

CULTURE AND NEGOTIATION

THE RESOLUTION
OF WATER DISPUTES

edited by

Guy Olivier Faure
Jeffrey Z. Rubin

Sponsored jointly by the
United Nations Educational, Scientific, and Cultural Organization
and the International Institute for Applied Systems Analysis



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Praise for Faure and Rubin . . .

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—from the Foreword by **Federico Mayor**,
Director General, UNESCO

About this book . . .

—along with many other variables—often impacts international nego- Culture and Negotiation offers a unique contribution by focusing stinctive impact of culture, both in creating unexpected opportunities ire settlement and in imposing obstacles to agreement. The first part ok presents expert views on the nature and limits of culture's influence tiation. Part II comprises the core of the book, and contains a wealth studies and analyses of international disputes regarding water, energy, includes applications for practitioners and policymakers. It is with ections for future studies. Culture and Negotiation is an essential for international relations practitioners in both the private and public as well as scholars and researchers interested in either culture and nd practice of negotiation and dispute resolution.

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Carol, Sally, David, and Noah Rubin

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Foreword

I take pleasure in introducing this study on culture and negotiation, which is the outcome of fruitful cooperation between UNESCO and the International Institute for Applied Systems Analysis (IIASA). UNESCO is grateful to IIASA for having assembled a panel of authors enabling this important and complex subject to be treated from a variety of standpoints.

There is, at the present time, a growing awareness of the pervasive influence of culture on all facets of human existence, not least on a society's choice and pursuit of its development goals. The World Decade for Cultural Development (1988-1997), for which UNESCO is the lead agency, has among its main purposes to promote the incorporation of a cultural dimension into development thinking and to contribute to the affirmation and enrichment of cultural identities. The marked contemporary trend toward globalization heightens the importance of recognizing and nourishing humanity's diverse cultural roots. Reconciling local allegiances with global affinities, fostering a vision of the whole that accommodates the diversity of the parts, is one of the great challenges with which our world is confronted.

This challenge is nowhere greater than in the environmental sphere, where the safeguarding of local interests is inseparable from concern for the planet at large. The obligation to think globally, moreover, cannot be confined to any one sphere: Environmental questions are bound up with a whole series of development issues, including the cultural ends that particular forms of development presuppose. Beyond the specific agreements reached at Rio de Janeiro in 1992, the most significant achievement of the United Nations Conference on Environment and Development was the consecration of a vision of global solidarity linked to an affirmation of the value of cultural diversity.

The Rio summit was itself the demonstration of the importance of negotiation in reconciling human beings to their simultaneously local and global addresses in the universe. The conference, which began with the threat of a North-South confrontation, was able, through sustained discussion, to achieve a fair degree of consensus and to conclude agreements on some vital issues. Such diplomacy clearly will be at a premium in the efforts of the international community to strengthen and extend the Rio agreements in the interests of the health and well-being of the present and future inhabitants of the planet. More generally, the fostering of negotiating skills, cultural understanding, and the spirit of cooperation at all levels of society will be essential if we are to move beyond the conflicts and confrontations of a war culture toward a genuine culture of peace.

The cultural factors bearing on international negotiations are a topic of obvious importance, not least in the environmental field, where so many essential concerns converge and where the need for agreement is so urgent. The strength of this book, it seems to me, is to combine a lucid and comprehensive discussion of issues and concepts with a series of case studies concerning specific rivers and the people who live and produce on their banks and tributaries. The result throws interesting light on the cultural parameters of human agreement and discord, offers useful, practical pointers to the art of negotiation, and highlights some profitable lines of future research.

Culture may, in fact, serve as bridge or barrier. In a world where modern communications are abolishing physical distance, resources are shrinking, population is growing exponentially, and environmental problems are escalating, reflexes of understanding and sharing become an evolutionary necessity. We are challenged to throw off, as Lewis Mumford put it in his *Condition of Man*, "the fatal temptation to worship our dead selves and perpetuate our past mistakes." We must dare to renew ourselves by renew-

ing our vision of our relationship with others and with nature. Our inclination and capacity to negotiate agreements with one another will be a significant indicator of our progress in this regard.

Federico Mayor
Director-General of UNESCO

Preface

What is it that cannot quite be seen but follows us around constantly? And what is it that remains when all else is forgotten, yet is so much a part of our daily lives that we take it for granted? The answer to both questions, of course, is *culture*.

Even as one poses abstract riddles of this sort, the world is becoming a smaller, more interdependent place. New and remarkable forms of communication and transportation technology have made it easier for ideas and individuals to find their way to every corner of the globe. Simultaneously, old political lines of division—witness the collapse of the Berlin Wall in this regard, a symbol of the cold war's demise—have blurred with astonishing speed, even as new multinational economic communities have emerged in their place. To all of this must be added the increasing awareness of the global dangers posed by various threats to our environment.

Each of these factors, alone and in combination, has created greater interdependence among the community of nations than perhaps ever before. Such enhanced interdependence, in turn, has had two inevitable and important effects. First, it has increased the visibility of national culture, while

leaving unclear the matter of whether culture in an increasingly interdependent world is a more important—or less important—consideration. Thus increasing interdependence might lead to relationships that transcend the bounds of culture, or it might lead the parties concerned to be more sensitive than ever to the differentiating effects of culture. Second, enhanced global interdependence has increased the likelihood that conflict will erupt in our dwindling world. Moreover, if global warfare is perhaps a bit less likely to gain acceptance as the means for settling such conflict, then the instruments of diplomacy and the process of negotiation are perhaps more important than ever.

The intellectual challenge of this project is to hold in one's hands the complex, quicksilver concept of culture while trying to understand some of the many ways it influences the shape and outcome of international negotiation. It goes without saying that culture often *does* have an impact on negotiation, but so do countless other variables and considerations. The question, then, is more what the *distinctive* effect of culture may be, both in creating unexpected opportunities for dispute settlement and in imposing obstacles to agreement.

Culture has too often been used as an excuse to justify negotiation failures; when one has run out of other explanations, there is always the residue of culture to fall back on. All the more reason, therefore, for finding some way of bringing this elusive concept out of the closet of justification and politicization to the intellectual forefront. We have tried to do this in this book by searching for a common context in which culture might be expected to play a prominent role. Needed is an international conflict setting with identifiable characteristics and of sufficient importance that the dimension of culture matters.

Our candidate has turned out to be water resource conflicts, river disputes in particular. Riverine conflicts share a number of attributes, whose effects can be identified and understood. By trying to hold these general attributes as constant as possible, it has been our hope that the often subtle effects of culture would be more likely to gain prominence. In addition to affording this bit of intellectual nicety, the focus on riverine conflict has allowed us to address an area that promises to be of ongoing and practical importance in global economic and environmental development.

When the Editorial Committee of this project first met to discuss the possibility of organizing a book on culture and international negotiation, a lively debate emerged. Some participants believed that culture is an important element in understanding negotiation, while others held to the view that the effects of culture are swamped by a host of situational, contextual constraints. Still others argued that culture *does* have important effects but that they result not from national or ethnic differences but from

the emergence of a group of professional negotiators/diplomats who share a special culture of their own. Finally it was argued that, across the sweep of history, societies have emerged with distinctive political structures and that it is largely these structures that determine what might be called culture. Rather than abandon the project because of such disagreement, we decided to incorporate this intellectual exchange into the pages of the book.

In the book's introductory chapter, Guy Olivier Faure, a French sociologist, and Gunnar Sjöstedt, a Swedish international relations specialist, present an overview of approaches and issues in the study of culture, negotiation, and the interaction between these two key concepts of the book. Part I of the book consists of four chapters designed to stimulate further exchange among those who wish to understand the nature and limits of culture's influence on negotiation. In Chapter 2 American political scientist I. William Zartman takes the part of *agent provocateur*, briefly presenting a skeptic's viewpoint. In Chapter 3 Raymond Cohen, an Israeli international relations specialist and author of a recent volume on culture and conflict, states the case for the importance of culture. Chapter 4, by Winfried Lang, an Austrian diplomat and lawyer by training, argues for the existence in today's world of multinational corporations and international diplomacy of a global culture among professionals. Finally, Russian political scientist Victor Kremen'yuk (editor of another volume to come out of the deliberations of the same Editorial Committee [Kremen'yuk, 1991]) makes the case in Chapter 5 for a broader, pluralistic view, arguing from a political and historical perspective that the culture that matters is determined not by national or ethnic differences but by the nature of societal functioning.

Part II constitutes the core of the book and consists of a series of case descriptions and analyses of water resource disputes. Authors of these chapters were asked to address the following kinds of questions in their chapters: In what ways did the cultural background of the disputants influence the way negotiations proceeded, the outcomes that resulted, and the disputants' satisfaction with these outcomes? What specific cultural components made a difference? How did culture play a role in the negotiation process? What are some specific illustrations of the contributing role of culture both to the dispute in question and to the ways it was handled? Authors were encouraged to provide as many detailed, context-rich examples of negotiation as possible, on the grounds that such textured accounts provide valuable insight into the role of culture.

Such detailed accounts of negotiation, as told by narrators from diverse perspectives, may differ widely in scope and content. Thus some negotiation accounts may resemble the formal exchanges that most people think of as negotiation. Other accounts, however, may focus on the issues that

make it possible for people to come to the negotiating table in the first place or that look beyond the formal process to its implementation. In this book we wish to look at the broad tapestry of negotiation to study its colorful variations at every stage along the way.

We deliberately invited contributions to this core portion of the volume based not on the authors' negotiation expertise or on their understanding of water resource disputes; rather we hoped to find authors who would be sympathetic to the effects of culture and therefore would give it a strong hearing.

In Chapter 6, French sociologist Guy Olivier Faure and American psychologist Jeffery Z. Rubin offer a brief overview of water resource conflicts, their importance, and the shared attributes that tie them together. Chapters 7 through 12 offer a diverse array of case analyses of water resource disputes, written by authors who come from different disciplines and different cultures. Moving (very) roughly from West to East, one continent at a time, these chapters are as follows: Anthropologist and diplomat Francis Deng examines the conflict over the Nile between northern and southern Sudanese in Chapter 7. In Chapter 8 French economist Christophe Dupont analyzes the four-party conflict over the Rhine among Switzerland, Germany, France, and the Netherlands. The Black Sea (the only instance of a nonriverine setting in the book) is examined by Russian historian Vladimir Pisarev in Chapter 9. In Chapter 10 Lebanese social psychologist Randa Slim analyzes the conflict among Turkey, Syria, and Iraq over the Euphrates. The Jordan River conflict, in particular the ongoing dispute between Israel and Jordan, is the focus of Chapter 11; both authors, Miriam Lowi and Jay Rothman, are American political scientists, but both have extensive experience living in other cultures in the Middle East. The final chapter in Part II (Chap. 12), written by American political scientist Kenneth Lieberthal, examines the role of bureaucratic culture in the construction of the Three Gorges Dam on the Yangtze River of China.

Part III turns to the lessons drawn from the intellectual exchange of Part I and the case analyses of Part II. Jeswald Salacuse, an American international lawyer and Dean of the Fletcher School of Law and Diplomacy, builds on his years of experience as both a scholar and a practitioner to develop some of the many lessons for practitioners in Chapter 13. Finally, we have reserved for ourselves the last word, using Chapter 14 to describe some of the lessons to be gleaned from this challenging intellectual exercise for both theory and research on negotiation.

In the truest and, we believe, best sense of the word, the several years' work culminating in the present book has been an intellectual *encounter* among cultures and disciplines. Citizens of nearly a dozen countries have contributed to the book, coming from the disciplines of anthropology,

economics, history, international relations, law, political science, psychology, and sociology. The contributors attended meetings at the International Institute for Applied Systems Analysis (IIASA), near Vienna, Austria, on two separate occasions. The intellectual exchange that resulted from these two meetings was a lively one, exactly as we hoped and expected, and we believe that some of this exciting exchange has been captured in the pages of the book.

This book has been written with several audiences in mind. First are practitioners with an interest in international relations, be they in business or diplomacy, among others. As noted at the outset, the world has become a smaller place over the last decade, and the dimension of culture therefore has emerged as a more significant theme than ever, something that practitioners will want to keep in mind. Second are our social scientist colleagues. Whether as students of the nature of culture from a theoretical or a research perspective or as analysts of negotiation in concept or in detail, we believe that social scientists will find aspects of the multidisciplinary and multicultural exchange to be of intellectual value, as will students in graduate and professional programs. Finally are scholars and practitioners interested in water resource disputes, in particular, and international development conflicts, more generally. Although the study of riverine conflict was not chosen as the focus of study in its own right, the collective attention directed to this important class of issues is certain to draw valuable lessons for this audience. In summary, then, we believe that this book will be of interest to a broad array of scholars and practitioners concerned with topics ranging from negotiation to culture to water resources and, most especially, the interconnection among these three topics.

This ambitious project never would have seen the light of day without the assistance of a great many people. First and foremost, we owe a debt of gratitude to our colleagues on the Editorial Committee of the project on Processes of International Negotiation (PIN), housed at IIASA: Victor Kremenyuk, Winfried Lang, Gunnar Sjöstedt, and I. William Zartman. They have assisted us at every step along the way, providing editorial advice and intellectual counsel. Perhaps most important, they have made visible their commitment to the project by kindly agreeing to contribute chapters to the book.

IIASA's Director, Peter de Jánosi, encouraged us to pursue this project from the very beginning, as did his predecessor, Robert Pry; their support ranged from moral encouragement to much needed financial wherewithal. Bertram I. Spector, former Director of the PIN Project, offered us his support throughout the project. Ulrike Neudeck gave unsparingly of her time in preparing the manuscript for publication and assisting us in completing the countless tasks that were involved in this complex, far-flung project.

Wendy Caron edited the manuscript, and Anna Korula and Heather Pabrezis offered necessary support as well.

Finally it is with special pleasure that we acknowledge the generous support of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), whose financial contribution combined with IIASA's own assistance to make this project possible.

Most especially, we owe a unique debt to our wives and children (Anne, Elise, and Aurélia Faure; Carol, Noah, Sally, and David Rubin) for their patience, understanding, challenging perspective, and constant support through every twist and bend of the ceaseless negotiations that accompanied the development of this book.

Guy Olivier Faure

Jeffrey Z. Rubin

Larnaca, Cyprus

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