CIVIL SOCIETY AND PEACEBUILDING: THE CASE OF THE POST-SOVIET SPACE

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AND COOPERATION IN PROTRACTED CONFLICTS



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Official and unofficial strands of mediation and dialogue each have their potential, but also their limits, and should not be seen as competing, but as complementing one another. However, the fact is that the different "tracks", or political levels of peacebuilding, often act in isolation from, or even in opposition to, one another. Civil society could play an interesting role in mediating the different levels, and therewith make the effort for peace more effective. However, as the example of the post-Soviet space shows, civil society peacebuilders are in a deep crisis due to internal weaknesses, repression by the government and donor exigencies. Whether civil society will succeed in breaking free from this vicious circle depends to a large extent on its ability to re-invent itself.

KEY WORDS: peacebuilding, "tracks" of mediation, civil society, people's diplomacy, post-Soviet space

INTRODUCTION

Armed conflicts, especially those that span a long period of time, deeply affect the population's social, political and economic life and thus earn the dramatic epithet of "protracted", 1 are not easy to deal with. A large spectrum of bilateral and multilateral mechanisms and instruments have thus been developed in recent decades, not only to stop the armed phase of conflicts, but also to seek sustainable ways to build new frameworks for a comprehensive peace, where a relapse into violence is not probable.

The "track" model of diplomatic initiatives to end war and bring peace was developed in the early 1980s. It distinguishes between two different levels of peace interventions that were later complemented by a third. "Track 1" mediation processes bring together top decision-makers that officially represent the parties to a conflict; "track 2" initiatives facilitate dialogue between civil society representatives of the different sides, at the level of influential elites; and "track 3" mediation, also called "people's diplomacy", refers to unofficial trustbuilding and dialogue among members of civil society at a grassroots level.

¹ For an in-depth discussion of the term "protracted conflict", see Azar (1990).

Civil society has without a doubt played – and still plays – an important role in peacebuilding, although its contribution is not always acknowledged by all actors. This paper traces the role of civil society in the different approaches to peacebuilding and reflects on the effectiveness of such an engagement before, during and after the escalation of a conflict.

The article is organised along the lines of two sets of research questions:

- What are the prospects and limits of the different tools of mediation (tracks 1 to 3)?
- What is civil society and what role can or could it play in peacebuilding?
- What is the role of civil society in the conflicts of the post-Soviet space?

The first two general questions trace recent academic debates on peacebuilding and the role of civil society, drawing on the abundant scholarly literature on peacebuilding and mediation. A special focus will be placed on the track model of peace mediation developed by Joseph Montville. "The institutions of state, diplomacy, the military, and intelligence [thus, what is understood under 'track 1'] are engaged for the most part in deterrence and defense. [...]Track two diplomacy is a process designed to assist official leaders to resolve or, in the first instance, to manage conflicts by exploring possible solutions out of the public view and without the requirements of formal negotiation or bargaining for advantage" (Montville 1990, 162–163). The third question is dedicated to the specific setting of the post-Soviet space. This second part of the analysis will rely on the small body of literature that exists on the topic, which includes newspaper excerpts and reports by international non-governmental organisations (NGOs), as sources.

THE THREE TRACKS OF PEACE MEDIATION: PROSPECTS AND LIMITS

Peace has many different faces, and so does the analytical discourse on "making" or "building" it. Much of the academic writing on peacebuilding refers to Norwegian peace researcher Johan Galtung and his concept of "negative" and "positive" peace. According to Galtung, if an initiative aims at building negative peace, it attempts to obtain the "absence of organised violence between such major human groups as nations, but also between racial and ethnic groups" (Galtung 1975, 29). Positive peace, on the other hand, is defined as a "pattern of cooperation and integration between major human groups" (ibid), which means that positive peacebuilding aspires to move beyond the purely military sense of the term and addresses the root causes of the conflict.²

2 For a discussion of Galtung's concept of "negative" and "positive" peace, see Chetail (2009, 1).

Within the vast strategic field of peacebuilding, the focus of this paper is on mediation and dialogue activities, although they are far from the only tools that are needed to build peace. The track model was developed in the early 1980s by the diplomat Joseph Montville; initially, he distinguished between two different levels, or "tracks", of peace intervention: official and unofficial ones. During the decades that followed, Montville's model was complemented by further tracks of peacebuilding that made the concept even more comprehensive. The aims, the actors involved and the methodological setting of the different tracks of mediation and dialogue strongly differ; however, they should not be seen as competing, but as complementing one another.

Track 1 interventions are the classic tools of peace mediation initiatives; they are a "technique of state action, [which] is essentially a process whereby communications from one government go directly to the decision-making apparatus of another" (Said/Lerche 1995, 69). They bring together official representatives of conflict parties and are normally convened by high-level politicians or diplomats, themselves acting in an official capacity (usually as representatives of a state or a multilateral organisation). Such official processes are clearly results-oriented; thus, they aim at stopping violence or reaching an agreement on specific issues that are of interest to the conflict parties (e.g. territory). Ideally, they are formalised in an official and binding accord. Official peace talks are often supplemented, especially when they are in a deadlock, by confidential negotiations between influential representatives of the conflict parties that are acting in an unofficial capacity.

Track 2 mediation initiatives are implemented beyond the government sphere and were defined by their founding father as the "unofficial, informal interaction between members of adversary groups or nations that aims to develop strategies, influence public opinion, and organise human and material resources in ways that might help resolve their conflict" (Montville 1990, 162). Track 2 mediation processes do not replace, but complement, formal "government to government" or "leader to leader" negotiations that are initiated at the track 1 level. They bring together civil society representatives of the different parties at the level of influential elites, such as former politicians, religious leaders, artists, scholars, etc. (Chigas 2003, 5).

- 3 According to today's approach to peacebuilding, which is also shared by the relevant multilateral actors, such as the UN and the OSCE, conflict can only be resolved in a sustainable way when stability is rebuilt in all spheres of political, social and economic life before, during and after the armed phase of conflict. Building a stable state and democratic institutions is thus part of the peacebuilding endeavour, as well as mediation and dialogue efforts that end violence with a ceasefire agreement or rebuild trust among the different parties of a conflict.
- 4 For the concept of track 3 mediation, see: Chigas (2003), Mirimanova (2009) and Paffenholz (2010). For more on "multitrack diplomacy", see Diamond/McDonald (1996).

The concept of track 3 mediation, or "people's diplomacy", gradually evolved as an analytical concept in line with the emergence of civil society as an independent and important element in peacebuilding. Track 3 initiatives differ from other unofficial methods of mediation and dialogue because they are usually locally, rather than internationally, driven, and because they bring together "simple" civil society representatives from different sides of the conflict, such as NGOs, religious groups, etc. The implementers of these track 3 activities usually react to local initiatives and practice a "facilitative", rather than a "authoritative" approach to mediation, building upon the voluntary engagement of the conflict parties and leaving the authorship of the process in the hands of the participants. Activities at the track 3 level rarely take the form of classical peacebuilding, but they build trust in a very concrete, down-toearth way, such as through professional exchanges, joint humanitarian or political actions or other cooperation projects. Jean-Nicolas Bitter refers to such initiatives of crossboundary networking as "diapraxis", combining dialogue with practical cooperation issues (Bitter 2011).

Each track has its advantages, but also its limits. Agreements reached at a track 1 level are efficient in the sense that they are authoritative and can "freeze" violence, formalise the parties' commitments to peace at the leadership level and make the negotiated compromise legally binding. However, track 1, which is the classic format of leadership-to-leadership peace intervention, is very much state-centred. Furthermore, it often only focuses on the immediate (military) security context and thus limits itself to merely building "negative peace". This "realpolitik" bias also runs the risk that the negotiations and the agreements reached mainly reflect the (geo-) political interests of the state actors involved, whereas other, non-governmental issues, such as human security needs in conflict zones, are pushed into the background.

Track 2 and 3 initiatives, implemented by civil society actors and the private sector, can create or rebuild relationships, build networks across conflict lines and foster understanding of the interests of the "other side"; thus, they are in a position to inspire what Diana Chigas calls "attitude changes" (Chigas 2003). Furthermore, track 2 and 3 activities can maintain channels of communication during phases of radicalisation, or when official talks are in a deadlock, and they can prepare the ground for negotiation at a track 1 level. Unofficial mediation and dialogue activities fulfil a specific (and limited) function, in that they are not politically binding for the conflict

5 The concept of "facilitative" mediation encourages the parties to solve the problems themselves, by helping them recognise each other's needs and interests; see Nauss Exon (2008, 592).

6 Here, "leadership" refers not only to the government level; in intra-state conflicts in particular, track 1 can also include the leaders of separatist groups or other de facto state entities.

parties and should in no way be considered alternatives to the official peace process.⁷ Furthermore, in comparison to officially led initiatives, mediation and dialogue efforts at track 2 and 3 levels often lack funds and infrastructures, which in fact tend to be a general problem for peacebuilding. As Louise Diamond, one of the originators of the concept of "multitrack diplomacy" notes:

"The forces of war have an existing infrastructure that enables them to mobilise and actualise their aims – they have armies and arms suppliers; transportation, commerce and communication systems; banking, taxing and other funding methods; media, education and propaganda systems; and government ministries, clans, villages, political parties and other entities capable of taking action. Forces of peace have little of this [...] Much more needs to be done to create both a human and an institutional infrastructure for peacebuilding, in order to concretise these methods and approaches in social, political and economic systems that can both stand on their own and work together to-wards a shared goal."

(Louise Diamond as quoted in Chigas 2003, 9)

CIVIL SOCIETY AS A CONCEPT

The following sections will discuss the evolution of the concept of civil society in Western, as well as in non-Western, authoritarian settings. This will serve as a starting point for a general (re-)assessment of the role that civil society plays, or could play, in the different tracks of peacebuilding.

Looking at the notion of civil society from a historical perspective, it becomes evident that it has been perceived differently in different periods and by different ideologies. These concepts usually remain quite Eurocentric, as most of them have emerged in the Western political sphere. Early philosophers, such as Aristotle (384–322 BC), Jean-Jacques Rousseau (1712 – 1778) and Immanuel Kant (1724 – 1804), refer to civil society as synonymous with the state and with political society (Keane 1988, 36). Later, it is considered independent from or even opposed to the state, in either a positive or a negative way. Friedrich Hegel (1770 – 1831) holds that the period of economic and political modernisation produced civil society as a new social group, characterised by its political activism paralleling that of the state (Keane 1988, 50-55). Karl Marx goes one step further, viewing civil society as a phenomenon of the capi-talist and bourgeois society that threatens and undermines the state; putting it in Marxist terms, civil society is seen as "the structural base, and the state belongs to the superstructure that ensures capitalist domination by force" (Spurk 2010, 5).

7 There is the risk that informal dialogue activities might be used by conflict parties as the pretext for cancelling their commitments to peace negotiations on an official level, as was evident in the example of the Arab–Jewish dialogue activities in the 1990s (Abu-Nimer 1999, 152).

Although Marxist in his ideology, the Italian philosopher Antonio Gramsci (1891–1937) is conceptually located at the intersection of these two approaches: he sees civil society not as opposed to the state, but as an integral part of the state's "superstructure". According to Gramsci, both society and the state fulfil specific roles that complement each other: whereas the state is responsible for security and (economic) power, civil society should protect the cultural values and the identity of a social group or nation (Gramsci 1971, 445-557).

The recent academic discourse also reflects this dual view on civil society. The earlier, Gramscian—Kantian approach (i.e. civil society as part of the state system), is still present as a concept of political philosophy. However, the Hegelian—Marxist understanding (i.e. civil society as opposed to the state) clearly dominates the discourse of researchers and practitioners, as is witnessed by the recent developments in the post-Soviet space.

While recognising this conceptual dichotomy, it remains useful to adhere to one particular definition. As it is understood in the present paper, civil society is not a clearly delim-ited social group or economic actor that is located within, or opposed to, the state; rather, it has to be understood more broadly as a "space", rather than an "actor". It allows for reflection, criticism and political action. A useful definition in this regard is provided by Christoph Spurk, who holds that:

"civil society is a sphere of voluntary action that is distinct from the state, political, private and economic spheres, keeping in mind that in practice the boundaries between these sectors are often complex and blurred [...]. Thus, civil society is independent from the state and the political sphere, but it is oriented towards and interacts closely with them."

(Spurk 2010, 8f.)

Over the past few decades, civil society organisations have been increasingly involved in different tracks of peacebuilding, conflict prevention and peacemaking, fulfilling functions such as early warning, prevention diplomacy, networking activities and initiatives for cross-cultural understanding and relationship building (Fischer 2011, 290). In its 2010 "Critical Assessment", a research team under the conceptual lead of Thania Paffenholz elaborated a comprehensive model summarising the different ways in which civil society can or could contribute to peacebuilding. It includes the following seven societal roles or functions: 1) protection; 2) monitoring; 3) advocacy; 4) in-group socialisation; 5) inter-group cohesion; 6) mediation between states and society; and 7) service delivery (Paffenholz 2010, 65-76). In any case, it is emphasised that the (real and potential) role of civil society in peacebuilding has to be adapted to the specific local context.

It is evident that most of these peacebuilding functions are located at the track 2 and 3 levels, whereas the gaps between the tracks, and especially between civil society and decision-makers, pose a serious problem (Kyselova/von Dobeneck 2017, 12). However, following the logic of the 2010 model, civil society can or could fulfil the important function of "linking the tracks", which means that it "mediates" between state and society and informs the different tracks about the perspectives and interests of the respective other. For example, it is important that a peace agreement concluded at track 1 reflects not only the state's interests, but also the perspectives of the local communities that are directly affected by the conflict. On the other hand, civil society can also sensitise the local populations to the advantages of deals that are concluded at the government level, which minimises the risk that official mediation efforts will be boycotted by the local constituencies and that peace deals concluded at the track 1 level will be prevented from ever being implemented. Thus, the monitoring, advocacy, sensibilisation activities, etc. of civil society are essential for making the tracks more permeable in both directions, which enhances the efficiency of the peace efforts instead of locking the different tracks into their own independent bubbles.

Most conceptualisations of civil society, including those considering its role in peacebuilding, are born in a Western political and socio-economic context. Hence, they present concrete ideas about what a civil society should look like and how it should act in order to become an "agent of change" for political and socio-economic stability (which is largely what is meant by the term "positive peace"). At the same time, most of these concepts exclude other forms of societal networks (e.g. groups based on religion, kinship or historical traditions), especially when they emerge(d) in authoritarian settings. These groupings are considered to be "un-civic" and "non-democratic", because they are less political and do not act in opposition to, but rather within, the structures of authoritarian states. Moreover, traditional and religious networks are often not open to the world and are critical of or even hostile towards the "West". In some cases, however, the networks that have developed under the cover of authoritarian and non-democratic regimes might be more strongly rooted in society than classical, Western-type civil society organisations or NGOs. Thus, they could become effective agents for social change in peacebuilding as well.

Hock Guan Lee's argument is in line with the above-mentioned conceptual dichotomy when he states that basically two understandings of civil society exist: one focuses on the dual affiliations of the "civil" as located at the intersection of the "private" and the "public" spheres (see also Gramsci's ideas on a fruitful interaction between state and civil society). This type of civil society can be referred to as the

"compromise" or "social capital" approach. The other, more political, approach understands civil society as a body that stands in opposition to or even in conflict with the state (see the Hegelian-Marxist view of civil society as a by-product of modernisation); this type can be called the "opposition" or "conflict" approach (Lee 2005, 2).

This dual understanding of civil society leads to a fatal error committed by most Western "industries" of peacebuilding and development aid, especially in settings that are located far removed from industrialised urban centres. By focusing on a purely Western concept of civil society (thus, on the "conflict" type), they create an artificial dichotomy between "government" and "non-government", "profit" and "not-for-profit" and "private" and "public" spheres which is completely alien to the traditional understanding of the local societies that they aim to help (Waibel/Ehlert/Feuer 2014, 5).

As a preliminary conclusion, it should be noted that the general "Westernisation" and "NGOisation" of the concept has led to the domination of the Eurocentric, or "conflict", approach to civil society and its role in peacebuilding. In non-Western, authoritarian settings, civic NGOs are often artificially pushed, thereby bypassing the state and other, more traditional networks of social and political action. However, they often remain weakly rooted in the local constituencies and make little impact in terms of creating social change. Thus, in order to increase the efficiency of their efforts, the peacebuilding and development aid industries should adapt, or even re-invent, their concepts of civil society to better suit their immediate contexts.

ATTEMPT OF A CONTEXTUALISATION: THE (POST-) SOVIET EXPERIENCE

With the gradual disintegration of the Soviet Union in the late 1980s, the concept of civil society as a tool for peace and stability gained strength around the world, but especially in the post-communist realities of Central and Eastern Europe (Celichows-ki 2007, 143). Civil society was hoped to provide the thrust behind socio-political and economic change, and propel the post-Soviet countries' transition toward free markets and Western-style democracies. The result, however, was disappointing: the marketisation of the economies led to widespread privatisation and the reinforcement of socio-economic inequality and oligarchic systems. Political liberalisation and the disappearance of the exclusive monopoly of the Communist party resulted in the increased potential for (armed) conflict to occur between the central state and

separatist minorities, especially in the former Soviet south, and they reinforced the cleavages between civil society and the representatives of what soon became even more authoritarian and traditionalistic regimes.⁹

Against this backdrop of armed conflict and neo-authoritarianism, it is not surprising that the "space" of civil society is shrinking, and it is often said that throughout the territory of the former Soviet Union (except the Baltics), civil society suffers from a notorious weakness (Aliyev 2011, 2015). Further, after the first blush of enthusiasm for political liberalisation had ebbed and nationalism was again on the fore, the voices who spoke not only about "civil", but also "uncivil society" louder (Bob 2011).

This begs the question of how to react to this lamentable situation. Should civil society activists and peacebuilders give up their oppositional role and close down their organisations, because the concept has failed and is not applicable to the authoritarian settings of the post-Soviet states? Or, is there another way to imbue the "space" of civil society with new meaning, and again make it a critical, but constructive, complement to the state that contributes to peace and stability in situations of conflict and political crisis?

When looking for answers to these questions, inspiration can be found in Central Asia. As Boris Petric argues, the example of post-Soviet Kyrgyzstan demonstrates that the crisis of civil society applies less to the local communities themselves, than it does to the concept that the Western research and development "industries" designed for them. In post-Soviet Kyrgyzstan, the international donor community has built up a new sector of civil society organisations that stands in artificial opposition to the state, and often also to other, genuinely local, collective projects. Obsessed with the "de-communisation" and "de-Sovietisation" of society, these new organisations avoid cooperating with local groups that are based on existing Soviet or pre-Soviet structures, such as religious or former Communist networks, Kolkhoz communities, etc. (Petric 2005). Thus, when designing initiatives at tracks 2 and 3, international and local peacebuilders should make sure that their activities respond to the local commonalities; otherwise, they will be perceived as artificial super-structures, which hampers their backing in society.

The question about civil society is also one of "positive peace" (and "positive peace-building"). Is it applicable at all to the post-Soviet space? The views on the desired nature of "peace" by the Western states and strategic alliances, and by the Soviet and later Russian state strongly diverge. This has made, and continues to make, it

⁸ See for example the case of Ukraine's oligarchs who built up their network of flourishing economic contacts that existed in parallel to the country's increasingly impoverished state structures.

⁹ Some observers call these increasingly authoritarian and traditionalist regimes the "neosultans' of the post-Soviet space; see Eke/Kuzio (2000).

impossible to opt for universally recognised and efficient formats of peacebuilding in the conflicts of the South Caucasus and Moldova, and (since 2014) in Ukraine. On the one hand, the Western states and the big multilateral organisations, i.e. the UN and the OSCE, traditionally aspire to a "positive" peace or peacebuilding format. As in the case of the post-Soviet space, this requires the full-fledged "transformation" of the conflicts at all levels of state and (civil) society. ¹⁰ The Soviet, and later Russian, leaders, on the other hand, adhere to a clearly realist view on the conflicts and have a "negative" concept of peace, which mainly aims at achieving military stability. Hence, the Kremlin's peacebuilding efforts, for instance in South Ossetia, Abkhazia and Transnistria, largely reflect a traditional "conflict management" approach. ¹¹ Further, they mainly focus on the short-term (military) management of the conflicts while failing to address the sociopolitical resolution of the conflicts. Thus, the conflicts are militarily "frozen", with the possibility of becoming "unfrozen" in the future, if so required by geostrategic considerations.

This divergence between Soviet/Russian and Western concepts of peace is also reflected in the roles that they foresee for civil society in peacebuilding. All peacebuilding formats of the post-Soviet space show a clear concentration on track 1, whereas the other tracks of peacebuilding are not trusted, or even diabolised as "agents" of the West, as not conforming to the national interests. For example, in the Ukraine conflict, the government-controlled contacts that are convened under the auspices of the "Minsk Process" are the only format admitted by the Russian government to normalise the relations with Ukraine. Civil society activities seeking to build bridges with Ukraine at track 2 and 3 levels are heavily pressurised to either yield to the stateled process (so-called GONGO, or "government-organised non-government organisation" initiatives), or they risk facing criminal charges (Kavkazskiy Uzel 2017).

Under the umbrella of the Soviet Union, the dominant Marxist approach views the emergence of a politically active civil society as a by-product of capitalism and thus as belonging to a phase of development that has to be overcome (Spurk 2010, 5). This realist, statecentric attitude to society persists. Since the mid-2000s, as they did under communism, the Russian and other post-Soviet governments have multiplied the socio-political and legal mechanisms to systematically pressurise and mar-

10 The "conflict transformation school" holds that external actors can transform protracted violent conflicts into peaceful ones through the creation of the required local infrastructure (Lederach 1997).

11 The "conflict management school", among others, implies the potential for external peacebuilders to use "carrots" and "sticks" to put pressure on the conflict parties (Zartman/Touval 1985, 263; Richmond 2005, 89-96; Paffenholz 2010, 51) — a tactic which is largely applied by the Russians in all conflicts of the post-Soviet space.

ginalise civil society as an active and critical voice in the public sphere. ¹² Non-governmental organisations and individuals active in peacebuilding are especially vulnerable to this development. ¹³

CONCLUSION

Both official and unofficial strands of mediation and dialogue have their own value at specific moments and should not be considered as alternatives to one another; rather, the different types and tracks of peace interventions should be viewed as complementary: peace has to be built from both top-down and bottom-up perspectives. The different tracks, or political levels, of mediation each have their strengths, but also their limitations. Track 1 activities bring together representatives of the conflict parties at a decision-making level and usually negotiate a certain product, such as a peace agreement. While decisions reached at a track 1 level are legally binding, they often fail to take root in society. Track 2 activities bring together civil society groups of the different parties at the level of influential elites. While they are important because they can influence public opinion and have an impact on decision making, they are often also far removed from the realities of the population that is directly affected by the project; moreover, due to their proximity to decision makers, they are vulnerable to the influence of political interest groups. Track 3 diplomacy builds concrete cooperation networks and addresses the conflict and its consequences from a grassroots perspective. It can make a valuable contribution to the "peace constituencies" that are necessary to embed a peace process in society; however, they often remain very technical and local in scope, without developing an influence on other spheres of public life.

That the different tracks and their respective actors frequently act in complete isolation from, or even in opposition to, one another continues to be a general problem in peacebuilding. Civil society actors have the potential capacity to mediate between the different tracks and thus make the peace efforts more efficient by exchanging information and raising awareness of the views and interests of the "other".

It was hoped that civil society would be the impetus behind the transition towards economic and political liberalisation in the post-Soviet space. However, after the

¹² A good example in this regard is the Russian foreign agent law (2014) that has systematically cracked down on civil society organisations accused of criticising the government (RFE/RL 2016).

¹³ For example, Swisspeace partner organisations in Russia are often insulted or even physically threatened due to their engagement in a dialogue with their Ukrainian counterparts.

initial enthusiasm for transition had waned, the voices warning of a radical and uncontrollable "uncivil society" became more powerful, which was further complicated by the fact that civil society in the post-Soviet space is said to suffer from notorious weakness. This means that in the (frozen) conflicts of the post-Soviet space, the civil society actors engaged in peacebuilding face two main hurdles. On the one hand, they are urgently required because only they can bring about reconciliation and sustainable stabilisation of the situation in the sense of creating a "positive peace". At the same time, however, they are being weakened and attacked from both the inside (nationalist radicalisation) and the outside (state repression), which prevents them from exercising their peacebuilding role. The coming years will reveal whether and how civil society succeeds in re-inventing itself and breaking free from this vicious circle.

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