MEDIATING THE NUCLEAR STALEMATE

by

Theodore Becker

Booklet 12

WAGING PEACE SERIES

Nuclear Age Peace Foundation

WAGING PEACE SERIES

As far as is known, the term "Waging Peace" originated with Warren Wells, late husband of Ethel Wells of Santa Barbara, in a letter to President Eisenhower. It was a long-standing practice of Mr. Wells to keep in close touch with key national figures and give them his views on peace issues as well as other vital matters. This series is dedicated both as a memorial to him and in gratitude to Mrs. Wells for her continued efforts in this cause.

Just as peace is more than the absence of war, waging peace is more than supporting arms reductions. In addition, it embraces positive steps toward genuine harmony. In this series the Foundation will distribute short booklets stressing ideas for attaining peace. Some publications will be scholarly, others more popular in style—most will combine elements of both. Concepts expressed will include views of many authorities, and will not necessarily be those of the Foundation.

Suggestions for topics and your reactions to this issue are welcome. Quantity lots are available at minimal charge from the Nuclear Age Peace Foundation.

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11. **Mediating the Nuclear Stalemate** by Theodore Becker.

INTRODUCTION

Many people think of peace as a goal rather than a process. They think that peace is something to be achieved rather than a way of being in the world. The belief that peace is a goal rather than a means allows, even encourages, the violent settlement of disputes.

By definition and logic, as long as disputes are resolved with violence, there will not be peace. One act of violence, as history teaches us, will only sow the seeds for the next—and the vicious and repetitive cycle will continue.

A.J. Muste, an American non-violent activist, said "There is no way to peace; peace **is** the way." To live peacefully requires that an individual or a country use peaceful methods of resolving conflict. These methods might be thought of as "tools" of peaceful conflict resolution.

We can take as a given that there will always be conflict among individuals and among nations. Our choice is whether we use and support peaceful or violent methods to resolve that conflict. Among the "tools" of peaceful conflict resolution available to us is mediation. In this issue of **Waging Peace**, Professor Becker not only explains in simple terms what mediation is about, but also puts forward a thoughtful and creative proposal for citizen mediation of the nuclear stalemate.

We would welcome your thoughts on this issue of **Waging Peace**, and your suggestions for future topics in the series.

David Krieger
President
Nuclear Age Peace Foundation

MEDIATING—to interpose between parties as the equal friend of each; to negotiate between persons at variance with a view to reconciliation.

—The New Webster Encyclopedic Dictionary

MEDIATING THE NUCLEAR STALEMATE

by Theodore Becker

Just as politics is too important to be left to politicians and war is too important to be left to generals, so is peace too important to be left to government, diplomats or professional peacemakers. The modern interpersonal mediation movement in America has proved that ordinary citizens make excellent mediators in complex, difficult, violence-prone disputes; they have the necessary compassion, empathy and listening skills to fuel the processes of human intercommunication and understanding that will—in John Lennon's words—"give peace a chance."

Peace is not just the absence of war. Peace is not a nuclear stalemate. It is not a holocaust waiting to happen by accident or design. Peace is the consequence of human harmony.

Mediation is the best process developed in humankind's history to end the nuclear stalemate. But it must be redesigned and expanded as never before to include the dedicated participation of millions and millions of private citizens all around the world using the most advanced modes of human communication. Then, and only then, will the U.S. and Soviet governments understand that they must end their MADness and seriously adopt the sane ways of peace pondered, discussed and agreed upon by the peace-loving citizens of the world community.

Conflict is Natural

Conflict between people is as natural as disease, storms and earthquakes. Even though violence, illness, hurricanes and volcanic eruptions cause great pain and suffering, they are currently unavoidable. Nevertheless, despite the fact

that these natural disasters have rained havoc on humankind throughout history, many researchers work on ways to lessen or even prevent these destructive natural forces.

The field of medicine has had some great successes, almost eliminating such diseases as bubonic plague, polio, and yellow fever from the face of the earth. Modern technologies like space satellites and computers are helping meteorologists understand how typhoons are spawned and new instruments are helping vulcanologists understand what causes earthquakes. There is still a long way to go before the human race will see the end of these catastrophes, but modern science has developed warning systems that have eliminated the damage caused by major storm systems.

The field of conflict resolution has had only modest success in learning about the causes of human violence toward other human beings and in developing new techniques to help lessen the amount of fighting and wars. But one of the major recent advances has been the rediscovery and development of **mediation** as a technique of peacemaking.

What Mediation Is And How It Works

When children fight with their parents, or sisters are angry with their brothers, or neighbors don't like what is going on next door, or husbands and wives don't get along, how is this handled?

1. They may continue to squabble forever—making life even more difficult for themselves.
2. They may move away from one another for a time or forever.
3. Either or both parties may use violence to get their way.
4. They may go to court and let a judge decide who is right.
5. They may sit down and discuss (negotiate) a solution where each feels they get something by giving something.
6. They may ask a third party to help them come to a fair agreement.

This last method is called **mediation**—and although it is relatively unfamiliar to most modern Americans, it is not unusual. In fact, mediation was the major way social and personal conflict was solved in early America and is the major way to resolve conflict in most of the world even today.

A mediator is a third party to a dispute, a go-between, someone who is neutral and impartial and whose goal is to help feuding parties come to some settlement of their differences. A mediator does not play the role of a lawyer, judge, counsellor, social worker, or arbitrator. The mediator makes no decision for the parties like judges and arbitrators do. There is some difference of opinion as to whether or not mediators are supposed to generate ideas about how to resolve the dispute. Some mediators give advice; others don't. The basic idea, though, is for the mediator to:

1. help the parties clear up misunderstandings they have about the other;
2. convey how the parties feel about the situation;
3. transmit messages from one party to another; and
4. use a variety of techniques that will help the parties understand that it is better to resolve the dispute peacefully and quickly rather than continuing it indefinitely or resorting to more antagonistic means of settling the problem (like going to court or to war).

Mediation works very well in most cases where it is used. It is usually considered to be a **non-confrontational and non-adversarial method of dispute resolution**. What this means is that when people who are disputing about something decide to let a third party act as a mediator, they are willing to think about ending the dispute in some other way than by fighting or threatening to fight. In a fight, someone wins and someone loses. It's the same way when people hire lawyers to fight for them in court: someone wins and someone loses. **Mediation is often called a "win-win" type of process because when the parties agree to a settlement, each gains something.** Thus, each wins. Sometimes this is done by a "compromise," where each gives

up something to get something. Sometimes it is done by "creative problem solving," where each thinks up entirely new ways where each gets something without having to give anything up.

This may sound odd to Americans. Americans put a strong value on individualism, competition, and personal rights. So, when Americans think they are right about something and that someone has done them wrong, they immediately think they should overcome their opponent in some way: argue them down, beat them up, take them to court, prove that they are right and the other person is wrong. This is one reason why America has more lawyers per capita than any other country in the world and more lawyers than doctors.

In international relations, America (like many other nations, including the Soviet Union) does not recognize the mandatory power of the International Court of Justice. Instead, the U.S. government simply decides what it thinks is right and then tries to argue with the opposition to come to its side (diplomacy or negotiations), or relies on the amount of military power in America's arsenals ("Speak softly, but carry a big stick," "gunboat diplomacy," "Send in the Marines," etc.) to get its way.

In much of the rest of the world, though, there is a stronger value placed on getting along with others in their society and in trying to maintain peace and harmony among individuals for the good of all. China and Japan are two good examples of this approach. Thus, there are very few lawyers in those countries and many mediators. So, when people get into a conflict in those countries, their first reaction is not to continue the strife indefinitely or to get a lawyer or a gun. Their first reaction is to seek the help of a third party in clearing up any misunderstandings or thinking their way out of their predicament.

Whom do the parties seek as a mediator? That varies from place to place. Mediators may be a friend to both parties; or they may be people in the neighborhood that both parties know or respect; or in China there are official mediators in every neighborhood who can be called upon to help resolve conflict. **The mediator's role in these decisions is not to decide who is right and who is wrong; it is to help the parties themselves restore balance and harmony among themselves and to end the conflict situation. Mediators are peacemakers.**

About the only field in which modern Americans have heard about mediation's success is that of labor disputes. Most conflict between labor unions and corporate management is resolved by mediation, and it has been this way throughout most of the twentieth century. However, in the 1970s, some labor mediators and professors wondered if mediation could be reintroduced into American daily life and began to set up some experimental "Neighborhood Justice Centers," or NJCs.

Neighborhood Justice Centers have grown a lot in the past 10 years or so. They usually have a number of trained volunteer mediators who handle all kinds of conflicts, that is: between husband and wife; among family members; between neighbors; between landlord and tenant; etc. Many times, the police or the courts send cases to the NJCs since they have found that mediation will produce a quicker, cheaper, and more durable resolution than will the legal system.

Due to the great success of these mediation centers, the court systems in some states have begun to tell people who have come to court that they **must** first go to mediation before they can continue in court. In other words, there is a movement in America today to make mediation mandatory in some kinds of cases (for example, divorce and child custody). When people are forced to go to mediation, though, they are not as likely to come to an agreement as when they go voluntarily. In cases where people go to mediation on their own, the rate of success is between 85-95%. Where courts force people to mediate, the rate of success is somewhat lower, approximately between 60-70%. Thus mediation is most likely to be successful when people voluntarily decide to give it a try.

There are other lessons that have been learned in the present development of mediation in America in addition to its success rate. For example:

1. Mediation works best when the parties have an ongoing, continuing interdependent relationship.

2. When parties come from different backgrounds, it helps to have a panel of mediators (rather than one person) who vary in terms of sex, age, race, etc. Thus, there is a better chance that each party can find some trait in one or more of the mediators with which they can identify.

3. All persons who are part of the dispute should have the opportunity to participate in the mediation.

4. Mediators need to be good listeners, have lots of patience, and should have a warm and compassionate nature.

5. When the parties themselves come up with a mediated solution to the problem that they consider reasonable and just, they are very likely to keep to the agreement and not violate its provisions.

Mediation In Modern International Relations

Obviously, if mediation works so well in interpersonal disputes around the world, one might ask if and how well it works at the international level in disputes between nations. After all, the nuclear stalemate that hovers over all citizens of the world is a problem between two gigantic nations, not between two ordinary people. Just because mediation works well in interpersonal relations doesn't mean it will work equally well in international relations.

Sad to say, the evidence to date seems to back those who would be skeptical about the success of mediation in helping resolve international disputes. Since the International Court of Justice cannot compel nations to bring disputes to it, clearly there is no way to compel nations to mediate, either.

There are, however, various international organizations that are set up to provide mediation services to nations that want to use them (The United Nations is the best example.) Just as governments make binding agreements to submit certain types of disputes to decision by the International Court of Justice, so do they agree to mediate other types of disputes. In conflicts involving border disputes, or trade or fishing rights, etc., where established international mediation organizations do the mediating, the success rate is pretty good. Roughly 50-60% of such mediations end in an agreement among the parties. Obviously that is much less of a success rate than in interpersonal dispute resolution, but it shows that nations willing to utilize mediation can help themselves end conflict.

On the other hand, when questions of ideology are at the root of conflict, or the two superpowers are directly or indirectly involved, the rate of success in mediation falls to around 15%—which is not too good. Why is this so?

The United States has frequently tried to pose as a mediator in the violent and bloody wartime situation that continues to characterize the Middle East. The best example of this was the Camp David mediation between Israel and Egypt with the U.S. (President Carter) acting as the "mediator." But the U.S. is hardly impartial in this case: it has a stake in the outcome and it favors the view of one party (Israel) that a major actor in the dispute (the Palestine Liberation Organization) should be excluded. A substantial part of the current Middle East conflict is rooted in ideological conflict between the U.S. and the Soviet Union, which at this point in time makes it unrealistic to have the U.S. try to act as a mediator, since it is a major party in the dispute.

The situation in Central America in the mid-late 1980s is similar. The Reagan Administration sees Nicaragua as a puppet state backed by the U.S.S.R. to further its strategic aims in its struggle with the U.S. The Soviet government would profit tactically by having a friendly nation just north

of the Panama Canal. But many Central American and South American nations do not wish to see Nicaragua, El Salvador and Honduras turned into a battleground between the superpowers. So they have backed a mediation group called the Contadora Process, consisting of Latin Americans exclusively. The group has worked out an agreement among all the Central American parties. The U.S. government, however, has ignored the mediators and continued to back CIA-funded guerillas whose goal has been to overthrow the leftist ("Sandinista") Nicaraguan government.

There are many people around the world who see the global situation as it really is, and realize that something needs to be done to break the nuclear stalemate between these two ideological foes—an impasse between superpower governments who support open and covert warfare all around the world (Central America, the Middle East, Africa, Afghanistan), wars that defy the successful use of mediation. **Yet, no one calls for a mediation between the Soviet Union and the United States**. After all, what form could it take? Who could possibly mediate it?

Mediating And "Media-ating" The Nuclear Stalemate

Obviously, a traditional type of mediation to break the nuclear stalemate would be impossible. No one will be able to get the two governments to sit down at a table with mediators. In fact, these two governments wouldn't be able to agree on who would be suitable to mediate their grievances. Moreover, the U.S. and Soviet governments have amply proved how little they accomplish in face-to-face negotiations carried out by seasoned negotiators and lasting many years. Finally, **there is substantial proof that both these governments go to great lengths to deceive one another, deceive their allies, and even lie to their own citizens about their true objectives and sinister tactics in foreign affairs!**

This last point is crucial to understand if there is to be a successful mediation of the nuclear stalemate—that there is a great gulf between the governments of both superpowers and their own citizens. (In the 1960s, this was commonly known as the "credibility gap" in the United States.) **There is not the slightest doubt that the overwhelming majority of American and Soviet citizens do not want a nuclear war. But each country has been persuaded by its government that the only way to peace is to continue the nuclear arms race or to leave negotiations to government officials.** Each government says it only wants to maintain a rough parity of weapons with the other, yet each tries secretly to develop new weapons to give it superiority (while denying that to its own citizens).

The Communist Party in the Soviet Union controls the mass media and thus controls what the Soviet citizenry sees, hears, and thinks about the United States. Little good is said about America, if anything. This may change a bit under Soviet Premier Gorbachev's policies of openness ("glasnost"), but at best this will allow the Soviet media to approach the American media's freedom to expose its own government's deceptions to the American public: President Johnson's lies about what happened in the Tonkin Gulf in order to get the public to support an all-out American military involvement in Vietnam; President Nixon's lies about his illegal bombing of Cambodia for well over a year; President Reagan's lies about not swapping arms for hostages with Iran and his permitting the National Security Council to spread "disinformation" to the American public in order to mislead Libya's Kaddafi about American government intentions.

Both governments continually deceive their own citizens even though their adversaries usually know the truth. The reason for this is that both these governments have their own agenda: to continue the Cold War and the nuclear arms race. Both the United States and the Soviet Union are dominated by "military-industrial" complexes that profit greatly by the nuclear stalemate while impoverishing and retarding many other social groups and movements in their own countries.

Thus a successful mediation process between the Soviet and American people will not primarily involve their

governments—at least at first. It can only develop from a groundswell of popular opinion and an outpouring of private support, an overwhelming public demand and willingness to take the risk of mediation by people of the United States and the Soviet Union.

Clearly, these two huge populations cannot sit around a table with a mediator or two. **The solution is to mediate the nuclear stalemate by vastly expanding a process of "mass media-ation" that has already begun in America and between groups of American and Soviet citizens.** The goal of this "media-ation" is to utilize modern communications systems and techniques (a) to convey mutual feelings of the desirability and necessity of peace; (b) to clear up misunderstandings that each society has about the other; (c) to discuss specific issues that divide the two countries; and (d) to explore the workability of fragments to some future agreements between the two societies. The major actors are and will continue to be private citizens acting individually, in groups and with various elements of the mass media. At this point, both governments are relatively powerless to impede these first steps, and even lend some cosmetic support by agreeing to various official "cultural and scientific" exchange programs.

Initial Steps

Some initial steps taken by private citizens toward "media-ating" the nuclear stalemate have been:

1. In the early 1980s, the people of 8 states put "citizens' initiatives" on the ballot in their states asking the President of the United States to negotiate a "nuclear freeze" agreement with the Soviet Union that would provide for some kind of system where each side could check-up on the other to make sure each was keeping its word.

Millions of citizens voted in favor of this in these statewide initiatives, as well as in hundreds of New England Town Meetings on the subject, putting the President on notice of their desire. The event got strong media coverage in the U.S. and elsewhere and became a loose national "electronic town meeting" on one way to begin the ending of the nuclear stalemate.

2. The Esalen Institute of California has developed the "space-bridge" technique utilizing satellites to link groups of private citizens in the U.S.S.R and the U.S.A. in cross-cultural television through large-screen simulcasts.

3. Beyond War, a citizens' association, has made impressive use of the space-bridge technique for worldwide presentations of their annual award for peace, linking up speakers and audiences in many parts of the world.

4. An important American television personality, Phil Donahue, and an equally important Soviet television personality, Vladimir Posner, developed a series of "space-bridges" over U.S. and U.S.S.R. television between studio audiences in both countries criticizing each other's political system. Only a few hundred people (not experts) were involved, but these events demonstrated the feasibility of much larger, network sponsored space-bridges between much larger audiences on issues directly related to the nuclear stalemate.

5. In early 1987, this was done when the Union of Concerned Scientists sponsored a "Satellite Summit" between two audiences, one in Hamburg, West Germany and the other in Washington, D.C. Each audience watched groups of experts from the U.S., U.S.S.R., West Germany, etc., discuss ways of ending the nuclear arms race and were in touch with each other via space satellite. This was broadcast live to the American public via the Public Broadcast System (PBS).

6. Ted Turner, founder and owner of Cable News Network (CNN) developed a series of extensive athletic events with the Soviet government called the "Goodwill Games." The first of these was held in the summer of 1986 in Moscow and the second will be held in 1988 in the United

States. Although not an "official" meeting between American and Russian athletes, it provided opportunities for American and Soviet media and athletic professionals to develop an understanding of each other and to work together in a cooperative enterprise.

An even more visible and valuable cooperative enterprise might be to implement the vision of the U.S. Senator from Hawaii, Spark M. Matsunaga. His idea, called "The Mars Project" is a joint space exploration exercise between the U.S. and the U.S.S.R. designed to maximize humankind's knowledge of the universe and minimize wasteful competition in that pursuit. In addition, this would provide a positive, ongoing, continuing, interdependent relationship toward a "common purpose" (space exploration)—a basic building-block for successful mediation.

7. An unofficial group of American scientists (Natural Resources Defense Council) who were familiar with earthquake detection went to the Soviet Union in 1986 to test devices that would be able to tell whether or not the Soviet government was detonating nuclear weapons in underground tests. The Soviet government was trying to demonstrate that it would allow foreigners to come onto its territory to use such instruments, and the American scientists were trying to show that American citizens were more interested in this type of arrangement than was the American government.

As popular columnist Ellen Goodman put it: "The point of this scientific project is to prove that a private citizens' group with a budget of $2 million can do what the Pentagon with its $300 billion says we can't: verify nuclear tests."

These are some of the basic building blocks to successful international peacemaking initiatives at the individual citizen and private group levels and they, of necessity, underlie a future successful mediation of the nuclear stalemate. Obviously all of these together are not enough to comprise a serious, formal mediation between the U.S. and U.S.S.R. over the nuclear stalemate. But they are a start and show what private American citizens can do to move in the proper direction.

Big Questions Remain

A very big question still remains whether private Soviet citizens can do anything without the permission of their own government and thus without it being a policy and/or ploy of the Soviet government and Communist Party. Another big question is what role governments and/or citizens of other countries can and must play in furthering the U.S.-U.S.S.R. mediation process. For if they do not play an intermediary role, then we will be back to a narrow two-party negotiation process, which has paid little in dividends in the forty years of the Cold War.

There are many countries each superpower trusts to some degree and some that each considers relatively neutral in the U.S.-U.S.S.R. rivalry. These nations need to create independent organizations designed and devoted to mediating the nuclear stalemate. One example of a start in this direction is "The Five Continent Peace Initiative." This is a group of six national leaders from six unrelated and unaligned countries: Argentina, Greece, India, Mexico, Sweden, and Tanzania. They have met several times (including Mexico City in 1986) and issued statements on the desirability of ending the nuclear stalemate. However, the American and Soviet media have not given their efforts major coverage.

Such mediational organizations must not be exclusively comprised of government officials acting on their own, but must enlist broad national support in their own countries to underwrite and boost this major international effort. When possible, they would best link up with private organizations also dedicated to ending the nuclear stalemate.

Perhaps the key component to a successful third-party international mediation enterprise will be to develop major media programs capable of penetrating the media networks

of both the Soviet Union and the United States. These cannot just be extravaganzas or official pronouncements. Their content must: (a) include messages that will objectively and fairly portray the other side to each country's population; (b) realistically show the price each side must pay if it continues the nuclear arms race on earth and in space; and (c) imaginatively propose alternative ways of verifiable disarmament and ways of mutual cooperation on earth and in space between the two superpowers. But most of all they must avoid even the slightest appearance of being for or against the national security interests of either superpower.

In other words, citizens of other countries in the world have a lot to gain by stopping their present course of either blindly going along with their superpower ally's reliance on the "MAD" road to "peace" and by starting to play an active role in mediating and/or "media-ating" the nuclear stalemate. Together with citizens in the U.S. and U.S.S.R. who try to move their society into active communication with citizens in the other society, these countries, as "media-ators," can help construct an unprecedented international mediation process necessary to end the present, unprecedented "nuclear stalemate."

There is no guarantee that this will happen or that it will be successful. However, given the alternative that presently exists, it seems to be very little to lose with an awful lot to gain: a truly peaceful future in which all nations share equitably in the development of this planet and in a brotherly and sisterly exploration of the universe. ■

THE AUTHOR

Theodore Becker (J.D., Rutgers; Ph.D., Northwestern) is currently Chairman of the Department of Political Science, University of Hawaii. He is the author and co-author of 8 books on comparative legal systems and on American government. Together with his wife, Christa Daryl Slaton, they co-founded and co-directed the first Neighborhood Justice Center in Hawaii (The Community Mediation Service), regularly conduct mediation trainings and workshops, mediate disputes, and are presently completing their book: **Transformational Mediation**. Becker and Slaton have also developed and applied several modern methods of electronic citizen participation in decision-making, including a new type of scientific public opinion poll ("Televote") and various "electronic town meeting" formats. This work provides the core of two other books now in progress: **Quantum Politics and Constitutional Transformation** and **Teledemocracy Emergent**.

NUCLEAR AGE PEACE FOUNDATION

Making the Nuclear Age an Age of Peace—How Can We Do It?

All of us are aware of the perils and problems of this Age—the threat of nuclear annihilation, the ruinous national debt, and the environmental contamination. We are called upon to make a fundamental turn—a turn toward peace. In this time of enormous danger, more and more people are seeking ways to understand what needs to be done—and how to do it.

The Nuclear Age Peace Foundation—What Does It Offer?

The Nuclear Age Peace Foundation is a nonpartisan educational organization which supports innovative thinking geared for action to meet the unique problems of this Age. It is dedicated to reversing the nuclear arms race and to finding non-violent solutions to complex global problems.

What Are the Foundation's Main Activities?

It plays a leadership role in analyzing and publicizing the dangers of accidental nuclear war, and its prevention. It publishes the quarterly **International Accidental Nuclear War Prevention Newsletter.**

It publishes 4 to 6 **Waging Peace** booklets each year—offering positive steps toward achieving peace. These are distributed to members and opinion leaders throughout the country.

It administers **annual essay contests** for students on peace-related themes, awards $3,000 in prizes, and publishes the winning essays.

It presents an annual **Distinguished Statesman Award** for courageous leadership in the cause of peace. Recipients thus far include Senator Claiborne Pell, Admiral Gene LaRocque, and Rodrigo Carazo, former president of Costa Rica.

It distributes the **Parents and Grandparents** (and other friends of children) **Call to Reverse the Nuclear Arms Race.**

It sponsors **symposia, conferences and educational programs** on issues related to peace in the nuclear age.

Who Directs the Foundation?

Its directors include leaders with wide experience in law, business, education, psychology and journalism. Its distinguished Advisory Council and Consultants Group include Nobel Laureates, scientists, physicians, religious and business leaders.

How Can You Take Part in Its Work?

We seek your active involvement, your ideas and your financial support. Tax deductible donations to the Foundation come from people in all walks of life—people who want to seize the constructive opportunities of the Nuclear Age by ending the threat of annihilation and moving toward a secure future for our children and grandchildren.

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