

INTELLECTUAL DIALOGUE

RESOLVING CONFLICTS WISELY: A SCHOLARLY DIALOGUE WITH AN EMERITUS PROFESSOR IN PEACE AND CONFLICT STUDIES

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DOI: <https://doi.org/10.33102/mjssl.vol11no1.373>

ABSTRACT

This dialogue highlights why knowledge on conflict and conflict resolution is an essential skill for any society, and provides a broad introduction to the nature, scope and practices of conflict resolution. Knowledge on conflict resolution allows society to understand the fundamental problems that give rise to conflicts, the power dynamics and recognition of interests of all parties. It emphasises the contextual nature of descriptions of peace and conflict and the importance of a thorough analysis in determining the most effective course of intervention. Here, the notion of wise and unwise approaches in conflict resolution is explained by referring to the actions taken by parties to curb escalations of disputes, including shifting the emotional positions to the achievement of interests of both parties. Another crucial observation is the relationship between law and solutions proposed in peace and conflict studies, with examples from both interpersonal and international conflicts. The elaboration is based on the C.R SIPPABIO framework as a comprehensive approach to study conflict resolution as introduced by Emeritus Professor Dr Amr Abdalla in his scholarly works. The Islamic viewpoint on conflict resolution are discussed in an interesting way, and this dialogue further highlights how, in addition to focusing on legal interpretations, Quranic interpretations must also take into account ethical dimensions and accountability to God.

Keywords: *alternative dispute resolution, conflict, inter-personal conflict, Islamic conflict resolution, peace, sulh*

How to cite (APA 6th Style):

Abdalla, A., & Mohamad Ali, N. (2023). Resolving conflicts wisely - a scholarly dialogue with emeritus professor in peace and conflict studies. *Malaysian Journal of Syariah and Law*, 11(1), 170-175. <https://doi.org/10.33102/mjssl.vol11no1.430>

Moderator: Norfadhilah Mohamad Ali, PhD

Emeritus Professor: Amr Abdalla, PhD

Moderator: Welcome to USIM TV live. In this session today we are going to talk about a very important topic on why we need to understand conflict, why is it something that needs to be managed and how to resolve conflicts wisely. With us today we have a special guest from the United States of America, Emeritus Professor Dr Amar Abdalla, a scholar in Residence from Baker Institute for Peace and Conflict Studies at Juniata College United States of America. He is also a Professor Emeritus at the United Nations mandated University for Peace (UPEACE), with its main campus at Costa Rica. This program is part of Youth, Foresight and Civic Education (VALUES) a USIM project in collaboration with the Kuala Lumpur Embassy of United States of America, and a program under the Legal Clinic Mediation Unit, Faculty of Syariah and Law, USIM. First and foremost, as we all know, Professor Amr is very active in conflict resolution awareness and there are so many fascinating things that he has done in the area. Professor Amr, can you please talk a bit about your activities and your engagements in conflict resolution.

Emeritus Professor: First, thank you so much Dr Fadhilah and USIM for this generous invitation. It is an honour to be here with all your colleagues and I look forward to all the activities that we will do this week inshallah. My interest and work in the field of peace and conflict stems from my educational experience. I grew up in Egypt and finished law school in Egypt. Studying law in Egypt entails studying Shariah for the completion of the degree. I practised law in Egypt as a prosecutor for about seven years from 1979 until 1986. Being a prosecutor, I saw a lot of conflicts, dealing with those issues from the legal and judicial angles. I discovered over the years that as much as we were helping to establish peace and security and to resolve conflicts using the legal and judicial methods, there were always more dimensions to a conflict than it seemed, that were not addressed by the legal profession. There are sometimes social factors that influence people into getting into conflict. Similarly, there might be psychological factors, cultural factors, religious factors, you name it and of course as a prosecutor your job is not to delve into those areas, but to focus on the legal and judicial matters. However, I was always interested in those dimensions. Later, I got an opportunity to go and study in the United States in 1984 for a fellowship. I went to George Mason University and enrolled in its new master's degree programme in the field of peace and conflict. I was fascinated by the field of study in terms of how it is multi-dimensional and multi-disciplinary, looking at conflicts from the historical, cultural, psychological, sociological, legal and political perspectives. By then I was ready to embrace this approach to conflict rather than only the legal dimension that I had been doing as a prosecutor. So I decided that this is what I wanted to do for the rest of my life, and after finishing my scholarship, I went back home for two years and then returned to the US in 1987 and completed my master's degree in sociology and conflict studies and PhD in Conflict Analysis and Resolution from George Mason University. Since then, I have devoted my entire career in research, evaluation, teaching and training in the field of peace and conflict.

Moderator: It is very interesting to see how someone from the legal background transformed into the field of peace and conflict studies.

Emeritus Professor: Absolutely and I would say that I am very grateful for this combination. I learned so much from my legal and Shariah background and in the field of peace and conflict as an academician. I was also fortunate that because of the nature of work in peace and conflict, I traveled to almost 70 countries doing training, research, evaluation and teaching.

Moderator: What is peace and what is conflict? Can you please enlighten us on your perspective?

Emeritus Professor: This is such an important question especially when you come from the legal background. When you are a lawyer or you study law, they train you from day one that every word has to have one concise definition and that everyone has to understand the word the same way. Well in the legal field, this may be necessary to develop a successful and effective legal system. However, in the field of peace and conflict, we are looking at perspectives coming from humanities and social sciences, and therefore there is no one definition of conflict that can be so concise. For instance, the international law definitions of armed conflict is fixed but conflict in the context of peace and conflict studies is much wider than in international law. It is better to describe conflicts by way of ascertaining certain elements

that exist in a conflict. Whenever two or more entities or people have argument over certain interests and they cannot achieve them simultaneously, that can be said as a conflict. Some view that there must be some interference or obstruction from one side against the other, which spark tension and struggle between the parties. This is what I see pretty much in the general sense what any conflict in the world is all about, i.e two or more parties having different interests and they obstruct each other or interfere with each other or at least perceive that and as a result they start to resort to actions that may make them achieve their interest at the expense of the other.

Peace is a more complex question. In my opinion, its meaning depends on the situation you are looking at and the circumstances of the people you are dealing with, and accordingly, peace for them will mean something differently from what peace is for other people. This is interesting, and I will narrate you a true story about that. I went to Liberia, a small country in West Africa that suffered from a vicious civil war which took place in the early '90s. During the war, everyone was fighting, many people died, and there were refugees, and internally displaced people. It was such a difficult time for the people, and they had had enough of the shootings and killings happening every day. Finally, things calmed down, and peace-building programmes started to be established. I was involved in the evaluation and research on the peace-building programmes to see how effective they are. We did a survey on the streets, and asked people “what does peace look like to you?” Bear in mind that these people were suffering, and were directly affected by the conflict. I still remember a woman responding to the survey and said, “Peace for me means that I can send my son to school, and no one will shoot at them.” That was it. That was all she aspired for at that time. It was as if she was saying, “If you only give me a sense of security, my children can go to school and nobody shoots at them, I am grateful.” That was understandable and from her perspective it was good enough because she had already seen five-six years of killing and shooting. So, for me as a peace practitioner, the response is important to determine the peace programmes that I formulate. Considering the feedback as a definition of peace, I need to formulate the programmes around achieving security for the country. Therefore, I will need to put more allocation of resources towards police, military, and removing weapons from those who are fighting, so that we can have security and safety. However, say if I go back and ask her what peace means for her after two years of safety and security, she would probably say that peace for her is to have reconstruction of the country, or to have justice for those who committed atrocities. In this situation, I will focus on the justice system, and develop an effective transitional model of justice.

From the explanation I have given, it is clear that analysis and assessment based on what people on the ground feel and want is paramount in addressing peace. It is inaccurate to determine what peace is based on our own opinions as researchers. Let us work towards peace the way that the people want.

Moderator: That is an impressive way of looking at peace. We don't give a blanket understanding of what peace is, and impose the idea on people in all circumstances.

Emeritus Professor: Exactly like what we always say, there is no one-size-fits-all approach to the matter.

Moderator: Okay, maybe the audience would like to know about conflicts in our daily lives. We have friends and families, and we unintentionally get involved in a conflict for one reason or another. Why are people generally in a conflict? What is the problem?

Emeritus Professor: Very good. Well, first, let us agree that conflicts are inevitable. No matter what society you are in, no matter what setting, the workplace, family or nation-state, there will always be conflict. The question is, as you said, why do we deal with conflict in ways that make things bad and difficult? That is because, it is the tendency for us humans in general. If you have the amount of power that allows you to exercise some level of force or fight or violence, you will use it. The problem becomes intense when the other side does not just sit around, especially if they have some level of power as well. This is an unwise move. Think about conflicts in families, communities and workplace. You will find that there are many people who are stuck in a conflict.

Why is that? How do we understand conflict? Number one, understand the processes and dynamics, learn about how conflicts develop inside us as human beings, why do we develop anger, frustration and fear, and how do we respond by developing negative perception of the other.

In a conflict, if I can realize that I am not achieving my interest, and the other is not actually achieving their interest, pause for a second and accept that, as much as I think I am right and a good person, the other side also thinks that they are right and good. I always say in my teaching of peace and conflict that “No one wakes up in the morning thinking they are the bad person”. No one. So, if I start to accept that as much as I want to believe I am the good person, and you are the bad person, you also think the same, that you are the good one. Being wise in a conflict starts with trying to understand the story from the other side as much as I understand it from my side.

If I can make the effort to try to figure out a way to communicate with you based on this, legitimising your interests and needs as much as I legitimise mine, then probably there is a better chance that we will stop, defuse the escalation and the negative behavior, and we will start to see how we can pursue our interests mutually, finding a way to coexist with peace, not with violence and hatred. For me, that is a wise way of dealing with conflict.

Moderator: Very interesting. People out there who are still following us on USIM TV live, don't forget to follow, like, and share your USIM TV live link from wherever you are. So, you have hinted to us about what wise is in conflict resolution. It falls back on the importance of knowledge. With knowledge, we understand the conflict, know how to react and how to intervene. Maybe some tips from you on conflict resolution at the societal level. While we cannot be entirely free from conflict, how do we handle societal conflicts? What would be your advice?

Emeritus Professor: Excellent, as we agreed, conflicts will always happen. The question is how we deal with them wisely. I would say every society is unique, and if we go back to the principle, no one size fits all. Therefore, we need to have effective ways of analyzing and assessing conflicts. When we assess conflicts, we need to assess not only the specific conflict that is happening, but the context, the structural issues, the culture, history, geography, gender dynamics, and you name it, race, ethnicity, religion, and how they play a role in influencing what is happening in a conflict. It is also essential to understand the relationship dynamics, the bond that connects people and the power. If I can analyze all those pieces while understanding the specific elements of what is happening in a conflict, I may discover that there are effective ways or tools that can help to resolve a conflict in a certain society, and that is what encourages me to deepen my expertise in conflict resolution.

Let me give you an example. I go back to the Liberian case study, after the Civil War when I was conducting an assessment of peacebuilding programs. I learned that after things calmed down, suddenly there was an eruption of violence again between the two tribes living in the northern part of the country. Members of each tribe killed, burned, and destroyed the property of the other. These two tribes have members across the entire Liberia and even the entire West Africa. So, the fear was that if the news of what happened between them started to spread, then the whole Civil War would erupt again. The government quickly sent a minister who was from the north to try to defuse the conflict. I spoke to him about what he did to solve the conflict. He told me that he did his assessment on the conflict before he went, and based on what he understood, he knew very well that the two tribes had actually positive historical relationships for hundreds of years. This situation that happened was an exception, not the norm.

Other tribes may have very bad relations over time, but these two tribes have had very good relations. So, he decided to develop a strategy to deal with the conflict based on this positive history of peaceful coexistence. When he arrived at that place, he brought the leaders of the two groups and told them, “...before we speak about what happened and who killed who and who burned whose home, I want you as the leaders of the two tribes to share with me and to recount the history of the relationship between your two tribes for the last 300 years.”

Now, this is not a strange question for those tribes in that part of the world. I mean, I am sure if you try to ask the same question in other places, it may seem very strange. For them, that was a normal question. They started to recount different episodes of their interactions with each other over 300 years. All the

examples they shared were very positive. One time there was famine in one tribe's area and the other tribe came and helped. One time there was a hurricane and the other tribe came and gave them a place to stay. One time there was a common enemy, and they fought together. They kept bringing up all those positive examples until they approached the day of the violence that happened.

That was when the minister posed a question to them. He said, "So, are you going to be the leaders who will ruin 300 years of cooperation?" That was a powerful question. "How will generations that have passed and generations that will come will judge you?" He almost shamed them for how they mishandled the conflict, did not honour the legacy of positive relationship of the ancestors, and that they would be responsible for what will happen for generations to come. This approach attempted to changing their mindset, their attitude towards each other, and putting them in front of their historical responsibility. He was able to set a positive tone to address the issue, who shot who and killed who and why, and they decided to develop a model for compensation, forgiveness and some other approaches, and then they had a peace agreement which contains strategies to prevent this conflict from becoming violent in the future. This model is perfect to that community. If you ask me how to create peace for a society, you will have to look at the context of the society. Every society has its own mechanism to resolve its conflict. Comprehensive assessment is necessary to see what works for the society.

Moderator: This is a genius example of how memories of positive relationship can play a role in conflict resolution. From your writings, you have been promoting Islamic values in conflict resolution. Can you share with us your work relating to this?

Emeritus Professor: The study of conflict resolution from the Islamic dimension is the most precious part of my work. I have always been attached to it from the beginning. My studies of Shariah and Fiqh in the law school and my practice as a prosecutor gave me an opportunity to have a fresh outlook on conflict resolution from the Islamic resources. Reference on conflict resolution can be seen especially in Surah al Baqarah from verse 226 to 242. When you read the verses, it deals with family conflict, child support and divorce. I found that there is a systemic way the Quran approaches conflict. First, it gives a hypothetical situation. The second element is to give you a legal ruling. From the legal ruling, scholars discussed about matters such as, what kind of home a man should keep for his wife. Different scholars may have different approaches. However, what struck me was something else contained in the verses. I call it element number three, which is the manner in which to do the legal ruling. That came to me from the repetition of the word "ma'ruf" in these 15 verses dealing with conflict at a personal and family level. The word "ma'ruf" is repeated 13 times out of 15 verses. Ma'ruf is about kindness and being kind. In the Arabic context, it has a deep meaning, and deserves a separate discussion by itself. There is a reason why this word is used. The Quran is telling us that when we are in the middle of a conflict, we have to deal with the other side with utmost kindness. This is when I discovered the connection between peace and conflict studies and what is written in the Quran, which traditionally, is rarely focused on by the Fiqh scholars from the legal dimension. The fourth element that I found systemically repeated across all verses on conflicts in the Quran, is accountability to Allah. If you mistreat people, you will be held accountable for your abuse of power. There is a whole dimension of the Quran relating to how to deal with conflict in a kind and compassionate way. The Quran gives room to analyse conflict from the dimensions of psychology and social science. Most importantly is for us to do it for the love of Islam. We need to generate the processes and practices for people, inspired directly by the Quran, and make it applicable to people in dealing with conflict in a peaceful and sustainable way.

Moderator: Thank you about the enlightenment of the word "ma'ruf". Islam puts compassion at a higher place, that works even better than reciprocity, if I take the international law of reciprocity as an example. Another important element that you have highlighted is the spiritual dimension, that is connectedness to Allah swt. Thank you very much Prof Emeritus Abdalla, can you please share how to relate this field of study to international conflicts that will be the focus of our workshop tomorrow?

Emeritus Professor: In the workshop tomorrow, we will be discussing some of the key principles and foundations of the field of peace and conflict resolution. We will apply them to the international and national levels and see how conflicts, whether happening at the international level or in the family level, have very similar dynamics. Dealing with conflict wisely and achieving sustainable peace will be the

objectives of what we will do tomorrow, with an application of conflict resolution skills at the national and international level.

Moderator: Thank you Emeritus Professor.

Acknowledgement

This dialogue is part of the works relating to Foresight, Peace and Conflict Resolution (VALUES2023) project in collaboration with the Baker Institute for Peace and Conflict Studies at Juniata College in Pennsylvania, United States and the Faculty of Syariah and Law Legal Clinic at Universiti Sains Islam Malaysia (USIM).