

# NEGOTIATING WITH THE PAST AND THE FUTURE

by Clem McCartney

Often we are having to decide who should be involved in negotiations. One formula, which is often used, is that the negotiations must involve any party that can exercise a veto or can wreck the agreement. It is a pragmatic answer, consistent with the "ideology of management," criticized by Frank Dukes in the last edition of *Conflict Resolution Notes*. More ethical approaches, such as Duke's "transformation practice," would allow in those who have an interest in the outcome even if they have no power. Alternatively one would at least recognize that their voice needs to be heard.

This approach acknowledges the legitimate concerns of the powerless. It opens up the boundaries of negotiations. Frank Dukes suggests that the parties may not only be living people, who can be consulted if we have the will, but also our whole environment and people who are not yet alive. William Atherton, in his letter in this issue of *CRNotes* advocates we should also include past generations.

My colleagues and I live and work in Ireland with a protracted dispute about issues such as identity, recognition and status. We are very aware of the presence or influence of past and future generations at the conference table. They are there whether we acknowledge them or not. It is easy to assume that thinking of past and future generations will give a wider perspective which will help discussion. This is not necessarily the case. Therefore, I want to explore the nature of our sense of the future and the past and their impact on negotiations.

## Impact of the Past

In Ireland, if one goes back far enough, we come to the Celtic period from which are descended most of the peoples of Ireland today: the Irish and the Scots-Irish. It might seem that we could reclaim a common heritage and forget about the subsequent divergences. Heritage should give us an approach to conflict resolution, because the Celtic legal system, the Brehon law, was based on the principle of arbitration.

But this is not the history that we want to remember. As in many protracted ethnic disputes, we identify with our ancestors who struggled "on our behalf," and this helps to define us and our opponents. On both sides we feel that we have a duty not to throw away their sacrifice for us. We have to continue to struggle for their goals. In that sense our ancestors are a brake on creative thinking about the future. Entrapment is a common feature in conflict. It happens when we have invested so much of ourselves in our present position that it is very difficult to change. If entrapment is a powerful force in a short-lived conflict, it will be very powerful over the generations.

## Commitment to the Future

In an ethnic dispute, our commitment to our descendants can equally be a constraint on our ability to be open with our opponents. Because the dispute is about identity and existence, we may be afraid that our group will be absorbed by our opponents. It may not happen in our lifetime, but there is all the more concern that we will be imposing a culture and lifestyle we reject ourselves on our great grandchildren. At the height of the Cold War, people in the West were asked, "How would you like your children to grow up under communism?"

Our fears will be greater if the identity of our group is weak, or if there are no obvious signs of our distinctiveness such as skin colour. There is even more fear if the dispute has a religious dimension. We are not only concerned with the welfare of future generations in this life, but for eternity. The Northern Ireland conflict is not normally considered a religious dispute as no one is trying to convert anyone to a different faith. That is true, but some people feel that their beliefs are the only way to ensure their eternal future. Further, for those people there is the worry that their descendants may not have access to those teachings and so will be eternally damned. Those people feel an even greater sense of responsibility to the future.

Therefore we have to be cautious about the role the past and future play in our deliberations. Rather, we

have to be cautious about the role we make them play. We accept that the past has formed us. It is equally true that our understanding of the past and the future is based on our understanding of the present. This is the nature of myths: cultural landmarks that help to orient us. In Ireland we have seen that aspects of our ancestors recur in our thought processes and behaviour. For example they affect the way we identify opponents and the way we behave towards them. Also we have seen that we pick out the things about our ancestors that reinforce our current preoccupations and help to explain and justify them. The same process happens in relation to future generations. We understand their needs in relation to our current environment, assuming it will not change.

In dealing with conflicts, our obligation to the past and our concern for the future can be genuine worries that make it difficult to consider alternative ways out of the present conflict. They also can be convenient arguments or negotiation ploys behind which we can hide. It is hard to negotiate with people who are not present.

#### Role of Past and future

This is not to say that the past and future must be kept out of negotiations. They are there whether we like it or not. They can have a positive influence, but only in certain circumstances. Our position can be freed up if we can appreciate that our conception of the past and the present may not be recognisable to our ancestors and descendants. It is then possible to try to understand how our situation might seem to them and to understand their concerns and aspirations. Richard Kearney, a Dublin philosopher, says we need to "distinguish between myths' unauthentic role of ideological explanation (which justifies the status quo in a dogmatic or irrational manner) and their authentic role of utopian 'exploration' (which challenges the status quo by projecting alternative ways of understanding our world.)

In Ireland we can look at nationalism and understand that it developed as a means to liberate people. However, it has also created a narrow tribalism. Protestantism had its roots in

civil and religious liberty, but has also been used as a justification for intolerance. Were our ancestors committed to the enabling or the defensive forms of these beliefs? Would they recognise how we interpret their beliefs now? It can be a creative process to explore our cultural tradition, and there is growing activity in this area. However, this may need to be done separately within each tradition. We need to explore our differences with our ancestors and descendants before we can enter negotiations with people from other traditions. It is a frustrating process to try to communicate across the table with the dead hand of the present and the past. But if all of us around the table have first understood ourselves better by meeting our future and past, we will have had a transforming encounter, and we can help make the negotiation process a transforming experience.

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## MORE CALENDAR

October 8-11, 1992, SPIDR Annual Conference, Pittsburgh PA. Contact: SPIDR, 1100 Connecticut Ave NW, Ste 700, Washington DC 20036, Phone: (202) 833-2188, fax 293-3054

November 6 - 7, 1992, Southeastern Mediation Conference, Greenville NC. Contact Bileen Growblewski, Mediation Center of Pitt Co., PO Box 4428, Greenville NC 27836-4428.

November 6 - 8, 1992 National Association for Mediation in Education, *Advanced Issues in Mediation* workshop. NAME 139 Whitmore, UMass/Amherst, Amherst MA 01003.

November 13-14, 1992, Mediation Conflict Resolution Skills Training, sponsored by Community Mediation, Inc, 134 Grand Ave. New Haven CT 06513, (203) 787 9586

November 25 - 28 1992: 5th National Conference on Negotiation and Mediation in Community and Political Conflict, Port Elizabeth, South Africa. Contact: Mrs H Buchanan, Institute for Study & Resolution of Conflict, University of Port Elizabeth, PO Box 1600, 6000 Port Elizabeth, SOUTH AFRICA. Tel: [including country and city codes] 27 41 504 2376, fax 504 2574.