubo Social. En el caso de Bélgica se ilustra claramente la utilidad de este estudio para examinar el conflicto que varia continuamente.

II. INTERACCIÓN ESTRATÉGICA

Los modelos de las acciones estratégicas usadas para explicar las coacciones a las que se enfrentan los líderes proporciona una invaluable comprensión a la naturaleza dinámica de la acción política. Estos presentan sucintamente la interacción del contexto, los objetivos, las acciones y los resultados en situaciones complejas. Dibujando los estudios de juegos fijos y los procesos del conflicto, discuto que las acciones de los líderes políticos son mejor entendidas dentro de un marco que es sensible a las múltiples coacciones a las que ellos se enfrentan.

Tsebelis ha usado juegos fijos para modelar las decisiones complejas hechas por líderes políticos. Él discutió que los políticos tienen relaciones con otros líderes y con sus electores, y que las acciones con un grupo afectarán la relación con el otro.² Asimismo Panebianco indicó que líderes políticos se implican simultáneamente en al menos dos tipos de interacciones, que pueden ser caracterizadas como juegos. En el primer juego, las relaciones 'verticales', los líderes buscan el apoyo de sus electores intentando representar y realzar los intereses de ellos, y al mismo tiempo también ayudando para formar esos intereses. En el segundo juego, las relaciones 'horizontales', los líderes compiten entre ellos por el poder.³ Como las relaciones son 'fijas', el movimiento de un líder en un juego afecta su posición en el otro juego de relaciones. Los líderes que negocian situaciones entre uno de los grupos (horizontales) se enfrentan a un límite impuesto por las obligaciones que les deben a las estructuras del poder verticales (las de líder-elector).⁴ En otras palabras, los líderes deben tener confianza que sus decisiones serán aceptadas por todos. Ellos pueden usar este límite a su ventaja durante negociaciones. En

2. GEORGE TSEBELIS, *NESTED GAMES: RATIONAL CHOICE IN COMPARATIVE POLITICS* (1990).

3. ANGELO PANEBIANCO, *POLITICAL PARTIES: ORGANIZATION AND POWER* (M. Silver trans. 1988).

4. *Id*; Robert D. Putnam, *Diplomacy and Domestic Politics: The Logic of Two-Level Games*, 42

(3) INT'L ORG. 427, 427-460; TSEBELIS, *supra* nota 2.

general, el apoyo fuerte por un político en el juego vertical aumenta su poder de influir en otros líderes en el juego horizontal.

La figura número uno representa dos tipos de los juegos que se combinan en negociaciones políticas y se invocan para explicar la política en Bélgica. En la política consocial, los líderes (representados en la figura por numerales) actúan recíprocamente con sus electores (que se identifican en la figura con el subíndice X) y con otros líderes. Consocialización implica el colocar a los líderes dentro de diferentes niveles separados y aislados de la sociedad.⁵ Originalmente, concebido como el medio para regular el conflicto ideológico, esta teoría ha sido ampliada para explicar las hendiduras étnicas y culturales.⁶ El juego de coalición, implica un modelo más complejo en la interacción de los líderes, ya que este implica la necesidad de la competencia entre ellos (representado por los números) y a la vez tienen que actuar recíprocamente para resolver sus diferencias dentro de la coalición (representada por los números dentro del mismo elipse) para así enfrentarse contra otra coalición. Esto requiere que se consideren las interacciones dentro de y entre las diferentes coaliciones. Las coaliciones son esenciales a la política Belga.⁷ La combinación de los dos modelos proporciona una representación más exacta de las relaciones que afectan las decisiones de los políticos, como es indicado en el diagrama "combinado". Esto muestra que hay tres juegos: las relaciones entre electores y líderes; las relaciones de líderes dentro de una coalición; y las relaciones entre los líderes de una coalición con los líderes de diferentes coaliciones. Como estos juegos son fijos, cada juego es afectado por el movimiento dentro de cada una de las otras relaciones. Los líderes también compiten por los electores y se enfrentan a desafíos dentro de sus partidos, pero esta figura nos enseña estas interacciones para el modelo. Las interacciones pueden ser vistas como un juego interactivo, los líderes persiguen las estrategias que refuerzan su posición total.⁸ Rudolph pinta un cuadro donde el debate constitucional Belga se ejemplifica en la manera en la que estos juegos actúan recíprocamente: "el movimiento (horizontal) de cada partido, en el proceso para reformar la

5. AREND LUPHART, *The Power-Sharing Approach, in CONFLICT AND PEACEMAKING IN MULTIETHNIC SOCIETIES* (J.V. Montville, ed. 1991).

6. Sue Halpern, *The Disorderly Universe of Consociational Democracy*, 9 W. EUR. POL. 181, 181-197 (1996).

7. Las coaliciones en Bélgica se complican por los efectos del lenguaje y de la ideología. Las ideológicas "familias espirituales" oficialmente son separadas entre partidos de habla francesa y los de habla Holandes. Sin embargo, en muchas cuestiones constitucionales, los partidos negocian dentro de su comunidad para así determinar una estrategia común con la cual pueden enfrentarse a sus compatriotas del otro lado de la frontera lingüística. Jacques Brassinne, *Le Dialogue de Communauté à Communauté: Avril-juillet 1992* [The Dialog of Communication and Communication: April-July 1992], in COURRIER HEBDOMADAIRE DU CRISP [CRISP Bulletin] (Centre de Recherche et d'Information Socio-Politiques, Brussels 1992).

8. JON ELSTER, ULYSSES AND THE SIRENS: STUDIES IN RATIONALITY AND IRRATIONALITY (1979).

constitución tiende a incluir un cálculo individual en el cual las ventajas ó la oposición de los electores (vertical) se refleja.”⁹ Muchas variaciones se pueden encontrar sobre este tema, ya que las relaciones horizontales y las verticales actúan recíprocamente y cada acción obliga la estrategia subsecuente. Rudolph también notó que las estrategias que producen el éxito al principio en la evolución de un partido pueden ser que necesiten cambiarse para afrontar los nuevos desafíos a la cohesión producida por este éxito.

El tamaño y la cohesión de los movimientos son centrales a los cálculos de los líderes, pues estos movimientos afectan el poder que ellos tienen para imponer su voluntad ó alcanzar el ajuste aceptable con los otros.¹⁰ Aunque parece que una fraccionalización interna afecta, en realidad es posible que la posición horizontal negociadora de un líder pueda mejorar; también es posible que el uso de la relación del líder con sus electores sea usada para exigir favores en cuestiones importantes. Los líderes pueden declarar que los desafíos internos de su posición reducen el espacio para la maniobra y el compromiso y a la misma vez estos aumentan la necesidad de producir un acuerdo favorable para los electores. Sin embargo, para que la negociación tenga éxito los líderes también tienen que convencer a otros líderes que ellos razonablemente pueden llegar a un acuerdo con sus electores.¹¹

Burton notó los peligros de estas relaciones cuando estudió las ideas tradicionales sobre el conflicto.¹² El conflicto generalmente es considerado como una competencia por bienes materiales en vez de la competencia por bienes sociales, que no son escasos, bienes tales como la identidad, el reconocimiento, y la participación. Por lo tanto los líderes deben de aceptar varias restricciones importantes. Ya que los recursos parecen ser limitados, el beneficio para un lado es considerado una pérdida para el otro. Esta idea conduce a que los líderes busquen un acuerdo en el cual las ganancias y las pérdidas se reparten proporcionalmente, en vez de una resolución a las necesidades y a los intereses de cada uno. Es más, como cada uno busca un acuerdo a su favor, cada uno presenta una imagen bien poderosa para debilitar

9. JOSEPH R. RUDOLPH, JR., *Belgium: Variations on the Theme of Territorial Accomodation, in ETHNOTERRITORIAL POLITICS, POLICY AND THE WESTERN WORLD* 99 (J. Joseph R. Rudolph & R.J. Thompson eds. 1989).

10. Asimismo Rudolph declara, “[el mando de] un partido electoral pequeño...Tendrá relativamente poco problema en el mantenimiento de un frente unido al articular la demanda del partido contra los líderes tradicionales del estado. Pero una vez que el partido comienza a alcanzar el éxito en las urnas de elección,, el partido se enfrenta con los juegos nuevos de desafíos y sus líderes deben ocuparse de la nueva tensión.” *Id.* en 105.

11. Para un argumento de los efectos múltiples de juegos de dos niveles en la negociación, visto Putnam, *supra* nota 4.

12. John W. Burton, *About Winning*, 12(1) INT’L ORG. 71, 71-91 (1985).

la resolución del opositor. Claro, ambos lados saben esto y pueden descontar la evidente resolución de sus opositores.

Dada esta percepción al conflicto, todos los partidos se enfrentan con “este problema a la entrada, “ ya que los líderes tienen aversión a ponerse en un marco institucional que compromete sus posición para negociar o que atrae cargos de apaciguación dentro del partido. Cuando el conflicto se intensifica, los partidos generalmente restringen su interacción. Si los partidos establecen marcos institucionales para un acuerdo, estos deben ser lo más fuertes posible cuando representan los intereses de sus electores. Los partidos usan las instituciones más como un mediador que como una institución para tomar decisiones probablemente van a exigir un resultado y van a querer tener control sobre este.¹³

Una vez alcanzado el acuerdo, los líderes se enfrentan con “un problema de reingreso. “ Si los líderes ganan una nueva apreciación por los intereses del otro partido durante estas negociaciones y al llegar al acuerdo, ellos pueden tener dificultad en informar a sus propios electores que no es necesario ganarle al otro partido. Los electores son movilizadas y los grupos son polarizados cuando el conflicto se intensifica antes de las negociaciones que conducen a un acuerdo. Los electores probablemente van a seguir viendo la situación como una de triunfo ó de perdida y consideran cualquier reconocimiento del interés del otro partido como un signo de debilidad. Los líderes pueden afrontarse con desafíos de otros que tratan de obligar al rechazo de un acuerdo. Burton defiende un modo diferente para manejar este desacuerdo, él piensa que la dirección a seguir es una en que los partidos opuestos puedan resolver los problemas al encontrarse en una clase que es facilitada como una opción para encontrar una solución que a lo mejor podría reducir los peligros del problema de reingreso.¹⁴

Cuando el conflicto se desarrolla, los líderes cambian sus estrategias para adaptarlas a los cambios y a las combinaciones de estas relaciones fijas.¹⁵ Elster discute que el desarrollo de modelos específicos que explican situaciones racionales son más complejos, porque es posible que lo que parece ser irracional o sub-óptimo al final puede tener repercusiones que producen un resultado que es óptimo duradero.¹⁶ Estas consideraciones limitan la oportunidad de desarrollar un cálculo específico para la toma de decisiones. La idea de estos juegos fijos sin embargo, proporciona una metáfora útil para las coacciones complejas dentro de las que los líderes actúan. Los líderes son conscientes de

13. *Id.* en 78-80.

14. *Id.* en 84-85.

15. Anthony Mughan, *Accommodation or Defusion in the Management of Linguistic Conflict in Belgium*, 31 POL. STUD. 434, 434-451 (1983).

16. ELSTER, *supra* nota 8.

varios factores contextuales y por lo general han desarrollado razones por las cuales escogen esa táctica. El Modelo de Cambio Estructural representa la naturaleza dinámica de las relaciones descritas por juegos fijos.

El Modelo del conflicto debe de incorporar cambios que son probables para la estructura de tales conflictos. El Modelo de Cambio Estructural esta basado en las escrituras de Burton, Coleman y Schumpeter,¹⁷ e incluyen la noción que la interacción del conflicto produce tres tipos de cambio estructural: 1) cambios a los estados psicológicos de los participantes debido a los resultados de la interacción, 2) cambios de la estructura o la función de grupos debido a la movilización, y 3) las alteraciones a las complejas relaciones sociales de los partidos que a lo largo afectan el modo de ser de la comunidad entera. Durante la subida, los estados psicológicos son marcados por objetivos cada vez más hostiles y competitivos, actitudes negativas y las percepciones de otros grupos y de la interacción interna del grupo. Este proceso eventualmente puede desarrollarse en una desindividualización y en un deshumanismo, en la que los participantes se ven así mismos y ven a otros estrictamente como los miembros del grupo y no como individuos. La subida puede producir una necesidad mayor para la coherencia del grupo interno y aumenta el efecto de las normas del grupo que pueden conducir a la polarización y esto permite que las facciones militantes ganen más influencia, que después afecta la estructura y la forma del grupo. Además, los conflictos a menudo cuando se intensifican tienden a incluir a más participantes, y cada lado intenta de sostener su posición movilizando a sus aliados.¹⁸

La Figura número dos (2) presenta el Modelo de Cambio Estructural. Este modelo combina la noción del aumento del conflicto como espirales (representado por las flechas sólidas) con la confirmación regenerada (representado por líneas partidas). En la figura las palabras Partido y Otro representan los participantes en el conflicto. El Partido es el participante cuyo punto de vista es considerado el más completo. Yo opino como Rubin y sus colegas¹⁹ en la práctica de poner la diferencia que se percibe del interés en la parte superior a la izquierda. Esta diferencia de interés, se asume, da comienzo al conflicto y conduce la acción. Como Rubin y sus colegas, ellos notaron que este factor también puede actuar sobre otras partes del modelo. Yo he cambiado su modelo pues rechazo la idea de que solo las tácticas pesadas pueden restringir el alcance, ya que yo creo que las tácticas ligeras también afectan el mecanismo.²⁰

17. JOHN W. BURTON, PEACE THEORY (1962); JAMES SAMUEL COLEMAN, COMMUNITY CONFLICT (1957); J. SCHUMPETER, THE SOCIOLOGY OF IMPERIALISM (1955).

18. JEFFREY Z. RUBIN ET AL., SOCIAL CONFLICT: ESCALATION, STALEMATE, AND SETTLEMENT (2d ed. 1994).

19. *Id.*

20. “[L]a tácticas livinas son definidas como aquellas consecuencias que son favorable o neutrales

El Modelo de Cambio Estructural muestra las interrelaciones entre las acciones y las estructuras dentro de un conflicto. Este contiene unas vueltas que se regeneran, y su naturaleza circular indica que el conflicto debe ser visto en términos de interacciones interactivas. Cambios estructurales pueden afectar los estados psicológicos, la estructura y las funciones del grupo, y la naturaleza de la comunidad entera. Las flechas [A] y la [C] indican que las acciones de un partido en el conflicto pueden producir cambios estructurales que afectan al otro partido. Por ejemplo, un ataque afectaría el estado psicológico del opositor y es muy probable que la confianza se disminuya y que la hostilidad aumente. Las flechas [B] y la [D] indican que la táctica que se escoja también es afectada por condiciones estructurales. El aumento de hostilidad y la disminución de la confianza podrían producir tácticas más desconcertantes y también pueden reducir la voluntad para negociar. Las flechas [M] y la [N] indican que la elección de la táctica también pueden causar cambios estructurales que afectan el partido que escogió esa acción. La acción de un partido puede cambiar el contexto, por ejemplo, el partido racionaliza que un ataque sorpresivo es mejor pues ellos deshumanizan el hecho del ataque declarando que este era una forma preventiva para prevenir un ataque inminente del otro partido. Estas racionalizaciones refuerzan la necesidad de escoger la táctica. A si mismo, los mecanismos que alzan la confianza también pueden ser reforzados por este método pues se justifican con la percepción de que hay una posibilidad de negociación fructuosa. Las flechas [O] y la [P] indican que las condiciones estructurales a menudo producen mecanismos de auto-refuerzo, como la realización de profecías ó la percepción selectiva.

El Modelo de Cambio Estructural proporciona un modelo básico para enseñar las diferentes causas de cambio en los conflictos pero permanece bastante general sobre los varios tipos de cambio que pueden ocurrir. Además de los cambios estructurales enumerados por Rubin y sus colegas, los partidos también pueden actuar para cambiar el marco institucional en el que conducen sus relaciones. Esto es particularmente importante en los conflictos sobre el marco constitucional de los países como Bélgica. Estos países que están en conflicto son conscientes que los cambios constitucionales tendrán efectos múltiples y duraderos sobre su poder. Sus sesiones de negociaciones probablemente producen residuos que afectan las negociaciones futuras. Los líderes consideran la política de reforma constitucional como un interactivo proceso de aprendizaje.

La explicación que nos presenta el modelo aumenta con la incorporación de la perspectiva que presenta el Cubismo Social. Cambios estructurales pueden ocurrir en las varias facetas del conflicto: la historia, los datos demográficos, la

para otros. *la táctica fuerte* por el contrario imponen o amenazan con imponer, consecuencias infavorables para los otros." *Id.* en 48.

religión, la actividad política, la economía y en los factores sicoculturales. Por eso si se entiende la naturaleza del cambio y las interconexiones es posible que se encuentren mejores soluciones para la regulación del conflicto.

III. IDENTIDAD POLÍTICA Y LA REFORMA CONSTITUCIONAL

El conflicto étnico territorial plantea una amenaza significativa a la seguridad internacional en la era después de la Guerra Fría, provocando guerras civiles en algunos países y provocando cambios estructurales significativos en otros. Para el estudio del conflicto étnico territorial hay que considerar como claves las estructuras institucionales que regulan la interacción del grupo y las exigencias que demandan los líderes del grupo. El entendimiento de la interacción de estas consideraciones puede proporcionar una advertencia del conflicto candente y puede ayudarnos a entender la naturaleza dinámica que tiene la interacción entre la identidad, la cultura y la política.

Las Constituciones proporcionan una versión idealizada de como la interacción entre grupos debería de ser regulada. Por eso, las constituciones hacen legítimas algunas instituciones y agrupaciones sociales. En sociedades multiculturales, varios grupos pueden exigir cambios constitucionales que afectan las interacciones futuras entre los grupos. La política constitucional es interactiva, es un proceso conducido por las confirmaciones y las representaciones del grupo, la movilización del grupo, la interacción del grupo, y los cambios estructurales del contexto.²¹ Tenemos que emplear el modelo conceptual para tener un mejor entendimiento de los procesos dinámicos del conflicto. Esta sección analiza la interacción entre identificaciones de grupo y la política constitucional en Bélgica, enfocando el análisis en Wallonia. Este análisis indica que cada acción de los grupos puede cambiar la estructura de interacción del grupo, formando así el conflicto y este cambio estructural también afecta las opciones disponibles a los grupos. Esto ilustra la gran importancia de entender el contexto en el que el conflicto ocurre.

La cuarta reforma (desde 1970) de la constitución Belga que ocurrió en 1993 y marcó la revisión completa de los fundamentos que construyeron el estado. De más importancia es que Bélgica oficialmente se transformó de un sistema de gobierno unitario a uno federal. Algunos de los políticos de las mayores comunidades son partidarios de la transferencia. Con las reformas constitucionales en la agenda del parlamento es indicativo que este debate seguirá. El caso Belga plantea la pregunta de por qué es que el conflicto étnico territorial es tan intenso y persistente y a la vez también pacífico e institucionalizado. El uso del modelo de cambio estructural y el Cubismo Social demuestra importancia del debate constitucional en la regulación del conflicto étnico territorial.

21. TSEBELIS, *supra* nota 2.

Después de un repaso de las relaciones entre los dos grupos étnicos que dominan en cada país, yo examiné la relación dinámica entre la política constitucional y la importancia política de la identidad étnica. En la discusión que sigue, las letras mayúsculas entre paréntesis se refieren a las trayectorias representadas en el Modelo de Cambio Estructural (ver la Figura número 2) y las letras minúsculas indican la faceta del cubo social.²²

IV. LA CREACIÓN GRADUAL DEL CONFLICTO ÉTNICO

En Bélgica, la evolución de identidades étnico territoriales han conducido la conducta de la política. El cambio gradual de la identidad localizada a una comunidad étnico territorial debilitó la eficacia del estado unitario y el de las provincias existentes. Los políticos cambiaron la constitución para crear instituciones que dirigieran las exigencias regionales y culturales un poco mejor. Nacionalistas Francófonos Walloon, o *Wallingants*, hicieron reclamos como respuesta a las exigencias de los Flamingants que hablan Holandés.²³ Los Walones casi uniformemente se separan entre los que se identifican primordialmente como Belgas y los que se identifican como Valones.²⁴ La situación actual en Bélgica se debe de ver dentro del contexto del desarrollo histórico de las relaciones entre los Fleming y los Valones.

A pesar que el nombre "Belga" se deriva de los Celtas quienes poblaron el área alrededor de 650 AC, políticos e investigadores a menudo afirman que una identidad común Belga es considerada artificial.²⁵ Julio César conquistó el área en 58-57 AC.²⁶ La llegada de los Francos a principio de los 800s promovió la división lingüística pues la población Gallo-Romana se había colocado densamente en el sur para asimilar a los Francos, pero no en el norte.²⁷ Durante siglos, varias ciudades, estados, provincias e imperios lucharon por el territorio. No había política o identidad cultural que pudiera unir a la gente que ocupaba

22. Las letras minúsculas son representadas como: c= factores sicoculturales; d= demografía; e= economía; h= historia; p= actividad political; r= religion.

23. *Wallingants* muy raras veces se consideran como nacionalistas. Ellos tienden a acentuar la importancia de diferencias geográficas. Su marca indica la naturaleza defensiva, como derivada del movimiento Flamingant y los *Flamingantes* usan los problemas de la cultura, la identidad étnica y la lengua. A pesar de estas diferencias, ambos se refieren a los movimientos étnico territoriales.

24. Michel Vandekerke and al., *Les Declinaisons de l'identité en Wallonie: Couplages et divorces entre électorats, appartenances et prises de position en matière communautaire et institutionnelle*, in *ELECTIONS LE FÉLURE? ENQUÊTE SUR LE COMPORTEMENT ÉLECTORAL DES WALLONS ET DES FRANCOPHONES* (A.-P. Frogner and A.-M. Aish-VanVaerenbergh, eds., 1994).

25. BOULANGÉ Y CAVENAILE, *LA BELGIQUE DES ORIGINES À L'ÉTAT FÉDÉRAL* (1990).

26. JOHN FITZMAURICE, *THE POLITICS OF BELGIUM: CRISIS AND COMPROMISE IN A PLURAL SOCIETY* (1983).

27. BOULANGÉ & CAVENAILE, *supra* nota en 23.

el área. Las identidades locales que se desarrollaron primero todavía impiden la identidad nacional.

En 1792, Francia ocupaba el área, e impuso la centralización y el predominio cultural. Con la caída de Napoleón en 1815, el territorio se unió con los países bajos [C, p]. Los Belgas se resintieron por las diferencias religiosas [P, r] y el Holandésismo de la administración [P, c]. Los Belgas declararon su independencia de los Países Bajos en 1830 [A D y p]. Bélgica adoptó el francés como la lengua oficial, aunque la gente podía hablar otras lenguas (Artículo 23) [P,p y c].²⁸ El voto que se basaba estrictamente en las propiedades aseguró a la burguesía Francófona una mayoría política aunque la mayor parte de los Belgas hablaban dialectos holandeses. En su independencia, Bélgica no tenía una lengua estándar podía ser holandés ó francés.

Hasta a mediados de los años 1900, el poder político, económico y social se encontraba principalmente con los Francófonos, hasta en el área del norte que ahora es la región Flemish.²⁹ El desarrollo económico realzó el poder de la región del sur conocida hoy como Wallonia [P, y e]. Algunas partes de la región del sur se beneficiaron de la revolución industrial, y desarrollaron industrias pesadas [P, y e]. El estado social y político de la lengua francesa promovió una presencia fuerte Francófona en Bruselas [P, p & d].³⁰ El movimiento Flemish, apoyado por líderes religiosos y por funcionarios, comenzó una campaña cultural para reforzar la cultura Flemish y su lengua casi inmediatamente después de la independencia [N, c & r & p]. La mayor parte de los Belgas, independientemente de su lengua, eran Católicos, pero un debate sobre la relación entre la iglesia y el estado aumentó las tensiones étnicas [A, r & p, C, r & p]. La mayor parte de los Francófonos favorecían el secularismo, sobre todo con respeto a la educación pública pagada por el estado. Muchos líderes religiosos consideraron que los Francófonos eran anti-ecclesiásticos, y por lo tanto procuraron proteger el empleo de la lengua Flemish [B, r & p].³¹ Además, muchos Holandeses que habían sido funcionarios durante el regimiento holandés, procuraron mantener su estado exigiendo que el Flemish fuera una de las lenguas oficiales [B, c & p; D, c & p]. En 1847 el *Manifiesto* del movimiento Flemish presentó varias exigencias. [B & C, p & c]. En 1898, Flemish se hizo una de las lenguas oficiales [O, p & c]. Este reconocimiento transformó las relaciones interétnicas y esto reforzó que Bélgica se viera como una sociedad

28. La reforma constitucional de 1993 incluyó una revisión completa y la reenumeración de los artículos en la constitución. Para la simplicidad yo uso la enumeración vieja al referirme a los cambios anteriores.

29. RUDOLPH, *supra* nota 9 en 92.

30. Martine de Ridder and Luis Ricardo Fraga, *The Brussels Issue in Belgian Politics*, 9 W. EUR. POL. 376, 376-392 (1986).

31. BOULANGÉ & CAVENAILE, *supra* nota 25 en 100.

bicultural [O & P, p & c].³² Francófonos reaccionaron defensivamente contra la presión de los Flemish [C-M]. En 1912, el Congreso Valón apoyó la separación administrativa entre Flandes y Wallonia [A, p; m, p]. En 1912, el Viceministro del estado Jules Destrée en una carta al Rey le declaró " Señor, no hay Belgas". Hay sólo Flemish y Valones, diciendo que por 80 años se había tratado de construir una nación y no se había logrado producir una base dominante de identificación, mientras los grupos ethnoterritoriales habían ganado y sobresalido.³³

Con la extensión gradual del sufragio los Fleming eventualmente transformaron su mayoría demográfica en poder político [O, p&d; P,p&d].³⁴ En 1893 se concedió el sufragio Universal a los hombres pero múltiples votos permitieron que los Francófonos conservaran la mayoría de los votos [P,d&p; O,d&p].³⁵ Esta situación significó que el dominio de la mayoría sería por una minoría demográfica. Cada reforma cambió el clima político y cultural para alentar más cambios, pero también mitigó los niveles de hostilidad que podrían haber estallado en un conflicto violento si los Francófonos hubieran rechazado a aumentar la participación Holandesa en el gobierno. Duffy y la aserción de Frenslley que los líderes preferirían el conflicto institucional sobre cualquier ganancia que hubiera surgido por el fervor del conflicto durante este período.³⁶

La evolución de las relaciones étnicas fue interrumpida por la primera guerra mundial. La primera guerra mundial exacerbó las tensas relaciones étnicas dentro del ejército, porque los oficiales Francófonos ordenaban a las tropas Flemish. El Flemish *Frontpartij* exigió la creación de unidades separadas para los militares Francófonos y para los Holandeses [Cp&c; Np&c]. Los Alemanes usaron la estrategia de " dividir y conquistar " para ocupar Bélgica, y promovieron el nacionalismo Flemish [Cp&c]. En 1916, abrieron una universidad Flemish en Ghente [Cp&c]. La Proclamación del 22 de Diciembre

32. See Raymond Breton, *The Production and Allocation of Symbolic Resources: An Analysis of the Linguistic and Ethnocultural Fields in Canada*, 21(2) CANADIAN REV. OF SOC. & ANTHROPOLOGY 123, 123-144 (1984). Bretón discute que la importancia simbólica del estado relativo de grupos es clave en la legitimidad de un estado. Aunque basado en un caso canadiense, su argumento es relevante aquí. El aumento de una minoría política o social probablemente produce una reacción defensiva en los que ven su estado como amenazado. Esto es sobre todo importante si factores demográficos producen un fenómeno similar.

33. Frank Delmartino, *A Regional State or a Federal State in the Making?*, in FEDERALISM AND FEDERATION IN W.E. 38 (M. Burgess ed. 1986).

34. ALEXANDER B. MURPHY, *THE REGIONAL DYNAMICS OF LANGUAGE DIFFERENTIATION IN BELGIUM: A STUDY IN CULTURAL-POLITICAL GEOGRAPHY (RESEARCH PAPERS 227)* (1988).

35. KENNETH DOUGLAS MCRÆ, *CONFLICT AND COMPROMISE IN MULTILINGUAL SOCIETIES: BELGIUM* 35 (1986).

36. Gavan Duffy and Nathalie J. Frenslley, *Community Conflict Processes: Mobilization and Demobilization in Northern Ireland*, in INTERNATIONAL CRISIS AND DOMESTIC POLITICS: MAJOR CONFLICTS IN THE 1980S (J.W. Lamare, ed., 1991).

de 1917 afirmó la autonomía del Flandes sin éxito [C&N, p&c].³⁷ Los líderes Flemish unieron el símbolo del poder y de la lengua francesa, representando a los Flemish como víctimas quien no podían comprender a sus opresores Francófonos [C&N, h&c].

Durante el período de guerra interna los nacionalistas Flemish exigieron la igualdad completa lingüística [C&N, c&p]. 1919 marcó la primera elección en la cual se usó la fórmula “un hombre; un voto” N-O, p; C-P, p]. En 1928, la administración nacional había sido reformada para acomodar las exigencias de los Flemish para la paridad lingüística [C&N, c&p].³⁸ Los Flemish, notando un aumento en la presencia de Francófonos en el norte, exigieron el establecimiento del principio territorial como una base para la legislación sobre la lengua [O-B, d&c&p]. Francófonos sin embargo discutieron que el uso de una lengua debería ser a la opción del individuo [A-D, d&c&p].³⁹ Una lengua se estableció en 1930 para la enseñanza en la primaria y en la secundaria, con Flemish se enseñó en el norte y francés en el sur. La Universidad de Gante se convirtió en una institución monolingüe Flemish ese mismo año [C&N, c&p]. En 1932, la administración adaptó la noción de dos regiones monolingües. Estos esfuerzos aunque dirigidos a cuestiones lingüísticas, reforzaron la noción de un estado biregional y bicultural. Estos aumentaron la saliente de la hendidura lingüística haciéndola una hendidura territorial [O&P, c&d&p].

La pregunta al Rey reforzó estas tensiones. Durante la segunda Guerra Mundial, el Rey Leopold III se rindió a pesar de la presión que tuvo por su gobierno para formar un gobierno en exilio. Al final de la guerra, el Partido Católico se movilizó para de nuevo poner en el poder al Rey, pero los Socialistas protestaron.⁴⁰ Esto causó disturbios en Liège y Hainaut [D, p & d & c]. Un referéndum se produjo, la mayoría estaba a favor del Rey, pero la disparidad regional era notable [M & A, p & d & c]. Los Fleming votaron abrumadoramente a favor de su restablecimiento [N & C, p]. Una pequeña mayoría de Valones se opuso al plan aunque algunas provincias produjeron una mayoría leve a favor [A & M, p]. El Rey abdicó debido a la oposición Valona, y el trono le pasó a su hijo [P & O, p].⁴¹

Después de la guerra, los Belgas establecieron el Centro de Investigación para la Solución Nacional de Problemas Sociales, Políticos y Jurídicos en las

37. MURPHY, *supra* nota 34 en 105-6.

38. Robert Senelle, *Constitutional Reform in Belgium: From Unitarianism Towards Federalism*, in FEDERALISM AND NATIONALISM 55 (M. Forsyth, ed., 1989).

39. Por una evaluación de las diferencias entre los principios de territorialismo y la personalidad, vista Kenneth D. McRae, *The Principle of Territoriality and the Principle of Personality in Multilingual States*, 158 LINGUISTICS: INT'L REV 33 (1975)

40. En ese tiempo, el Partido Católico era fuerte en Flandes, mientras que el Partido Socialista era fuerte en Wallonia. Sin embargo ambos partidos tenían electores en todo el país.

41. MCRAE, *supra* nota 35 en 111.

regiones Valónes y Flemish. El Centro informó que los Flemish, aunque eran una mayoría demográficamente, eran una minoría en la milicia, en los círculos políticos, diplomáticos, de negocio y culturales [O, d & e & p & c]. El centro notó una extensión de francés en las áreas Flemish alrededor de Bruselas y a lo largo de la frontera lingüística [la O, la d].⁴² Estos informes proporcionaron incentivos adicionales para la movilización a lo largo de las líneas étnico territoriales [O & P, c & d & p]. Los Flemish exigieron que el gobierno reparara las diferencias [C&N,p]. Los Valones se contra-movilizaron en contra de la amenaza a su posición que fue planteada por la mayoría Flemish [A&M,p].

Los desacuerdos políticos y económicos se hicieron más profundos en la reconstrucción inmediata que vino después de la guerra. En Flandes, la industrialización procedió rápidamente [O, e], mientras las industrias viejas en Wallonia regularmente decaían [P, la e] y la porción de la población Valona en Bélgica se disminuía [P, d]. En los años 1950, estos cambios, combinados con el debate con respecto a las reglas de la educación, animaron la creación de los partidos regionales [A&M,p; C&N,p].⁴³ Un partido Flemish federalista, Volksunie, fué fundado en 1954 [N, p].⁴⁴ Las ganancias económicas y demográficas [O,d&e] obligaron al gobierno Belga a reconocer la paridad del francés y del holandés con una administración separada para las comunidades culturales [O&P,p&c]. Mientras tanto, el *Rassemblement Valón* y el frente *Démocratique des Francófonos* fué formado para dedicarse a los intereses regionales de los Valónes y los Bruxellois [P,p&c].⁴⁵

A pesar del surgimiento de partidos regionales, los tres partidos políticos principales (el Liberal, el Católico, el Socialista) mantuvieron su predominio en la política Belga. El Partido Flemish Católico sostuvo la posición más fuerte, mientras los Socialistas fueron los más poderosos en Wallonia. A finales de los años 1950, las medidas de austeridad y la disminución económica en Wallonia amenazaron con desestabilizar el gobierno [P,e&p]. En el invierno de 1960 líderes políticos llamaron una huelga general nacional contra las medidas de austeridad del gobierno, pero la participación fué sumamente débil en el norte Flemish. André Renard, un líder de las huelgas, fundó el *Mouvement populaire Vallon* para dedicarse a la reforma económica y social dentro de Wallonia y para evitar contar con la cooperación Flemish [P,c&p]. Esto reforzó la noción que las dos regiones principales buscaron diferentes instituciones sociales y siguieron ideologías políticas diferentes [O&P,c&p].

42. BOULANGÉ & CAVENAILE, *supra* nota 25 en 103.

43. Els Witte, *Belgian Federalism: Towards Complexity and Asymmetry*, 15(4) W. EUR. POL. 95, 95-117 (1992).

44. Murphy, *supra* nota 34 en 201.

45. El Francófonos en Bruselas y Wallonia no siempre se unen en sus opiniones políticas. La dimensión regional, territorial a menudo interfiere con la capacidad de cooperar.

El gobierno Belga permanentemente fijó la frontera lingüística en 1962 [O & P, p & c]. Antes de este cambio, el gobierno había tenido que ajustar el límite de vez en cuando para reflejar los cambios del empleo de lengua indicado por el censo decenal [O & P, p & c & d]. Reaccionando al aumento dramático de Francófonos en Flandes que se informó en el primer censo después de que la segunda Guerra Mundial [O & B, c & d], los Flamings reclamaron que el uso de una pregunta del censo para determinar la frontera era injusto ya que esto era una indicación de la popularidad de las lenguas, en vez de su empleo real [N & C, p & c].⁴⁶ La protesta obligó que el gobierno quitara preguntas lingüísticas del censo [C & N, p & c & d], así quitando el empleo de las lenguas como el medio de determinar la lengua [O & P, c & d & p].⁴⁷ El gobierno creó una frontera lingüística para limitar las regiones lingüísticas territorialmente. La línea no ha sido dibujada claramente; 25 comunas fueron transferidas de la región Flemish a Wallonia y 24 fueron pasadas en la dirección opuesta [O&P,p&c]. Según Dustin, el gobierno inició la transferencia parcialmente debido a la fuerza de partido en esas áreas [N&C,p&d; M&A,p&d].⁴⁸ Más importante eran seis comunas que fueron transferidas de Liège (Wallonia) a Limburg (Flandes).⁴⁹ En un referéndum en estas comunas, el 93 % se opuso a la transferencia, pero el gobierno rechazó y no respetó el voto [O&P,p&d&c].⁵⁰ La mayoría de los Francófonos en el Parlamento también se opusieron a esta ley [A&M,p]. La transferencia fué un ejemplo de legislación importante que pasó a pesar de los agudos desacuerdos lingüísticos [O&P,h&c].⁵¹ Los Francófonos siguieron desafiando la legitimidad de esta ley, sobre todo en Voeren/Fourons donde la Vuelta a la lista de Liège había alcanzado éxito considerable en las elecciones municipales [P&D,c&h]. El Flemish Taal Aktie Komitie (el Comité de Acción de Lengua) y el Vlaamse Militanten Orde (Del Orden Militar Flemish) condujo una campaña de intimidación [C&N,p&c] como respuesta a la Acción Francófona fouronnaise que fué un activismo dirigido a devolver a Fourons a Liège [A&M,c&p]. El líder francófono José Happart rechazó una oferta de

46. Aunque algunos miembros de ambos lados colaboraran con los alemanes los Flemish fueron vistos como los colaboradores más entusiasmados y por lo tanto fueron sujetos a un tratamiento áspero después de la guerra. Es probable que ellos hubieran negado que hablaban Flemish [O&P,h&c].

47. MCRAE, *supra* nota 35 en 35.

48. Interview with Fernand-Daniel Dustin, PSC Archivist (1995).

49. Estas comunas a menudo eran referidas como les Fourons en francés, y Voeren en Flemish.

50. MCRAE, *supra* nota 35 en 153.

51. Xavier Mabilie, *Le débat politique d'avril 1990 sur la sanction et la promulgation de la loi, COURRIER HEBDOMADAIRE DU CRISP* [CRISP Bulletin] (Centre de Recherche et d'Information Socio-Politiques, Brussels 1990).

ayuda para el sostenimiento de una campaña terrorista, quizás esto previno un serio aumento del conflicto [A&M,h].⁵²

Los políticos se enfrentaron con otro problema con esta construcción de la frontera lingüística. Ellos no podían ignorar que Bruselas, que se localizaba en el lado Flemish del límite lingüístico, tenía un cuarto de todos los Francófonos en el país, y tenían sólo una pequeña minoría de altavoces Flemish [O&P,c&d]. Para poder mantener que esta “mancha del aceite”⁵³ no se extendiera, los Flemish insistieron, y en 1963 lograron que Bruselas fuera designado como un territorio limitado bilingüe [O-B-N & C, c & p].

Para 1969, los Flemish encontraron otro problema. Aunque el territorio de Bruselas hubiera sido puesto, “la mancha del aceite” de los Francófonos en Flandes crecía hacia la Universidad de Louvain/Leuven, que está al este de Bruselas en Flemish Brabant [O & P, c & d]. Los altavoces Flemish en la universidad pidieron por el retiro de la Universidad de los Francófonos [O-B-C&N, p & c & d]. La división de la universidad y con la creación de Louvain - La - Neuve, simbolizaron los grandes desacuerdos dentro del país [A & M, c & d & p; C & N, c & d & p]. Estos cambios redujeron el apoyo por el estado unitario porque la noción de una identidad común Belga perdió la credibilidad [O & P, c & h].⁵⁴

Cambios estructurales se acumularon con tiempo, formando un modelo de comportamiento y de las percepciones de los grupos. Las interacciones espirales del conflicto con estructuras que mutuamente afectan el uno al otro debilitaron el apoyo para una identidad común y aumentaron la demanda por la autonomía ethno regional. La constitución sería el campo de batalla político.

V. REFORMA CONSTITUCIONAL BELGA

Hacia el final de los años 1960, Bélgica requirió una gran revisión a la constitución. La constitución Belga ha sido considerablemente modificada cuatro veces desde 1970. Cada cambio constitucional implicó reformas institucionales para reducir la necesidad de un acuerdo a través de la frontera lingüística. Cada vez más, los líderes tenían más independencia para tomar decisiones dentro de cada comunidad o región lingüística.⁵⁵ Bélgica ha

52. JOSÉ HAPPART, *AU NOM DE LA LIBERTÉ [IN THE NAME OF LIBERTY]* (1984). JOSÉ HAPPART AND MARIE-PPAULE ESKENAZI, *JOSÉ HAPPART: PORTRAIT D'UN REBELLE TRANQUILLE [JOSÉ HAPPART: PORTRAIT OF A QUIET REBEL]* (1987). JOSÉ HAPPART AND VINCENT VAGMAN, *HAPPART DE A A Z: ENTRETIENS AVEC VINCENT VAGMAN [HAPPART FROM A TO Z: CONVERSATIONS WITH VINCENT VAGMAN]* (1989).

53. Los *Flamingants* usaron este término para simbolizar la concentración de Francófonos en la región Flemish. Esto indicó que los Francófonos estropearon la región Flemish, que ellos eran difíciles de mover y que ellos podrían extender y causar más daño a los Flemish.

54. Murphy, *supra* nota 34.

55. La diferencia de la mayor parte federaciones, leyes federales no invalidan regional o decretos de comunidad dentro de su jurisdicción. Hay unas excepciones a esto, como las preguntas de política educativa.

abandonado su estructura unitaria a favor de una federación compleja compuesta de comunidades y regiones, las cuales tienen un traslapo de fronteras. Esta sección señala las principales dimensiones políticas de estos cuatro cambios a la constitución.⁵⁶

A. *La Reforma de 1970*

De 1967-71 se produjo una reforma principal a la constitución Belga. La reforma instituyó varios cambios estructurales que considerablemente cambió la táctica usada por los partidos. Los políticos institucionalizaron la naturaleza binaria de Bélgica, estableciendo "las Comunidades Culturales" (el Artículo 59bis).⁵⁷ Cada una de las tres comunidades - el de habla Flemish, el de habla Francés, y el de habla Alemán recibieron su propio Consejo y el poder para promulgar decretos acerca de asuntos culturales y a un cierto grado limitado, para la educación y para el empleo de lengua [O & P, p].⁵⁸ Los líderes Flemish habían conducido el paso al establecimiento de las Comunidades [C & N, p & c], pero los Francófonos favorecían la regionalización [A & M, c & p]. Los Valones exigieron la descentralización de asuntos sociales y económicos para dirigir la crisis económica de su región [D-A & M, c & e & p].⁵⁹ La constitución renovada reconoció tres regiones, pero no logró definir las responsabilidades administrativas de cada región [O&P, c&p]. Los detalles fueron pospuestos, "belge à la," para futuras asambleas de los electores. Los Francófonos exigieron el reconocimiento de Bruselas como una región iguala a Flandes y Wallonia [A&M, c&p]. Los líderes Flemish se opusieron a darle a Bruselas el estado regional, temiendo que tal reconocimiento condujera a un cambio a la paridad dando una ventaja dos por una, para los Francófonos [C&N, c&p]. El compromiso fué sólo una victoria parcial para cada lado, ya que ellos crearon regiones, pero dejaron a el estado de Bruselas en una ambigüedad.

Otras revisiones constitucionales importantes incluyeron la paridad lingüística obligatoria en el Gabinete, con la excepción del Primer Ministro (el Artículo 86bis). Las carteras principales gubernamentales fueron divididas

56. La enmienda constitucional en Bélgica es conducida dentro del Parlamento Belga. El gobierno debe producir una lista de artículos los que esto desea repasar para la enmienda. El parlamento entonces es disuelto, y la elección de una Asamblea constituyente sigue. La formación de coalición después de la elección incluye la negociación de inter-partido sobre las cuestiones. Una mayoría de dos terceras partes es requerida para cualquier enmienda.

57. Los números de artículo citados aquí se refieren a su enumeración original. La reforma del año 1993 incluyó una reenumeración completa de los artículos en la constitución.

58. Mientras dieron a la comunidad de habla alemana poderes, esta tiene una muy pequeña población (menos del un por ciento de la población total), y no juega papel clave en la política nacional.

59. ANDRÉ ALEN AND RUSEN ERGEC, BRUSSELS: MINISTRY OF FOREIGN AFFAIRS, EXTERNAL TRADE AND DEVELOPMENT COOPERATION 15 (1993).

igualmente entre Francófonos y De Habla Neerlandosa [O&P, p]. Esta exigencia no incluyó a los Secretarios de Estado (carteras de sub-gabinete), que puede ser usado para reflejar la fuerza relativa de los compañeros de la coalición y por lo general favorece a el Flemish.⁶⁰ Además, la revisión 1970 inició “una alarma despertadora “ en el proceso, porque en un movimiento de interés firmado por tres cuartos de los miembros del parlamento de cualquier grupo lingüístico podría devolver una ley al poder ejecutivo para reconsideración [O&P, c&p].⁶¹ Este proceso puede ser usado en el parlamento Belga (el Artículo 38bis) y en el Consejo de Bruselas (el Artículo 108ter, la sección 3). La naturaleza simbólica de la alarma despertadora aumentó la confianza de que la mayoría iba a actuar con el respeto para la minoría [O&P, c].

B. La Reforma de 1980

Los políticos Belgas de nuevo modificaron la constitución en 1980 para adaptar mejor la nueva división de poderes. Esta revisión amplió el poder de las Comunidades Culturales para incluir unos “servicios personalizados “ tales como la protección de menores de edad y la política de la salud, pero esto cambió el nombre a “Comunidades” [O&P, c&p].⁶² El gobierno otra vez temporalmente ignoró la pregunta de Bruselas con el fin de alcanzar este acuerdo [“la b de o”, p; P-D, p]. Una legislación especial parcialmente clarificó el papel del Valón y de las regiones Flemish y por eso el futuro de las regiones permaneció en cuestión.

La revisión en 1980 presentó el Tribunal de Arbitraje (el Artículo 107ter) para poner en orden las discusiones entre Comunidades, Regiones y el Gobierno Nacional [O&P, p]. Sus primeras decisiones aumentaron la confianza en la imparcialidad del Tribunal [O&P, c], y la reforma de 1988 aumentó la jurisdicción que fué una de sólo resolver discusiones para los gobiernos a la jurisdicción de resolver para “cualquier persona que demostrara un interés “. ⁶³

C. La Reforma de 1988

Se le acredita al “*affair de Happart* “ extensamente con la causa de la crisis que condujo a la caída del gobierno y la elección de una asamblea de electores en 1987. Happart era un miembro del Parlamento europeo y el Bourgmestre

60. MCRÆ, *supra* nota 35 en 185.

61. MAUREEN COVELL, *Belgium, The Variability of Ethnic Relation, in THE POL. OF ETHNIC CONFLICT REG.: CASE STUDIES OF PROTRACTED ETHNIC CONFLICTS* 289 (J. McGarry & B. O’Leary eds. 1993); MCRÆ, *supra* nota 35 en 183.

62. ALEN, *supra* nota 59 en 15; COVELL, *supra* nota 61 en 290.

63. ALEN, *supra* nota 59 en 21-22.

(alcalde) de Fourons.⁶⁴ Fourons se transfirió en 1962 de la provincia Valona de Liège a la provincia Flemish de Limburg como parte de un compromiso que condujo a la delimitación “permanente” del límite lingüístico [O&P, c & h&p].⁶⁵ La transferencia había sido promulgada a pesar de un referéndum local en el que la mayor parte de los Fouronnais se opusieron a la transferencia y a pesar de votos contrarios por la mayoría de los Francófonos en el Parlamento. Happart y sus aliados de “Happartiste” siguieron la lucha, diciendo que la transferencia era ilegítima [A&M, c&p]. Ellos crearon varias organizaciones para luchar contra lo que ellos consideraron que era un plan Flemish para dominar el país [A&M, c&p]. En 1987, la situación en Fourons de nuevo alcanzó un punto de ebullición. Notando ambigüedades legales, Happart no se rindió a las pruebas lingüísticas requeridas para los alcaldes en Flandes, y esto produjo una contradicción legal en la que Happart tenía un mandato y a la vez le era prohibido realizar sus obligaciones de alcalde [A & M, c & p].⁶⁶ El gobernador de Limburg pospuso la reelección de Happart como Bourgmestre, sobre la cual el gobierno municipal local se disolvió para obligar una nueva elección [B-N & B-C, p]. Happart ganó otra vez. Un caso similar surgió en Bruselas. Varias vueltas de este “carrusel”, como se le llamó comunmente, provocó un descontento en ambos lados de la frontera lingüística [A-O, c & p; M-P, c & p]. En 1987-88, líderes políticos empezaron nuevas negociaciones constitucionales.

El debate sobre esta reforma muestra la complejidad de desacuerdos dentro de la comunidad Francófona y la importancia del modelo dinámico del conflicto. La controversia original acerca de la capacidad de Happart para realizar sus obligaciones del alcalde se intensificaron al punto que el gobierno se derrumbó y los partidos políticos de Bélgica pasaron aproximadamente seis meses negociando un acuerdo que iba más allá de la situación específica de Happart. Todos los políticos tenían objetivos múltiples. Los líderes francófonos tenían que defenderse de la crítica Happartiste [P-D, p]. El líder Social Cristiano Francófono, Gérard Deprez tuvo que defender sus acciones contra acusaciones

64. Técnicamente, Happart era *échevin primer faisant fonction*, esto es, interpretando Bourgmestre. El gobierno provincial de Limburg podría prohibirlo de designar Bourgmestre, pero no delegir como un concejal (*échevin*). Párrafo 107 de la ley Comunal declararon que el Primer Concejal (*échevin primer*) se haría el alcalde interpretador si el Bourgmestre fuera incapaz de realizar sus (deberes). El Fouronnais así eligió a Happart como *échevin primer*, pero la oficina de Bourgmestre ha sido (dejada) vacía después de octubre del año 1986 como consecuencia de una decisión por la cámara Flemish del Consejo de Estado. Esto causó “el carrusel” en el que el gobierno provincial rechazaría la elección, pero elecciones nuevas producirían los mismos resultados. Esta crisis así indica la importancia de las conexiones entre instituciones y el conflicto. *Vea* JOSÉ HAPPART, *LETTRES QUESTIONS AU MINISTRE DE L'INTERIEUR MONSIEUR JOSEPH MICHEL* [LETTERS AND QUESTIONS TO THE MINISTER OF THE INTERIOR JOSEPH MICHAEL] (1987).

65. Aunque el límite pueda ser cambiado según un acto de ley, tal acto requeriría una mayoría especial que incluiría la mayoría de representantes de ambos se especializan grupos lingüísticos-un acontecimiento improbable.

66. HAPPART, *supra* nota 64.

de que él acordó el plan simplemente a cambiar la coalición de los partidos y que él había “vendido” a los Flemish [el M, p]. Dentro del Partido Francófono Socialista, los que apoyaron la política regionalista de José Happart protestaron que el Presidente de partido Guy Spitaels había perdido una oportunidad única de reestablecer a Fourons como una parte de Liège [M, c & p]. En los ojos de ellos, Spitaels se había rendido a las exigencias interminables y cada vez mayores de los Flemish.⁶⁷ Spitaels, sin embargo, discutió que él había escogido la estrategia mejor para Bélgica, la que conduce hacia un sistema federal [A & M, p]. Él dijo que él nunca había prometido que Fourons volvería a Liège.⁶⁸ Muchos Socialistas temieron que los Happartistes iban a ignorar la plataforma Socialista, o que iban a cambiarla para hacerla un privilegio regional en vez de una clase de conflicto [P, c & p].

Como parte del acuerdo, el Derecho Especial del 9 de agosto del año 1988 cambió las regulaciones para las elecciones comunales, por consiguiente impidiendo la reelección de Happart como Bourgmestre [M & C-P-D, p].⁶⁹ El gobierno estableció un plan de tres fases para cambiar la estructura fundamental del estado unitario. La primera fase requirió el reconocimiento legal de los derechos Francófonos en la periferia de Bruselas, la creación de una Región en Bruselas con poderes iguales a las otras dos regiones y la extensión de la jurisdicción del Tribunal del Arbitraje [P&O, p]. La segunda fase amplió el poder de la Comunidad de habla alemana para que ellos pudieran crear relaciones internacionales (el Artículo 59) e incluyó leyes especiales que clarifican los poderes de las Comunidades y Regiones [O&P, p]. La tercera fase establece las elecciones establecidas para las Regiones y para las Comunidades [O&P, p]. La reforma de 1988 también incluyó un nuevo sistema de financiamiento para las comunidades y regiones [O&P, p].⁷⁰ Las comunidades ganaron prácticamente el completo control de la educación (el Artículo 59) [O&P, p].

El compromiso alcanzado por los partidos en esta tercera reforma constitucional no presentó nuevas o innovadoras instituciones ni completó el proceso de federalización. Pero sí amplió el poder de las regiones y reconoció que Bruselas fué aprobada como una región en sí misma marcando un punto

67. Jean-Maurice Dehousse (1995). Entrevista con el autor.

68. Dider Caudron, . *Guy Spitaels : oui à la fin du carousel fouronnais mais pas en capitulant*, LE PEUPLE, May 18, 1987; Guy Daloze et al, *Guy Spitaels: pas touche à la sécurité social*, LA LIBRE BELGIQUE, Jan. 16, 1989 en 4.

69. José Happart. Entrevista con el autor (1995). Happart dice que esto sigue causándole el gran dolor, pero él permanece activo en el PS. Como un miembro socialista del Parlamento Europeo, Happart luchó por la regionalización y ahora aboga por un estado biregional para el Fourons/Voeren. Él permanece un político polémico, pero popular, Valón. Es actualmente el Ministro de Agricultura en Wallonia.

70. ANDRÉ ALEN AND RUSEN ERGEC, *FEDERAL BELGIUM AFTER THE FOURTH STATE REFORM OF 1993* (Ministry of Foreign Affairs, External Trade and Development Cooperation, Brussels, 1994).

principal en las relaciones interétnicas. Esto creó cambios estructurales que aumentaron el paso hacia el federalismo.

D. La Reforma de 1993

Las reformas de 1988-89 dejaron varias cuestiones sin contestar. En medio de aún otra crisis en 1991, el poder ejecutivo declaró que cada artículo de la constitución estaba sujeto a revisión y disolvió el parlamento así requiriendo nuevas elecciones. Los partidos cristianos y socialistas formaron una coalición nueva basada en un acuerdo que era menos exacto que el construido en del año 1988. El acuerdo concretó la federalización oficial del país, incluyendo elecciones directas para los gobiernos de las unidades constituyentes. Esta reforma implicó una completa revisión a la constitución y firmemente estableció los derechos sociales y políticos. El sistema de numeración de los artículos fueron cambiados. Más considerablemente, el artículo 1 ahora lee, "Bélgica es un estado federal con Comunidades y Regiones" [O&P, p] El artículo 138 autoriza la Comunidad Francesa y le concede autoridad sobre la Región Valona y también establece el grupo lingüístico francés en la Capital Bruselas [P, p]. La cuarta reforma también amplió el poder internacional de las regiones y de las comunidades para el comercio y para los asuntos culturales, pero sus acciones deben de ser compatibles con la política nacional [O & P, p]. El gobierno federal mantuvo el derecho de requerir una conferencia intergubernamental sobre cualquier tratado propuesto, el Rey puede suspender un tratado si ciertos criterios específicos se encuentran. La mayor parte de las diferencias entre los gobiernos siguen siendo tratadas por el Tribunal de Arbitraje.

Como consecuencia de estos cambios, tres regiones (Flandes, Vallonia, y Bruselas) y tres comunidades (la Flemish, la de habla francés, y la de habla alemana) componen el Estado. La comunidad de habla alemana geográficamente está localizada dentro de la región Valona que es dominada por los Francófonos. La comunidad Francófona está localizada en la región Valona, con excepción del territorio ocupado por la región de habla alemana y de la Región de la capital-Bruselas. La comunidad Flemish está localizada en la Región Flemish, y en la Región de la capital-Bruselas. La nueva constitución Belga señala las responsabilidades de las comunidades y de las regiones (Artículos 115-140). Las regiones tienen la jurisdicción sobre cuestiones como el ambiente, el desarrollo, la vivienda, la política económica, la política de energía, la política de empleo, y la cooperación internacional. Distinto a la autoridad regional, las instituciones de la comunidad tienen la capacidad de mando acerca de la educación y de los asuntos culturales como la política de la lengua, las bellas artes, la herencia cultural, las bibliotecas, la radiodifusión, y la política sobre la juventud. Las comunidades también tienen la jurisdicción

sobre los “asuntos personalizados” que son por ejemplo la política de la salud, y de la ayuda a individuos.⁷¹

VI. CONCLUSIONES

Con estos cambios estructurales, los Belgas se han adaptado al aumento de las exigencias que vienen con esta transferencia. La transformación del estado ha sido hecha por etapas para dirigir las preocupaciones etnoterritoriales dejando varias cuestiones de lado hasta que un acuerdo pueda ser alcanzado. La confianza de que las cuestiones serán tratadas es importante para que los participantes sientan que han sido tratados justamente y para el éxito de negociaciones.⁷² Sin embargo, las reformas han reforzado la división lingüística y regional y han reducido el incentivo para la cooperación. Con los políticos preocupandose de los intereses etnoterritoriales, la revisión institucional es una posibilidad constante.

Debido a que no hay tiempo ni espacio, he decidido no discutir sobre la influencia de la sociedad en la Unión Europea. Sin embargo, la sociedad en la Unión Europea cambia algunas de las implicaciones políticas y económicas de las varias opciones de política. Es posible que la sociedad con la Unión Europea reduciría los gastos de la desintegración de Bélgica en dos o tres estados. Sin embargo, el estado de Bruselas todavía sigue siendo una fuente de contención, ya que es predominantemente Francófono, pero esta localizada dentro de Brabant que es Flemish. Las diferencias económicas regionales siguen fastidiando y sumando a la tensión de Bélgica. Los Belgas seguirán afrontando significantes desafíos al seguir intentando regular el conflicto ethnoterritorial.

Este artículo ha mostrado las significantes interacciones entre las seis facetas del cubo social. Datos demográficos, la historia, la religión, la economía, la política y los factores sicoculturales todos juegan un papel importante en las estrategias adoptadas por los varios políticos. La religión acentuó las diferencias, aunque el país entero es predominantemente Católico, los Fleming han sido vistos como los Católicos más leales. Aunque la historia no fué usada con frecuencia para la codificación, la pasada historia que se relatada aquí comprime las alternativas que pueden ser consideradas en la política contemporánea. Las consideraciones demográficas pueden cambiar la fuerza relativa de los grupos; por eso, el gobierno ha hecho la colección de la información demográfica acerca del uso de la lengua sumamente difícil y no permitirán este tipo de preguntas en las revisiones oficiales o el censo. La inmigración, sobre todo en Bruselas, puede cambiar consideraciones políticas en un futuro próximo. El poder económico ha cambiado de Wallonia a Flandes durante los años. Además, las instituciones políticas han cambiado dando más

71. *Id.*

72. Marc Uyttendael (1995). Entrevista con el autor.

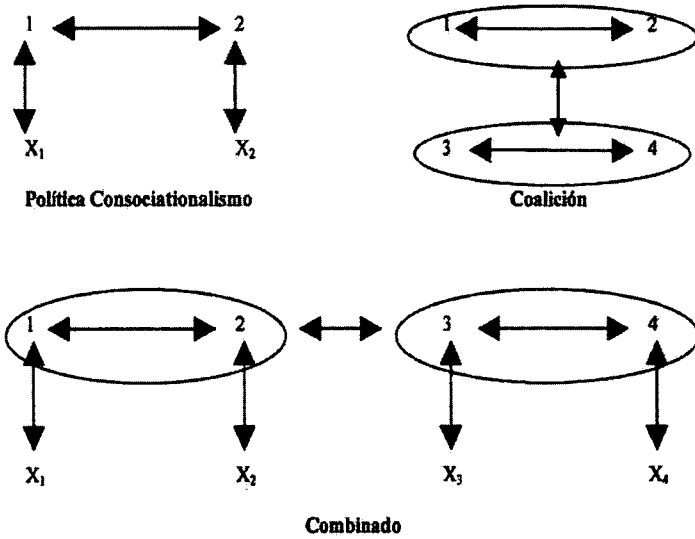
poder a los Fleming y descentralizando la toma de decisiones. Estas consideraciones son influenciadas también por los factores sicoculturales como la identificación de los grupo y las percepciones de los grupos de afuera y sus motivaciones. Estos factores son compuestos por el hecho que la minoría Francófona por mucho tiempo sostuvo ventajas políticas, económicas, y sociales, conduciendo a que los Fleming se vieran como una mayoría con un complejo de minoría.⁷³ La creciente complejidad de instituciones gubernamentales en Bélgica es una indicativa de los varios caminos que pueden ser tomados para regular el conflicto y pueden interpretarse como un amortiguador que obliga al público a confiar en que los políticos y en que los abogados van a revisar todas las implicaciones de los cambios futuros.

Al analizar el conflicto, es importante recordar que un solo modo de análisis es improbable para completamente explicar el problema. Sin embargo varios esfuerzos para reducir el conflicto, incluyendo medidas simbólicas, institucionales y económicas pueden promover la des-intensificación. Estos accesos crearán el cambio estructural adicional que influirá la opción para la táctica de los partidos. Un aumento en el entendimiento del cambio estructural es promovido por la sensibilidad a las interconexiones de los varios lados del cubo social.

73. John Fitzmaurice (1995). Entrevista con el autor.

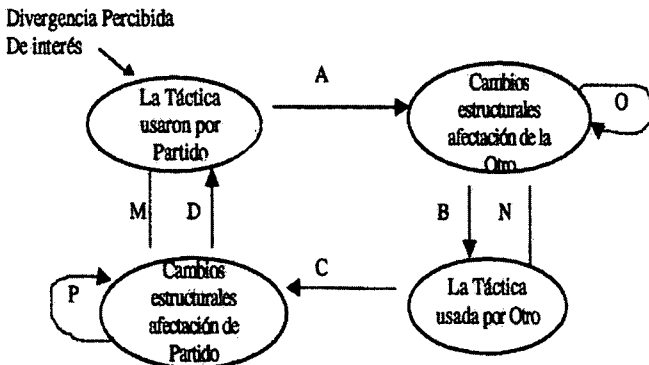
VII. APÉNDICES

A. *Figura 1: Modelo de Juegos Anidados1*



Fuente: Tsebelis (1990, 59) presenta el Modelo de coalición y el Consociacionalismo. He producido el modelo combinado.

B. *Figura 2: Modelo de Cambio Estructural2*



Fuente: Rubin et al. (1994, 1983). He cambiado su 'la táctica pesada' a 'la táctica.'