

## **Conflict Resolution and the Polish Round Table: Negotiating Systemic Change?**

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In this paper, I apply literature and experience in studies of escalated social conflict and conflict resolution to the history of the Polish Round Table. The Polish Round Table experience, as well as the events leading to its formation and the review of its impact ten years later, represents a useful data base for considering theories and practice principles extant in the conflict resolution literature. Likewise, the conflict resolution literature and experience represent a unique vantage point from which to examine the Polish Round Table. Both this literature and the Round Table experience stand to gain from their linkage.

For current purposes, I define conflict as a situation wherein two or more *engaged and interacting parties* have a substantial and *relevant difference in goals or interests* that cannot be achieved simultaneously. The key terms here are italicized, because if parties cease being interdependent with one another (do not need one another for survival or productivity or whatever) or no longer differ (on important matters) the conflict either ceases or becomes irrelevant. I will return to these conditions in more detail later, but it is clear that the Polish situation meets these definitional terms.

Moreover, although I have chosen the terms "conflict resolution," "the Polish Round Table" and "systemic change" as the title and foci of this analysis, each of these terms has multiple or unclear meanings, and each has a contentious history. For instance, various analysts of conflict processes prefer not to think of serious conflicts as ever being fully resolved, but as being "managed," "processed," "dealt with," etc. In the case of the Polish Round Table, it is clear that core and underlying conflicts were by no means settled at or by the Round Table. Rather, a negotiation process was put into place wherein people who disagreed strongly and had fought with one another came to some agreements that permitted them to live together and the social system in which they lived to continue to operate without warfare or schism. The Polish Round Table itself is a term that is applied to more than a single session or series of sessions at a round table; it covers an entire series of meetings and formal and informal negotiation processes that occurred over a considerable period of time. And it cannot be understood without some

examination of both the pre-history that set a context and need for the Round Table and the ten-year post-history that permits us to review its accomplishments. Finally, whether or not systemic change occurred in Poland, whether it occurred as a result of the Round Table, and whether more and better change would have occurred without the Round Table, are other matters of continuing debate.

These are the multiple contexts for this paper. At the outset, I assert that most of what we know about the formation, operation and attributed outcomes of the Polish Round Table fit well with widely held understandings in the conflict resolution field. At the same time, the Polish example deepens and extends our understanding of some of these widely held principles and practices and provides a uniquely interesting context in which to examine them again. I have organized this paper around six key issues or questions that are endemic to most discussions of conflict and conflict resolution; they are all present in the discussion of the Polish Round Table.

- I. What kind of issues can be negotiated?
- II. When are negotiations (most) useful as a strategy?
- III. What is required for negotiations to work well?
- IV. What are useful third party or “intervenor” roles?
- V. How do parties in conflict come to trust one another enough to negotiate?
- VI. Can, and how can, negotiations lead to systemic change?

I conclude the analytic portion of this paper with some reflections on the scholarly and political uses of organized memory as part of the Round Table experience and with some suggestions for comparative analyses that might broaden inquiry. Finally, I raise a series of questions that may be useful in guiding classroom discussions that could flow from this data base and analysis.

### **I. What Kinds of Issues Can Be Negotiated?**

The first vital issue in the analysis of this and other conflicts must be the nature and extent of the parties’ different goals or interests. Are they truly incompatible? Are there issues where compromises or negotiations can occur, or is warfare and victory/defeat the appropriate model? Is this a zero-sum – a winner take all – situation?

Most of the literature addressing these questions draws a distinction between

issues involving: (1) core or sacrosanct values, such as conceptions of basic rights, truth and social justice; and (2) sharable resources, such as power, money and material goods.<sup>1</sup> Indeed, Fiss argues that constitutional rights are non-negotiable, while slices of the pie may well be.<sup>2</sup> Fisher and Ury, in counseling parties on how to get to a negotiating situation, suggest that conflicting parties recede from stating inviolable “positions” or “ideologies” and concentrate on articulating “interests”: the latter are potentially negotiable while the former are not.<sup>3</sup> In a similar context, Susskind and Cruikshank suggest that when it appears that sacrosanct values are involved, combatants who wish to negotiate should repackage, redefine or reframe the issues so that talk (and hopefully compromise agreements) can occur.<sup>4</sup>

In the context of the Polish Round Table, several participants explicitly agree that it was not a place for seeking “truth” or justice.” Bujak notes that, in his view, the fight for freedom and democracy was not the same as the fight for justice, and that even the victims of regime crimes “were not fighting for this one hundred percent justice and eradication of evil. They were fighting for freedom and democracy.”<sup>5</sup> Indeed, he argues that, from the point of view of justice for victims or punishment for criminals, “the Round Table negotiators (were thought of) as bad.”<sup>6</sup> Some of the current debates about the Truth and Reconciliation Commission in South Africa (as in other places) is how much “truth” (and justice) versus how much “reconciliation” took place or could take place or even should take place.<sup>7</sup> If these Commissions (or the Round Table) are for reconciliation, not justice, what does that do to truth? Would Pinochet (and other members of his regime) receive a “fair trial” in Spain – would the “truth” emerge or “justice” prevail? Would that happen in Chile, or would a compromise result? What would the Chilean opposition to Pinochet say about reconciliation as a goal?

If core disagreements about values such as truth and justice were not to be

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<sup>1</sup> M. Deutsch, “Equity, Equality and Need: What Determined Which Value Will Be Used as the Basis of Distributive Justice,” *Journal of Social Issues* 31 (1975): 137-150; D. Luban, “The Quality of Justice,” *Denver University Law Review* 66 (3) (1989): 381-418.

<sup>2</sup> O. Fiss, “Against Settlement,” *Yale Law Journal* 93 (1984): 1073-90.

<sup>3</sup>R. Fisher and W. Ury, *Getting to Yes: Negotiating Agreement Without Giving In* (Boston: Houghton-Mifflin, 1981).

<sup>4</sup> L. Susskind and J. Cruikshank, *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes* (New York: Basic Books, 1987).

<sup>5</sup> *Communism’s Negotiated Collapse: The Polish Round Table, Ten Years Later. A Conference at the University of Michigan. April 7-10, 1999. English Transcript of the Conference Proceedings*, trans. by Kasia Kietlinska, ed. by Donna Parmelee (Ann Arbor: The University of Michigan Center for Russian and East European Studies, 1999), 63. Page numbers in footnotes referring to the Round Table transcript correspond to the original printed version of the transcript, which was provided to the contributors to this guide for reference. These page numbers may not correspond to the transcript currently available on the web or to subsequent printed versions.

<sup>6</sup> *Ibid.*, 62.

<sup>7</sup> D. Bronkhuorst, *Truth and Reconciliation: Obstacles and Opportunities* (Amnesty International, 1995); M. Minow, *Between Vengeance and Fairness* (Boston: Beacon Press, 1998).

debated at the Round Table, what was? What were the “sharable resources” or compromisable issues around which negotiations could occur? Underlying the varied positions taken by Solidarity activists and Government officials was a concern for, and indeed a commitment to, the sharing of legitimate power and authority. And this is the master resource in any social system, one that governs the distribution of other resources, and indeed the distribution of rights and privileges.

Thus, it was generally concluded that the Polish Round Table was about a series of negotiated compromises in order to maintain a stable and relatively peaceful society, one in which the legitimate authority of the state structure was maintained, albeit with different arrangements regarding who would share in the exercise of this legitimate authority. Neither of the major parties at the table wished to unleash (or see unleashed) the destructive power of violence—state violence or challenger violence. The issues on the table, the disagreements and compromises, were marked by more concrete objectives, such as recognition of free trade unionism, space for the development of democracy, and the possibility of economic improvement. Why compromise? Michnik makes the case that compromise is essential for democracy, “...freedom is not democracy yet. Democracy is freedom institutionalized, subjected to the state of law. Democracy is not only the rule of the majority, but it is also the rights for minorities. In other words the bread and wine of democracy is compromise.”<sup>8</sup> Michnik suggests further that Solidarity activists by and large did not wish to overthrow the Communist government; not only violence but “reconquest” would have been morally wrong and undemocratic (as was conquest itself). Since reconquest or reconciliation were the only choices apparently available, clearly reconciliation was to be chosen. Staniszevska puts it even more clearly, noting that dismantling the system was not the goal: “If anyone had thought that the system was being dismantled the Round Table would not have happened at all.”<sup>9</sup> Reykowski indicates that people tried to let go of the (oppressive) past and not discuss “symbolic issues.” And Rakowski indicates that he, “treated the Round Table as a beginning of an evolutionary change of the system,”<sup>10</sup> not as an attempt at attaining the end point. Hall provides a useful coda for this discussion, noting that the Round Table was a pragmatic political choice for everyone.

A pragmatic approach to the negotiation of divergent interests must identify some mutual interests among the parties. What the parties to the Polish Round Table acknowledged, and what permitted them to come together to the table, was their mutual interest in the “survival of the whole” or the “good of the whole” (the whole society in this case, the whole company in labor-union negotiations, the whole family in formal or informal marital/divorce negotiations). Some observers discuss this as the development

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<sup>8</sup> *Communism's Negotiated Collapse*, 234.

<sup>9</sup> *Ibid.*, 144.

<sup>10</sup> *Ibid.*, 189.

or articulation of concern for a “superordinate goal,”<sup>11</sup> which constitutes an objective both (all) parties have in common but which cannot be obtained by any party acting alone. This is a vital criterion that permits people who have strongly opposing positions to come to a negotiation table. In the Polish case, the stability and survival of the society and civil order was at stake as a superordinate goal, as was economic sustainability, and both parties (the Government and Solidarity) agreed that they needed to work with one another to achieve these goals. Indeed, Michnik indicates that what was a supreme value for him in the Round Table negotiations was the “overriding good of the nation.”<sup>12</sup>

Many of the Round Table participants discuss how, as they tried to both represent their constituency (particular interests) and strive for the common good (mutual interests), they were sometimes seen as betraying their true cause and collaborating with the enemy. Michnik identifies this issue as part of being seen as “pink,” as he noted that it is the “reformers’ fate” to be “accused of betrayal by their own communities.”<sup>13</sup> On the other side, Reykowski indicates that he also was accused of betrayal by staunch Communists and that Party people were shocked at his liberal stance toward Solidarity and negotiations. One way of dealing with this issue is suggested by Staniszevska, who notes that representatives need to be open and check often with their constituency. But none of these checks guard effectively against the perceptions of betrayal. The tension between being an advocate for one’s own constituency and its particular positions or interests and being a seeker of compromise solutions in the common good or mutual interest is a common experience of representative negotiators.

The splits within their own constituencies extenuated this dynamic, and raised the question of representatives’ interest in the survival of their own party as a whole, and of their associated leadership role. It is clear that neither the Government nor Solidarity represented all the people and interests within their own general constituency. Davis notes that there were not just two sides at the Round Table, or in the society, and that not all these sides were represented and represented well at the negotiations. Both Kaczyński and Hall also suggest that there were numerous opposition communities not necessarily represented by Solidarity, and certainly not (selected by Solidarity to be) present at the Round Table; the implication is that they were “too extreme” in their views or not sufficiently willing to disavow violence and embrace the potential for compromise. Moreover, and importantly, it is assumed (or hoped) that the unrepresented groups are not powerful enough to stop negotiations or to prevent implementation of agreements.

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<sup>11</sup> R. Lewicki and J. Litterer, eds., *Negotiations: Readings, Exercises and Cases* (Homewood, IL: Irwin, 1985); J. Rubin, D. Pruitt, and S. Kim, *Social Conflict: Escalation, Stalemate and Suppression* (New York: McGraw-Hill, 1994); P. Wehr, *Conflict Regulation* (Boulder: Westview Press, 1979).

<sup>12</sup> *Communism’s Negotiated Collapse*, 234.

<sup>13</sup> *Ibid.*, 16.

## II. When Are Negotiations (Most) Useful As a Strategy?

Tactical discussions of when, in the course of a conflict situation or process, negotiation is appropriate, or when parties are “ready to negotiate,” are commonplace in the conflict resolution literature. Thus, the second vital issue in the analysis of this and other conflicts is the degree to which the parties are truly interdependent, unavoidably engaged, and interactive with one another. It is clear that the parties to the Round Table, indeed the parties to Polish society, had been and were engaged and interacting with one another in a variety of ways and would continue to do so. Once that was clear, negotiations depended on each party’s willingness, and their ability to convince the other, that they would reject (or withhold) system destruction or violence and coercion, and thus could legitimate one another’s existence, their mutual interdependence, and their desire to work together. That opened up the possibility of a “deal” or compromise solution.

This raises a strategic as well as moral question. System crisis—violence and coercion or the threat of such—can soften up opponents and bring them to the table. But continued threats of violence and coercion also can backfire, hardening opponents into enemies and losing public support from the marginally committed as well. The most significant calculus for parties at this strategic juncture is called BATNA: Best Alternative to a Negotiated Agreement.<sup>14</sup> If a party can improve its position and achieve its goals by using tactics other than negotiation, it is not likely to come to the table. Of course, a party can come to the table in “bad faith,” appearing to engage in negotiations but using the situation to gather strategic intelligence about the opponents, create delay and confusion, etc. However, Susskind and Cruikshank argue that sooner or later, “As the dispute continues and the stakes rise, most groups eventually get around to considering their BATNA, rather than holding out for an extreme outcome,” one created by unilateral or coercive action.<sup>15</sup>

Thus, in addition to the prior discussion of the nature of the issues at stake as a relevant consideration in decisions to come to negotiation, it is important to consider the Round Table as a social change strategy in the context of other modes of change and resistance that were or might have been available.<sup>16</sup> For instance, Chrzanowski suggests that several alternative models of resistance to the authoritarian regime existed: insurrection (as in national strikes, demonstrations and the use of force), active defense (as in the exertion of softer political and economic pressure on the regime, including the use of the press and the church), direct interaction (as in efforts to gain concessions), and

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<sup>14</sup> Fisher and Ury; H. Raiffa, *The Art and Science of Negotiation* (Cambridge: Harvard University Press, 1982).

<sup>15</sup> Susskind and Cruikshank, 117.

<sup>16</sup> J. Crowfoot, “Negotiations: An Effective Tool for Citizen Organizations?” *Northern Rockies Action Group Papers* 3-4 (1980): 22-44.

finally negotiation (as in the Round Table).<sup>17</sup> Bujak expresses the view that the strikes were planned to lead to talks, not to violence, and that, “talks as a mode for resolving conflict have been the constitutional principle within Solidarity.”<sup>18</sup> Moreover, force alone didn’t work! Staniszevska agrees that, “Violence was pointless and that violence breeds nothing but violence and nothing constructive can emerge from it.”<sup>19</sup> Perhaps Hall sums up this view best in strategic terms, arguing that, pragmatically speaking, options other than negotiation and the Round Table, “appeared to me to be even more risky for Poland, more dangerous,”<sup>20</sup> in terms of the uncontrollable outcomes of direct pressure and violence and the unpredictability of Soviet actions. From the government’s side, Ciosek argues in parallel, or perhaps reciprocally, indicating that, “We were not afraid of Solidarity itself as that Solidarity would not be able to put the genie back in the bottle,”<sup>21</sup> that Solidarity could not control its people and that mass protest would erupt. It is clear that there were Solidarity elements that did prefer options other than negotiations and did seek more fundamentally challenging goals for the change process. But as noted above, many of them weren’t (selected to be) at the Round Table.

The external context of the conflict situation is another critical factor affecting the likelihood that various parties will enter into negotiations, and is thus another variable in parties’ calculation of their BATNA. In the Polish context, varied external forces escalated the level of threat regarding the society’s survival and/or the level of optimism about the possibilities for change. Either way, they heightened for many the need to consider the common good. For instance, part of the relevant externality concerns what else was going on in Poland at the time. Various participants talk about the economic or material crisis occurring, and the frustration and “bottom-up pressure” engendered by unmet promises of greater prosperity. Others suggest Poland had already experienced more freedom than other Soviet bloc states and, thus, was readier for change, compromise, and negotiations like the Round Table. Similarly, we can see how the state of a national economy and changing cultural politics certainly affect union-labor relations or interracial negotiations in the United States.

Another set of external forces concerns the reality – and, despite the objective reality, people’s perceptions of the reality – of Soviet intentions and the potential of Soviet intervention, should the Polish Communist regime “give up too much” to Solidarity negotiators. For instance, Rakowski notes (and Ciosek agrees) that communist leaders, themselves rooted in a certain historical time and experience, felt that they had perhaps exaggerated their fear of Soviet intervention, out of “sheer fear and respect for the power East of the Bug river.”<sup>22</sup> Davis, even without that personal experience, reports

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<sup>17</sup> *Communism’s Negotiated Collapse*, 26.

<sup>18</sup> *Ibid.*, 36.

<sup>19</sup> *Ibid.*, 242.

<sup>20</sup> *Ibid.*, 106.

<sup>21</sup> *Ibid.*, 173.

<sup>22</sup> *Ibid.*, 22.

that he, “suspected strongly that the Soviets would eventually intervene if, in fact, Solidarity took over power in Poland...(and thus) did warn my Solidarity friends to be careful...(and) tried to influence the opposition...that it was in their interest to talk to the government.”<sup>23</sup> On the other hand, Chrzanowski suggests the Russians were far too weak to intervene by the late 1980’s, although it is not clear that many wished to gamble on that assessment.

In addition, there is substantial commentary about the role of the United States, other Western nations and Polish immigrants in the US. Rakowski suggests that Poland was uniquely able to move in the direction of the Round Table because of its links to the US via Polish immigration. This view is seconded by Davis, as he discusses both the Reagan administration’s “enthusiasm for hammering the Polish regime...(and how through) the Polish-American community, their moderation, their wisdom and their political support, we were able to achieve a balance”<sup>24</sup> in the effort to (more gently) influence the regime. Orszulik adds that the western sanctions “actually turned very effective”<sup>25</sup> in helping to soften the regime, although they also caused suffering among the Polish people. We can imagine similar dynamics of external influence in the activities of the American Jewish community vis-à-vis the Israeli government in its negotiations with Palestinian (or now Syrian) statesmen (in both directions—hardening and softening); the role of the Irish-American communities in support and opposition to events in Northern Ireland; the role of non-governmental US economic boycotts in lending support to challenges to the Apartheid regime in South Africa; US—C.I.A. activity in support or opposition to regimes in Latin America and elsewhere. (None of this argues either the effectiveness or ineffectiveness of any of these influences, merely their existence.)

The role of the Catholic Church (and the current Pope) is also cited several times, both in the sense of the Polish Church as a supporter of Solidarity and of negotiations, and of the impact on the regime of the international Catholic Church in the form of papal visits and pronouncements.

### III. What Is Required for Negotiations to Work?

The literature indicates that once it is clear that parties are prepared to negotiate, successful negotiations require the presence of a variety of factors or conditions. Some of these conditions are themselves the natural context that drives parties to the table (given their BATNA’s) while others can be created or facilitated by the ways in which negotiations are structured or organized. For convenience, we have labeled the former

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<sup>23</sup> Ibid., 61.

<sup>24</sup> Ibid., 95.

<sup>25</sup> Ibid., 135.

*external conditions* and the latter *internal conditions*.

**External conditions.** As discussed above, the external societal context of conflict situations is a critical factor affecting the very possibility or existence of negotiations (and helping to calculate parties' BATNA's). In the Round Table context, part of the relevant externality concerns what else was going on in Poland, in the larger arena of Eastern Europe, and in the world at large at the time.

Successful negotiations generally require the parties involved to have relatively equal power, or at least enough power parity to create a situation of mutual vulnerability and deterrence, or at least perceived vulnerability: "each side has to have at least some leverage it can use, if necessary, to the other's disadvantage."<sup>26</sup> As Wehr points out, often negotiation only can begin when, "oppressed groups...reduce the imbalance of power through confrontation to the point where conciliation and bargaining can take place."<sup>27</sup> At the macro or societal level in Poland, this principle was reflected in the argument that, at the time of the construction of the Round Table, both sides were pretty weak...and each knew it. As Staniszezewska states, "The Round Table was actually evolved from the weakness of both sides...If at that time at least one of the sides that finally sat down at the Round Table had felt and had been strong, had felt that it actually had power over the souls and minds of the people, I am sure that there would have been no Round Table."<sup>28</sup> So mutual weakness is as clear an example of the "power balancing" principle as is mutual powerfulness.<sup>29</sup> But power is never truly equal, and Jankowska argues that the Communist Party and Solidarity "were not truly partners all the way"<sup>30</sup>; the Party had the power to control the TV and press, and Solidarity had to run after and correct "regime journalists" who were telling the story of events in their partisan manner.

It was helpful to the creation and conduct of the Polish Round Table that all members considered themselves "Poles" first and foremost. To the extent that major racial/ethnic, class or cultural conflicts break along the same lines as do power and privilege, power is less likely to be balanced, fundamentally different ideologies are more likely to be at stake, and historic grievances and injustice more likely to be part of the contest. This may make such multi-identity alignment a good mobilizing tactic for bringing together and energizing challenging groups. But mobilization and negotiation are distinctive change tactics, even if they often occur in tandem. When negotiations are undertaken, parties must be able to separate – intellectually, emotionally and practically – issues of identity and issues of interest, just as they must be able to separate interests and positions. Interests are negotiable, while ideological positions and core

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<sup>26</sup> Susskind and Cruikshank, 190.

<sup>27</sup> Wehr, 38.

<sup>28</sup> *Communism's Negotiated Collapse*, 242.

<sup>29</sup> L. Kriesberg, *The Sociology of Social Conflicts* (Englewood Cliffs, NJ: Prentice-Hall, 1973).

<sup>30</sup> *Communism's Negotiated Collapse*, 83.

identities are not. If such separations are not made, negotiations are less likely to come to pass, and when they do, are more likely to be highly contentious and unsuccessful. Consider the ethnicized and identity-group heightened nature of resource-based conflicts in Israel-Palestine, Northern Ireland, the former Yugoslavia, etc.

*Internal conditions.* A number of internal conditions also have to be met for negotiations to be successful. Chief among them are “process issues,” such as power parity,<sup>31</sup> the ability of each party to work effectively with its own constituency, as well as to develop effective communication with opponents and with allies, and representatives’ interpersonal skills (e.g., communication skills, emotional control, anger management). The literature on negotiations is replete with theoretical support for the particular necessity of relatively equal power participation and contains many suggestions for process interventions that may more or less (or even temporarily) provide power balancing.

Power parity, or relative power equality, was promoted at a micro or process level within the Round Table by such things as equal numbers of representatives for each side, rotating chairs of meetings, a norm of alternative-side speakers (Reykowski), autonomy in selection of representatives, and the use of “small tables” where people could engage in direct one-to-one conversations and negotiations, freed from the public posturing manifest in some total Round Table deliberations and the power plays enacted by a few dominant leaders of either side (perhaps to keep their own people “in line”). Another important balancing condition of the Round Table was that each side decided who would sit for itself; for the most part the Communists did not decide who would represent Solidarity (a condition noted as essential by Susskind and Cruikshank). Chrzanowski indicated that at one point the authorities wanted to pick Solidarity’s Round Table representatives, but this did not happen. As we see, the people who did represent Solidarity (or the regime) had enough trouble retaining their credibility with their constituency as it was; it would have been lost completely had selection autonomy been compromised.

The difficulty each party to the Round Table experienced in managing its own internal splits and debates exerted pressure on their ability to construct and operate negotiations. For instance, Michnik argues that both Solidarity and the Communist Party (the government) were divided, that even in the subsequent election the country was divided, and Janas notes that it was clear to him, as he tried to organize the opposition in the factories, that all Poles did not oppose the Communist Party and support Solidarity. Bujak explicitly notes that maintaining Solidarity was key, but that, since it was a

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<sup>31</sup> A. Davis and R. Salem, “Dealing with Power Imbalances in the Mediation of Interpersonal Disputes,” *Mediation Quarterly* 6 (1984): 17-26; B. Mayer, “The Dynamics of Power in Mediation and Negotiation,” *Mediation Quarterly* 6 (1987): 75-86; L. Susskind, “Power and Power Imbalance,” in *Removing the Barriers to the Use of Alternative Methods of Dispute Resolution* (Burlington: University of Vermont, 1984); Susskind and Cruikshank.

decentralized movement with no direct supervisory system, that was very difficult. The stakes got especially high when some within Solidarity's ranks (according to Janas, the young radicals) turned to violence, or blurred the border between peaceful demonstrations and terrorism (of course, as previously noted, the Party was only too willing to help blur this distinction). Parties who know about one another's split constituencies may elect to strengthen the negotiation situation by ignoring them, or they may try to weaken their opponent (and thus alter the power equation in the negotiation itself) by exploiting or appealing to these splits. The issue of working with one's own disparate constituencies is certainly a common theme in movement politics, and a great deal has been written about these internal struggles (for unity, for power between different sub-movement groups, about tactical preferences) in the US labor, student, civil rights and feminist movements and in national liberation movements in Africa, the Middle East, etc.

The problem of being and staying in good touch (and good graces) with one's own constituency, so that one could be a "legitimate spokesperson," was also raised by several participants. I referred earlier to the ways in which Michnik and others discuss their reactions to the charge that they betrayed their Solidarity comrades. Reykowski reports that unity within the government was more likely, given the constraints and rewards operative for Party leaders, but that, "some in the government undertook some efforts to limit or eradicate certain evils which the regime generated...they voluntarily undertook actions geared toward fundamental transformation of the system."<sup>32</sup> He argues that he and some others wanted change and to work with Solidarity, while others wanted to respond to the opposition with force, by annulling elections, etc. (Solidarity participants were not prepared to agree that such stances were "voluntary" or that party members "wanted change," preferring to see such stances as the result of their pressure and the changing situation). Reykowski identifies himself as a "party liberal," expecting "huge resistance within the Party apparatus, particularly of the Central Committee, toward negotiation and agreements."<sup>33</sup> He also identifies himself as part of the "reformist wing," a wing that was in the minority within the Party and "could not afford to say no openly and to organize ourselves within the party"<sup>34</sup> because of the press for Party unity. Despite these expectations, he reports that he found surprising support among many younger Party members. All liberation or resistance movements seek dearly to find "reformers" or "allies" within government and regime ranks; it also is common, after the fact, for many government/regime actors to identify themselves as "previously hidden" friends of a successful change effort.

*Despite all efforts...* Despite all efforts to create the conditions under which negotiations can be successful, there is no way to control all the forces and conditions at

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<sup>32</sup> *Communism's Negotiated Collapse*, 112.

<sup>33</sup> *Ibid.*, 138.

<sup>34</sup> *Ibid.*, 165.

work. In the Round Table context, for instance, there is a delicate story told about the last-minute negotiating stance of a government-oriented labor union and the mental and political gymnastics of several Solidarity members and the Church to work with extra-Round Table government actors to create a press release that would not sink the Round Table agreement. There are many examples of this phenomenon of uncontrollability in other settings. As one example, consider how the Memphis Public Employees (garbage collectors) strike and negotiations took a dramatic turn when Martin Luther King, Jr., who had come to Memphis to show support for the strikers, was assassinated during negotiations.<sup>35</sup>

#### IV. What Are Useful Third Party or “Intervenor” Roles?

Was a third party necessary to facilitate the process of coming to the Round Table...and continuing to meet and negotiate? A substantial portion of the literature on conflict resolution addresses the utility of third-party intervention: in Rubin et al.’s terms, “a third party is an individual or a collective that is external to a dispute between two or more people and that tried to help them reach agreement.”<sup>36</sup> Third party roles may be formal (contracted and arranged) or informal (emergent), advisory and facilitative or directive and coercive, and partial or impartial. In theory and practice, the necessity of an intermediary is a matter of debate, although many of the participants seemed to agree that it was required in the Polish situation. Examination of the record of the Polish Round Table is contradictory regarding whether a real third party was ever present, let alone if such a presence was necessary or useful.

Orszulik (a member of the Church hierarchy) argues that any two sides require an intermediary, and that the Church played this role. It does not seem the Church really “mediated” the Round Table in the formal sense of mediation, nor was it external to the negotiations, nor was it neutral. Neutrality is a hallmark of formal mediation rhetoric, but in practice it is usually redefined as a sense of fairness that gains the trust of varied parties.<sup>37</sup> Few people espousing a cause they believe to be just ever fully trust the person in the middle, the one without a position, even if they agree he/she/it was useful

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<sup>35</sup> R. Marshall and A. Adams, “The Memphis Public Employees’ Strike,” in W. Chalmers and G. Cormick, eds., *Racial Conflict and Negotiations* (Ann Arbor: University of Michigan and Wayne State University, 1971).

<sup>36</sup> Rubin, Pruitt and Kim, 197.

<sup>37</sup> G. Cormick, “Intervention and Self-determination in Environmental Disputes: A Mediator’s Perspective,” *Resolve* (Winter 1982): 1-7; J. Forester and D. Stitzel, “Beyond Neutrality: The Possibilities of Activist Mediation in Public Sector Conflicts,” *Negotiation Journal* 5(3) (1989): 251-263; J. Laue and G. Cormick, “The Ethics of Intervention in Community Disputes,” in G. Bermant, H. Kelman and D. Warwick, eds., *The Ethics of Social Intervention* (Washington, DC: Halstead Press, 1978); C. Moore, *The Mediation Process: Practical Strategies for Managing Conflict* (San Francisco: Jossey-Bass, 1996).

and helpful.

Rather, it seems that the Church facilitated the coming together of the various parties and was able to do so because all parties had some degree of knowledge and trust in the Church, despite its forthright claims of support for Solidarity and its active role in a negotiated transition. Indeed, Orszulik suggests that the Church was, “some kind of safety oasis, some kind of guarantee of safety.”<sup>38</sup> Solidarity groups met in the Church; the Church used parish announcements to support Solidarity and was in turn trusted by Solidarity because of this moral alliance and the forthright support of the Pope. On the other hand, the Church also worked with the government: the regime wanted the Church to help moderate Solidarity activism and met with Church leaders secretly to encourage this prior to the 1980’s. As Ciosek says, the regime trusted and understood the Church better as “another strong (autocratic?) structure than an unbridled Solidarity which was only in the state of emerging.”<sup>39</sup> He supports Orszulik’s argument that the Church mediated between communists and Solidarity. Thus, the Church appears as an “honest broker,” one able to communicate with both the government and Solidarity, and to facilitate their communication with one another, but not one that in any sense was outside the struggle or impartial.

Most of the conflict resolution literature regarding third parties focuses on an external neutral party; here we see the development of an internal non-neutral third party, and we can imagine other variants. For instance, in the South African situation, it appears that Nelson Mandela played a crucial mediative role between the ANC and the Government, even as a member of one of the parties and a clearly non-neutral advocate of major transition. In a recent struggle around issues of racism at the University of Michigan, between protesting students and the Administration, Jesse Jackson played a useful third party role; no one had to wonder where Jackson’s loyalties lay, but he was a mutually trusted (more or less), external but non-neutral third party.

As is typical for involved parties who also are active as “go-betweens,” “brokers” or mediators, Orszulik indicates that at times the Church’s mediative motives were questioned. Moreover, he acknowledges that indeed the Church had benefited, had increased its own legitimation as an important social institution, as a result of its mediative role. In a number of other seriously escalated conflicts, non-governmental organizations also have played key roles in “mediating” between, or facilitating communication among, regimes and challenging parties. Gidron et al. discuss a particular variant of these NGO’s active in the Republic of South Africa and in the Israeli-Palestinian and Northern Ireland conflicts.<sup>40</sup> Called “Peace and Conflict

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<sup>38</sup> *Communism’s Negotiated Collapse*, 53.

<sup>39</sup> *Ibid.*, 173.

<sup>40</sup> B. Gidron, S. Katz, M. Meyer, Y. Hasenfeld, R. Schwartz, and J. Crane, “Peace and Conflict Resolution Organizations in Three Protracted Conflicts: Structures, Resources and Ideology,” *Voluntas: International Journal of Voluntary and Non-Profit Organizations* 10(4) (1999): 275-98.

Resolution Organizations" (P/CRO's), they manage to convene conflicting parties, set the stage for mediation and strengthen the conflict resolution process; sometimes they also are directly involved in monitoring conflict, conducting mediation themselves, and training people in conflict resolution tactics. The dominance of the Church as a P/CRO in Poland, coupled with the monopolistic nature of the socialist state vis-à-vis voluntary and third sector organizations, may have masked or deterred recognition of the role other NGO's played in the Polish situation.

## V. How Do Parties in Conflict Come to Trust Others Enough to Negotiate?

Several discussants point to the ways in which they used to (and perhaps still do) see the "other side" at the Round Table in stereotypic terms. These stereotypes, often born out of direct painful experience with one another, help maintain opponents as evil and the struggle as one between the forces of "light" and "darkness," and they play an important role in helping to mobilize partisans for protracted and risky struggle.<sup>41</sup> At the same time, when negotiations are possible, such demonization of opponents may make it impossible to see them with human faces and to communicate or negotiate effectively.

"Enemyship" often is a key element in escalated conflicts that require negotiations, even if they make coming to the table more difficult. As Michnik notes, he was coming to the table to negotiate with enemies<sup>42</sup> (not imagined enemies but people who had done him and his interests grievous harm). Indeed, he argues later that for genuine negotiations you must have genuine enemies,<sup>43</sup> not just opponents. (There is a really quite poignant and painful story Michnik tells of his desire not to shake hands with a notorious communist Round Table participant—he felt his wife would not let him back into the house if he did so—but despite his efforts to hide in the bathroom to avoid facing and greeting this person, he stumbled into the necessity of a handshake.)

Both "sides" (a telling term in itself) had previously used the metaphor of enemies to rally their own troops or to delegitimize others. For instance, Lityński states that Solidarity deliberately "treated the government as a monolith, if we refused to distinguish between hard-liners and liberals, then the government side would have to allow groups to emerge that would start negotiations."<sup>44</sup> But sometimes partisans didn't have to do much to accomplish this, as Bujak notes that the government tried to, "push us (Solidarity) into the terrorist position...as some sort of criminals, armed assailants."<sup>45</sup>

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<sup>41</sup> M. Chesler and J. Crowfoot, "The Concept of the 'Enemy'": Reflections on the Strategic Use of Language, in V. Suransky, et al., eds., *Paulo Freire in Ann Arbor* (Ann Arbor: University of Michigan School of Education, 1981).

<sup>42</sup> *Communism's Negotiated Collapse*, 9.

<sup>43</sup> *Ibid.*, 233.

<sup>44</sup> *Ibid.*, 171.

<sup>45</sup> *Ibid.*, 37.

Quite similarly, Dembowski suggests that he (and the Church) had no enemy, but that, “the authorities of Poland placed themselves opposite of me.”<sup>46</sup> On the other hand, Rakowski wants it to be clear that he objects to the notion that, “our (government) intentions were evil and they (we) were all evil....I’m supposed to be a worse kind of Pole, and I cannot accept that decidedly.”<sup>47</sup>

Several participants indicated that they had tried, and evidently still are trying, to diminish the enemyship rhetoric and perception. For instance, Ciosek pleads for people to recognize, “some of the value on our (government) side and notice that the Polish success is made up of goodwill on both sides, and not just one.”<sup>48</sup> And Dembowski argues that the Church did care for opponents in the government.

A number of commentaries note how, as meetings progressed, some of these enemies did gain a human face and how direct interaction created human connections that permitted real talk and eventual agreement. Jankowska indicates that the Round Table, “allowed us to look at the opponents, at the partners, know them. And this is when the links were created, and they were quite necessary in order to perceive these people differently and try to understand their motivation, their way of thinking.”<sup>49</sup> In the context of the Round Table, then, “these were our enemies...(but we showed them) an attitude of human respect (Hall).”<sup>50</sup> And as Reykowski reports with regard to the Solidarity people, “I was afraid of their radicalism and fundamentalism. And to my great surprise...I found that it was a very reasonable group of people, who were well prepared and with whom we could think together how to find solutions to the Polish situation.”<sup>51</sup> Ciosek reiterates his position that at the Round Table “both sides acted in good will”<sup>52</sup> – but it is important to remember that not everyone felt that way (several Solidarity participants argued that the government did not negotiate in goodwill!).

The notion that Poland was a client state of the Soviets led many to the argument that the regime was not nativist but foreign (even if they were Poles) and evidence of an occupying power rather than a domestic dictatorship. That view does lead more quickly to fundamental distrust, supports enemyship notions of the regime, weakens the commitment to non-violence, and breaks down the integrative force (referred to earlier) of all participants being considered (by themselves and others) Poles, above all. Several different perspectives on the “construction of enemies,” especially in the cold war context, are available in a special issue of *The Journal of Social Issues*, “The Image of the

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<sup>46</sup> Ibid., 114.

<sup>47</sup> Ibid., 164.

<sup>48</sup> Ibid., 64.

<sup>49</sup> Ibid., 96.

<sup>50</sup> Ibid., 177.

<sup>51</sup> Ibid., 140.

<sup>52</sup> Ibid., 175.

Enemy.”<sup>53</sup> It would be interesting to consider how issues of “opponency” and “enemyship” escalate when the contestants are also of different (and historically warring) national/ethnic/racial/religious groups. Then we have seen people, parties and nations go beyond enemyship to use even more intractable terms such as “heathens,” “foreign devils,” members of an “evil empire,” and “non/sub-humans” (as in US WWII views of the Japanese, etc.).

The Round Table certainly did not erase differences, or ill will, and even the discussions at the conference itself sometimes re-raised strong feelings of anger and hurt.<sup>54</sup> Participants for the various sides continued to argue – sometimes openly and sometimes subtly or indirectly – about the prevalence and mutuality of goodwill; generally government/Communist Party participants said there was a lot of it and it was mutual, and generally this was contested by Solidarity/opposition participants. As Michnik states, “an amnesty, yes, amnesia, no.”<sup>55</sup> Finally, Ciosek remarks, “Each side used its own language to address its own constituency and used the conceptual apparatus appropriate for that constituency.”<sup>56</sup> No wonder there are different stories to tell about serious conflicts: not only do people from different social/political locations see things differently, they each talk about what they see in different languages.

The development of some sort of trust in one’s opponents, or (former) enemies, is essential for the negotiation process. But trust has various meanings, and interpersonal attraction or friendship is the least important ingredient in conflict resolution settings. More important is the ability to count on (trust) one’s adversary to behave in a reliable and predictable way, hopefully but not necessarily in a way consistent with their public pronouncements, and to be committed to implement an agreement. Rubin, Pruitt and Kim argue that the key elements of trust in negotiating situations are perceptions that the other party is concerned about one’s interests, acknowledges interdependency, and is willing to yield or compromise at some point.

It is common after difficult negotiations for participants to speak well of their former opponents for a while, thus to lay the groundwork for peace, for their varied constituents’ willingness to accept an agreement, and for their ability to continue to work together. It also is common before, during, and after difficult negotiations for participants to continue to characterize their opponents or enemies in less than flattering ways; for the larger (and underlying) contest continues, and these characterizations (regardless of their truth value) are part of the continuing struggle for symbolic resources.

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<sup>53</sup> “The Image of the Enemy: US Views of the Soviet Union,” *Journal of Social Issues* 45(2) (1989). Entire Special Issue.

<sup>54</sup> See Ciosek, *Communism’s Negotiated Collapse*, 173-74.

<sup>55</sup> *Communism’s Negotiated Collapse*, 234.

<sup>56</sup> *Ibid.*, 175.

## VI. Can, and How Can, Negotiations Lead to Systemic Change?

The goal of negotiation is in part to transform a process of contested and resisted (and potentially violent) unplanned change into a process of more collaborative (and relatively peaceful) planned change. Certainly this happened in the Polish situation. But how much systemic change was agreed upon and/or implemented in, or as a result of, the Polish Round Table? On the one hand the specific outcomes of the Polish Round Table are murky and unclear. No one was quite certain whether and which agreements would be kept—by the regime or by Solidarity. Nor was there clarity as to whether each major party was strong enough to “control” dissident elements within or without their own ranks. On the other hand it is clear that there has been a transition in Poland to a more or less stable democratic regime, with elements of economic openness and growth. There were negotiated changes, even major transitions, but there has not quite been a revolution.

The proof of the pudding of any negotiation or change process is in the action implementation that follows, not in the negotiating talk (or even its written agreements). The literature on many forms of “informal justice,” and even “formal justice” (i.e., that decided by the courts), is replete with examples of agreements made and not kept. US Black activists such as Wilcox<sup>57</sup> provide examples of community-school and other civil rights negotiations that were violated or sabotaged immediately after they were concluded or that were vetoed by higher powers external to negotiations. There is continuing debate at the University of Michigan about whether the University ever has fulfilled the conditions that were apparently negotiated as part of the conclusion of the Black Action Movement strike in the early 1970’s about Black and other minority enrollment goals (and this debate has been part of the fuel for later demonstrations, protests, counter-protest activity and general distrust). And even US federal court decisions about school desegregation, for instance (supposedly backed by the formal power of the law and the state), often never were implemented.<sup>58</sup> We can easily multiply the examples of this phenomenon and then reasonably ask what the conditions are (for the Round Table or any other process) that might maximize the likelihood of fulfilling agreements made.

Several researchers have tried to specify the conditions under which negotiated agreements are most likely to be kept...and implemented.<sup>59</sup> Fisher and Ury emphasize

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<sup>57</sup> P. Wilcox, “To Negotiate or Not to Negotiate: Toward a Definition of a Black Position,” in W. Chalmers and G. Cormick, eds., *Racial Conflict and Negotiations* (Ann Arbor: University of Michigan and Wayne State University, 1971).

<sup>58</sup> C. Bullock and C. Lamb, eds., *Implementation of Civil Rights Policy* (Monterey: Brooks/Cole, 1984); M. Chesler, J. Sanders, and D. Kalmuss, *Social Science in Court: Mobilizing Experts in the School Desegregation Cases* (Madison: University of Wisconsin Press, 1988).

<sup>59</sup> M. Galanter, “Why the ‘Haves’ Come Out Ahead: Speculations on the Limits of Legal Change,” *Law and Society Review* 9 (1974): 95-160.

the importance of “realistic commitments,” and Susskind and Cruikshank likewise stress the criterion of feasibility: “Participants...should not strike a deal they will be unable to implement.”<sup>60</sup> Susskind and Cruikshank also suggest that a monitoring process be established to confirm implementation processes, and that an agreement should contain a provision for review and potential renegotiation. The issue here is not just whether parties to a negotiated settlement did or will act in good faith: a non-implemented and failed agreement re-stokes the fires of discontent and distrust, making future agreements and system stability even less likely.

Just as there have been major changes in Poland since the Round Table, there have also been limits to its hoped-for material and symbolic outcomes; as Kaczyński notes, there is still a lot of political and economic work to be done. The economy struggles, and Janowski argues that Solidarity has ignored the rural community (and the farmers) and has been snooty and arrogant toward them. And as Michnik concludes, “It’s a good moment to remember about those who’ve lost, those who are unemployed and homeless, those who are poor and buried in apathy, those who don’t participate in elections, those who organize strikes and road blockades, uncertain about the day to come....Their fate should be of concern to all of us, from all those political camps.”<sup>61</sup>

Over and above (or perhaps below and behind) this discussion of what changes really have occurred in Polish society over the past ten years, lies the question of whether the Round Table itself is responsible for any of these changes. Would they have happened anyway? Was the Round Table necessary? Chrzanowski suggests that if there had been no Round Table there still would have been major change of a liberalizing and democratizing sort. In his view the Round Table influenced the manner of changing power (peaceful and reconciliative rather than violent and punitive) rather than the fact of change itself. Davis, among others, argues that the regime was failing anyway. Ciosek counters, however, arguing that the Polish system was not falling apart by itself and needed the Round Table to work a good compromise. In his view Solidarity’s way to the future was unclear and although the regime knew change was necessary it didn’t know how to make it happen. And Michnik also doubts whether the regime would have collapsed by itself, without the assistance of the Round Table.

### **A Methodological and Strategic Note About Memory and Mythology**

The creation of stories and myths about the Polish Round Table is another way of “telling history” and of “debating the telling of history.” Since the historical record is a resource that is interpreted, misinterpreted and used in social struggles we can expect

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<sup>60</sup> Susskind and Cruikshank, 31.

<sup>61</sup> *Communism’s Negotiated Collapse*, 235.

that the conference report<sup>62</sup>, too, will be debated. It is in itself a narrative, one to be fought over and used in continuing struggles. Moreover, in this and other analyses we work from memory that is concretized in documents and in people's retelling of their stories. Memory is fallible. Memory is partisan. Memory makes it obvious that the struggle (both material and symbolic) is still alive. Memory and myth-making are resources that are used tactically (sometimes intentionally and sometimes unintentionally) in the underlying and ongoing social struggles in which negotiations are a temporary element

We see some of the continuing debate about the Round Table reflected in Michnik's opening comments about wanting to challenge/avoid the myths of the, "benevolence of the (Communist) party leaders...(and) the conspiracy of the reds with the pinks."<sup>63</sup> Hall identifies the same myths in somewhat different language, expressed as concern with the, "black legend that depicts the Round Table as a betrayal...(and) that both sides, Solidarity and the government, are being presented as equally concerned with the need for transforming Poland."<sup>64</sup> Several other Solidarity participants comment on these issues, often disagreeing about the Communist Party's benevolence, goodwill and voluntary participation in the Round Table. Comments also are made by some Solidarity members regarding their concerns about their own side's collaboration with the regime ("the meeting of the reds and the pinks").

Myths that participants in a struggle try to prevent, curtail or correct indicate the continuing struggle over the underlying issues and the perceptions depicted in conference proceedings and at stake in the Polish experience. As Hall notes, while respecting and acknowledging some of the positive behavior of the government's representatives, "we cannot create an impression that these fundamental differences have been blurred and that martial law, with its victims, and the whole balance sheet of the Polish People's Republic have been forgotten."<sup>65</sup> There seems little danger of that occurring, given the nature of the views expressed at the conference (not only from the stage but often from the floor), but the notion that peace and good will reign or reigned could no doubt assume mythic power in some people's minds (especially in the absence of clear voices to the contrary).

Another mythic element concerns the place of the Round Table in the history of negotiated transitions in the communist bloc. Ciosek argues that Poland (i.e., the Round Table), "was ahead of events outside (e.g., *perestroika*) and had a real and very visible impact on the course of events in the Soviet Union,"<sup>66</sup> as well as in other former states of the USSR. On the other hand, others argue that it was the weakness, imminent collapse,

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<sup>62</sup> I.e., *Communism's Negotiated Collapse*.

<sup>63</sup> *Communism's Negotiated Collapse*, 10.

<sup>64</sup> *Ibid.*, 107.

<sup>65</sup> *Ibid.*, 117.

<sup>66</sup> *Ibid.*, 42-43.

or liberalization of the Soviet Union that opened the way for the Round Table.

Ciosek places a methodological cast on the issue of myths, suggesting that the re-telling of the Round Table story is problematic unless one does, as this conference did, emphasize the testimony of witnesses (first-hand) versus documents (which were created for political purposes), which do not reflect, “those informal conversations...where the real battle was going on.”<sup>67</sup> But one might just as well raise questions about the objectivity and self-servingness of the witnesses at the conference, as they may have continued to try to justify their own and their constituency’s roles in these retrospections.

So who is telling “the truth” regarding some of these debates or differing perceptions and memories? And, in the end, does it matter?

### **Some Important Possibilities for Comparison**

Several somewhat similar conflict situations, conflict resolution processes, and negotiations can be examined to provide a comparative basis for these and other observations. One obvious set of comparisons could occur with other situations in which colonial or occupying powers (or what some parties may see as such) were brought to a negotiating stance – in part or in toto. Examples might include Israeli-Palestinian negotiations; the US government and Native American Indian tribes and similarly, the Canadian government’s negotiations with Native Peoples; the South African case; resistance to wartime or post-wartime occupations in Europe and Asia; Northern Ireland; and some Truth Commissions. In all these cases, we would want to know about the patterns of resource allocation (including legitimacy and power) in the society and among the parties, the events leading up to and from negotiations, the processes and structures of negotiations, and how sufficient trust was developed in order to permit some sort of negotiations (successful or not) to ensue.

A second useful comparative base could be grassroots insurgencies against indigenous autocracies that led to some sort of negotiations. Examples might include the process of getting to elections in Nicaragua (with Sandanistas), efforts between US localities or corporations and Black or Latino/a protest movements (or more recent Latino and Asian-American parallels), indigenous Truth Commissions in Guatemala, Ethiopia, etc.

A third comparative base, but one that offers major contrasts with regard both to enmity (much less vibrant than Poland and others above) and to a history and established structure of negotiation processes (much more experience than Poland and others above) could include heated disputes between activist organizations and corporate/government parties in the environmental arena, particular cases in US (and

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<sup>67</sup> *Ibid.*, 40.

other nations') union-management/ government disputes (including riots and police/army repression), and local community mobilizing efforts that end up in some sort of "informal justice" process. In these areas, there is a great deal of available literature on the processes of internal power balancing, mediation, negotiating tactics, constituency representation, etc.<sup>68</sup> There is much less literature and/or agreement on the role of negotiations in achieving systemic change, reductions in societal power imbalances and resource inequality, and reductions in injustice.

### Discussion Questions for Classroom Use

These questions can be applied to the Polish situation and the Round Table (via the transcript or through the use of other primary/secondary sources). They also can be applied to other conflict situations and other resolution or negotiation arenas, through analysis of documentary materials or direct observation of contemporary events. Consider referring to the section on comparisons and applying these questions to other major state-level conflicts or to the case studies present in the references.<sup>69</sup>

#### *I. How does one analyze the fundamental roots and developments of a social conflict?*

Such analysis can help focus attention on the often unstated "interests" that lie beneath stated negotiating "positions", ideologies and rhetoric. It also can help identify possible options for intervention and/or resolution. Consider using Wehr's "conflict mapping guide"<sup>70</sup> to identify the important features of a conflict.

- +Conflict history
- +Conflict context
  - Scope and character
  - Setting (geographic, political)
- +Conflict parties
  - Primary (direct stake and highly impacted)
  - Secondary (indirect stake and minimally impacted)
  - Interested third parties

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<sup>68</sup> J. Crowfoot and J. Wondelleck, eds., *Environmental Disputes: Community Involvement in Conflict Resolution* (Washington: Island Press, 1990); Lewicki and Litterer; L. Nader and H. Todd, eds., *The Disputing Process: Law in Ten Societies* (New York: Columbia University Press, 1978); Susskind and Cruikshank; Wehr.

<sup>69</sup> See especially Crowfoot and Wondelleck; Gidron, et al.; Lewicki and Litterer; Moore; Rubin, et al.; Susskind and Cruikshank; and Wehr.

<sup>70</sup> Wehr, 19-22.

- +Issues in Disagreement
  - Fact-based (“what is”)
  - Value-based (“what should be”)
  - Interest-based (“who will get what”)
  - Non-realistic (“personal style and quality of interaction/communication”)
- +Conflict Dynamics
  - Precipitating events
  - Issues emerging, transforming, proliferating
  - Polarization (increase in intensity and disagreement)
  - Spiraling (increases or decreases in hostility or damage)
  - Stereotyping and mirror-imaging
- +Alternative Routes to a Solution(s) of the Problem(s)
- +Conflict Regulation Potential
  - Internal limiting factors (interests, values, relationships in common)
  - External limiting factors (higher authority who could intervene)
  - Interested or neutral third parties
  - Techniques of conflict management (knowledge/experience in their use)

- A. Apply this map to the Polish situation and the Round Table.
- B. Apply it to another social conflict at a different level of social system operation.
- C. What are some alternative definitions of social justice?
- D. Under what conditions are conceptions of justice negotiable?
- E. What is “non-negotiable” in your life? In this class? In your identity group?

*II. When is negotiation an appropriate strategy for dealing with strong and sustained disagreements or conflicts and attendant threats of increased violence?*

This is one of the major questions raised throughout the Polish Round Table experience. Examine the Polish situation, or another negotiation situation, by focusing on issues such as:

- A. What are the goals of negotiation in a particular conflict situation (justice/truth, increased freedom and democracy, material self-interest, the good of the whole, reduction of conflict and “noise”)?

- B. Why and how do participants choose between alternative social change strategies such as: armed struggle, protest and demonstration, use of official police force, local organizing, lobbying to affect legislation or regulation, petitions or appeals to elites, elections, slander and delegitimation through the media, etc.?
- C. Is there a relative power balance among contesting parties? What are the forms of power that were used or were available to be used in a particular conflict situation: numbers of people, arms, moral high ground, public support, external support, regime legitimacy, etc.?
- D. How and to what extent is a relative power balance created within the negotiating arena...at the table? What is the basis(es) of such relative power/vulnerability?
- E. What tactics are used to mobilize and organize the challenging group? To support established authority and its dominant constituency?
- F. What are the power dynamics within the ruling coalition and within the challenging movement (the government and Solidarity in the Polish situation)?
- G. What conflict engagement/escalation/de-escalation/management/resolution strategies are useful under what general conditions? What is used in the particular conflict selected for analysis? When, at what stage of a conflict, are they (most) useful?
- H. What are the tactics by which reluctant or resistant parties are brought to the table? How and why do such tactics vary over time?
- I. What are the effects of negotiations on the internal dynamics of the contesting/collaborating parties and their relationships with their constituencies?

*III. What does it take for negotiation to work? How does it work?*

- A. To what extent is it important that negotiating parties assume one another's good will or interest in the "common good"? What is the behavioral evidence (or the signals) of either good will or commitment to the good of the whole?

- B. What mini-tactics can be used at the negotiating table to reduce or control major real differences in social/economic/political/coercive power between the parties?
- C. How do people move from enemyship to respected (but not necessarily liked or fully trusted) opponents...or even (temporary) collaborators? Is it important to do that?
- D. What is the difference between competitive versus integrative bargaining? Can you provide examples from case studies in the literature or from common practice?
- E. How do negotiating representatives stay in touch with, and trusted by, their constituencies? How do they communicate with other potential allies outside the negotiating situation?
- F. How do negotiators manage the personal (physical and emotional) pain of dealing with former enemies? With being labeled by friends and allies as a traitor, betrayer, "Uncle Tom," "Banana," "self-hating Jew," "turncoat," etc. (add your own labels and epithets from conflict situations you have known or been a part of)?

*IV. What roles do or can mediators, arbiters or friendly convenors and honest brokers play? When are they especially likely to be useful and helpful?*

- A. Was there a third party at the Polish Round Table? Why or why not?
- B. Can the Polish Round Table itself be considered a third party? An NGO? A P/CRO?
- C. What are the critical differences between bargaining/negotiation, mediation and other third party processes?
- D. Consider the roles of US Presidents Carter, Reagan and Clinton in sponsoring meetings and negotiations among parties to the Mideast conflicts and what happens when these parties meet without such sponsorship. Discuss other examples of US support, presence or intervention in national-international disputes.

- E. How important is third party neutrality (is that possible or advisable when justice issues are involved)? What is the difference between “issue neutrality” and “process neutrality”? In the absence of neutrality, what makes an intervenor trustable and effective?
- F. Is a third party always necessary to resolve an escalated conflict? Why or why not?

*V. How does one (learn to) talk and work or act with enemies and opponents, or even strangers from very different social locations/identities? Here we also can learn from the efforts to create intergroup dialogues (in colleges and communities) that are focused on creating understanding as an essential precondition for peacemaking.*

- A. How can people “unlearn” group stereotypes and prejudices?
- B. How can participants in social conflicts be helped to see “the other side” and how can they come to see the other side differently.
- C. How do people who do not trust one another personally or politically manage to work together – in negotiation situations or on the job?

*VI. What steps preparatory to, during, or after negotiations can help ensure that agreements made will be acted upon, implemented and fulfilled?*

- A. Is a formally signed agreement necessary (e.g., will a series of handshakes do)?
- B. What examples are there of post-negotiation formal monitoring processes?
- C. What provisions are there for revisiting or supplementing agreements?
- D. What forces in the immediate political environment can constitute oversight checks on the implementation process?
- E. Is it important for the general public to learn about agreements? How can that best happen?

*VII. With regard to social science methods...*

We can use this text regarding the Polish Round Table and Polish history to discuss a series of general methodological questions.

- A. How do you assess the comparative accuracy and utility of using archival material, oral histories, participant memory and “member validation” of observers’ conclusions to come to an understanding of a contested and contentious situation?
  
- B. Identify other examples of “myths” (or extraordinary individual stories) that have been used as part of social movement struggles and official responses to these struggles.