TRADITIONAL CONFLICT RESOLUTION PROCESSES: MEDIATION AND RITUALS TO ADDRESS CONFLICTS IN MULTI-ETHNIC CULTURES OF LAOS

By

STEPHANIE PHETSAMAY STOBBE

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Department of Peace and Conflict Studies

University of Manitoba

Winnipeg, Manitoba, CANADA

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STEPHANIE PHETSAMAY STOBBE

Winnipeg, Manitoba

THESIS ABSTRACT

Traditional Conflict Processes: Mediation and Rituals to Address Conflicts in

Multi-Ethnic Cultures of Laos

Stephanie Phetsamay Stobbe

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There are countless millions of people in the world who have little formally
recognizable means for receiving any form of social justice. Poverty, war, violence,
religious fundamentalism, corrupt political regimes, and many other inequalities control
the lives of the world's most marginalized people, preventing them from improving on
their circumstances. As a global society, we have often been incapable of understanding
how to effectively address these situations beyond hoping for positive political change
and, in some circumstances, using military options to produce that political change.

Laos, a small landlocked country in Southeast Asia, is a place that has seen some
of the most brutal forms of poverty and violence. Over centuries, ethnic groups have been
polarized and used by foreign powers to support their own agendas. In spite of this, the
Lao people have consistently managed to recreate the peace and harmony that support
their social relationships. Through the development and use of appropriate grassroots
conflict resolution structures that do not require a formal court system, and exist outside
the political arena, they have been able to resolve conflicts within and across cultural
groups.

Using in-depth interviews with different ethnic groups in Laos, this research examines traditional conflict resolution processes used in their communities. It identifies and discusses a Lao Conflict Resolution Spectrum, bringing particular attention to the Village Mediation Committee (*Neoy Gai Geer*). Laos' unique and most recognized conflict resolution ceremonies and rituals, the baci ceremony (*soukhouan*) and the reconciliation ceremony (*soumma*), are examined as tools for peacebuilding. All of these conflict resolution practices are significant in addressing conflict, repairing harm, rebuilding relationships, and restoring harmony to communities in conflict. These systems incorporate all the principles of effective conflict resolution, including transparency, accountability, inclusivity, flexibility, familiarity, accessibility, support networks, and relationship building.

This research discovers how the conflict resolution systems of Laos are embedded in the fabric of grassroots life, and operate independently of the hierarchical structures that dominate governing institutions. It presents a case study of how people from a violent and impoverished past still manage to find ways to address their need for social justice and interconnectedness. The results provide greater understanding and appreciation of the contributions from diverse groups of people who are working daily to establish positive relationships, constructive and appropriate conflict resolution systems, and overall peace in their world. It demonstrates where peace can be found in difficult situations, among people who care little for political agenda and care a great deal about existing harmoniously with the people in their communities in order to mutually raise their quality of life.

To my mother, Pinkham; husband, Karl, and children, Katherine and Matthew

Thank you for all your love, support, and encouragement

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Table of Contents

List of Tables

Tables

List of Figures

Figures

List of Copyrighted Materials for which Permission was Obtained

1. Folktale: Wrapped-Ash Delight

   Bounyayong, O. (1999). Wrapped-Ash Delight. In O. Bounyavong, *Mother's Beloved Stories from Laos* (pp. 93-103). Seattle: University of Washington Press.

   The "Wrapped-Ash Delight" story is located on page 113 of the thesis.

2. Map of Laos

   Secretary of the United Nations Publications Board. (2011). Lao People's Democratic Republic, Map No. 3959 Rev. 2, January 2004. New York: United Nations Publications.

   The Map of Laos is located on page 290 of the thesis.

Note on Transliteration

The transliteration of the Ethnic Lao language presents significant problems. There is no official or standard system of Anglicization that I am aware of. Clearly, other authors have had similar issues, as reading different English interpretations of Lao can sometimes feel like very different languages. For example, the Lao city and district of Huay Xai has been spelled by some authors as Houayxai, Houayxay, Housai, Houxai, Housei, and so forth. I personally have seen at least three different spellings listed in passports. There are of course Lao-English dictionaries but, unfortunately, they are also rarely consistent with each other. The complicating factor seems to be the highly tonal nature of the Lao language, something that the English alphabet cannot readily convey.

In trying to write Lao terms down, it seemed the most efficient approach would be to translate them as I hear them, based on the Luang Prabang dialect of Lao, translated into the Western Canadian English that I speak. Most regions of Laos will have slightly different pronunciations and connotations for various terms. For example, the word *fan* (or *phan*) translates "friend" in Vientiane, whereas in Luang Prabang it translates "romantic friend." This is understandable considering the two regions have different dialects. There are, in fact, five basic dialects of the Ethnic Lao language within Laos.

In my transliteration, I tried to be as consistent as possible. Lao words that have been anglicized are written in italics. Some are used with their English translations, while some of the more important words are only translated the first time. A glossary of the Lao terms is included at the end of the paper.

CHAPTER I

Introduction: Life Experiences that Led to the Study of Peace and Conflict Studies

Every society and every organization produces a culture of conflict, a complex set

of words, ideas, values, behaviors, attitudes, archetypes, customs, and rules that

powerfully influence how its members think about and respond to conflict.

Cultures of conflict are shaped in and by our social experiences. (Cloke &

Goldsmith, 2000, p. 19)

During and after the Vietnam War (1960 - 1975), Laos gained the distinction of

being subjected to "some of the heaviest aerial bombardment in the history of warfare"

(Stuart-Fox, 1997, p. 139). United States aircraft had dropped almost 2.1 million tons of

bombs on Laos, an area slightly larger than Utah. That is approximately the total tonnage

dropped by the United States air forces during all of WWII in both the European and

Pacific theatres (Cummings, 1994). Had the bombing been spread out evenly throughout

the country, it would be almost 9 tons of bombs per square kilometer. In the most heavily

bombed part of the country, Xieng Khouang Province, an "estimated 300,000 tons of

bombs were dropped, equaling more than two tons per inhabitant . . . [while] 25% of the

country's villages remain severely contaminated [with unexploded ordinance]" (MCC,

2000, p. 1). By the end of the war, Laos had become the most heavily bombed country, per capita, in the history of the world.

It seems impossible that this war could have been a secret. However, according to Stuart-Fox (1997), "for most of the decade from the renewed outbreak of fighting in 1964 to the cease-fire of 1973, the true extent of the war in Laos remained largely hidden from the outside world by deliberate American deception" (p. 136). Very few people, including the American Congress, knew about it at the time, and that act of secrecy meant for very few rules of engagement. The second biggest city in Laos at the time was Long Cheng, but it could not be found on any maps of the world because it was populated with people who were not supposed to be there. This was a secret city, the "hub and nerve center of the clandestine war in the Other Theater" (Robbins, 2005, p. 55). By early 1973:

> Almost all of the 3,500 villages under Pathet Lao control had been partly or wholly destroyed . . . 200,000 dead and twice that number of wounded . . . as many as three-quarters of a million people, a quarter of the entire population had been driven from their homes to become refugees in their own country . . . The war placed intolerable strains on upland Lao society, weakened the Lao state, corrupted the morality of public life, and set back the cause of national unity and reconciliation. (Stuart-Fox, 1997, p. 144)

Of course, the "Secret War" was an abject failure. The only victory the United States could claim was in keeping everything a secret, so they did not have to admit yet another military loss after the Vietnam War.

My interest in peace and conflict studies has grown out of my life experience. My knowledge of Laos, its culture, and issues, are a result of both intense study and birthright.

I was born in the early 1970s in the midst of the "Secret War" during a particularly

volatile time in Lao history, in a part of Laos with highly diverse multi-ethnic interactions.

I am not trying to be elusive about my age, but I do not actually know my birthdate. At

the time, there were no infrastructures in place to gather and keep track of such vital

statistics. My mother was so preoccupied with the war and keeping her family safe that

she either did not know the date I was born, or simply forgot as the passage of time began

to blur into the misty haze of panic that is the unfortunate reality for many people in the

dregs of war and violence.

Even today few people understand the full ramifications of the Vietnam War and

its effect through Southeast Asia. When I was born, the war in Vietnam was nearing its

end, yet in Laos it was just hitting its peak of violence, and would eventually cause

almost 10 percent of the Lao population, including my family, to flee to refugee camps in

Thailand (Cummings, 1994). I was not born in the most dangerous area, but the violence

searched us out and we would often move from place to place, trying to stay just ahead of

it. My mother was a smart businesswoman and always managed to find us places to stay.

There were always holes dug in the ground underneath the house for those times when

the war caught up with us too quickly.

One of my earliest memories is an experience of fleeing to safety in one of those

caverns. I remember my mother trying to keep my sister and me quiet when we spent a

night underneath our house, in a small hole. Somehow it provided just enough protection

for us to survive. Bullet casings and shells would sometimes rest on our beds in the

morning. My father was a ranking officer in the war, and, therefore, a worthy target for

the other side. My mother tells me that he was away a lot to fight in the war and, shortly

after my birth, he did not return at all.

Ironically, on the other hand, Laos is a place of serene calm and beauty. I was

born in the northwestern part of the country in the region infamously know as the

"Golden Triangle," the area where the Lao, Thai, and Burmese borders all converge

along the Mekong River. For most of the 20th century this area was central to the world

opium trade. I grew up in the lowlands, surrounded by majestic mountains that would

engulf the lime-green rice fields in the valleys. The tropical jungle was rich and vast,

consuming everything that was not regularly tended to. The bamboo trees in the dense

forests grew rapidly, reaching up to 15 feet in a year.

Though the effects of the war, death, and resettlement have impacted every aspect

of my life, I still remember the beauty of the land, the people I grew up with as a child,

and the people still living there whom I came to know as an adult. These people are

caring, gentle, and peace loving. Their genuine smiles, life stories, and ready acceptance

of others are etched in my memory. I have always been drawn back, emotionally and

intellectually, to the complexity of my birthplace – a place where community, inclusivity,

peace, and harmony in relationships are highly valued but, at the same time, a place that

has almost miraculously survived some of the most brutal forms of violence ever seen in

history. There is no better example of this than an early morning walk to the old temple

on top of Mount Phousi, quietly and elegantly presiding over the slumbering streets of

Luang Prabang, only to be reminded of the dark side of Laos by the presence of a rusty,

old anti-aircraft gun just 10 steps away from the temple foundations.

The strength and resilience of my mother, and our family's personal experiences of war and resettlement, have shaped my interest in conducting research in Laos, our country of birth. The streets of Luang Prabang are full of the sights, smells, and sounds of Laos: monks in their bright orange garments; the smells of food over coal fired ovens; the elegance of elders watching over the streets; children laughing; and the beautiful flowers and plants adorning the shops – planted in old missile casings. This image defines the heart of conflict resolution, namely, taking the very instrument of destruction and turning it into the foundation for beauty, growth, and new life. Examples of this perfect metaphor abound in Laos. One of the biggest buildings in all of Laos, the *Patuxai* in Vientiane, is a memorial to those who died in pre-Revolutionary wars, built from concrete that was donated by the United States for the purposes of building a runway to aid in the war (Cummings & Burke, 2005).

My study and practice of conflict resolution, multiple trips back to Laos, and the passage of time have helped me come to terms with the trauma of my past. In turn, reflecting on the images and complexities of Laos continue to shape my interest and thought process about conflict resolution. In that regard, my conflict resolution education in the West has sometimes contrasted with those experiences. Western practice has often assumed superiority over other models of conflict resolution, while imposing values of mediator neutrality and professional third parties in dispute resolution systems. This research is an effort to acknowledge the valuable contributions to conflict resolution theory and practice made by other cultural groups.

Laos is an important case study for peace and conflict studies. The people of Laos have seen violence, been victims of hatred, injustice, and ignorance. They have been

pawns of powerful outsiders and victims of political agendas that are irrelevant to the vast majority of their population. Yet, as we will examine, the Lao people know peace. It exudes from their temples, from the streets, from the paddy rice farms in the lowlands, and from the *swidden* rice fields in the hills. Laos is part of what anthropologist James C. Scott (2009) terms "Zomia," an area of about 2.5 million square kilometers with 100 million minority peoples of extraordinary ethnic and linguistic diversity. Zomia refers to lands at altitudes above 300 metres that include Thailand, Burma, Laos, Cambodia, Vietnam, and four provinces of China. The forty-nine official ethnic groups of Laos (Government of Lao PDR, 2006) have historically had relatively few conflicts, largely finding ways to reinvent the peace and harmony that outside third parties have disturbed. Through centuries of interaction, conflict resolution structures have developed that promote positive relationships within and across ethnic groups.

The results of the study provide greater understanding and appreciation of the contributions from diverse groups of people who are working everyday to establish positive relationships, constructive and appropriate conflict resolution systems, and overall peace in their world. It demonstrates where peace can be found in difficult situations, among people who care little for political agendas and care a great deal about existing harmoniously with the people in their communities in order to mutually raise their quality of life. This research examines how conflict resolution systems of Laos are embedded in the fabric of grassroots or ordinary, everyday life, and operate independently of the hierarchical structures that dominate governing institutions. These systems incorporate all the principles of effective conflict resolution, including

transparency, accountability, inclusivity, flexibility, familiarity, accessibility, support

networks, and relationship building.

As discussed later in this research, Laos is a place without an effective court

system. The Lao people view the court system as unfamiliar and incapable of providing

social justice. According to the participants in the study, taking a case to court is seen as a

loss of face and a destruction of relationships. In such context, I examine how people,

across ethnic and cultural divides, find appropriate conflict resolution processes to

maintain healthy, positive, and interdependent relationships.

This research examines the traditional conflict resolution processes of Laos,

officially the Lao People's Democratic Republic (Lao PDR), its culturally inclusive

ceremonies and rituals that are integral in conflict transformation, and its cross-cultural

ways of resolving conflicts between different groups. The following research questions

are addressed in order to further explore this process: (1) How can culturally specific

conflict resolution processes at the grassroots level be used to promote equality, justice,

and freedom in places where formal legal systems are unfamiliar, undeveloped, and are

not a compelling force in promoting social justice?; (2) How can traditional conflict

resolution processes and rituals assist in the maintenance and reparation of relationships

between parties in conflict?; and (3) How can these processes be used and adapted in

cross-cultural conflict resolution to establish relationships between groups?

As will become evident, grassroots peacebuilding processes, from simple,

everyday interaction between individuals to formal mediation, can lead to commonalities

in conflict resolution systems and rituals that bond people together. Understanding how

the Lao people have managed to build a shared cultural identity that encompasses at least

49 different ethnic groups can illustrate this development. Strong mechanisms for cultural bridging include their use of a grassroots mediation system that moves from private to public levels, and to the symbolic cultural rituals of the *soukhouan* and *soumma* that publicly address restitution and reconciliation.

The inherent difficulty in exploring these questions is in the vague and elusive nature of the concept of culture. It has been said that, "Cultures express themselves to a great extent in how they manage conflict. Conflict is a window to understanding national cultures" (Leung & Tjosvold, 1998, as cited in Tjosvold, Leung, & Johnson, 2000, p. 489). With that in mind, this study seeks to concretely explore its research questions by committing to: (1) identifying common conflict resolution methods of different ethnic groups in Laos; (2) examining how similar systems between different groups can contribute to the development of dispute resolution processes that can provide a basis for dialogue and relationship; (3) looking at how this process brings new analytical tools in addressing cross-cultural conflicts; and (4) studying how grassroots conflict resolution processes can be effective in places with underdeveloped and formal legal systems. It is hoped that, in the process, we shall discover some of the essential elements of Laos' undefined culture.

This paper begins with the introductory background required to frame the analysis of the data gathered. In order to provide academic context for my research study, the literature review in Chapter II examines specific writings on culture, mediation in conflict resolution, forgiveness and reconciliation, and religion in conflict resolution. Chapter III discusses background information about Laos that assists in contextualizing this research.

Chapter IV provides a discussion of appropriate research methods, including information on the qualitative research methods that were used for this study.

Chapters V through VIII provide the main analysis and discussion. Included in Chapter V is a discussion of conflict as it relates to the Lao cultural worldview. This chapter includes expressions and metaphors of conflict and conflict resolution that help in understanding Lao cultural values. Chapter VI defines a Lao Conflict Resolution Spectrum. This spectrum introduces and analyzes the importance of mediation as the dominant form of conflict resolution in Laos. Chapter VII adds to the Lao cultural conflict resolution practices by describing important rituals and ceremonies associated with the resolution of conflict, and how these rituals encourage relationship building between disputants, families, and communities. Chapter VIII looks at how the conflict resolution spectrum, and the rituals and ceremonies are applicable between different cultural groups within Laos, and how cross-cultural, grassroots relationships have contributed in developing commonalities between ethnic groups.

Finally, Chapter IX brings many of the previous themes together, in a way that makes them applicable in other conflict situations. It discusses the contributions this research makes to the theory and practice of appropriate dispute resolution that leads to lasting peace. As a result of this study, the chapter highlights areas for future research.

CHAPTER II

Cultural, Traditional, and Grassroots Understanding of Conflict Resolution

"Admit wrong, ask for forgiveness, and respect elders (*son ya, nup ter tow gua*)."

(Lao Proverb)

Since I began teaching an undergraduate program in Conflict Resolution Studies

in the late 1990s, I have wondered whether the models of conflict resolution we teach

really address culture, and whether these can be transferred or adapted to other cultures

around the world. When I began to conduct research with Lao diaspora in Canada, and

the results showed how traditional conflict resolution processes remained important for

the Lao people (Stobbe, 2006b), I became interested in exploring in greater depth further

traditional models of conflict resolution. I was especially interested in pursuing these

matters back in my homeland with more Lao people. As refugees who have newly settled

in Canada between the late 1970s and early 1980s, many Lao people are unfamiliar with

the conflict resolution mechanisms of Canadian culture such as counseling, social

services, and court systems. These conflict resolution processes are inappropriate in that

they do not reflect their cultural values. Trying to adapt these conflict resolution

approaches for this cultural group has not been conducive to problem solving.

Within the past couple of decades, traditional models of dispute resolution have

gained more acceptance and prominence in resolving various conflicts at the

intrapersonal, interpersonal, intergroup, and international arenas. The fields of Conflict

Resolution, and Peace and Conflict Studies, have acknowledged the importance of

culture in the theory and practice of conflict resolution and have tried to address culture

much more consciously. [Note: The terms Conflict Resolution, and Peace and Conflict

Studies will be used interchangeably, recognizing that they both address micro and macro

aspects of conflict.] However, much of the cross-cultural resolution research to date has

concentrated on negotiation rather on the third-party processes of mediation (Avruch,

2003). This is particularly unfortunate, considering that much of the world's population

uses third party mediation systems as their primary form of resolving conflict, including

those in China, Japan, Africa, the Middle East, and Laos (Abu-Nimer, 2001; Callister &

Wall, 2004; Callister & Wall, 1997; Tuso, 2000; Wall & Blum, 1991; Zartman, 2000).

With regards to previous literature on negotiation and mediation styles, Laos is an

interesting case study as Lao culture is made up of several distinct ethnic groups, with

distinct languages, cultural lineage, foods, dress, and so forth. The minority populations

in Zomia, which include Laos, contain peoples who "are fragmented into hundreds of

ethnic identities and at least five language families that defy any simple classification"

(Scott, 2009, p. 14). Many studies on negotiation and mediation styles have been

criticized for treating culture rather simplistically and monodimensionally, concentrating

on top-down negotiation styles (Zartman, 1993 & Druckman, 1996 as cited in Avruch,

2003). Laos allows for the opportunity to view how conflict can be managed across

cultural and ethnic bodies, among people at the grassroots level.

The following literature review begins by defining a few key terms in the field of

Conflict Resolution. Second, it focuses on the multi-dimensional concept of culture as it

relates to conflict resolution. Third, it discusses the important role that mediation plays as the dominant conflict resolution process, and as confirmed by studies in Southeast Asia and other parts of the world. Fourth, the literature on forgiveness and reconciliation as an important aspect of conflict resolution is explored. Finally, it discusses the role of religion and its potentially positive insights for conflict resolution.

Defining Key Terms in Peace and Conflict Studies

The field of Peace and Conflict Studies has developed various terminologies to describe concepts important to the discipline and practice of conflict resolution. Diversity in theory and practice has created some confusing definitions of important concepts where the same term is used to define different things or different terms are used to identify the same process. Many times the concepts are used interchangeably. As this topic can be a whole paper in itself, I will focus on a few key terms in the conflict resolution discipline that will assist in understanding the current research. Whenever it is relevant, I will attempt to define those specific concepts in ways that will help provide context for the research in Laos.

Conflict

The definitions of conflict are as varied as the numbers of conflicts that are occurring inside us, and around our families, workplaces, communities, and the world. Einstein, a distinguished physicist, in discussion about war, hatred, and destruction with Freud, the father of psychology, concluded, "man has within him a lust for hatred and destruction" (Schellenberg, 1996, p. 40). Freud responded by saying, "violence has always been the final arbiter for human conflicts . . . rooted in our basic natures as

animals" (Schellenberg, 1996, p. 40). Social psychologists, such as Darwin, Marx, and

Freud, emphasized conflicts as competitive and destructive (Deutsch & Coleman, 2000).

Darwin saw conflict as "the competitive struggle for existence" and "social Darwinism"

saw conflict as the "survival of the fittest" (Deutsch & Coleman, 2000, p. 11). Marx

focused on conflicts as class struggles between the bourgeoisie and proletariat. Freud

viewed psychosexual development and conflict as the struggle between the biologically

rooted impulsive "id" and the socially conscious "superego" (Deutsch & Coleman, 2000).

On the other end of the spectrum is the theory that conflict and aggression is

something learned through interactions with others. Social learning theorists, such as

Bandura, have found that observing aggressive behaviors increases one's own aggressive

response (Schellenberg, 1996). In "The Seville Statement on Violence," twenty scientists

from various disciplines around the world concluded that, "biology does not condemn

humanity to war, and that humanity can be freed from the bondage of biological

pessimism and empowered with confidence to undertake the transformative tasks . . . The

same species who invented war is capable of inventing peace" (Adams, 1989, p. 113).

Conflicts can arise about "which principle of justice should be applied or how a

given principle should be implemented" (Deutsch, 2000, p. 54). Types of injustices

include: distributive injustice associated with feelings of unfair outcomes; procedural

injustice where there is an unfair treatment in the decision-making process; retributive

injustice in terms of unfair response to violation of norms; and moral exclusion from

other groups in terms of fair treatment (Deutsch, 2000). Other theories of conflict include

social structural theories, such as Marx's who view class conflict as key for historical and

social change; and formal theories, such as Richardson who use mathematical logic to understand human conflict (Schellenberg, 1996).

Deutsch (1973) defines conflict as incompatible activities where an action prevents, obstructs, interferes, injures, or makes the other action less effective. Conflicts can be destructive when parties are dissatisfied with the outcomes or constructive when the parties are satisfied with the results (Deutsch, 1973). Burton (1990a, 1990b) sees conflict arising whenever and wherever our basic human needs, such as biological needs of food and shelter, growth, and development, are not being met. Needs are universal motivations and are integral parts of the human being and, therefore, nonnegotiable (Burton, 1990a, 1990b).

A common definition of conflict is "an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce resources, and interference from others in achieving their goals" (Wilmot & Hocker, 2007, p. 11). Conflict is expressed through communicative exchanges and is inextricably tied to culture. Communication behavior can create and reflect conflict, and be a vehicle for productive or destructive conflict resolution (Wilmot & Hocker, 2007). Conflict involves interdependent parties and the perception of this mutuality influences their actions. Perceptions of incompatible goals, scarce resources, and interference can lead to conflict (Wilmot & Hocker, 2007).

Conflict Management

John Burton (1990a, 1990b) defines conflict management as a direct, simple, and reactive response to conflict, such as treating "first aid" symptoms. Conflict management refers to settling the dispute by finding quick solutions. It is a containment model of

trying to deal with conflict situations. An example is, locking up someone who has committed a crime in the hope that this will stop the behavior and deter others from committing the same crime. Conflict management often does not deal with the root causes of conflict such as poverty, high unemployment rate, and lack of education that contributed to the behavior. It deals only with the symptoms of conflict.

Problem Solving

Problem solving can be defined as focusing on optimal solutions that satisfy the parties' needs and interests through settlement and interest-based models of conflict resolution (Bush & Folger, 1994). Third parties in problem solving are much more comprehensively and inclusively directive in global assessment of parties' circumstances, influence over settlement terms, and in ignoring concerns that cannot be treated as problems (Bush & Folger, 1994).

Problem solving in social conflict must be addressed and resolved at the source. Characteristics of problem solving in conflict resolution include: (1) the solution is not an end-product; (2) new synthesis of knowledge and change in conceptualization of a problem; (3) dealing with the total environment of the situation; and (4) looking at the sources and origins of conflict (Burton, 1990a, 1990b). This kind of problem solving is often used interchangeably with conflict resolution.

Conflict Resolution

Conflict resolution is the process of resolving conflicts in a way that meets the needs of all parties involved in conflict. From the Harvard Negotiation Project, the concept of "win-win" resolutions are met by focusing on the parties' interests rather than positions in comparison to a "win-lose" or "lose-lose" settlement in the adversarial

litigation model (Fisher, Ury, & Patton, 1991). Resolution "aims somehow to get to the root causes of conflict and not merely to treat its episodic or symptomatic manifestation, that is, a particular dispute" (Avruch, 1998, p. 26). Conflict resolution is more than reaching an agreement and moving towards re-establishing relationships between the parties. Conflict resolution implies problem solving by deeply analytical means where the parties have redefined and reexamined their relationships before coming to an agreement (Burton, 1990a, 1990b).

In both problem solving and conflict resolution, the root causes of conflicts are examined in order to effectively resolve the problem. Through this analysis, a resolution that addresses systemic and structural issues will contribute to the long-term goal of sustainable peace. The heart of effective resolution is "a set of constructive attitudes and good communication skills . . . the values that guide us cannot be separated from a commitment to justice and peace" (Mayer, 2000, p. xii).

Conflict Transformation

John Paul Lederach (1995, 2003) uses "conflict transformation" to describe the positive transformation of relationships at the personal and systemic levels. Transformation is "both descriptive of the conflict dynamics and prescriptive of the overall purpose that building peace pursues, both in terms of changing destructive relationship patterns and seeking systemic change" (Lederach, 1995, p. 18). Transformation means going beyond the resolution of conflict to build lasting healthy relationships and communities. It is more than techniques, but is a specific lens to make sense of social justice. The foundation of a transformative approach is: (1) positive orientation to conflict; and (2) willingness to engage in conflict for constructive change

or growth. Transformation involves fundamental positive change at the personal, relational, structural, and cultural levels (Lederach, 2003).

Bush and Folger (1994) define transformation in mediation as more than creating agreements and improving relationships. It is about people increasing their sense of personal efficacy (empowerment), and openness to and acceptance of others (recognition). Transformation helps people to find opportunities for moral growth, and higher vision of self and society based on moral development and interpersonal relations (Bush & Folger, 1994).

I believe conflict transformation is an ideal goal in conflict resolution that focuses on moral growth and rebuilding relationships. However, not every conflict requires transformation. Sometimes, parties in conflict just want a settlement to move past a conflict situation. Other times, it is important to transform conflict and help people to see the larger goals of moral growth, justice, and peace through systemic changes. It depends on the situation, historical context, and parties in conflict.

The Multi-Faceted Aspects of Culture and Its Influence

Countless scholars have taken up the challenge of understanding and explicating conception of culture, culture and communication, intercultural conflict, and cross-cultural conflict resolution (Augsburger, 1992; Avruch, 1998; Barnes, 2007; Black & Avruch, 1989; Boulding, 2000; Cohen, 2004; Faure & Rubin, 1993; Gudykunst, 2003; LeBaron, 2002, 2003; Lederach, 1995; Oetzel & Ting-Toomey, 2006). A number of book chapters and articles have focused on aspects of culture and conflict resolution (Avruch, 2000; Bunker & Rubin, 1995; Cloke & Goldsmith, 2000; Deutsch, Coleman, & Marcus,

2006; Folger, Poole, & Stutman, 2005; LeBaron, 2003; Lulofs & Cahn, 2000; Moffitt & Bordone, 2005; Sandole, Byrne, Senehi, & Sandole-Staroste, 2008; Sunoo, 1990; Wilmot & Hocker, 2007). All of these authors have come up with their own definitions of culture, in an attempt to further define or refine theories on how culture impacts their chosen topics. The definitions of culture appear to be as varied as the cultures around the world. In this review, I will focus on a few aspects of culture that are helpful my understanding the current research.

Definition of Culture

Culture is a "notoriously difficult concept, the subject of hundreds of different technical definitions over the past hundred years" (Avruch, 2008, p. 239). Culture "is one of the two or three most complicated words in the English language" (Williams, 1983, as cited in Avruch, 2003, p. 140). The problem is multifold, partly because culture has several very distinct uses (for example, as somebody who is cultured, or as somebody who belongs to a culture, or even as somebody who cultivates cultures as a biological product.)

Some anthropologists and historians (see Abu-Lughod, 1991; Appadurai, 1996; Clifford, 1988) view culture as a discourse that creates hierarchy, boundedness, and homogenization of groups studied. Appadurai (1996) is concerned about the use of culture as a noun, in that it implies that culture is a kind of object, thing, or substance leading to a discussion of race that does not consider the impact of unequal knowledge, nor the worldviews of marginalized people. He prefers to use the term, cultural, because culture as a noun tends to conceal, while cultural as an adjective focuses on differences, contrasts, and comparisons that are sensitive to context. An important component of

using culture in its adjective form is its focus on differences that articulate and define group identities (Appadurai, 1996).

Further to this argument, the term culture is problematic as a way of defining entire groups by stereotype and generalization but, at the same time, recognizing that individuals are often influenced by many different cultures. In that sense, this dual nature of culture can be seen as competing with itself, namely in begging the question, "How can a term be used to define group commonalities, but at the same time be used to define individual differences?"

To be sure, this duality of cultural definition is one that presents particular problems in the study of Laos as well. Specifically, in referring to Lao culture, is the reference to all people who identify themselves as Lao, or is it to the different ethnic groups, which are distinct cultures within themselves, that make up the Lao identity? In an effort to alleviate this definition problem, the following section identifies traditional definitions of culture, with the thought of moving towards an appropriate definition for understanding the relationship between the individual and group aspects of culture.

Lee and Hwee Hwee (2009) identify the following definitions of culture:

1. "the socially transmitted values and beliefs of a community of people that affect their perceptions and therefore behaviours" (Salacuse, 2009);

2. "patterned ways of thinking, feeling and reacting, acquired and transmitted mainly by symbols . . . the essential core of culture consists of traditional ideas and especially their attached values" (Kluckhohn, 1951);

3. "a group's characteristic way of perceiving the man-made part of its environment" (Triandis, 1972);

4. "the collective programming of the mind that distinguishes the members of one

   group or category of people from another" (Hofstede, 2001); or

5. "the unique character of a social group; the values and norms shared by its

   members [that] set it apart from other social groups" (Lytle, 1999).

Avruch (1998) defines culture as a "derivative of individual experience, something

learned or created by individuals themselves or passed on to them socially by

contemporaries or ancestors" (p. 5). This differs from historical definitions of culture as

kinship groupings (e.g., tribe, ethnic group, and nation); or as customs and traditions.

Culture is a complex dynamic system that is variable and diverse (Avruch, 1998). Cohen

(2004) defines culture as a "property of information, a grammar for organizing reality, for

imparting meaning to the world . . . consists in patterned ways of thinking, feeling and

reaction" (p. 12) that are transmitted by symbols, artifacts, and traditional ideas.

Avruch (1998) defines culture as multi-faceted, dynamic, and continuously

evolving. Individuals are not from a monoculture but possess a number of cultures

depending on their experiences within social institutions and structures. As people

possess multiple cultures, it is important to acknowledge that each person's identity is

shaped by a culture comprised of shared experiences and expectations while at the same

time retaining their unique qualities (Singelis & Pedersen, 1994).

These definitions highlight one important aspect of defining culture as it applies

to this research, namely that culture is the continuously evolving derivative of individual

experience that gives a collective group a shared mechanism for interpreting information

and obtaining meaning from the world around them. The other important aspect of

culture, especially in understanding culture as something that can encompass the terms

multi-cultural, cross-cultural, inter-cultural, and so forth is evident in authors' treatment of cultural analysis to date. Specifically, it has proved impossible for authors to adequately summarize the massive topic of culture into a single book, so they have broken culture into smaller, more manageable variables or attributes. This allows for simple and efficient comparisons across cultures. For the purposes of this study, this section reviews a few of the broader variables of culture as discussed by various authors, particularly those that impact the understanding of important concepts that will be discussed later in this paper.

Culture and Communication

One of the pioneers who studied culture and communication is anthropologist Edward T. Hall (1976), who discussed cultures in communication in his book *Beyond Culture*. He organized communication of different cultures along a continuum from low-context to high-context, depending on the fields outside the communication itself that influence the communication process. High-context cultures are often associated with Eastern and Indigenous cultures. Characteristics of high-context cultures include: low racial diversity, in-group norms, strong tradition and history, relationship-focused, respect for elders, minimal change over time, and preprogrammed communication (Hall, 1976). These are also characteristic of oral cultures.

Low-context cultures are characteristic of Western cultures, such as the United States and Scandinavian countries. These cultures rely on direct messages, literal meaning, and less on the context of communication. Low-context cultures are more concerned with face value, roles and functions, efficiency and effectiveness, directedness, and observations (Hall, 1976). Low-context styles are where the information and

meaning are found explicitly in the coded message. Communication is instrumental and direct with less reliance on paralinguistics (Avruch, 1998).

A significant part of how we communicate with each other is done without the use of words. Nonverbal messages play an important role in overall cultural communication, and authors have used these qualities of communication extensively to further their arguments in defining culture and in delineating between cultures. In high-context cultures, gestures, status, identity, face-saving, relationship, indirectness, and creativity can be communicated nonverbally or implied in communication (Hall, 1976). Avruch (1998) describes the core distinction in Hall's categories of high-context and low-context as paralinguistic and linguistic. A high-context communication style sees meaning and information "in the person" or the physical context, and less in explicit codes. Many scholars on culture, communication, and conflict resolution have expanded and built theories and practices around Hall's concepts of high-context and low-context.

It is also important to highlight one further author in regards to culture and communication. Jandt's (2004) book, *An Introduction to Intercultural Communication*, examines: culture as context for communication; communication variables; cultural variables; and cultures within cultures. It discusses disputes over defining culture, race, co-culture, subculture, and subgroup. Culture is defined as a self-sustaining community or population with symbols, rituals, values, heroes, and myths that guide people's behavior. Through social transmission process, cultural identity is formed (Jandt, 2004). Communication is an element of culture and the differences in the way people view communication can create misunderstandings.

Culture and Face

One way to define face is that it is "something that is diffusedly located in the flow of events" (Goffman, 1955 as cited in Lee & Hwee Hwee, 2009, p. 159). Another definition is a "psychological image that can be granted and lost and fought for and presented as a gift" (Lin 1968, as cited in Lee & Hwee Hwee, 2009, p. 159) which encompasses a concern for dignity, esteem, and status. Face is also defined as "the public self-image, that every member of a society wants to claim for him/herself" (Brown & Levinson, 1978 as cited in Lee & Hwee Hwee, 2009, p. 159) that highlights face as a social image that needs to be preserved. Lee and Hwee Hwee (2009) go on to discuss how, just as the theory of face is continuously updated, the concept of face is not static and changes with time and social practices.

Face can also be defined as a psychological image, public self-image, and projected image of one's self in a relational context (Augsburger, 1992). Face can be honored, respected, and enhanced in all human relationships. In examining face-negotiation processes, Augsburger (1992) equates individualistic cultures with low-context cultures and collectivistic cultures with high-context cultures. He states that individualistic, low-context cultures value privacy and autonomy, whereas collectivistic, high-context cultures value interdependence and inclusion. The greatest threat to face for an individualist is an attack on autonomy and loss of control over self and others, while for a collectivist it is the possible loss of inclusion, approval, and association (Augsburger, 1992).

A number of authors have written about face as it relates to self-identity, saving face, and other facework (Augsburger, 1992; Brown & Levinson, 1978; Folger et al., 2005; Lee & Hwee Hwee, 2009; Ting-Toomey & Oetzel, 2003; Wilmot & Hocker, 2007) The concern about face has been incorporated into mediation practices where mediators are consciously aware and working towards saving, restoring, and giving face to parties in conflict. In discussing facework, Augsburger (1992) highlights an important Chinese proverb, "Do not remove a fly from your neighbor's face with a hatchet" (p. 73).

Culture and Knowledge

Different cultures value different combinations of formal and informal knowledge, as defined by their cultural worldview. Expert or formal knowledge refers to comprehension skills, analysis, application, and evaluation. This explicit knowledge is acquired from reading, studying, researching, training, and specific experience (Maiese, 2005). In the Conflict Resolution field, knowledge is often understood as the theoretical, empirical, and observational insights of theorists, scholars, and experts in the discipline. Examples of expert knowledge of theories and practices in conflict resolution are Burton's (1990b) theory of basic human needs, and Fisher, Ury, and Patton's (1991) practice of principled negotiation based on interests. Many Western theorists believe that this expert knowledge is universal and transferable to conflicts in other settings.

Folk or informal knowledge refers to everyday understandings based on human experience. This implicit knowledge is based on traditional approaches and understanding of conflict acquired through practice and passed on to the next generation (Maiese, 2005). Folk knowledge is often embedded in narrative stories, myths, metaphors, and poetry that teach people about conflict, appropriate conflict resolution, and other

cultural meaning (Clark, 2002; Maiese, 2005; Tossa, 1999). These narratives are important for building empathy, understanding, transforming, and reconciling in conflict situations (Augsburger, 1992; Lederach, 1995; Senehi, 2000, 2008). Recognition of folk knowledge from grassroots people in various cultural settings is becoming more prevalent in the understanding of cross-cultural conflict resolution (see Abu-Nimer, 2001; Augsburger, 1992; Irani & Funk, 2000; Lederach, 1995; Maiese, 2005; Schirch, 2005; Walker, 2004; Zartman, 2000). Folk knowledge deals with the particular; it is not universal, generalizable or transferable.

Culture and Storytelling

Cultural communication systems serve to express the knowledge needs of the community, and to educate through classrooms, myths, storytelling, rituals, and other customs. The manner in which different cultures teach knowledge is part of a complex education system, developed by cultures, with the mandate of communicating important cultural values and developing further knowledge. These education systems are often multi-faceted, and include both formal and informal training (Bogdan & Biklen, 2007; Freire, 1990). The educational activities serve to reinforce the cultural values of a community and also provide a knowledge base with which to serve community members, including appropriate conflict resolution processes.

Senehi (2000) states that a story is a "medium that gives voice to persons at the grassroots level of society . . . a means of reporting experiences and conditions that might be otherwise dismissed, denied, or misrepresented" (p. 96). The author defines storytelling as a cultural practice that facilitates cultural spaces where people can define their communities, voice their experience, heal from past conflict, and shape their future.

It acknowledges how people, through their stories of experiences and relationships, make sense of their lives (Senehi, 2000, 2008). Storytelling allows marginalized people to narrate their stories, and expand and contest traditional, historical accounts of events (Bogdan & Biklen, 2007). Language, metaphors, proverbs, and stories are "resources, mechanisms, and approaches to conflict resolution" (Lederach, 1995, p. 83). Storytelling, through proverbs, analogies, or fables, provide a holistic understanding of conflict (Lederach, 1995).

Culture and Conflict Resolution

In the past, Western methods of dispute resolution have often assumed hegemony in the field of peace and conflict studies, imposing their worldviews on other cultures (Lederach, 1995; Walker, 2004). These approaches are often culturally inappropriate and have led to situations where, in many of the world's justice systems, indigenous populations far outnumber the dominant population in incarceration facilities. In most of these circumstances, a combination of systemic injustice, racism, and corruption has left these groups with few viable options in their pursuit of social justice. Walker (2004) suggest that power imbalances in conflict resolution research and practice "perpetuate colonization through ontological violence, marginalizing Indigenous worldviews and ways of transforming conflict" (p. 528).

This imbalance has fuelled interest in the Conflict Resolution field, particularly in looking for culturally appropriate conflict resolution processes. In applying culture to conflict resolution, authors have remarked that all cultures bring their own identity and understanding into a conflict situation. Culture is an integral part of human existence and a fundamental resource to transform conflict (Augsburger, 1992; Avruch, 1998; Cohen,

2004; Coleman, 2000; LeBaron, 2001, 2003; Lederach, 1995). Cultural analysis is vital to any successful intercultural conflict resolution where there is recognition of differences as well as creation of shared norms (Avruch, 1998). Augsburger (1992) encourages new ways of creating peace by withholding one's cultural assumptions and focusing on the other's cultural perspective. Each culture "invites a wide range of habits, personality styles, and behavioral patterns for use in times of calm or in situations of conflict; and each culture also prohibits and seeks to limit the exercise of what it considers undesirable or unacceptable behavior" (Augsburger, 1992, p. 22).

Cohen (2004) also highlights the powerful effects of culture on negotiation. He defines culture as "an integrated system of basic assumptions, both normative and factual, about the nature of human beings and the social, physical, and metaphysical environment to which they exist" (Cohen, 2004, p. 24). Culture can serve as a bridge between the two sides through common factors that build relationships. Lessons for negotiators include: using culture to build links and relationships; being tolerant and respectful of cultural differences; and using common factors of a third culture that both parties respect (Cohen, 2004).

Faure and Rubin (1993) identify lessons from different cases: culture is only one explanation of outcome; culture impacts negotiation strategies and implementations; and culture is dynamic and subject to evolution. Some general lessons learned are: culture is multi-faceted; culture's effects in negotiation are less prominent when structural factors are strong; and role of culture in international negotiation increases as conflict increases (Faure & Rubin, 1993). Some cultural factors that influence negotiations include: historic-cultural and ethno-cultural factors, emotional perceptions, and political systems.

Culture is part of the negotiation structure that influences who the negotiators are, their behavior, their strategies, process, and possibly the outcome (Faure & Rubin, 1993).

Culture and Rituals

Rituals play a role in all cultures' communication systems. They are communication mechanisms that rely on symbols, senses, and emotions. These "Symbolic acts can penetrate the impenetrable, overwhelm the defensive, and convey complex messages without saying a single word" (Schirch, 2005, p. 4). Rituals can involve any number of activities and practices, such as eating, singing, dancing, religious ceremonies, and other cultural celebrations (Abu-Nimer, 2001; Irani & Funk, 2000; Schirch, 2005; Stobbe, 2008b). These rituals are ingrained in culture, help share and develop knowledge, and promote relationships and reconciliation between people.

According to Schirch (2005), socializing and transforming rituals are vital to peacebuilding, and all cultures have traditional rituals that build relationships, limit violence, and solve conflicts. She states that conflict resolution practitioners and peacebuilders must revive or draw on these cultural rituals to help prepare the stage for transformational peacebuilding processes. People's knowledge is rooted in various worldviews, and emotional cognition plays an important role in understanding conflict (Schirch, 2005).

Hardy & Laszloffy (2005) define mourning rituals as a "formalized set of behaviors that are executed in a ceremonious manner for the express purpose of acknowledging a specific loss, and honoring the suffering that was experienced in relationship to that loss" (p. 236). Mourning rituals show respect, dignity, homage to loss, and a way to say "good-bye" (Hardy & Laszloffy, 2005). An example is the exhumations

that were conducted in order to provide an honorable funeral and a traditional ritual (*umbuyiso*) that helped the people in Zimbabwe restore psychological, emotional, and historical truth in the aftermath of mass violence (Eppel, 2006). This *umbuyiso* allows the spirit of the dead to return home and be welcomed as an ancestor who watches over the family. The first part of the ceremony involves just the family elders and the second part includes the whole community to honor the dead person (Eppel, 2006).

Rituals use "symbolic actions to communicate a forming or transforming message in a unique social space" (Schirch, 2005, p. 17). According to Schirch (2005) rituals must include: (1) symbolic acts, such as actions that communicate through symbols, senses, and emotions rather than words or rational thought; (2) unique spaces that are set aside from normal life; and (3) formation and transformation of people's worldviews, identities, and relationships. Types of rituals fall along a continuum of: religious-secular, traditional-improvised, formal-informal, socializing-transforming, and constructive-destructive. Religious rituals are based on relationships with supernatural powers and religious values as compared to secular values. Traditional rituals are based on traditions and past rituals as compared to those created for new situations. Formal rituals are based on awareness of clear structured ritual context versus activities that are non-structured with no ritual qualities. Socializing rituals are based on status quo or existing cultural values or structures versus rituals that challenge and change them. Finally, constructive rituals are based on meeting the needs of all people as compared to destructive rituals that satisfies the needs of one person or group at the expense of others (Schirch, 2005).

Culture and Research Approach

Important for this project are the research models that John Paul Lederach has coined "elicitive." According to Lederach (1995), an elicitive approach aims to discover, create, and solidify models that emerge from resources of particular settings and needs of the context. The trainer is a catalyst and facilitator who provides opportunities for discovery and creation through a participatory education process (Lederach, 1995). The primary focus is on the participants' own conflict resolution processes, and other forms of dispute resolution are secondary. The assumptions of trainers include: (1) participants design and identify goals for the training, and the trainer works with them to create training that meets the participants' needs; and (2) the non-assumptive nature of trainers' knowledge and skills in one setting can be applied in another setting, with the goal of working together to discover a process that works (Lederach, 1995).

The elicitive approach contains five interrelated activities: (1) discovering of personal understanding of conflict and responses in a specific setting; (2) naming and categorizing models that emerge from implicit understandings that foster creativity and innovation; (3) having participants evaluate their own actions according to contextual values and standards; (4) adapting/recreating old approaches to create new models to deal with conflict in specific setting; and (5) experimenting and refining emerging ideas, approaches, and models in simulations and real life situations in practical ways (Lederach, 1995).

The primary goal of an elicitive approach is empowerment though awareness of self and context, and the creation of appropriate conflict resolution models (Lederach, 1995). The elicitive model views culture as a seedbed and foundation to developing

appropriate models of dispute resolution. Cultural context and knowledge are foundational goals of training that accounts for natural knowledge, immediate situation, past heritage, and language (Lederach, 1995).

Insights from Culture Literature for Current Research

All of the above topics set out to define certain cultural aspects, variables, or factors, specifically, culture and communication, culture and face, culture and knowledge, culture and conflict resolution, culture and ritual, and culture and research. Obviously, this is not an exhaustive list. Getting back to the early discussion on defining culture, the above topics bring an important realization, namely, that culture is composed of many different variables that can each be dissected and analyzed as interrelated parts. The sum of these individual parts makes up a larger cultural identity; yet, the larger cultural identity continues to dynamically influence those individual parts. This recognition allows for a more complete definition of culture: as a dynamic multi-faceted concept, composed of various elements that are shaped by the continuously growing sum of individual and group experiences, thereby creating a unique mechanism for interpreting information and obtaining meaning from the world based on a group's shared perspective.

Referring back to the earlier question "When referring to Lao culture, is the reference to all people who identify themselves as Lao, or is it to the different ethnic groups, which are distinct cultures, interrelated through interaction, that make up the Lao identity?" the answer is, both. Through this research, this dual nature of culture is important in understanding how each ethnic group is a culture unto itself, how all the ethnic groups are part of a larger cultural identity, and that larger cultural identity has exercised influence over the mechanisms that make up the individual cultural parts.

Obviously, as so many other authors have realized, it is not possible to address all aspects of culture in a single paper, much less a literature review. The above aspects of culture were chosen because they are clearly addressed in this research project in a way that adds to our understanding of the Lao people, their culture, and their conflict resolution strategies. The research studies how folk or informal knowledge are vital teaching people about conflict and conflict resolution; how cultural communication systems, such as storytelling, facework strategies, and rituals, help to preserve relationships in Laos; how culturally appropriate research methodology that focuses on the elicitive approach are important in conducting research in Laos that allows the people themselves to define conflict and conflict resolution mechanisms; and finally, how culture and conflict resolution are intertwined in a way where one defines the other. The conflict resolution processes as discussed by the Lao people go beyond the dichotomous categories to focus on the grassroots who are actively working on building relationships that make reconciliation possible in post conflict situations.

Mediation as the Preferred Conflict Resolution Process

Over the last 40 years, many scholars have tackled the subject of mediation in the field of Peace and Conflict Studies (Augsburger, 1992; Avruch & Black, 1998; Brigg, 2003; Bush & Folger, 1994; Callister & Wall, 2004; Cloke, 2001; Dunlop & Zack, 1997; Fisher et al., 1991; LeBaron, 1998; Lee & Hwee Hwee, 2009; McConnell, 2001; McCorkle & Reese, 2005; Moore, 1996; Picard, Bishop, Ramkay, & Sargent, 2004; Sandole et al., 2008; Winslade & Monk, 2000; Zartman, 1985). Lederach studied mediation from Central American and Middle Eastern perspectives and Abu-Nimer from

Middle Eastern and Muslim perspectives (Avruch, 1998). Witty (1980) examined

mediation in Lebanon. Zartman (2000) edited a volume on traditional African processes.

Interest-based negotiation and mediation models have been used to resolve

conflicts in many parts of the world. Concerns have been raised whether mediation is the

best way to make models of conflict resolution culturally appropriate. Cushner and

Brislin (1994) in their edited volume identified concerns in various types of intercultural

experiences, where a number of authors discussed the ethics, ethnocultural identification

and complexities of ethnicity, conflict and mediation across cultures, and empathy and

cross-cultural communication. Petersen (1994) acknowledges implicit cultural bias in

social institutions where those working in multicultural settings are sometimes caught in

a dilemma of prescribing to general ethical guidelines of their profession versus those of

particular cultural contexts. Many scholars and practitioners in the field (e.g., Burton,

1990a; Fisher et al., 1991; Moore, 1996) have attempted to address cultural aspects in

their work by adapting the models to fit the culture.

Scholars now recognize that "mediator" is a complex term and has different

meanings and roles dependent on culture, and scholars and practitioners have questioned

some of the Western presuppositions (Avruch & Black, 1998). Bercovitch states, "A

successful mediation is predicated on the awareness of cultural differences and the

creation of shared norms" (as cited in Avruch, 1998, p. 85). Lederach emphasizes the role

of "insider-partial" who has trust and social connectedness to the disputants and conflict

(Avruch, 1998; Lederach, 1997). He also stresses that "indigenous poetry, proverbs, or

storytelling can be put as part of a culturally expanded notion of conflict resolution

practice" (Avruch, 1998, p. 91).

Literature on Asian cultural conflict resolution processes reveal that there is a growing body of research on how Southeast Asian communities other than the Lao perceive and respond to conflict. It is possible to find a few studies on several of the more populous Southeast Asian countries, including Thailand, Malaysia, Indonesia, Singapore and Cambodia. However, there is no literature on traditional Lao methods of resolving conflicts. Much of the history and scholarly writings on Laos appear in periodicals, such as Asian Survey, Journal of Southeast Asian Studies, and Pacific Affairs (Savada, 1995). The article that most closely describes some Southeast Asian practice of conflict resolution is Barnes' (1994) article on a Pacific mediation model where Laotian peacemaking techniques are alluded to and associated with the Pacific Basin (Hawaii), Asia-Pacific, and Southeast Asia conglomeration (Barnes, 1994; Jandt & Pedersen, 1996; O'Keefe & Schumaker, 1983). A few sentences on conflict and conflict resolution are usually embedded within sections on Lao society in dictionaries and encyclopedias on Laos (Evans, 1999; Hockings, 1993; Hyung-Chan, 1986; Leibo, 2003; Leifer, 1995; Magocsi, 1999; Stuart-Fox & Kooyman, 1992). Various themes regarding mediation in Southeast Asia emerge from these sources.

Third Parties, Community Mediation, and Customary Laws in Southeast Asia

In Thailand, the most common form of resolving conflict is the use of mutually respected third party mediation (Rojjanaprapayon, Chiemprapha, & Kanchanakul, 2001; Roongrengsuke & Chansuthus, 1998). The Thais prefer village elders, monks, and other leading elders over court systems to help them resolve their conflicts. Village headmen often mediate disputes to ensure harmony in the village. Thai mediators instruct and teach proper behaviors and correct improper behaviors (Barnes, 2007). According to Callister

and Wall (2004), Thai mediators use more assertive techniques consistent with Thai

power bases, and call for apologies and forgiveness consistent with the values of

harmony and face saving.

Community mediation in Thailand has a rich history, existing over centuries.

Community mediation committees became more formalized in the mid 1980s and

become part of the executive branch of government (Barnes, 2007). Rojjanaprapayon,

Chiemprapha, and Kanchanakul's (2001) findings revealed that third party intervention,

emotionless confrontation, and compromise were the most effective conflict management

styles between superior-subordinate relationships, while confronting, compromising, and

avoiding strategies were used by same-level dyads.

Dou Donggo villages in Indonesia resolve conflicts in the community. Mediators

are chosen for their charisma, healing competence, oratorical ability, and persuasive skills.

Discussions and consensus-decision making are important in mediation, where elders

assist communities to resolve conflict. Elders have moral authority due to age and respect.

The goal of conflict resolution is to restore social relationship between parties (Just,

1998).

Among the Dou Donggo, informal or customary laws provide alternative dispute

resolution as the people tend to have an incomplete understanding and mistrust of formal

legal institutions. Customary laws range from court systems to community mediation by

respected members to "self help" processes of conflict resolution (Just, 1998). Indonesia

has a history of consensual decision-making and dispute resolution, where a judicial

authority helps parties negotiate a settlement based on his/her advice and customary

standards (Lee & Hwee Hwee, 2009). Group consensual-based procedures (*musyawarah*)

of finding mutually satisfying resolution have also been traditionally used in Indonesia (Lee & Hwee Hwee, 2009).

Wall and Callister's (1999) study investigated mediations conducted by village leaders (*ketua kampungs*) and religious leaders (*imams*) in Malaysia. The results showed how mediators relied heavily on techniques of individual and joint meetings with disputants: listening, information gathering, and calling for concessions. The *imams* relied on prayers, moral principles, listening, and third-party advice, and called less often for concessions (Wall & Callister, 1999). The village headman (*penghulu* or *kathi*) is another third party that is often called upon to mediate family disputes using a consensus process (Ahmad Ibrahim, 1995 as cited in Azahari, 2010).

Azahari (2010) explained how Malay customary laws and practices involve the entire family to assist in resolving family disputes. The Malay social structures support the families to give advice, caution, and guidance (Wan Halim Othman, 1996 as cited in Azahari, 2010). When a resolution cannot be reached through a consensus, the conflict is referred to an Adjudication Committee, the highest authority that practices customary law. For example, during marital arbitration (*bersuarang*) the mediators will try to resolve and reconcile the parties, and when that fails a divorce is granted (Azahari, 2010). As a colony of Britain, the Malays were introduced to the English legal and court system in 1807. However, the practice of mediation and consensus with the assistance of family, village headman, *imam*, and *kathis* continued to be practiced. In 1998, mediation (*sulh*) was incorporated into the Syariah Civil Procedure Codes (Azahari, 2010).

Singapore's indigenous forms of mediation are informal and unstructured processes where the third party is someone, usually an authority figure, who is known to

the parties. The parties respect them for their wisdom, expertise, and experience, and look to their guidance to resolve conflict that may include moral persuasion based on cultural and community values (Lee & Hwee Hwee, 2009).

Traditional mediation processes involving prevalent community leaders as mediators were part of Singapore's history. However, these processes have become less popular with increased urbanization and Western influence (Lee & Hwee Hwee, 2009). In the 1990s there was a revival of interest in mediation, where court-based mediation was introduced, and later the Court Mediation Centre was set up (now referred to as Primary Dispute Resolution Centre) (Lee & Hwee Hwee, 2009). Community mediation in Singapore brings responsibility for resolving conflicts back to the citizens. In such a multi-cultural society, it is important to combine traditional and contemporary methods in culturally appropriate ways. Traditional processes include direct negotiations and indirect go-betweens with gifts and tea ceremonies. Grassroots leaders have played an important role in resolving conflicts, and in 1997 the government formalized community mediation (Tan, 2002).

Welsh and Lewis (1998) studied approaches to conflict resolution in Cambodia and concluded: Cambodians tend to use methods of discussion and withdrawal in response to conflict; they preferred third parties to be of higher status; and expected third parties to intervene in an evaluative way. The United Nations Development Programme study (2007) showed how indigenous communities continue to trust, use, and support their customary laws and conflict resolution; and how the vast majority view traditional systems as more fair, supportive of the poor, and accessible than the formal justice system.

When conflicts cannot be resolved internally, the parties in conflict will seek assistance at the village, commune, and district government levels, and rarely use the formal legal system in the provincial level courts. The study found that their independence from state political structures gives legitimacy to traditional processes (UNDP Cambodia, 2007). This is evidence of how local, grassroots communities play a significant role in contributing to peacebuilding in Cambodia.

Other Third Party Conflict Resolution Processes

Apart from Southeast Asia, much of the cross-cultural resolution research to date has concentrated on negotiation rather on the third-party processes of mediation (Avruch, 2003). For the sake of being thorough, it is important to briefly list a few of the studies that are exceptions. The Conflict Resolution field is becoming increasingly active in studying conflict resolution processes around the world, trying to determine an appropriate balance between formal legal systems and traditional grassroots systems.

Awareness of how colonialism has affected Africa and how conflicts in the 1990s have impacted the region is vital in addressing African conflicts (Zartman, 2000). Based on local traditions, Africa has developed restorative justice programs to deal with "mundane" cases as well as crimes against humanity and genocide (Cunneen, 2004). Indigenous practices in Africa has been studied by various scholars, such as Uwazie (2000) on the Igbo in Nigeria (West Africa), Tuso (2000) on the Oromo in Ethiopia (East Africa), and Masina (2000) and Tutu (1998, 1999) on Xhosa in South Africa (South Africa). The Xhosa's philosophy of *ubuntu* describes the interconnectedness, accountability, interdependence, and identity of individuals within a group (Batley, 2004;

Tutu, 1999). This is reflected in an open, cooperative conflict resolution process that involves extended families, elders, chiefs, and headmen as third parties (Masina, 2000).

Indigenous or traditional processes in the Middle East have been studied by a number of scholars (Abu-Nimer, 2000, 2001; Irani, 2004; Irani & Funk, 2000; King-Irani, 2000; Said, Funk, & Kadayifci, 2001; Witty, 1980). King-Irani (2000) suggests that the Lebanese individuals and society must call for spiritual, emotional, moral, and transformative powers in order to heal from the war. *Sulha* (peacemaking or reconciliation) is the indigenous Lebanese ritual that has been an important part of the communal traditions in the Arab world. There is a right of passage within the *sulha* that separates the offenders from the rest of society and, during mediation, with the assistance of the *muslihs,* the offenders are transformed into co-existing fellow human beings and reintegrated into society (King-Irani, 2000).

In pre-colonial times, the justice system for the Maori in New Zealand involved: restoring balance through compensation; promoting kinship responsibility; imposing corporal sanctions; giving chiefs considerable discretion; temporary or permanent exile; withdrawal and separation within community; and instituting public punishments (Cunneen, 2004; Pratt, 1996). The principle beliefs of Maori cosmology are genealogy, extended family, and spirituality (Hakiaha, 2004). For centuries, the Maori People have used Family Group Conferencing (also referred to as Community Accountability Conferencing or Community Justice Forums) to resolve disputes involving young people. This process involves extended networks of family and friends, who share the responsibility for the young offender's behaviors and the victim in the resolution of

conflict, without resorting to formal adjudication processes (McDonald, Moore, O'Connell, & Thorsborne, 1995; McElrea, 1996).

In North America, the Navajo Tribal Court, complete with its own lawyers and judges who rely on Navajo common law, is considered an important justice institution among Aboriginal peoples and serves as a role model of self-government (Ross, 2006). Established in 1982, the Navajo Peacemaker Courts provide a resolution process where decisions are made by the disputants. When the parties cannot resolve their conflict, a respected community leader can facilitate a peacemaking process that involves families and clans connected to the parties to discuss the situation and solve the problem using Navajo traditions and stories (Yazzie & Zion, 1996).

Insights for Current Research from Other Mediation Processes Literature

Since neighborhood dispute resolution centers were established in the 1970s in North America, much has been written on mediation and negotiation from informal models to formal processes to deal with interpersonal, group, and international conflicts. However, there is still very little research on third-party mediation processes in the world, and in Southeast Asia. The current research on Lao mediation processes adds to this literature as it examines the importance of third parties, customary laws, and community mediation in depth.

Role of Forgiveness and Reconciliation in Conflict Resolution

Susin and Aquino (2003) edited a number of articles on indigenous approaches to justice; forgiveness and reconciliation; perspectives on reconciliation from religious traditions; and prevention of conflict and process of reconciliation. In Australia,

requirements for reconciliation for the Aboriginal people are acknowledgement and forgiveness. Through storytelling, indigenous art, film, and song, imaginative and creative approaches emerge to transform the conflict. In the North American context, public acknowledgement of past hurts and the right for self-determination of Aboriginal people can lead to reconciliation. In Central America, the dynamic harmony of the universe, including animate and inanimate beings, is an important concept. Various myths explain the importance of defending truth with deeds in steadfast fashion, but with adequate explanations to the powerful in order to convert them to the cause of the people (Susin & Aquino, 2003).

Definitions of Forgiveness

The study of forgiveness has grown tremendously over the past 15 years. Between 1998 and 2005, the number of studies on forgiveness jumped from 58 to 950 research projects, making forgiveness a well established scientific and foundational part of moral development (Briggs, 2008). As the number of research studies show, there are many definitions of forgiveness from various authors in theology, medicine, and other social science fields. The definitions of forgiveness include:

1. To forgive means to (1) stop feeling angry or resentful towards (someone) for an offence, flaw, or mistake; (2) no longer feel angry about or wish to punish (an offence, flaw, or mistake); and (3) to cancel a debt (Oxford Dictionaries, 2010).

2. Forgiveness means "giving up rage, the desire for vengeance, and a grudge toward those who have inflicted grievous harm on you, your loved ones, or the groups with whom you identify . . . implies willingness to accept the other into

one's moral community so that he or she is entitled to care and justice" (Deutsch
& Coleman, 2000, pp. 58-59).

3. "Forgiveness is hard work. It demands diligent self-discipline, constant corralling
of our basest instincts, custody of the tongue, and a steadfast refusal not to get
caught up in the mean-spiritedness of our time. It doesn't mean we forget, we
condone, or we absolve responsibility. It does mean we let go of the hate" (Jaeger,
1998, p. 12).

4. "Forgiveness is taking seriously the awfulness of what has happened when you
are treated unfairly. It is opening the door for the other person to have a chance to
begin again. Without forgiveness, resentment builds in us, a resentment which
turns into hostility and anger. Hatred eats away at our well-being" - Desmond
Tutu (foreword of Enright & North, 1998).

The above quotes imply that there are benefits to forgiving others for hurting us. To
forgive is like setting a prisoner free, except that the prisoner happens to be the forgiver
(Smedes, 1996). According to numerous scientific research, forgiveness is associated
with positive health where the participants who forgive show lower blood pressures, less
or no emotional disorder, and increased mental health (Maltby as cited in Briggs, 2008).
This is confirmed by other studies where forgiveness, in addition to reducing blood
pressure, also reduces fatigue, number of medications, and physical symptoms (Lawler-
Row as cited in Briggs, 2008). Forgiveness also sets the stage to restore relationships.

Phases of Forgiveness

A number of scholars have written about the processes of forgiveness (Briggs,
2008; Enright & North, 1998; Smedes, 1996; Tutu, 1998). Many agree that forgiveness is

a journey that takes time, hard work, and courage. Whether the approaches to forgiveness are religious, therapeutic, or psychological/sociological, forgiveness can be described as occurring in stages (Enright & North, 1998). Typical phases of forgiveness include: (1) uncovering phase, (2) decision phase, (3) work phase, and (4) deepening phase (Enright, Freedman, & Rique, 1998). Smedes' (1996) model follows similar patterns: (1) hurt, (2) hate, (3) healing, and (4) coming together. It is important to note that these phases are not fixed, and that there is the possibility of looping back and forth between the different stages.

Apologies are powerful ways to acknowledge responsibility and guilt as well as to acknowledge the moral status of the victim (Govier & Verwoerd, 2002). Govier and Verwoerd (2002) state that apologies must include: (1) moral amends where sorrow is expressed for the moral wrong; and (2) practical amends where people are committed to making reparation whether financial or symbolic measures. This is affirmed by Shriver's (1998) process of forgiveness that includes: (1) victim abandoning revenge and offender abandoning professions of innocence; (2) public truth about evil past and public hope for reconciliation; (3) interchange of forbearance, repentance, and truth-telling to produce empathy; and (4) moving from apology to reparation. It seems forgiveness requires some action to demonstrate that the offender is sincere in his or her apology and is willing to make amends.

Reconciliation

Jaeger (1998) tells a powerful story about the mother of a murdered seven year old child and her journey of forgiveness and restoration is illustrated in her statement:

I finally come to believe that real justice is not punishment but restoration, not

necessarily to how things used to be, but to how they really should be… God who

works unceasingly to help and heal us, rehabilitate and reconcile us, restore us to

the richness and fullness of life." (p. 13)

The reconstruction of social fabric in society lies in cultural traditions that stress familial

and communal connections and respect for elders; and reconciliation needs to be defined

within a cultural context that surrounds apology and forgiveness (Jeong, 2005).

Reconciliation moves beyond forgiveness to accepting the other into one's moral

community and establishes or reestablishes a positive, collaborative relationship (Deutsch,

2000). Reconciliation encourages an encounter to express a painful past but also to

address an interdependent future; provides a place for truth and mercy to be addressed;

and recognizes the need to provide time and place for justice and peace (Lederach, 1997).

The goals of reconciliation reflects Lederach's (1997) peacebuilding framework

that emphasizes building relationships and structures that respect human rights and life,

and include truth, mercy, justice, and peace. Reconciliation refers to the future, and

requires active participation of people who were divided (Rigby, 2001). It is not about

forgetting but forgiving the past and moving forward together. Along with Lederach's

place of reconciliation where truth, mercy, justice, and peace meet, Rigby (2001) would

add the dimension of time.

The key features of transformation and reconciliation are: a goal of deep and

profound changes in conflict situation beyond existing resolution approaches; a focus on

working with grassroots or local level; and a long-term process (Francis, 2002; Galtung,

1996; Lederach, 1997, 2003; Ryan, 2008). A number of concerns have been raised

regarding conflict transformation that include a lack of normative consensus between different theorists and traditions; doubts about the dominant paradigm of democracy and development; and issues with levels of analysis between grassroots and top leaders (Ryan, 2008).

Insights from Forgiveness and Reconciliation Literature for Current Research

From the literature review, it is evident that the topics of forgiveness and reconciliation are important for peacebuilding. The current research will add to the study of forgiveness in conflict resolution, particularly in the area of maintaining good relationships. Reconciliation requires a profound change, the involvement of grassroots participants, and a long-term focus. The Lao ceremonies and rituals that address conflict resolution, forgiveness, and reconciliation reflect the main goals of reconciliation. The Lao rituals encourage reconciliation at all levels, from interpersonal to familial to communal. The natural set of support networks at the grassroots that evolve from these processes is a unique characteristic of the Lao rituals.

Religion and Conflict Resolution

Southeast Asia has a rich history of multi-ethnic societies with particular values, beliefs, and traditions. Political instability, discriminatory practices, and poverty characterize many of these countries. The combination of multiple ethnicities and the above factors highlight the importance of studying Southeast Asian cultures, contexts of conflict, and traditions of peaceful conflict resolution processes. Southeast Asia also represents many diverse religions that have a direct impact on culture.

Appleby (2006) discusses the contradictory nature of religion in that it is a source of exclusionism, intolerance, and extremist thought and violence, but at the same time religion also promotes nonviolence, human rights, integrity, and reconciliation in conflict situations. Religion is often cited as the cause of conflict in many parts of the world. The positive aspects that various religions bring to conflict resolution have been neglected, understudied, and misunderstood. Religion can be understood as a force in society that teaches and governs our hearts to live by moral principles (Nyanasamvara, 1993). As the Dalai Lama explains, "The essence of all major religions is compassion, forgiveness, self-discipline, brotherhood and charity. All religions have the potential to strengthen human values and to develop general harmony" (Susin & Aquino, 2003, p. 53). There is much to be learned from different religious communities and how their philosophies have contributed to peacebuilding in their communities and around the world.

Judaism, Islam, and Hinduism all believe that pardon originates beyond the world, where people are held accountable to their deity and those they have hurt (Briggs, 2008). *Teshuvah*, an act that makes one transparent to oneself but does not erase sin, can help in the understanding of reconciliation in the Jewish world (Susin & Aquino, 2003). In Christianity, reconciliation requires truth, justice, and forgiveness. Martin Luther King, Jr. stated, "Forgiveness is not an occasional act: it is a permanent attitude" (Briggs, 2008, p. 14). Briggs (2008) states that "Muslims teach that forgiving is essential to reaching a preferred afterlife, as do the other great faiths. No matter how the issue is framed, the road to God is through the exercise of forgiveness" (p. 23). The Hindu tradition sees non-violence as the highest virtue, and liberation focuses on meditative and reflective paths to control the human body and mind (Susin & Aquino, 2003). Teachers, gurus, and poets,

who affirm the extended family of the world and show respect for other traditions, play

an important role in conflict resolution (Susin & Aquino, 2003). Thich Nhat Hanh, a

revered Vietnamese Buddhist monk, teaches, "Forgiveness will not be possible . . . until

compassion is born in your heart. Even if you want to forgive, you cannot forgive"

(Briggs, 2008, p. 25).

The horrific 2006 shooting of children in an Amish school in Nickel Mines,

Pennsylvania, and the Amish community's immediate response of forgiveness and grace,

astonished the world. Forgiveness is part of the holistic, integrated, and religious

structure of Amish life. Amish spirituality, traditions, and structure have been shaped by

pacifist martyr traditions of community saints over a period of centuries (Kraybill, Nolt,

& Weaver-Zercher, 2007a, 2007b). The unique Amish culture requires the community to

offer forgiveness and reconciliation, particularly in the maintenance of relationships in a

close-knit community. Understanding this cultural value enables outsiders to appreciate

how the Amish were able to offer forgiveness and reconciliation, and why this will

continue to be a primary conflict resolution goal for this community.

Buddhist Teachings on Conflict Resolution

Although all the major religions have a foothold in Southeast Asia, there is no

question that Buddhism is the dominant religion of most of that area, including Laos.

Savada (1995) describes Theravada Buddhism as a tolerant religion, one that is inclusive,

flexible, and non-authoritative in its attitude toward its members and other religions. It is

based on three principle concepts: (1) *dharma or dhamma* - the doctrine of Buddha that

guide right action and belief; (2) *karma* - the retribution of actions or the responsibility of

a person for all actions in past and present incarnations; and (3) *sangha* – the clergy or

community where a person can improve the sum of his actions (McConnell, 2001; National Identity Board, 1993; Savada, 1995). Salvation is the final extinction of one's being, and release from the cycle of births and deaths. Nirvana, or state of extinction, comes after achieving enlightenment through compliance with the basic rules of moral conduct that improves one's karma for the next incarnation. A positive karma is influenced by five prohibitions: killing, stealing, forbidden sexual pleasures, lying, and taking intoxicants. Earning merit can improve one's karma through benevolent and generous acts, support of the *sangha*, and participation in its activities (Savada, 1995).

The essence of Buddhism lies in the Four Noble Truths taught by Buddha. These truths are born directly out of wisdom. The Four Noble Truths are: (1) *Dukkha* - suffering exists; (2) *Samudaya* - cause of suffering is desire; (3) *Nirodha* - cessation of suffering is possible; and (4) *Magga* – the way to end suffering is through the Eightfold Path that leads to permanent peace. The Eightfold Path consists of right understanding, right intention, right speech, right action, right livelihood, right effort, right mindfulness, and right concentration (McConnell, 1997, 2001; National Identity Board, 1993; Savada, 1995; Senghaas, 2002).

Buddhism subscribes to a number of basic principles for living a healthy and peaceful life. It teaches that life is full of suffering, but by detaching oneself from the world and overcoming self-centeredness one can end this suffering. Buddhism also provides guidelines to conflict transformation in a similar way to the theory of principled negotiation (Fisher et al., 1991). It teaches that conflict is caused by greed, hate, and delusion, and tries to separate these from individual people. Through self-awareness and right-mindfulness one can overcome such conflicts. As peacemakers, it is important to

address the roots of conflict through loving-kindness and compassion (McConnell, 1997, 2001; Senghaas, 2002).

Buddhist principles teach the self-reliance, love of freedom, and pragmatism that are characteristics of Thai and Lao cultures. Individual goals are valued as long as they do not interfere with the goals of others. Buddhism values harmony and smooth interpersonal relationships that are consistent with collectivistic cultures. Acceptance of authority of those in power comes from Buddhist beliefs that those in authority have earned merits in their previous life. Conflict is seen as destructive and opposes social harmony that is so important to Theravada Buddhist worldview (Barnes, 2007).

Buddhism and Conflict Resolution Practice

In order to develop appropriate conflict resolution processes, it is important to examine an emic approach to studying conflict approaches from an insider's perspective through unique cultural features, socio-historical frameworks, and spiritual and cultural institutions (Oetzel, Arcos, Mabizela, Weinman, & Zhang, 2006). This kind of study reveals that Buddhists believe in focusing on oneself to find the causes of conflict, and tend to be more consensual and obliging in conflict resolution. Core conflict symbols include viewing conflict in contradictory terms: (1) conflict as bad and destructive, and the importance of harmony, face, and relationship; and (2) conflict as a catalyst for change (Oetzel et al., 2006).

Buddhism teaches people how to resolve conflicts and become peacemakers. McConnell (2001) applies the Four Noble Truths to conflict. First, inevitable suffering demonstrates that conflict is part of the human condition and responses to conflict make it constructive or destructive. Second, suffering arises from desires that are the root causes

of conflict. Buddha identifies the roots of conflict as greed, hate, and delusion. Third, the end of suffering is possible and peace can emerge from conflict. This is done through active thought, such as detachment, hatelessness, and clarity of mind. The psychological processes that produce suffering can be transformed into processes that lead to health and enlightenment. Conflict is an opportunity for peacemaking, and peace processes need to address the roots of conflicts. Finally, the way to end suffering is by making peace a way of life. The Eightfold Path guides and teaches people to live life as peacemakers. McConnell (1997, 2001) concludes that the Four Noble Truths have implications for peacemakers in that peace is something we can do everyday; peacemaking is a step by step progression; and the most intractable roots of conflict lie in basic attitudes, self-concepts, and values of disputants.

Buddhist philosophy provides hands-on approaches to resolving conflict. In conflict situations, it is important to see the truth; be conscious of one's own motives; act in ways that do not harm others; live in ways that do not damage others; cultivate thought and sentiments; and be conscious of emotional and mental processes through mediation training (Senghaas, 2002). Community conflict resolution committees are important in the resolution of conflicts as they are extensions of old traditions where the temples were the centers for problem solving and peacemaking. Buddhist teachings provide peacemaking traditions; present community committees that are extensions of traditional problem-solving; acknowledge that peacemaking has risks but committees can provide support; and create a foundation for peacemaking (McConnell, 1997, 2001).

Buddhism and Nonviolence

A number of Buddhist monks have been involved in promoting and developing strategies for social justice that includes equality, love, and freedom. Sivaraksa (2005), a Thai monk, educator, and Nobel Peace Prize nominee, identifies Buddha's basic teaching as focusing on *ahimsa* or nonviolence. Every action has three doors or ways to create karma: through body, speech, and mind. Mental violence includes "three poisons" of greed, hatred, and delusion or ignorance. The root causes of violence are expressed through body and speech. In the Mahayana Buddhist tradition, nonviolent action involves the transcendent actions of generosity, morality, patience, effort, meditation, and wisdom. The Theravada tradition adds renunciation, truth, resolution, loving-kindness, and equanimity (in place of meditation).

Mysliwiec and Morris (1997) discuss Cambodian experiences with conflict resolution from a variety of perspectives: sustainable development; legal and justice frameworks; nonviolence and conflict resolution in the Buddhist community; and urban poverty. They conclude that there is a strong tradition of active peacemaking in Buddha's teachings that provide a strong foundation for peacebuilding in Cambodia. The Dhammayeitra Peace Walk, a twenty-one day 375 kilometer walk for peace and understanding, aims to "promote awareness of the five percepts of Buddhism and to promote the ideals of compassion, loving kindness, generosity, honesty, and tolerance" (Johnston, 2005, p. 233).

Buddhist traditions value equality, compassion, freedom, and the environment, and reject any form of violence and accumulation of worldly goods (Senghaas, 2002). Buddhism teaches several practical processes to reduce violence in conflict resolution.

These processes include: (1) a balance in society, including economic sufficiency and equity; (2) sufficient and appropriate laws for society; (3) socialization of all citizens on nonviolence and mediation; and (4) equality in education, understanding, development, and teaching that eliminates suffering and conflict, leading toward physical and mental peace (Chenda, 1997). These core values and processes are important in any conflict resolution initiative.

Insights from Buddhist Religion Literature for Current Research

Although the role of Buddhism has been permanently changed by the influence of the socialist government, Buddhism's fundamental importance to the Lao people and its society has continued, is recognized by the government, and will continue for the foreseeable future (Evans, 1999; Pholsena, 2006; Savada, 1995). Monks in Laos are becoming interested and are participating in more formalized training in conflict resolution and peacebuilding. The Volunteers for Peacemaking Program in Vientiane, Laos is a program that strives to promote and maintain the valuable peace and conflict resolution traditions in Laos. Its objective is to build a core group of people who will promote peace and cooperation in their communities and at all levels of society. Twenty-seven percent of the participants in the program are Buddhist novices, monks, and nuns (Stobbe, 2008a). Their goals are to help serve and bring peace to their respective communities. It is evident that the monks play a vital role in mediating community disputes at the temples and in the community.

The study of Lao culture and its traditional conflict resolution processes highlight the importance of Buddhist teachings in the resolution of conflict. Many of the traditional rituals and celebrations in conflict resolution that will be discussed in this research

involve aspects of Buddhist beliefs and teachings. Buddhism is very much ingrained in the Lao culture and permeates through its dispute resolution mechanisms. This adds to our study of conflict resolution in Southeast Asia, particularly countries influenced by Buddhism.

Conclusion

Mayor, Director-General of UNESCO, states that culture can serve as a bridge or barrier, requiring reflexive understanding and sharing of knowledge (Faure & Rubin, 1993). The multi-faceted aspects of culture in terms of communication, facework, knowledge, and rituals makes it possible to be creative in addressing conflict constructively. As cultures are dynamic and evolving, research and conflict resolution processes need to reflect these changes in order to develop appropriate methodologies. A peace culture is a "culture that promotes peaceful diversity . . . mutual caring and well-being, as well as equality that includes appreciation of difference, stewardship, and equitable sharing of the earth's resources among its members and with all living beings" (Boulding, 2000, p. 1). Culture is foundational for all models of conflict resolution if they are to contribute to effective conflict resolution and sustainable peace.

As the literature review revealed, the most appropriate form of conflict resolution in many parts of the world is mediation. Third parties, such as family, elders, and village leaders, play an extremely important role in helping parties come to a resolution of conflict through consensus and other customary laws. These traditional conflict resolution processes often involve rituals or ceremonies that help people to forgive and reconcile with one another through diverse relationship building activities. Religious

contributions to conflict resolution are also key components of peacebuilding. In Southeast Asia, Buddhism has played a vital role in helping people to understand the causes of conflict, teaching people to live in harmony with others, and providing people with practical approaches to resolve their conflicts. As the famous Chinese philosopher, Confucius, states, there is a natural harmony in human affairs that needs to be cultivated with moral persuasion and agreement. Third parties are important in helping people find that balance.

The connections between conflict and culture show the "ways of understanding and healing conflicts that recognize culture as an underground river: full of life, dynamic, and powerful in shaping the course of conflicts, yet often outside awareness" (LeBaron, 2003, p. 3). Culture has the capacity to build bridges in conflict by being centered on relationships, and by building shared images of the future through stories, myths, rituals, and metaphors. To understand cultures, people must also look at their own cultural perspectives and their relationships with others (LeBaron, 2003). Culture is instrumental in the understanding of conflict and conflict resolution, as each culture brings a unique perspective on creative ways to build relationships.

CHAPTER III

Background and Historical Context of Laos

Laos: The Kingdom of Lan Xang (The Kingdom of a Million Elephants)

Much of the historical and scholarly writings on Laos appears in periodicals, such as Asian Survey, Journal of Southeast Asian Studies, and Pacific Affairs (Savada, 1995). Laotian peacemaking techniques may be alluded to and associated with the Pacific Basin (Hawaii), Asia-Pacific, and Southeast Asia conglomeration (Barnes, 1994, 2007; Jandt & Pedersen, 1996). A few sentences on conflict and conflict resolution processes can be found within the society sections of dictionaries and encyclopedias on Laos (Evans, 1999; Hockings, 1993; Hyung-Chan, 1986; Leibo, 2003; Leifer, 1995; Levinson & Ember, 1997; Magocsi, 1999; Savada, 1995; Stuart-Fox & Kooyman, 1992). The only literature on Laotian traditional conflict resolution processes are those based on my own research (Stobbe, 2006b, 2008a).

This chapter provides a brief historical context of Laos to assist in understanding the importance of traditional conflict resolution processes among the different ethnic groups within the country. First, it describes Laos in terms of its geography, society, and culture. Second, it examines the current political environment in Laos. Third, it describes the economics of Laos that continues to make it one of the poorest countries in the world.

Finally, it discusses the various conflict resolution processes that are available in the country.

Population and Geography

Laos, officially the Lao People's Democratic Republic (Lao PDR), is a small, landlocked country in Southeast Asia with an extremely diverse population of 6.6 million (CIA, 2009). As a result of the Franco-Siam Treaty in 1929, the border demarcations enveloped many of the Lao people into what is now Thailand. Subsequently, there are more Lao people, referred to as the Thai Isaan or Thai Lao, living in northeastern Thailand than in all of Laos (Magocsi, 1999). The number of ethnic groups living in Laos ranges from 49 to 240, depending on which statistics are used. The largest ethnic groups are the Ethnic Lao, Khammu, and Hmong (CIA, 2009).

Laos is situated in mainland Southeast Asia, bounded to the north by China, the east by Vietnam, the south by Cambodia, the west by Thailand, and to the northeast by Myanmar (Burma). Being landlocked, it depends very much on its neighbors for access to the sea. Much of Laos is very mountainous, densely forested. Sedentary agriculture is mostly limited to the Mekong Plains. Laos covers an area of 91,400 sq. mi. (234,804 sq. km, somewhat smaller than Labrador Canada or Oregon State) (Leibo, 2003).

Brief History

The first unified Laos, known as the Kingdom of Lan Xang (the Land of a Million Elephants), was formed in the middle of the 14th Century. After the Lao and Thai had a dispute over the demarcation of the border the French, who already had a significant presence in Vietnam, proclaimed a protectorate over Laos in 1893. Because of its remoteness and lack of natural resources, the French did virtually nothing to develop

Laos between 1893 and 1945. An independent Kingdom of Laos was established in 1954. Unfortunately, Laos became immersed in the Cold War conflict between democracy and communism, and a civil war broke out between allies of the United States and North Vietnamese (Leibo, 2003; Magocsi, 1999; Savada, 1995; Stuart-Fox, 2008; Stuart-Fox & Kooyman, 1992). Between 1964 and 1973, Laos became a battleground for the Vietnam War in "Secret War" operations (Cummings, 1994; Savada, 1995).

The Communist victories in Vietnam and Cambodia, the establishment of the Lao People's Democratic Republic in 1975, and apprehension of persecution caused people to flee to various refugee camps (Leibo, 2003; Magocsi, 1999). The monarchy was abolished and communism came in with President Souphanouvong (Leibo, 2003). Since 1975, about 10 percent of the population has left the country: 66.5 percent of those for the United States, 14.5 percent for France, 8.7 percent for Canada and 4.9 percent for Australia (Cummings, 1994). In 1991, an estimated 60,000 refugees remained in Thai camps (Savada, 1995).

Cultural Groups

Laos is rich in culture and geographically a major intersection for countries with Buddhist, Christian, Hindu, and Islamic religions (Ladouce, 2007). According to Ladouce (2007), Laos has "the geographical, social and cultural resources to become a new axis for regional development, a goal congruent with ASEAN, Asia-Pacific and global imperatives for a more peaceful and cosmopolitan world system" (p. 20) in the 21st century. Its multiethnic culture and diverse traditional dispute resolution processes make it an excellent case study to examine how such approaches can be used to resolve larger

conflicts. The different ways in which ethnic groups resolve conflicts can be used to rebuild relationships that contribute to peace.

The government of Laos recognizes 49 distinct ethnic groups in a population of approximately 6.6 million. During French colonization, for simplicity of administration, ethnographers and colonial rulers were looking for homogenous units that linked tribes to territories (Pholsena, 2006). The tripartite categorization of the population, Lao Loum, Lao Theung, and Lao Soung, originated in an 1899 report on Laos and became the mandatory terminology after 1975 (Evans, 1999). This taxonomy, to define social identity, based on race and nationality, is problematic when such concepts are socially constructed and the world population is a "rainbow of colours" (Glenn, 2010, p. 37).

The Lao Loum (Lowland), which include the Ethnic Lao, make up the majority of the population at 68 percent; the Lao Theung (Upland), which include the Khammu, comprise the largest minority group at 22 percent; the Lao Soung (Highland), which include the Hmong, are nine percent of the population; and the Vietnamese/Chinese are at one percent (CIA, 2008; Savada, 1995; US Department of State, 2008). These groups all have distinct native languages, many of which have descended from very different linguistic groups. Currently, there are 84 individual languages listed for Laos (Lewis, 2009). However, the official language in Laos is Lao, and "has successfully become the lingua franca (a universally understood linking language) between all Lao and non-Lao ethnic groups" (Cummings & Burke, 2005, p. 289)

Lao Loum. The Lao Loum ("Lao of the Plains" or "lowland") subgroup consists of six different ethnic groups, including the Ethnic Lao, who moved from the north into the Southeast Asian peninsula about 1,000 years ago (Savada, 1995). Various theories

state that the origins of the Tai-speaking peoples originated in the Altai Mountains or the Yang-tze basin of China. Modern scholars, however, believe the Tai people originated in the mountainous southern border regions of China, northwestern Vietnam, and northern Laos, and began to expand between the 8th and 13th century into the northern parts of the Khmer Empire (Chao Phraya, Mekong Rivers, Shan highlands in Burma) (Stuart-Fox, 2008; Stuart-Fox & Kooyman, 1992).

The Lao Loum subgroup, specifically the Ethnic Lao, have been the dominant group numerically, politically, and economically since the founding of the Kingdom of Lan Xang in the 14th Century (Savada, 1995). The Lao Loum's cultural patterns are considered the norm in designing policy or establishing development priorities. They speak the *Tai-Kadai* languages. The Ethnic Lao language is the only official language in Laos that has written script. The Ethnic Lao group tends to live near lowland rivers and streams, and is primarily involved in wet paddy rice cultivation in lower altitudes (Evans, 1999; Leibo, 2003; Savada, 1995; Stuart-Fox, 2008).

In 1422, the structure of early Lao society consisted of four categories: aristocracy, free peasants or commoners, slaves, and non-Ethnic Lao at the bottom (Pholsena, 2006). In the pre-colonial period, the Ethnic Lao's control of the government did not try to assimilate the upland population as "systematic and institutionalized policies were not enforced to draw the upland peoples into a unitary culture" (Pholsena, 2006, p. 21). The Lao kingdom was in fact based on a system of village autonomy (Pholsena, 2006; Robbins, 2005), and there were economic contacts and exchanges between groups.

Lao Theung. The Lao Theung ("Lao of the mountain slopes" or "upland") subgroup is composed of 30 distinct ethnic groups, of which the largest is the Khammu.

They are of Austro-Asiatic origin and considered the autochthonous inhabitants of Laos, having migrated northward in prehistoric times (Savada, 1995). The Khammu population is currently estimated to be at 614,000, an increase of some 200,000 in 15 years (Savada, 1995; Stuart-Fox, 2006, 2007). Lao Theung are socially, economically, and politically the most marginalized group of the three ethnic classes. The Lao Theung have been traditionally classified as "*Kha*" which refers to slave-like, primitive, or inferior status in a system of ethnic hierarchy (Evans, 1999; Pholsena, 2006). In post-war Laos, this term is more of a pejorative one (Evans, 1999).

During the "Secret Lao War" (Second Indochina War), many Lao Theung supported the Lao Patriotic Front-LPF, the political party of the Pathet Lao, who would eventually win the war. At the end of the war, some Lao Theung received mid-level positions in government but were later replaced by Ethnic Lao with more experience. The Lao Theung speak the Austro-Asiatic languages, none of which have written scripts. Today, many Khammu also speak the official ethnic Lao language. The Khammu are scattered throughout northern Laos from Xiangkhoang to Bokeo provinces along the mountain slopes, and traditionally relied on *swidden* or slash-and-burn cultivation (Leibo, 2003; Savada, 1995).

Since the end of the war, the Lao People's Democratic Republic Government has relocated large numbers of ethnic minorities from their homes in the mountains to lowland plains, and restricted their traditional practice of *swidden* cultivation. Traditional *swidden* farming is changing due to government policies, population increases, as well as the resettling and consolidation of villages (Sodarak, 2005; Thongmanivong & Vongvisouk, 2006). Increasing economic development, cash crop production and

intensive agricultural practices have changed the landscape of Laos. These activities are creating conflicts for ethnic minorities who have for centuries relied on the natural environment for food, traditional medicine, and basic livelihood.

Lao Soung. The Lao Soung ("Lao of the mountain tops" or "upland") is composed of six main hill tribe ethnic groups who practice slash-and-burn agriculture in altitudes above 1,000 meters (Savada, 1995; Stuart-Fox, 2008). They speak Hmong-Mien or Sino-Tibetan languages, and are the most recent ethnic minorities to migrate to Laos as lately as the 19th century from Myanmar, Tibet, and southern China (Cummings, 1994; Stuart-Fox, 2008). These Miao-Yao or Tibeto-Burmese speaking peoples have migrated into Laos from the north within the last two centuries (Savada, 1995). The largest group is the Hmong (also referred to as Miao or Meo) with a population of approximately 200,000. In an effort to provide a living for their families and communities, the Hmong produce much of the opium cash crop (Cummings & Burke, 2005). The Hmong are found in the northern provinces and in Bolikhamsai in central Laos.

During the Vietnam War in the 1960s and the "Secret Lao War," the Hmong were recruited by the CIA to help fight against the Communist Pathet Lao Army. The Hmong, who "gathered critical intelligence, rescued downed U.S. air crews, and protected intelligence /navigational sites, . . . and observed and sabotaged the Ho Chi Minh Trail complex in Laos" (Hamilton-Merritt, 1995, p. 1), were considered one of the best U.S. allies during the Vietnam War. After their defeat in 1975, about a third of the Hmong fled to resettle in countries such as the United States, Canada, France, and Australia, while a small number of soldiers fled to the jungles of Laos to launch armed resistance against the government.

A few Hmong resistance groups are still believed to exist in mountains of Xieng Khuang and Sainyabuli Provinces (Amnesty International, 2007b; Cummings, 1994). Some believe that they no longer appear to pose a military threat against the Lao government, and only organize "bandit-like" attacks to procure money and valuables. Living with their families in small groups, they struggle to survive, unable to meet their basic human needs as the Lao military forces them to constantly relocate and denies them any human rights (Amnesty International, 2007a, 2007b, 2007c). Other reports state that, as the Hmong fighters become more dissatisfied with the current government, they are resorting to attacks on corrupt leaders and those involved in unpopular resettlement policies from the highlands to the plains (Economist, 2000; UN Committee on the Elimination of Racial Discrimination (CERD), 2006). Many Hmong have settled within mainstream Lao society. However, there are conflicting reports about their reception and treatment by the authorities.

Upon taking power, the Communist government tried to promote ethnic diversity and equality between different ethnic groups. Nevertheless, ethnic conflicts have not been eliminated over the last 30 years, and struggles over "re-traditionalization" of Ethnic Lao customs and religion have re-ignited tensions between ethnic groups (Pholsena, 2006). Some of the ethnic groups feel they have gained some recognition under the Communist government, but admit that they have not obtained equal status. Any groups who have historically opposed the communist government have been continually marginalized.

Over the past three decades, Thailand has been host to some 7,500 Lao Hmong asylum-seekers in the northern Phetchabun province (Amnesty International, 2008, 2009a, 2009b, 2010; Medecins Sans Frontieres, 2007). The repatriation of Lao people back to

Laos began with: the 1989 Comprehensive Plan of Action (CPA) for Hmong veterans and their families; the 1991 Luang Prabang Tripartite Agreement by the United Nations High Commissioner for Refugees (UNHCR), Lao and Thai governments (with U.S. political and financial support) for other Hmong and Lao refugees; the 1996 bilateral agreement between Thailand and Laos; and the UNHCR's Memorandum of Understanding with the Lao government on repatriation and reintegration operations (Ballard, 2002; Hamilton-Merritt, 1995; Nanuam, 2006).

The classification of the three Lao groups was based on the elevation of the traditional habitats that they lived in, from the lowest plains to the highest mountain ranges (Cummings, 1994). These classifications are problematic in that they oversimplify and over generalize some very distinct groups into these three broad categories. In Laos, many people are "bilingual, bicultural and 'biracial' because of intermarriage between different groups" (Evans, 1999, p. 25), and this was not taken into consideration when these categories were developed. The 2003 Constitution of the Lao PDR stresses the multi-ethnicity of the population, and "unity and equality" among all ethnic groups who have the right to "protect, preserve, and promote the fine customs and cultures of their own tribes and of the nation" (Pholsena, 2006, p. 5).

Lao Culture and Society

Education

Prior to the Lao PDR, only the Lao Loum had formal education and written script. Much of the education was based in Buddhist temples called "*wat,*" where the monks taught novices and boys Lao and Pali scripts, basic arithmetic and other religious and

social subjects; but only those ordained had access to advanced education (Savada, 1995).

Girls were taught at home and had lower literacy rates. Crafts and skills were learned

from parents or through an apprentice system (Stuart-Fox, 2008). During the colonial

period, the French established an education system similar to France, and French became

the language of instruction after the second grade. Secondary education instruction was

limited to small elites who completed their education in Hanoi, Saigon, or Phnom Penh

(Savada, 1995; Stuart-Fox, 2008). In 1945, only 10 Lao had acquired tertiary

qualifications (Stuart-Fox, 2008).

After the establishment of Lao PDR in 1975, there was universal, compulsory

education but with limited resources due to poorly constructed buildings, lack of trained

teachers and teaching materials. In 1992 - 1993, estimated enrollment in primary school

was 603,000 (5 years), and 130,000 in secondary school (6 years) (Savada, 1995). At the

tertiary level, Lao from the Royal Lao Government area studied in France and the United

States, while Lao from the Pathet Lao area went to Vietnam, China, and the Soviet Union.

By mid 1990s, primary school education reached 65 percent of school-age children, with

girls at 45 percent; and post primary education enrollments were 15 percent (Stuart-Fox,

2008). United Nations estimated that 84 percent (92 percent men and 76 percent women)

were able to read and write in 1985; others cite 45 percent of the overall literacy rate

(Savada, 1995). The 2005 Census stated overall literacy for those over the age of 15 to be

only 73 percent (Stuart-Fox, 2008). The discrepancy in numbers is due to the lack of

record keeping, and a question as to whether urban or rural areas are included in the

statistics.

Religion

In physical appearance, culture and religion, the Ethnic Lao are very similar to the Thai. In prehistoric times, the people in Laos practiced Animism, the worship of nature spirits. During the Zhenla period, Indian influence brought Hinduism and Buddhism to Southeast Asia. Mon monks began to spread Theravada Buddhism, which originated in Sri Lanka, as they made contact with various groups. The founding of the kingdom of Lan Xang in the 14th century recognized Buddhism as the state religion. Buddhism is still a dominant aspect of daily existence and the *wat*, the Buddhist temple or monastery complex, is central to village life, being the site of major festivals which occur several times a year. These festivals have largely descended from the old traditions of southern Theravada Buddhism (Leibo, 2003).

According to Evans (1999), "In Laos, the spirit cults are to a comparatively large degree incorporated into the official 'religion,' and they are highly relevant to issues of national and ethnic identity" (p. 195). In an interesting intermingling of historical religious perspectives, Animist beliefs are still widespread among the entire population and these ancient spirit cults have been largely incorporated into the Buddhist belief system. Animism is a religious practice oriented toward protective or guardian spirits commonly associated with places or the family (e.g., *Phi ban* or village protective deity). In fact, many Buddhist temples (*wat*) have a small spirit hut that is associated with the beneficent spirit of the monastery (*phi khoun wat*) built in one corner of the grounds.

Animism is the belief in spirits (*phi*) connected with heaven, earth, fire, and water. House spirits (*phi hern*), village spirits (*phi ban*), and forest spirits (*phi pba*) are common, along with sacrifices of chicken, water buffalo, and other offerings to the spirits. All of

the major ethnic groups in Laos have some combination of these two religious practices, although the tendency is for the Lao Theung and Lao Soung groups to concentrate more heavily on Animist beliefs, whereas the Lao Loum belief system leans more towards Buddhism (Savada, 1995). Generally, ethnic minorities' religious life revolves around various spirits associated with natural phenomena (Stuart-Fox, 2008).

In the city of Luang Prabang, the Thevada Luang, the semi-human mythical ancestors who prepared the ground for the ancient kingdom, are regularly called to listen to the Buddhist sermons during Buddhist holidays and participate in the form of three masks in the New Year ritual of reclaiming the city's territory and cosmological space (Evans, 1999). During these ceremonies, historical reenactments describe the Thevada Luang presiding over the water spirits, the *nagas*. In order to control the waters, the king must mediate between the humans and cosmic nature (*nagas*). The king must also keep the alliances between the Mon-Khmer (Khammu) and their spirits who are the Aboriginal inhabitants and land owners (Evans, 1999). The humans are in charge of the spirit cults and are caretakers of the Thevada Luang. The spirit mediums are herbalists, and practice local medicine, and exorcise causes of illness and social difficulties (Evans, 1999).

Animism or *Phi* worship remains the dominant non-Buddhist belief system in Laos even though it has officially been banned (Cummings & Burke, 2005). The *phi* cult is strong among the tribal Tai, especially the Tai Dam who believe the *phi then* are earth spirits that preside over plants, soils, and entire districts. They also believe in the 32 souls and shamans who can propitiate and exorcise spirits during festivals and ceremonies. The Khammu tribes have similar *hrooi* spirits associated with guardianship of house and

village. The Hmong-Mien tribes also practice Animism and ancestral worship

(Cummings & Burke, 2005).

The other major religious institutions also have a foothold in Laos, although not to

the same extent as Buddhism and Animism. Islam was likely introduced in Laos in the

16th century through Muslim merchants. Christianity was introduced in early 17th century

by Catholic missionaries, but did not have much impact until the arrival of the French in

late 19th century. Today, Buddhism continues to be widespread, and central in

constituting Lao national identity (Stuart-Fox, 2008).

Family and Kinship

The Lao Loum (Ethnic Lao) follow a pattern of bilateral kinship, with descent

traced through both the maternal and paternal sides of the family (Hockings, 1993;

Magocsi, 1999). Kin groups are defined by choice: siblings, immediate maternal and

paternal relatives, and distant relatives close to the family. Kinship relationships are

recognized and reinforced through sharing of goods and produce, labor reciprocity, and

participation in family and religious rituals.

In earlier generations, Ethnic Lao marriages may have been arranged by the

families but, since the 1960s, most couples have been free to make their own choice

(Hockings, 1993; Savada, 1995). Marriage partners may be proposed either by parents or

the young people, but parents of both must approve in order to begin traditional marriage

negotiations. Bride-price varies greatly, but usually includes gold, one or more animals,

and cash. A Brahmanic/Animist marriage ceremony takes place at the bride's family

home (Hockings, 1993). Residence is ideally matrilocal after marriage, as husbands join

their wives' households (Magocsi, 1999; Savada, 1995). The groom helps the bride's

family with farming for several years until the couple is economically ready to establish their own household. Patrilocal residence is less common. There is a tendency for the youngest daughter to live with her parents to care for them in old age. Divorce is discouraged, but may be initiated by either party (Hockings, 1993; Savada, 1995).

According to Savada (1995), the Lao Theung (Khammu) groups are patrilineal. The average Khammu household is between six and seven persons but may be as large as twelve or fourteen persons, including parents and children, wives of married children, and grandchildren. Married sons may have to live and work with the wife's parents to pay off the bride-price. The Khammu has eight totemic clans that provide a basis for social organization and the regulation of marriage. The clans are grouped according to three categories: quadruped, bird, or plant. A village must have all three clan categories for marriage exchanges. When a couple decides to marry, their parents must negotiate a bride-price. Traditionally, polygyny is allowed as long as one can afford a second wife. A widow may marry her husband's brother and the brother is responsible for support whether they marry or not. There is gender role differentiation that is greater than the Lao Loum. Khammu men take care of finances and trade while the women take care of the household duties and children. Men hunt and women gather roots, shoots, and wild vegetables. Both men and women work the land, weed the fields, and gather the harvest (Savada, 1995).

Khammu villages have a ritual leader (*lkuun*), through a hereditary male line, who officiates important spirit rituals. As Animists they are capable of protecting themselves against or prophesying spirits that cause illness or accidents. Household religious and safety rituals require the worship of ancestral spirits through respect and sacrifice. Rituals

are also performed at the start of any important undertaking (e.g., beginning of rice planting or building a house) (Savada, 1995).

The Lao Soung (Hmong) groups are also patrilineal and recognize 15 or 16 patrilineal exogamous clans that are traced to a common mythical ancestor. The Hmong are divided according to features of traditional dress (e.g., White Hmong, Striped Hmong, and Green Hmong). Their languages vary but are mutually comprehensible. Each village has at least two clans and wives live with their husband's family. Traditionally, marriages are arranged by go-betweens and, if the union is accepted, a bride-price is negotiated. Two wedding celebrations take place: one at the bride's house and another at the groom's house. Young men may sometimes "steal" a bride with the help of their friends, and, as a result, parents are obliged to accept a lower bride-price. Most are not actual abductions but elopements. Hmong women marry between the ages of 14 and 18. Although divorce is discouraged, it is possible. The Hmong have strong gender roles differentiation where the women are responsible for all household chores and children. The patrilocal residence, subordination to mother-in-laws, and deference for men and elders make it difficult for daughter-in-laws (Savada, 1995).

The Hmong are Animists but some have converted to Christianity through Protestant and Roman Catholic missionaries. They believe the spirits are the cause of illnesses. Shamans (*txiv neeb*) are respected as they can treat spirit-induced illness and tell fortunes. Shamans may be male or female and are "chosen" by the spirits after long suffering from an illness and confrontation with death. Upon recovery, they study for two to three years with a master shaman. There is no central point such as a *wat* in Hmong

villages. Hmong are more individualistic in looking after the well-being of their household first over the welfare of the village (Savada, 1995).

Politics

Since December 2, 1975, Laos has been governed by an authoritarian one-party Communist state, the Lao People's Revolutionary Party (LPRP). It was modeled on existing communist regimes, specifically the Soviet Union, Vietnam, and China (Stuart-Fox, 2008). Laos is divided into 16 provinces (*kwang*) with a number of districts (*muang*) that are further divided into villages (*ban*). Villages do not necessarily refer to rural areas of settlement, but also communities, neighborhoods, or sub-divisions. Within a city, there are a several villages composed of a number of families that form different communities. Some villages consist of only a few families, while others include several hundreds. A village chief or village leader (*nei ban*) manages each village. All ethnic groups have villages as the basic social and economic units. There are more than 11,000 villages in Laos (Stuart-Fox, 2008). The country's capital is Vientiane with a population of 201,000 (Cummings & Burke, 2005).

The people in Laos are still feeling the impact of the Vietnam War and, as a result of the country's history, conflicts between indigenous ethnic minorities and the Communist government are not uncommon. Ethnic minorities, especially those who supported the opposite side during the war, have experienced some identity-based conflicts, human rights violations, and exclusions from political decision-making. According to Daenjaleunsouk (1993 as cited in Evans, 1999), the "idea of three large nationalities or three large ethnicities does not accord with 'ethnographic science' and,

therefore, in the 'territory of the LPDR there is only one nationality, the Lao, as well as many ethnicities, and among each of these they have specific features, such as language and culture" (p. 179). This reinforces the cultural, social, economic, and political dominance of the Ethnic Lao (Evans, 1999).

According to the UNHCR report (Ballard, 2002), socio-political space or "civil society" does not exist as there are no organizations operating independently of the government. Local development NGOs are absent; international organizations and NGOs are closely monitored; foreign-based religious activities are discouraged; and human rights and other political matters are not discussed. Partnerships are difficult to establish and the UNHCR has difficulty providing protection and monitoring services for reintegration of former refugees (Ballard, 2002).

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Economics

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According to the UNDP's Global Human Development Index (HDI), Lao PDR continues to be one of the least developed and most rural countries in the world, and is currently ranked 130th out of 177 countries (UNDP, 2009). In Laos, 31 percent of the population earn less than US$1 a day, while 77 percent earn less than US$2 a day (Bertelsmann, 2006). With figures like that, it is no surprise that poverty continues to be a major source of conflict. According to the study, *Country Strategy: Laos 2004-2008*, the Swedish Ministry for Foreign Affairs stated that Laos' national poverty line has decreased from 46 percent in 1992/1993 to 32 percent in 2002/2003, but the income gap has grown between lowland and upland households, majority and minority populations, and urban and rural areas (Ministry for Foreign Affairs, 2004)

Laos is predominantly a rural society where 85 percent of the population is engaged in subsistence agriculture in remote mountainous areas with a poor communication infrastructure (Ballard, 2002). The Lao economy is dominated by agriculture, accounting for half of its GDP. Subsistence farming makes it difficult to penetrate the open markets as well as to compete in rural areas. Since the 1990s many such barriers have been alleviated. However, due to poor, or lack of, transport infrastructure, and high transaction costs, agricultural markets remain separated within the country (Bertelsmann, 2006).

Droughts and famines have a tremendously devastating impact on Laos, a poor, landlocked country with inadequate infrastructure and an unskilled workforce. Agriculture, mostly subsistence rice cultivation, dominates the economy and employs 78 percent of the population, producing 43.4 percent of Gross Domestic Product (GDP). Economic development in Laos relies heavily on foreign aid and loans. Donor-funded programs accounted for 14 percent of GDP and 70 percent of the capital budget in 2006, with an estimated foreign debt of $3.2 billion (US Department of State, 2008).

During the precolonial period, the economy of Laos was based on subsistence agriculture of wet rice (paddy) or *swidden* farming. Under the French, rapid economic development in plantation agriculture did not occur, except in the area of coffee production. After independence, a thirty-year civil war slowed down the economy that only stayed afloat with American Aid. The formation of Lao PDR in 1975 caused the artificial economy to collapse and led to socialist transformation of the economy where industry, commerce, and finance were nationalized and agriculture collectivized. Agricultural collectivization was later abandoned (Stuart-Fox, 2008).

In 1986, the Lao government introduced the New Economic Mechanism (NEM) to increase private sector and open market activities (Huso, 2008; Savada, 1995; Stuart-Fox, 2008). As economic development continues to grow, new types of conflict are emerging between businesses and local communities, particularly over land, forest, and other natural resources. Lands have been taken away from indigenous populations and people are being relocated in the lower plains, forcing them to adjust to a new way of life and livelihood. Security for indigenous people means satisfaction of their needs for identity, justice, control, and participation (Burrowes, 1996).

Land rights are a frequent basis for community conflict in Laos (Stobbe, 2006a, 2008a; Stuart-Fox, 2006, 2007). The terrain of Laos is mountainous with a few plateaus and plains. Arable land accounts for four percent of the country's land use, and permanent crops account for less than one percent. Considering that only four percent of the land is arable and 78 percent of the population is employed in agriculture, land is a valuable commodity (CIA, 2008; Savada, 1995).

Under the New Economic Mechanism (NEM), free enterprise initiatives included decentralized decision-making, deregulation of pricing and financial systems, and promotion of domestic and international trade and foreign investment. Four sectors were considered priority areas for future income: including mining and energy; agriculture and forestry; tourism; and service (Nations Encyclopedia, 2007; Stuart-Fox, 2006, 2007). Farmers were urged to make the transition from subsistence-based production towards cash crops. The government promoted agricultural intensification and cash crop production (e.g., rice, maize, and soy beans), and industrial tree planting (e.g., teak,

eucalyptus, and rubber) to improve the livelihoods of rural people, and develop its

national economy (Thongmanivong & Vongvisouk, 2006).

The government's NEM discourages *swidden* cultivation, a method indigenous to

the Khammu and other ethnic minorities, as it negatively affects agricultural productivity

by exhausting the soil and the forest environment. The Khammu are a semi-migratory

group who relocate when *swidden* lands are exhausted. Plots of lands require at least four

to six years of fallow for soil rejuvenation (Geertz, 1963; Savada, 1995). According to

Geertz (1963), *swidden* agriculture has four distinctive features, it: (1) takes place in very

poor tropical soils; (2) represents an elementary agricultural technique; (3) is marked by a

low density of population; and (4) involves a low level of consumption. Long fallow

periods can limit soil degradation, weed competition, and pest damage. In practice,

shorter bush fallow systems of agriculture have replaced long fallows. However, the

length of cropping periods remains the same, or even increases, during short fallows,

thereby leading to declining productivity and making the land unsuitable of land for

further cultivation. Also, the re-growth of secondary forest fallow vegetation is made

slower or destroyed completely (Sodarak, 2005). Traditional *swidden* farming is changing

due to government policies, population increase, as well as the resettling and

consolidation of villages (Sodarak, 2005; Thongmanivong & Vongvisouk, 2006).

Land that had valuable hardwoods was expropriated from farmers and

communities to preserve the wood for commercial extraction. This has had significant

effects on upland villages (Evans, 1999; Leibo, 2003; Savada, 1995). Some of these

groups were resettled into lowland locations suitable for paddy rice cultivation.

Unfortunately, upland villagers had very little experience with that type of farming. Also,

the upland population has less access to water and sanitation facilities, poorer road access, less access to information and decision-makers, and less opportunity to voice their concerns (Ministry for Foreign Affairs, 2004).

At the same time the government was promoting a move to cash crops, they were under severe international pressure to curtail opium production. Poppy cultivation in Laos was a common practice of Hmong farmers and other ethnic minorities. According to the United Nations Office on Drugs and Crimes (2005), Laos' poppy cultivation has been declining rapidly and Laos is no longer a world supplier of illegal opiates. The opium currently produced is mostly consumed by the 20,000 opium smokers in Laos. Fifty-two percent of the addicts grow their own crops for personal and medicinal use, while 48 percent sell them to obtain cash or to buy food. Government effort to rid Laos of opium cultivation has had a significant effect on farmers. The government has struggled to help farmers develop other kinds of cultivation as officials and villagers lack expertise in this area (UNODC, 2005). The government is trying to address infrastructure issues, but progress has been slow.

The recent increased demand for cash crops in China is rapidly transforming the upland landscape in northern Laos. Rural farmers are producing cash crops such as sugar cane, maize, and rubber. Also, Chinese farmers and small-scale entrepreneurs are crossing the border in southern Yunnan province in China and into northern Laos, and contributing to agricultural intensification (Thongmanivong & Vongvisouk, 2006). The study, *Impacts of Cash Crops on Rural Livelihoods: A Case study from Muang Sing, Luang Namtha Province, Northern Lao PDR*, demonstrates that rapid expansion of cash crops will have long-term impact on equity within villages, and negative impact on the

livelihood of the poor. It suggests the importance of investigating the forces behind the drive towards cash crop production, and how they are is changing the local's access to resources in order to achieve resource sustainability in northern Laos (Thongmanivong & Vongvisouk, 2006).

The Asian economic crisis had a great impact on Lao economy in the late 1990s, where the value of the Kip lost more value than any other currency in the region. Direct investments in 1997 were US$113 million, with two thirds of that in hydroelectric projects, hotels and tourism, and transport and communication. Currently, it is anticipated that revenues will increase due to hydroelectricity sales, mining dues, agricultural productivity, service sector, development of natural resources, and economic integration with Southeast Asia. However, the industrial sector will remain weak due to competition associated with the Association of Southeast Asian Nations Free Trade Agreement and membership into the World Trade Organization in 2010 (Stuart-Fox, 2008).

Legal System

During the Lan Xang kingdom, codes of laws were developed and Fa Ngum, founder of the kingdom, and other kings stipulated punishments for banditry, murder, theft, adultery, and damage to property, as well as conditions for debt slavery and fair trial. The king was the final arbiter with the administration of law by a hierarchy of officials. Punishment included execution, imprisonment, flogging, and fines. The laws reflected traditional practice and Buddhist moral precepts that prohibit adultery, theft, murder, lying, and drunkenness. The division of Lan Xang in early 18th century led to less rigorous and more arbitrary enforcement of laws. During French colonial

administration, law and order were imposed to enhance tax collection and social order. The Royal Lao government retained the framework of French laws, but corruption grew among those in authority. The Lao PDR in 1975 established socialist law to replace the old legal system. Under the Lao People's Revolutionary Party, "people's tribunals" carried out "revolutionary justice" by applying arbitrary rules. All regime opposition was suppressed, and corruption among authorities became widespread (Stuart-Fox, 2008).

The Supreme People's Court was established in January 1983 to oversee important cases and appeals. In August 1991, Laos developed its first constitution with 80 articles regarding the political system, the socioeconomic system, the rights and obligations of citizens, a judicial system, and symbols of national identity. The Lao PDR constitution was revised in May 2003, and stressed respect for religion and rule of law. The additions to the legal system chapter specify how court decisions must be respected and implemented by the party, the state, and mass organizations. It also gives the supreme public prosecutor responsibility for monitoring and implementing the laws (Stuart-Fox, 2008).

According to the Lao Constitution, revised in 2003, there are conflict resolution mechanisms for its citizens. Article 41 (UNDP, 2003) states,

> Lao citizens have the right to lodge complaints and petitions and to propose ideas to the relevant State organisations in connection with issues pertaining to the public interest or to their own rights and interests. Complaints, petitions and ideas of citizens must be examined and resolved as provided by the laws. (p. 8)

However, Laos historian Stuart-Fox (2006, 2008) argues that many of the new laws are unknown to the wider public and applied ineffectively, especially outside the capital city,

and interference and bribery continue to undermine rule of law. Laos is a country where

court systems are not a compelling force in promoting social justice. The literacy rate in

Laos is estimated to be at 68.7 percent (CIA, 2008). Under French rule, mass education

was neglected (Stuart-Fox, 2008). Many people in remote villages and minorities cannot

read or write. Due to their lack of education, they do not understand their legal rights.

The legal system in Laos is largely underdeveloped, with only 69 practicing lawyers for a

population of over 6 million (EU, 2008). The rule of law is inconsistently applied across

the country, depending largely on the political leaders' interpretations (Stuart-Fox, 2006).

The legal system has become a tool that promotes corruption and power inequity.

The Lao government, under the auspices of nationalism, suppresses any mass

protests and does not allow for multi-party electoral competition. As there are very few

civil societies or social organizations distinct from the government, campaigns and

lawsuits against environmentally destructive corporations are non-existent. There are no

social movements against social injustice, crony capitalism, and official corruption. That

said, people in Laos generally prefer the current government over the previous French

colonial rulers who did little to develop the country or create a more egalitarian society.

According to the Swedish Ministry of Foreign Affairs, the government of Laos has

adopted a new law that would allow operations of civil society within the county

(Ministry for Foreign Affairs, 2010).

Conflict Resolution Processes

Laos has a number of mechanisms to resolve conflicts within their country.

Although the legal system is available, it is not well understood by the local people and

only used by a very small percentage of the population. What is most respected and used are the local, grassroots processes of dispute resolution that focus on third party intermediaries.

Legal Structures

According to the 2003 Lao Constitution (UNDP, 2003), the judicial branch of Laos includes: the People's Supreme Court; the appellate (appeals) courts; the people's provincial courts and city courts; the people's district courts; and the military courts. The highest judicial organ is the People's Supreme Court. The Vice-President of the People's Supreme Court is appointed or removed by the President of the Laos, upon the recommendation of the President of the People's Supreme Court. There are only 10 articles pertaining to the People's Courts and Public Prosecutor (UNDP, 2003). Early in 2010, the government of Laos launched a 10-year legal system reform program in collaboration with the UN and others, including the support of Sweden (Ministry for Foreign Affairs, 2010).

The formal legal system in Laos is a combination of traditional customs, French legal norms and procedures, and socialist practice (CIA, 2009). With its extremely underdeveloped legal system, there is a lack of basic understanding, and considerable absence of the infrastructures for justice and human rights at all levels of society. Throughout its history, the culture of corruption and patronage appointments to various offices has been prevalent in Laos (Pholsena, 2006; Stuart-Fox, 1997, 2006). As already discussed, these legal processes are largely inaccessible to the general population due to the expense associated with them, a population whose education levels are too low to serve them in understanding their own legal rights, and the resulting corruption of those

who use it to serve their own interests. The rule of law is applied inconsistently and, in some circumstances, has become a tool that promotes corruption and power inequity (Stuart-Fox, 2006).

These are some reasons why grassroots dispute resolution processes have continued to exist in Lao culture, and play an important role in addressing conflicts in the family, workplace, and community. Traditional conflict resolution processes are familiar, accessible, well respected by local population, and contribute to overall social harmony in society. They take into account the cultural, religious, social, economic, and political context of the country.

Role of Intermediaries

Traditionally, villages are led by a village chief (*paw ban or nei ban*) and one or two assistants who are elected by the villagers, although district or province officials sometimes use their positions to influence the results (Savada, 1995). Respected elders, including women, form an advisory group that mediates intravillage disputes. Since 1975 villages have been governed by an administrative committee headed by a village president (*pathan ban*) and several persons in charge of various aspects of the economy and the population. Village leaders have little or no formal authority, and govern through consensus and the use of social pressure to ensure conformity. If a consensus on an issue is not reached, leaders will delay decisions to allow further discussion with all members of the community (Savada, 1995).

According to the 2003 Lao Constitution (UNDP, 2003), there are three levels of local administration (provinces, districts, and villages). The governors and mayors have the rights and duties to "manage citizens [and,] within the scope of their rights and

powers under the laws, to consider and resolve the complaints and proposals of the people" (UNDP, 2003, p. 16). The village chiefs have the responsibility to "organize the implementation of the laws, decisions and orders of the state, to maintain the peace and public order of the village, and to develop the villages in all fields" (UNDP, 2003, p. 16).

Traditional Conflict Resolution Processes

Although Laos has experienced multiethnic conflicts for centuries within its ethnically diverse population, many groups have also lived in relative peace with one another. Peacebuilding processes, such as Village Mediation Committees (*Neoy Gai Geer*), have bridged differences in Laos in unique and interesting ways. This has been particularly important for minority groups, who often face conflict situations with fewer economic and political resources than opposing parties. This research devotes significant time to examine this process as part of the larger conflict resolution mechanisms that have had success in helping cultural groups establish healthy relationships.

Conclusion

This chapter briefly described the historical background for Lao People's Democratic Republic. Knowledge of the population and geography, diverse cultural groups, culture and society, brief history, politics, economics, legal system, and other conflict resolution processes allows for a better understanding of the context of traditional conflict resolution processes and cultural ceremonies and rituals in Laos. These different contextual factors have influenced the people in Laos and their cultural understanding of conflict and conflict resolution which, in turn, provide a multi-model approach to studying culture and its traditional conflict resolution mechanisms.

CHAPTER IV

Culturally Appropriate Research Methods

"Qualitative inquiry has been promoted as having intrinsic political and ethical value, in giving voice to marginalized and otherwise muted groups and/or in challenging the powerful" (Hammersley & Atkinson, 2007, p. x).

As discussed in the introduction, this research project has committed to understanding its research questions by committing to four goals. In order to do this, extensive interviews were organized in hopes of collecting concrete data that would serve to reach these goals and facilitate discussion. The following chapter has two parts. The first part begins with an overview of the project, its participants and their roles, and provides information about the data analysis. Reflecting on the background information on Laos and learning its cultural worldviews, the second part of this chapter is a discussion of why I chose these particular research methods, and why they are appropriate in working with the Lao people and efficient in collecting data.

Project Background

Research Participants

This research project involved a total of 126 participants (67 men and 59 women.)

The participant groupings included Lao Loum (78.6 percent), Lao Theung (15.1 percent),

Lao Soung (5.6 percent), and other (0.8 percent) (see Table 1). The participants identified

themselves as Lao Loum (47.6 percent), Ethnic Lao (25.4 percent), Khammu (12.7

percent), Hmong (3.2 percent), Tai Dam (2.4 percent), Lao Soung (1.6 percent), and the

remaining participants (7.1 percent) identified themselves as various ethnic minority

groups (e.g., Leu, Phuan, Tai Deng, Tai Maen, Katdu, Oh, Pu Noi, Hor, and Vietnamese).

Table 1

Ethnic Composition of Participants

ETHNIC GROUPS:	NUMBER OF PARTICIPANTS (Total 126):
LAO LOUM GROUPING:	
Lao Loum	60
Ethnic Lao	32
Leu	1
Phuan	1
Tai Dam	3
Tai Deng	1
Tai Maen	1
LAO THEUNG GROUPING:	
Khammu	16
Katdu	1
Oh	1
Pu Noi	1
LAO SOUNG GROUPING:	
Lao Soung	2
Hmong	4
Hor	1
OTHER:	
Vietnamese	1

In Table 1, 60 participants identified themselves as belonging to the Lao Loum group. As already stated, the Lao Loum group includes a number of ethnicities, and those participants may have been from any one of those. However, these participants identified themselves under the larger Lao Loum category, and I chose to use the categorization they placed themselves in. This also happened in the Lao Soung grouping.

The occupation of the participants was varied and included teachers (15.1 percent), farmers (9.5 percent), village leaders (8.7 percent), business owners (7.9 percent), government workers (7.1 percent), housewives (6.3 percent), students (6.3 percent), and so forth (see Table 2). There were eight participants who did not specifically identify their occupation in the interviews. It is important to note that occupations are rather fluid and dynamic in Lao culture. Most of the participants are also farmers in addition to their other occupation, and many identified themselves as having two to four occupations. For example, one interviewee said that he worked as a soldier, farmer, elder, and accountant, while another identified his occupation as a boat driver, elder, and village leader. In some cases this represented the different occupations they had done over the course of their lives, while in others it represented concurrent occupations, dependent on the state of the rice fields, the number of tourists in town, or if school was in session. I decided to list people by either their current occupation or, in the case of concurrent ones, the occupation that they are most known by in their village. With this in mind, Table 2 identifies the most current and recognized occupation of each of the 126 participants. It does not identify every single one of their occupations.

Table 2

Occupation of Participants

OCCUPATION:	NUMBER OF PARTICIPANTS (Total 126):
Accountant	1
Baker	2
Banker	1
Business Manager	1
Business Owner	10
Carpenter	2
Construction Company Owner	2
Driver	2
Electrician	3
Farmer	12
Government Worker	9
Hairdresser	2
Housewife	8
Hydro Worker	1
Maid	2
Monks	2
Music Teacher	1
Nanny	1
Physiotherapy/Massage	1
Village Security Officer	4
Retired	1
Salesperson	1
Seamstress	1
Soldier	5
Staff for Private Business	4
Student	8
Teacher/University Professor	19
Unknown	8
Village Leader	11
Weaver	1

The participants represent a range of age groups, education, occupation, social

class, and religious backgrounds. The participants' ages ranged from 20 to 89, although

the older generations often estimate their ages as birth records have historically been

inconsistently documented. Their religious backgrounds consist of Buddhism and Animism. Only one participant from the 13 rural communities researched had completed any post-secondary education and in total only 16 out of 126 participants had completed a post-secondary degree. The interviews took place in three provinces in Laos: Borkeo, Vientiane, and Luang Prabang.

Participant Selection

This research involved a purposeful sampling that represented the different ages, occupations, religious backgrounds, and ethnicities of the Lao population. The strategy was to employ maximum variation among locals living in both rural and urban settings. Approximately half of the interviews sites were in rural environments.

I also made use of opportunist or emergent sampling. Occasionally, walking around the villages, I would meet people who had interesting stories to tell, and ask them to take part in an interview process. In listening to stories of conflict and conflict resolution, sometimes comments would be made that would require me to find other participants who could elaborate on that information. For example, comments made about different cultural practices would require me to find participants from those cultural backgrounds to hear their perspectives. Or, comments about the role of community elders or leaders would lead me to interview individuals in those positions.

As I do not live in Laos, I relied on many of the personal and professional connections that I had made in previous research and conflict resolution consulting trips to Laos. The participants were selected with the assistance of my informant at the Lao National Science Council Association for Research and Development, local research assistants who identified various people living in their communities, and through personal

contacts that I have in the country. Through snowball sampling, the informants and participants themselves often identified other individuals who would have helpful information and knowledge of conflict resolution processes. As already stated, I was careful to maintain a diversity of ethnic groups, gender, age, religious background, and occupation. Each individual or couple was contacted and interview arrangements were made throughout the month of July 2009.

I was not able to visit some of the more remote villages in Laos due to the distance and difficult transportation. Additional government permission for travel and research would be required for many of the Hmong villages in these areas. Due to ongoing conflicts between some Hmong groups and the Lao government, I was not able to interview as many Hmong people as I would have liked.

The principal researcher and research assistants did not have a direct personal connection to the volunteer participants that would influence their participation. Oral consent was the most viable option in interviewing different ethnic groups in Laos, especially considering literacy rates are so erratic. The Lao culture also values informality of processes, and a written consent form would be overwhelming and meaningless for the participants.

Interviews with Lao Participants

Based on a multi-method research methodology, the study draws on narrative data from in-depth interviews, participant-observations, and ethnographic methods. Extensive interviews in the Lao language were conducted with 126 participants over a one-month period. My research assistants and I conducted the interviews individually, in order to maximize the number of participants and obtain as much data as possible. The semi-

structured interviews lasted for approximately one hour each. The interviews took place in various settings: homes, fields, restaurants, and workplaces.

The interviewers used a questionnaire to guide the interviews, asking participants to share their thoughts and experiences in dealing with everyday conflicts, and share their knowledge of traditional Lao conflict resolution processes. The process was flexible and the questions open-ended, allowing the participants to tell their stories in their own way. As the interviews progressed, we used follow-up questions to clarify or obtain details on certain topics. When participants were unsure of how to respond to certain questions, we would ask for stories or examples of conflict, conflict resolution, and rituals. Sometimes we would say, "Suppose there was conflict in the family, what are some examples of conflict between a husband and a wife?" or "Can you describe and share a story about a conflict in the community?" These kinds of questions encouraged the participants to discuss such issues more readily as people are familiar with stories.

The interviews were conducted in the participants' native Lao language, the official language of Laos and the one that most of the different Lao ethnic groups speak. The lead investigator and research assistants were all fluent in Lao. The majority of the participants did not speak English and, those that did spoke very limited conversational English.

Role of Research Assistants

Five female research assistants helped me to gather information and conduct interviews on traditional Lao conflict resolution processes. The research assistants were students from Dong Dok University and the Volunteer for Peacemaking (VPM) Program in Laos. A few people from the VPM Program had completed undergraduate studies in

the United States, and/or have taken courses in the Mindanao Peacebuilding Institute

(MPI) in the Philippines and in the Summer Peace Institute at Eastern Mennonite

University in Virginia. The assistants had some knowledge in the field of Peace and

Conflict Studies as they have studied topics on conflict transformation, human rights, and

community peace-building. I had also conducted workshops for some of these students

on basic conflict resolution theories, practices, and skills as part of their training in the

VPM Program in the summers of 2006 and 2007. This group represented a number of

different ethnicities in Laos and was working in a variety of occupations within their

local communities (e.g., NGOs, monks, students, university professors, teachers, social

workers, rural development workers, and so forth). The research assistants received

extensive interview training before the research project began. Once the interviews were

completed, the assistants forwarded the written responses and digital voice recorders to

the principal researcher to perform the analysis.

My experiences of teaching conflict resolution in Laos in 2006 and 2007

reinforced the fact that there are such rich traditional conflict resolution processes in Lao

communities that had not been studied and documented. Throughout the workshops and

courses, the participants were actively engaged in the topics and shared many of their

own ideas about conflict and conflict resolution. I was amazed at how honest and

insightful the participants were in the various discussions of culturally appropriate ways

to resolve disputes. The role plays the group performed were the most elaborate and fun

to observe of any workshops I have ever facilitated. The monks, who I had thought would

be more reserved due to their status, were amazing participants who shared many of their

conflict resolution practices in the temples. These insights into Lao cultural practices of

conflict resolution whetted my appetite for further in-depth research on this topic. The

positive experiences with this group lead to the recruitment of some of the participants to

become my research assistants. Having already established a working relationship with

the participants made the collaboration much more easy.

A key research informant from the Lao National Science Council Association for

Research and Development, an organization that promotes development of scientific

research, assisted in making key contacts in Laos. I met the informant in 2007 while

working with a local NGO, and was impressed with his research experience. His

knowledge of Laos and its ethnic minority groups were invaluable.

Role of Principal Investigator

As the principal investigator, I gathered information from literary resources,

observations, and interviews conducted by my research assistants and myself. When

travelling to villages I took notes about the surroundings and any interesting or unusual

information. I also took notes during interviews conducted by my research assistants. I

checked all translations and transcriptions to ensure accuracy in interpretation between

languages.

Before beginning the interview process, I conducted a one-week intensive

interview training workshop for research assistants on how to do qualitative interviews

that are sensitive to the needs of the participants, and how to meet the ethical guidelines

outlined by the University of Manitoba Research Ethics Board (REB) and the Tri-Council

Policy Statement: Ethical Conduct for Research Involving Humans (TCPS). Each day

after the interviews were completed, I would meet with the research assistants to discuss

the process, results, and experiences. Challenges in interviewing were also discussed

along with ways to make the interview process more effective. This helped to make the interviews more efficient and to provide inter-reliability between interviewers.

Research Instruments

An interview questionnaire and a digital voice recorder/audiotape were used to record the conversations in the study. The questionnaires were semi-structured and the interviewers were able to adapt questions as the interviews progressed. An official translator in Laos was used to translate the oral consent form and questionnaire into the written Lao language for the purpose of interviews and to ensure clarity in translation. The research instruments included: (1) Participant Oral Consent Form (see Appendix A); (2) Participant Interview Questionnaire (see Appendix B); (3) Interview Schedule (see Appendix C); (4) Digital Voice Recorder/Audiotape; and (5) Laptop Computer.

Data Transcription and Analysis

Each interview was transcribed (non-verbatim) following the interview questionnaire guide. As certain Lao vocabulary does not translate very well into English, the transcriptions were non-verbatim. Some Lao words, concepts, and expressions were kept in their original language, although translated into written English according to the phonetic interpretation of the principal investigator. Additional information, not identified in the questions, was also included in the transcription in the case that it might be relevant in the analysis. The interviews were analyzed according to themes identified in the questionnaire and as they emerged in the transcription, and similar responses were classified and grouped under broader categories. To ensure consistency in data interpretation and coding all interviews were analyzed by the principal investigator.

Originally, there were 129 participants in the research study. However, during the analysis I decided to exclude three interviews from the sample, leaving a total of 126 participants. One of the excluded interviews had technical difficulties where the tape recorder malfunctioned and I was unable to analyze the information personally. Two other interviews were unusually short and lacked enough detail to make any reliable observation.

Research Paper and Presentation

The findings will be presented at future faculty forum and other academic conferences. Copies of the research paper will be given to the National Science Council Association for Research and Development, Volunteers for Peacemaking Program in Vientiane, Mennonite Central Committee Laos, American Friends Service Committee Asia, and other non-governmental organizations as a resource for working in a multi-ethnic society. The manuscript will be available in English as well as translated into Lao for the above local NGOs in Laos.

Research Methods

The importance of appropriate research methodologies cannot be stressed enough when studying different groups and their cultural conflict resolution processes. As already mentioned, I chose to use qualitative research methodologies in collecting data for this project. Below is a discussion of the ethnographic methods of participant-observation and in-depth interviews, followed by a discussion on narrative methods of storytelling and narrative inquiry. These methods are appropriate in cultures where oral language and storytelling are vital to community relationships, and allow for a more in-

depth study of specific groups, providing valuable information about their cultural

peacebuilding traditions.

Qualitative Research Methods

In studying traditional cultures, it is important for qualitative researchers to be

conscious of situational and structural contexts (Strauss, 1993). A multi-method approach

in ethnography, narrative, and in-depth interview methodology is often used to study

various ethnic groups (Hammersley & Atkinson, 2007; Lieblich, Tuval-Mashiach, &

Zilber, 1998; Robben & Sluka, 2007). This approach is important to Peace and Conflict

Studies as it is defined by both practical and theoretical issues; it is considered

interdisciplinary with a focus on micro and macro levels of analysis; and it desires to

integrate theory, research, and practice (Druckman, 2005). These approaches complement

the epistemological foundation of social constructionists who prefer interpretations by the

subjects and respondents themselves, and assume the world is understood through the

actors' perceptions, reflections, and stated beliefs (Druckman, 2005; Pitman & Maxwell,

1992; Rothman, 1997).

Ethnography

Ethnography is a written account of a particular culture, involving a series of

interpretations, sharing of meanings, and depicting new understandings (Bogdan &

Biklen, 2007; Druckman, 2005). Ethnographic research based on fieldwork is

characteristic of cultural and social anthropology. Narrative "ethnographies of the

particular" (Abu-Lughod, 1991, p. 149) tell stories of particular individuals in time and

place that allow for ethnographers to be "more open about their positionality, less

assertive of their scientific authority, and more focused on particular individuals" (Abu-Lughod, 1991, p. 152). Focusing on particular individuals and their changing relationships prevents the problems of homogeneity, coherence, and timelessness that can sometimes be associated with ethnography (Abu-Lughod, 1991).

Ethnography of the particular helps bring out the similarities in our daily lives. However, this does not imply sameness but, rather, possible discoveries of fundamental differences. Everyday experiences help to break the coherence, introduce time, and focus on contradictions (Abu-Lughod, 1991). These richly descriptive methods are appropriate to study traditional cultures and their unique processes of dispute resolution. This kind of ethnography avoids generalizations and reductionism by attending to the connections between social structure and daily life, thus leading to new concepts, interpretations, and practices by both the researcher and participants (Druckman, 2005).

In this awareness of how our purposes and goals are linked to Western epistemology, we must write about the particular individuals in the other context (Abu-Lughod, 1991). Ethnographers are able to learn in more subjective and intimate terms, as the researchers are central to investigating, collecting, and interpreting data. The interpretation must be validated as authentic by the storytellers, similar to the phenomenological or subjective tradition of research that tries to understand the meaning of events of ordinary people in a particular context (Bogdan & Biklen, 2007; Druckman, 2005). This tactical humanism is a local discourse produced by "ethnographies of the particular" or narratives of individuals experiencing life's struggles and successes in particular times and places (Abu-Lughod, 1991). These narratives provide similarities across groups in terms of life experiences while retaining individual accounts. This seems

particularly important when considering the dual nature of cultural thought inherent in this research, namely, that culture has both group and individual connotations.

The concept of reflexivity has been used to acknowledge the influence of socio-historical locations and their impact on the researchers themselves (Hammersley & Atkinson, 2007; Rothman, 1997). Rothman (1997) describes reflexivity as the simultaneous interaction between self, others, and the situation itself as a "slowed-down and self-conscious analysis of the interactive nature of reactions" (p. 37). This interaction is bi-directional where both the researchers and participants are influenced by one another and their surroundings. The outsider self is never really on the outside but is relating to the other participants within a larger political-historical context (Abu-Lughod, 1991).

In terms of this study, being reflexive required an awareness of the context and environment of the participants, while constantly reflecting on the conversations in "real-time." It was important that the participants and I were reflexive throughout the interview process. Through the process of intersubjectivity, we were able to construct shared meanings from our interaction. This process allowed our pre-conceived notions of one another to be clarified, leading to a more comfortable and honest discussion on personal issues of conflict.

Participant-Observation. Participant-observation is considered one of the main methods of ethnography. Researchers are participating in the normal activities in a particular setting and observing the transactions. Immersion in a culture, through participation in the villages, helps the researcher learn valuable information from the local and, at the same time, decreases the barriers of impression management from the community as they become more comfortable with the researcher (Bernard, 2006;

Druckman, 2005). As the participants become more authentic, true behaviors and responses will be observed. Participant-observation opens the door for researchers to collect life histories, attend rituals, and discuss sensitive issues (Bernard, 2006). A multi-sited fieldwork may be necessary to account for impacts of the wider environment (Marcus, 1998).

The participants often had questions about me and my background and, upon realizing that I was born in Laos, loved the country and its multi-ethnic culture, and that many of my relatives still reside in the country, they became more open and honest in their discussions and allowed me an equal "insider" status. My research assistants were all local people from Laos who spoke Lao eloquently, adhered to local etiquette, understood the diverse ethnic cultures, and were comfortable interacting with the participants.

Participating in the *soukhouan* and *soumma* rituals allowed me to directly observe the process and experience the significance of such events in the celebration of conflict resolution and reconciliation in Lao communities. Merely reading about the rituals could not provide the wealth of information that participating in the cultural ceremonies offered. Being a participant gave me a personal knowledge of these rituals like no other educational experience. It was a real privilege to be invited to participate in such amazing and wonderful celebrations.

In-depth Interviews. In-depth interviews are face-to-face discussions that can provide excellent responses, and allow for building rapport, developing trust, and establishing connections (Bernard, 2006). As rapport builds throughout an interview, more open-ended questions can be used, allowing for a more in-depth retelling of a

person's life history. Interviews also provide a wealth of nonverbal communication that adds to the messages conveyed.

Lao societies greatly value oral traditions. Many stories, lessons in life, traditions, and craftsmanship are passed down orally from generation to generation. These traditions, combined with low literacy rates in Laos, would make survey methods of little use to a significant percentage of the population. Also, as I have already discussed, Lao culture values interdependence, cooperation, and social bonding. Communities like these are more responsive to face-to-face discussion on issues of culture, conflict, and conflict resolution, especially since context is so important in understanding the message (Druckman, 2005). The Lao people prefer direct interpersonal interactions, especially when dealing with sensitive issues of conflict and conflict resolution in their family, workplace, and community.

Ideally, interviews should be conducted in the native language to provide more accurate interpretation, lessen misunderstandings, and help participants feel more comfortable. All of the participants spoke fluent Lao, even those whose first language was one of the languages of the different ethnic groups. I must admit that I found it very enjoyable to conduct the interviews in my native language, and I believe that this led to a comfortable interaction and reduced misinterpretations that can occur with translation. Words often do not translate well between languages, and our common understanding of the intangibles of culture and language allowed for some amazing sharing and discussions about conflict, conflict resolution, and rituals. The participants were much more at ease with the process, and we gained clarity on various issues as the conversations progressed.

Narrative Methods

Narrative methods of research are also effective in studying traditional populations. As oral histories and storytelling are ingrained in these cultures, this approach would be consistent with the values upheld by these communities. Narratives of people's experiences are constructed and interpretive, where meanings are negotiated within a specific social context and validated as authentic by the storytellers (Bogdan & Biklen, 2007; Hammersley & Atkinson, 2007; Senehi, 2008). Narratives allow researchers to:

> explore the world by listening to the voices of the people telling their life stories, knowing that people create stories out of the building blocks of their life histories and culture, and at the same time, that these stories construct their lives, provide them with meanings and goals, and tie them to their culture. (Lieblich et al., 1998, p. 168)

Narrative methodology is an important tool that encourages people to share their stories with others that provide valuable insights into cultures.

Storytelling. Senehi (2000) states that "understanding the role of storytelling in peace-building is significant for facilitating cultural spaces where people can participate in defining their communities, voicing their experience, healing from past conflict, and shaping their future" (p. 97). It is empowering for individuals to share their stories using a familiar process. Storytelling can be a healing experience for the storytellers, and a valuable ritual in realizing that their experiences will be remembered (Senehi, 2000). It is a way to form cultural bridges by preventing the loss of language, rituals, and social principles of a community (Tossa, 1999).

Oral narrative of personal experience is one way to recapitulate past experience, and to create and maintain personal identity within a culture, and to provide goals and meaning in life (Clandinin & Connelly, 2000; Lieblich et al., 1998). In an effort to prevent the loss of the Lao language and literature in northeastern Thailand, research was conducted to teach storytelling as a way to revitalize the use of local dialects among people, and introduced in schools at all levels (Tossa, 1999). It was noted that the rituals and social principles unique to the region were disappearing with the extinction of local languages. The storytelling exercises formed a cultural bridge, as the results showed increases in positive attitudes toward local dialects, and a belief that everyone should know at least one local dialect (Tossa, 1999).

In places with low literacy rates, storytelling is a vital form of communication and a way to pass knowledge to the next generations. For centuries, storytelling has been an important part of the Lao culture where stories are told at various social gatherings and celebrations, often to teach proper conduct and morals (Epstein, 2001a, 2001b; Tossa, 1999). Following the birth of a baby, villagers will visit and entertain themselves by reading stories from palm-leaf manuscript, singing or reciting verse stories, and reading tales in prose (Tossa, 1999).

Many people remember folktales that their grandparents or parents have told them as children, such as those found in *Lao Folktales: Tales of Turtles, Tigers and Toads* and *Lao Folktales: Xieng Mieng: The Cleverest Man in the Kingdom* (Epstein, 2001a, 2001b), folktales that are entertaining and often teach proper conduct and morals. Stone (1988 as cited in Clandinin & Connelly, 2000) notes, family stories about the world are stories that teach members at home the ways of the world according to the experiences of elders.

During an evening when I was not conducting interviews, I sat down with my grandmother, aunt, and two other female elders who were close friends of the family, and we started to converse about different folktales that we had heard growing up. I asked them to share stories of *Xieng Mieng*, a legendary figure in Lao folklore. These stories teach people about the power within oneself to overcome difficult obstacles and "to outsmart" people in positions of great power. They are fun stories of how creative the human mind can be in thinking of clever ways to address conflict situations, often in the most hilarious ways. I was reminded of the importance of storytelling to the Lao, and how valuable it was to give interviewees the freedom to tell stories during the interview process.

Narrative Inquiry. Narrative inquiry is more than a collection of information. It seeks to identify how knowledge is organized, thereby giving value to knowledge itself (Clandinin & Connelly, 2000). The methods of conversations and interviews (with a tape recorder) allow participants to tell their stories, and share their thoughts, ideas, and experiences of conflict and conflict resolution. A tape recorder helps capture the dynamics of an interpersonal exchange and allows the researcher to participate in the conversation without any interruption (Clandinin & Connelly, 2000).

Clandinin and Connelly (2000) state that conversations convey equality among participants, and allow flexibility in establishing forms and topics appropriate to the study. At the beginning of a research interview questions are often directed by the interviewer. However, once a participatory relationship is established with participants, the interview becomes more of a conversation. The structure and kind of questions create a frame

within which participants shape their accounts of their experiences (Clandinin & Connelly, 2000).

Narrative research states that life stories change over time and are influenced by the context of narration and the audience (Lieblich et al., 1998). Narrative studies "profit from the researchers' sensitivity to and awareness of these subtle processes and their willingness to share them with the reader" (Lieblich et al., 1998, p. 166). As the Lao people value informal conversations and storytelling, they were very responsive to face-to-face discussion on issues of culture, conflict, and conflict resolution. These narratives provided rich information about the lives of the participants and their culture.

The interviews in Laos were conducted with digital tape recorders that allowed for free flowing conversations without having to stop to write down in detail the responses to various questions. The participants were comfortable with having their interviews taped, especially after I explained that it was used to ensure that I had accurately understood what they were saying and that the recordings would be deleted upon completion of the research. I also made sure that the recording device was placed nearby but was not distracting; and I did not play with the recorder until the interview was done. Once trust was established and the conversation began we were not aware of the recording.

Short notes were taken that helped to keep track of the conversations, and these were later incorporated with the interview transcriptions. As the questionnaire was semi-structured and open-ended, the participants were able to discuss issues that were important to them and the researchers were able to flexibly follow the questionnaire. Researchers were allowed to follow through with other questions depending on where the

conversation was heading. The questionnaire did not need to be followed sequentially as long as the questions were asked at some point in the interview. This flexibility helped the conversations to flow more naturally, thereby allowing the participants to feel more comfortable in such conversations.

Concerns and Responses in Ethnographic Research

There are a number of pragmatic, ethical, and analytical risks to conducting research with human subjects. This section identifies some of the common concerns in doing ethnographic research that involves participant-observation, in-depth interviews, and other narrative methodologies. It also discusses ways researchers can address and alleviate these issues.

Perceptions, Impressions, and Expectations

Perceptions. The book, *Ethnography: Principles in Practice* (Hammersley & Atkinson, 2007), discusses important considerations to increase awareness, understanding, and effectiveness of researchers in the field. It offers some practical and methodological reflections on relations in the varied fields of ethnography. Ascribed characteristics of researchers, such as gender, age, 'race,' and ethnic identification, influence relationships with gatekeepers, sponsors, and participants (Hammersley & Atkinson, 2007). Gender makes certain settings accessible and inaccessible, depending on the culture. Woman in Laos are not always permitted to have direct conversations with monks due to cultural and religious beliefs. However, my status as an Ethnic Lao, native Lao speaker, as well as a foreign researcher, allowed me contact normally not given to women. I was able to

interview monks directly without having to go through another male intermediary to relay messages.

Age is also an important factor, and ethnographers tend to be younger due to the longer time required in the field, easier adoption of an "incompetent" or "marginal" outsider, and demonstrates less concern about going into dangerous situations (Hammersley & Atkinson, 2007). Age is one of the most distinctive characteristics of Lao culture, where wisdom and knowledge accrue with age. Perhaps being an older researcher would allow for deeper conversations. To compensate for the age factor, as a researcher I showed all the participants great respect and used appropriate deferential language to address them. I also used nonverbal communication of the folded hands, with palms together (*nop*) greetings to show my respect in a culturally appropriate way. Through verbal and nonverbal communication, I was able to honor them, especially those participants that were older and more experienced.

Impressions. Goffman refers to a concept he calls "personal front," and states that ethnographers should avoid impressions that pose obstacles to access and encourage those that facilitate access (Hammersley & Atkinson, 2007). Goffman's, *The Presentation of Self in Everyday Life,* with its dramaturgical approach helps in the analysis of social interaction between ethnographers and subjects from the view of impression management. Both are performers and audience to one another where ethnographers are evaluated by the insights gained into the back region of the subjects' performance, and the subjects are evaluated based on protection of their secrets and maintenance of front regions or public image of the team (Berreman, 2007).

Impression management may require ethnographers to dress similarly to the participants to gain trust and build relationships (Hammersley & Atkinson, 2007). In interviewing Lao elders, it was appropriate to dress in the traditional Lao skirt (*pla sin*) to show respect for the Lao culture. However, in other situations dressing differently helped me to put on a different image to gain access. In the villages, I would not have passed as a local, no matter what I wore. My skin was too light for someone who works in the fields, and I spoke Lao like someone from the city. In those cases, I wore Western style pants to convey that I was an outside researcher interested in learning their culture and traditional conflict resolution (not to mention that I felt much more comfortable in pants). However, as I was clearly of Ethnic Lao decent and spoke the Lao language fluently, I was still able to develop rapport with the participants right at the beginning of the interviews. Although I was trained in the West, I shared with the participants my eagerness to learn about Lao culture and its responses to conflict. I was often surprised that after a few moments of talking and telling stories, these people readily accepted me into their community and environment. It was further evidence to me of how accepting, peace-loving, and easy going the people in Lao are, and their acceptance of me reinforced how important self-awareness about self-presentation is in establishing good field relations.

Reciprocity assists in rapport building, such as asking villagers' permission to take pictures and then printing them out as gifts (Druckman, 2005). Many people cannot afford photographs, and this is one way of giving back to the village. The Lao people value photographs as a way to preserve memory without written language. In my field research I brought along a digital camera and portable printer and, whenever possible, I

would print the photographs of the participants and present them as gifts. I remember a specific participant who told her boss that she had never had her photos taken. So I asked her if she would like her pictures taken individually as well as with her son. She responded with a big smile, "Yes, thank you," and quickly went home to get her son and change into her best clothes. It was a rewarding experience to see how excited they were to have their photos taken, something we take relatively for granted.

Social conversations can help establish an ethnographer's identity as an ordinary person who they can relate to. Walking in one village, I saw a man sharpening knives in the front yard with his grandchildren hanging around. I called over to him and asked if I could sit down and watch him work. I told him that my family was from Laos, but had left after the war. We ended up conversing about his work, family, grandchildren, and his use of empty bombshell casings as air tubes to heat the fire. This led to a very personal conversation about his experience during the war. The conversation provided valuable data that was not part of the research interviews.

This story was a valuable lesson. Ethnographers face the dilemma of how much self-disclosure is appropriate in light of differing religious and political attitudes. Each circumstance varies, and access and rapport will remain sensitive negotiations that are part of ethnography. Showing respect, encouraging normal conversations, and providing reciprocity can assist in gathering valuable insights into the lives and cultures of different groups.

Expectations. Ethnographers must provide clear explanations for being in the field before participants will allow them to study their lives. Problems can arise when there are differences or ambiguities about who the researcher is, and what they intend to

do. According to Atkinson, "it is necessary to manage contrasting impressions of expertise and ignorance" (Hammersley & Atkinson, 2007, p. 64).

As I observed the participants and conducted my interviews, I became aware that being a foreign researcher affected my relationship with a few of the local citizens. Questions about conflicts in Lao villages occasionally caused some resistance where individuals were reluctant to fully engage in the interviews. Although the participants viewed me as someone highly qualified and educated, they also feared repercussions from the government if their identity was made known. A few of the participants certainly did not understand, or maybe even suspected my intentions in conducting this research. I did spend extra time with these people, reassuring their complete anonymity and expressing that I had permission to conduct the research.

As I said earlier, through a few moments of trust building, this resistance could be overcome. When researchers are "interested, uncritical, circumspect, and meticulous about maintaining their trust," they gain the confidence of the participants (Berreman, 2007, p. 155). I believe I was able to convey that Laos still has a special connection for me. I could still express my love of the lush surroundings, the oppressive heat that causes everything to move slowly, and especially the smiling faces of the people interacting around me.

Role of Researchers

Researchers play many different roles. They are novices, but must also act like social scientists in "making observations and inferences, asking informants, constructing hypotheses, and acting on them" (Hammersley & Atkinson, 2007, p. 79). Put simply, the researcher is required to be both an expert in conflict resolution and a student who is

eager to learn from the subjects. Playing the role of a student while trying to acknowledge and affirm the participants' expertise can be a tricky endeavor, but participants share much more easily once that relationship is established (Berreman, 2007). As a researcher, I was respectful in wanting to learn from the participants about appropriate ways to respond to conflict situations in Laos. Understanding the nuances of their culture was a big help in this regard. I reminded myself constantly to use the formal honorifics, as even a few slips could be very harmful in the interview relationship. I think this helped to create an environment where the participants felt respected, and were affirmed that they had knowledge that was valuable to me.

Finding the correct balance between casualness and formality was something I did think about. Managing this "split personality" and safeguarding against becoming too "at home" are vital for the marginal reflexive ethnographer who requires some social and intellectual "distance" for analysis (Hammersley & Atkinson, 2007, p. 90). Stress is common when living simultaneously in two worlds of participation and research while remaining ethical.

Other sources of stress include unfamiliar physical and social situations that have the potential to be harmful. Experience of "culture shock" can occur when studying "exotic" societies (Hammersley & Atkinson, 2007, p. 81). A stressful experience occurred in one of my trips into the rural areas of Laos. To get to one of the villages, we had to take a "four-wheel drive" truck through muddy, unpaved roads full of huge potholes, creek/river beds, and fields. Once we arrived, the accommodations were pretty rustic, a tiny room with a small opening for a window and no electricity. Being in the tropics and having no fans was pretty difficult in 40 degrees Celsius. At night, it became

pitch black as there was no electricity in the whole village. Needless to say, I did not get much sleep that night and did not mind having to conduct interviews beginning at six the next morning.

Researchers' Response to Complex Psychological Defenses

Robben (2007) states, "anthropologists can learn much from psychoanalysts on how to interact with victims of violence, torture, and terror" (p. 159). Analysts must accept at face value participant's stories and convey they can handle the information before a relationship can begin. Ethnographic seduction, defined as "a complex dynamic of conscious moves and unconscious defenses," may occur in interviews with victims and perpetrators of violence and carried out by ethnographers' unconscious counter-transferential reactions (Robben, 2007, p. 160). He believes greater ethnographic insights occur when there is awareness of informants' use of psychological processes that lead ethnographers away from certain information and interpretations.

Robben (2007) explains that interviews involve: (1) transferential and counter-transferential feelings in extended face-to-face interviews on highly emotional issues that touch common humanity; (2) personal defenses erected for protection from these emotions; (3) visible empathy and counter-transference that facilitate sharing of stories; (4) social dynamics that exceed identification, projection, transferences, and sympathies; and (5) theories about face-to-face encounters that influence interpretations. For example, an interviewer might respond with silence to a story of torture as a form of resistance to protect oneself; a tacit understanding that to probe deeper would be harmful; a common awareness that silence marks the boundary of secret area of knowledge and emotion; and a consequence of overextended empathy (Robben, 2007).

As my research dealt with sensitive issue of conflict in the family, workplaces, and communities, it was important to be prepared to discuss these problems, be aware of possible responses, and know how to help participants if they break down in the interviews. One interview that was really painful to conduct involved a woman who was physically and psychologically abused by her husband for many years. The details she provided were horrific, making it difficult if not impossible to refrain from making negative judgments about the spouse. In this situation, it was important to show empathy and to acknowledge the terrible experiences she went through. In the end we were able to share a hug and I was relieved that she was not a completely broken person, and that she had a plan to move forward to regain her life.

Impact of Ethnography on People and Communities Studied

A number of researchers (see Greenberg, 2007; King, 2007; Scheper-Hughes, 2007; Sluka, 2007) discuss the impact of ethnography on the people studied and their communities. They remind us that not all research findings have positive effects and researchers need to be aware of such implications. Aboriginal people have welcomed strangers into their societies, felt betrayed by opportunists who study them to further their careers, been angered at having their communities ridiculed, and frustrated at having their customs sensationalized (King, 2007).

King (2007) states, the "language that anthropologists use to explain us traps us in linguistic cages because we must explain our ways through alien hypothetical constructs and theoretical frameworks" (p. 191). The categories of "animate" and "inanimate" do not make sense to an Odawa (or Ojibwe) who sees all things as animate. Aboriginals, Metis, and Inuit peoples are seen in anthropological studies as "poor folks," "minority,"

and "tribal," providing excuses for Indians' lack of education and unfair employer hiring policy (King, 2007, p. 192).

In the analysis of data, it is important that the results be discussed with representatives of the local population studied to receive feedback and ensure accuracy of interpretation. I would have liked to discuss my findings directly with the participants themselves, but the cost of travel and time to locate the participants are prohibitive as they come from different villages across three provinces, and the majority do not have telephones or internet service. Some of the villages were remote and difficult to travel to, and would require further travel permission from the Lao government. This could also make it difficult to preserve participant confidentiality. Therefore, I chose to share the findings with representatives such as elders and village leaders from each of the three provinces. These individuals represent both genders and can share the results of the study with the rest of the community in their regular monthly meetings. Confidentiality is preserved as no one is identified specifically as participants in the research.

It is vital that researchers provide the community a summary or copy of their manuscript that has been translated into the local language. Showing courtesy, empathy, and friendship in writing are just as important as face-to-face interactions. This courtesy helps maintain face and relationship. It is my hope that this research will show the many positive processes of conflict resolution in Lao culture; how the Village Mediation Committee (*Neoy Gai Geer*) can be a forum for conflict resolution in other cultures; and the importance of cultural rituals that build relationships after conflict. These mediation processes and rituals are not only appropriate for traditional cultures, but provide valuable insights for other communities in conflict and overall peacebuilding. These are

critical educational experiences in Southeast Asia that need to be shared with the rest of the world.

Conclusion

This chapter examines the use of an elicitive approach to the study of peace and conflict studies with an open understanding that researchers are there to learn from the participants, discover new processes of dispute resolution, and assist them in creating culturally appropriate mechanisms for conflict resolution. In particular, ethnography, narrative, and in-depth interview research methods are suggested and discussed as appropriate in studying Lao cultures and their traditional ways of resolving disputes. Combining these three methodologies, in a multi-method approach, allows for identifying, discussing, and understanding specific cultures and their conflict resolution processes. These approaches assist researchers in gathering information directly from participants, who are able to share their perspectives in their own unique ways.

The objective of this study is to identify and examine traditional conflict resolution processes and cultural ceremonies and rituals that celebrate the end to conflict among the different cultural groups in the country of Laos. Through a multi-method approach, one hundred and twenty-six participants from diverse ethnic, religious, economic, work, and educational backgrounds were interviewed in three different provinces of Vientiane, Houayxay, and Luang Prabang. Narratives and participant-observations were key to understanding the cultural context of conflict and conflict resolution that emerged from the local population. This project examined the importance of culturally appropriate conflict resolution processes and rituals to address various

conflicts in the communities, and how these activities help build relationships and

facilitate reconciliation.

CHAPTER V

Understanding the Lao Cultural View of Conflict and Conflict Resolution

"Don't pull down your pants and let others see your bum (*bor thong derng soung loung hei pern hin goan*)." (Lao Proverb)

Folktale: Wrapped-Ash Delight

When Nang Piew finished washing, the sun had not yet set behind the mountain. Its yellow rays shone over the treetops beside the river, glittering on the rippled water flowing softly down below. She draped the well-wrung cloth over her forearm and prepared to climb back up the riverbank. Then a shiny object on the ground caught her eye. She picked it up to look at it more closely. It was heavy . . . valuable – it was a silver belt!

She looked around. A few steps away, down by the river, two or three people were bathing. They weren't paying any attention to her, so she hid her find under the wet cloth and continued her walk up the slope toward home, her heart thumping unsteadily. She hadn't decided yet whether she should go looking for the rightful owner of the belt or keep it for herself . . .

As soon as she was over the bank, she bumped into Nang Oie, who was half running and half walking to the river with a worried look.

"Have you seen my silver belt?" asked Nang Oie.

"Oh no!" Nang Piew answered automatically, trying to keep her voice as calm as possible.

Nang Oie continued on her way to the river without any more questions, for she was in a hurry to find her lost possession.

When she arrived home, Nang Piew caressed the belt with shaky hand . . . After wrapping the belt around her waist, she turned left and right in front of the mirror. She looked at her reflection in the mirror and saw an unhappy face full of worries, suspicion . . . full of questions.

"Maybe people will find out I have it," she thought first.

"There's no way they can know, because a lot of people use that place by the river for bathing. In fact, almost everybody in the village uses that spot," she assured herself, trying to regain control of her thoughts.

"Should I tell Father and Mother about it?" she wondered.

"Well, if I do, they'll probably make me return it. But I've already told Nang Oie I haven't seen it. It's not a good idea to turn my words around now."

Nang Piew racked her brain but could not come up with the right answer. On the one hand, she wanted to return the silver belt, but on the other, she wanted very much to keep it for herself . . . If she kept the belt, she would have a wait a long time before she could wear it, as she lived in a small rural village where everybody knew everybody else . . . It would take a while for everyone in the village to forget about this missing object. And when that time came, how would she explain the belt to her parents? "Where did you get that belt?" they would ask. The problem seemed to get bigger and bigger. . . .

She thought about Nang Oie who lived farther up the street at the other end of the village. She was a young teenager and began wearing the silver belt little more than a year ago. Before that, she'd worn an ordinary belt. She had not been allowed to use the silver one for fear that she might lose it. Nang Oie's mother died when she was only 10 years old. Four years later, her father remarried . . . Nang Piew remembered well the passing of Pa Soi, Nang Oie's mother. She died after hemorrhaging in childbirth, leaving six small children as orphans. . . .

As she remembered this period of sorrow, Nang Piew wanted to return the belt. But another thought prevented her from doing so: nobody knew. Nobody had seen her with the belt, so it didn't matter if she decided to keep it. If there was a problem later, she could always sell the belt at the jewelry store in town. However, her conscience kept reminding her that failing to return other people's belongings isn't right. It is a sin. She hid the belt in a secure place and left the room. . . .

On that same evening, the *kuan bahn* [or *nei ban*, village leader] called for a meeting at his house. Those who had gone bathing before sunset at that particular area by the river were asked to attend . . . The *kuan bahn* and the senior members explained the situation, then admonished whoever had found the belt to return it to its rightful owner . . . When it was over, nobody had admitted to the crime.

The *kuan bahn* was compelled to come up with another strategy. He told everyone involved to wrap ashes in a package of banana leaves. Everyone should bring his or her package the following evening to the *kuan bahn*'s house. This would give the culprit time to reconsider his or her mistake.

On the way home, Nang Piew tried to keep her behavior as normal as possible, but the harder she tried, the more abnormal she became. It seemed to her that many eyes followed her wherever she went. If she coughed, the cough sounded unusual. When she smiled the expression seemed dry and empty. When she spoke, her speech seemed insincere.

Her heart was heavy. She was not very happy. She was constantly afraid that people were going to come and search her house for the belt. The following day, she heard Nang Oie's voice at the gate. She had come to borrow a ladder to collect betel leaves, for her mother to use as a gift when she traveled to visit relatives.

"Where's your mother going, Oie?" asked Nang Piew, trying to keep her voice as calm and friendly as possible.

"She said she was going to Bahn Lak Sao to ask a relative for some help in finding a soothsayer who can tell us the whereabouts of my belt. She may leave tomorrow or the day after."

After dinner that evening, there was another gathering at the *kuan bahn*'s house. The crowd that gathered this time was bigger than usual. People came to watch, to witness the event. The people who were supposed to bring ashes each walked to an empty room with his or her package inside a covered basket. This way, nobody knew which package belonged to whom. Each person left his or her package in the room, then came out to sit and wait with the rest of the crowd. Nang Piew put her ash package among the others. Each package, wrapped in banana leaves, contained ashes and chili, symbols of fiery pain for those who steal. After the last package had been carried in, the *kuan bahn* brought them all outside and placed them in front of the crowd. . . .

An elder had the honor of opening the packages. He unwrapped each one carefully and calmly. First he pulled out the stick that held the package together, then he opened the banana wrapper, and at last he stirred the ash slowly with a stick . . . The first package contained only ash and chili, and the second was exactly the same.

The unwrapping of the packages captured the interest of the crowd. Everybody watched attentively. No one spoke, or even blinked an eye. It was like uncovering a pot of gold that had just been dug out of the earth. The opening of packages continued steadily through 16, 17, and 18 packages. The elder felt a little discouraged, but he was obliged to go on with the job. When he pulled out the stick that held the nineteenth package and opened the leaves, a big pile of ash came tumbling down to reveal a shiny object. Everyone cheered with delight. There were screams of happiness from those who had come to witness the event as well as from those who had brought the ash, including the one who had returned the belt, whom no one could name. The loudest scream of all was from Nang Oie, the owner of the belt, who was choked with happiness. The noisy commotion symbolized the love solidarity, sincerity, and brotherhood that had been shared by all in this village from many generations.

The opening of the packages ended with the 19th. Although five remained, no one felt it was necessary to continue. (Bounyavong, 1999, pp. 93-103, abridged)

Conflicts in Laos: Avoidance, Saving Face, and Cultural Pressures

Conflicts are normal and natural part of being human and sharing the world in which we live in. As I tell my conflict resolution students, the way we respond to conflicts makes them positive or negative. There is diversity in conflict just as there is diversity in conflict resolution. We must be creative and think outside the box to find the most innovative resolutions to different problems. Learning from other cultures on how they understand and resolve conflicts can add to our repertoire of constructive conflict resolution mechanisms. It also adds to our knowledge of how to effectively address cross-cultural conflicts using the most culturally appropriate processes.

As the above story demonstrates, there are multiple aspects of conflict as well as creative ways to deal with conflict situations that allow all parties to save face. This chapter begins by defining the term, conflict, as it pertains to the Lao culture. Second, it discusses the Lao metaphors for conflict and conflict resolution. Third, it identifies avoidance as the most preferred strategy in response to conflict in Laos. Finally, the chapter concludes with the introduction of a Lao Conflict Resolution Spectrum as identified by the participants in the study. The specific details of the spectrum will be discussed in depth in the following chapter.

Defining Conflict in Laos

As discussed earlier in the literature review, conflicts are commonly defined in the West as "an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce resources, and interference from others in achieving their goals" (Wilmot & Hocker, 2001, p. 41). While that definition holds true in the Lao culture as well, it is too narrow to be a thorough translation of the Lao word for conflict,

bunha. Although there are various terms that are associated with conflict in Laos, the most commonly used term by the participants in this study is *bunha* as it refers to conflict in a more personal way.

The term, *bunha*, is much more comprehensive and encompasses a variety of conflict, ranging from intrapersonal to interpersonal to intergroup to international. Based on the interviews, the participants identified conflict as alcoholism, drug trafficking, stealing, spousal abuse, poverty, injuries, property issues, ethnic prejudices, marital issues, or even children fighting. These conflicts involve intrapersonal struggles, such as injuries, alcoholism, or gambling. These issues also impact the family and larger community. Conflicts, such as poverty and ethnic discrimination, are systemic kinds of conflicts. *Bunha*, therefore, incorporates a wide range of personal, interpersonal, and structural conflicts.

Conflict and the Concept of Face in Laos

As discussed in the literature review, the concept of "face" is one that is common to many cultures. To reiterate, face is defined as "the public self-image, that every member of a society wants to claim for him/herself" (Brown & Levinson, 1978 as cited in Lee & Hwee Hwee, 2009, p. 159). This definition highlights face as a social image that needs to be preserved. In essence, "face" is a term that is used to define the relationship between respect and social status. For example, when individual actions are viewed negatively, a person can lose respect, thereby negatively affecting their social status. This is considered a "loss of face."

The importance of face is clearly illustrated in the "Wrapped-Ash Delight" conflict. The *kuan ban* or *nei ban* (village leader) proposed a creative response to resolve

the situation. The *nei ban* called for a village meeting where everyone, who was bathing in the location where the belt was lost, was to bring a package full of ashes wrapped in banana leaves inside a covered basket. The people placed their baskets in the empty room and returned outside with all the others to ensure that nobody knew which package belonged to whom. This allowed the elder to open each wrapped package in front of the crowd without identifying anyone, thus allowing the wrongdoer to save face by returning the item anonymously. This also helped to maintain the face of the victim, by absolving her of the responsibility for losing the belt. Overall, the whole community was able to save face in this situation.

As demonstrated by many of the comments over the next chapters, the Lao people have a particularly unique way of referring to "face." They refer to conflict as a loss of face or *sear na sear tda*, which translates "loss of face and eyes." Many cultures in the world have an expression or belief about the eyes being "the window to the soul." In Canada, in conflict situations we often use the expressions, "Look me in the eye and say that," or "Look me in the eye and say sorry." In this instance, an inability to look someone in the eye can be interpreted as a feeling of shame or guilt.

In referring to "face and eyes," the Lao people are bringing two concepts together in a very simple, yet powerful way. "Face" is the outer appearance of one's respect and status in a communal relationship, and "eyes" are the inner aspect of one's own shame and guilt. Again, in the "Wrapped-Ash Delight" conflict, Nang Piew is struggling with her conscience that kept "reminding her that failing to return other people's belongings isn't right. It is a sin." The following sections on Lao metaphors for conflict and conflict resolution demonstrate this relationship.

Lao Metaphors for Conflict

Metaphors are poetic ways of describing experiences in a way that brings focus to emotions that can be difficult to communicate. They are used to "create a kind of compact, vivid shorthand description of a complicated process" (Ortony, 1975 as cited in Wilmot & Hocker, 2007, p. 44). The above Lao folktale illustrates important metaphors for conflict in the description of each package as "wrapped in banana leaves, contained ashes and chili, symbols of fiery pain for those who steal." Here conflict is compared to ashes and chilis, which can burn and create a mess if blown around. Lao chilis are tiny in size but can be potent in its scale of "hotness." This metaphor explains how small conflicts can hurt people and, if they escalate, blow fiery, painful residue on everything and everyone surrounding it.

The Lao people have a particular gift for using metaphors, in a way that is often humorous but still enlightening. The following expressions and metaphors are uniquely Lao, and are useful in describing attitudes about conflict. They are included here to provide background into the Lao psyche regarding conflict, specifically, their cultural interpretation of what conflict means in society.

1. "Your face is crooked like a scorpion ready to bite" (*na jou keur mang gcot*).

2. "Your eyes are crooked like a green caterpillar" (*tda jou keur mang bong*).

3. "Your face is sour like you've eaten pig feces" (*jou na boot keur kee moo*).

4. "Conflict is like the clanging of dishes and spoons" (*teoy gup bwung fut gun*).

5. "Conflict is like the tongue and teeth biting one another" (*lean gup fun bung kung*).

It is interesting to note that every one of the above metaphors involves either the whole face or specific features of the face. This further supports the notion that in Laos, there is a very literal understanding of the social concept of "face," and how that translates into a reflection of one's actual face. As the folktale in the beginning of the chapter discussed, after Nang Piew kept the silver belt that she had found on the path along the river and returned home, she "looked at her reflection in the mirror and saw an unhappy face full of worries, suspicion . . . full of questions." This conflict has affected her conscience and is reflected directly in her face.

As is evident by the above metaphors, there is a relationship between conflict and face in a way that is negative, uncomfortable, and dangerous. Conflict makes one's face and eyes "crooked and sour," makes harmony sound "clangy and awkward," and impedes communication by making the "tongue and teeth" work against each other. It works against individual and collective face by causing difficulties in seeing, hearing, and speaking or, in other words, conflict causes people to be blind, deaf, and dumb. A conflict creates negative transformation in people physically, psychologically, and spiritually.

The folktale further illustrates how the conflict caused Nang Piew's heart to feel heavy, sad, and full of anxiety as she was "constantly afraid that people were going to come and search her house for the belt." Nang Piew had difficulty trying to keep her voice calm and friendly whenever she had conversations with Nang Oie. She felt "many eyes followed her wherever she went. If she coughed, the cough sounded unusual. When she smiled the expression seemed dry and empty. When she spoke, her speech seemed insincere." Clearly, conflict is viewed as something negative and destructive, particularly in relationships.

Lao Metaphors for Conflict Resolution

If the above metaphors are useful to the Lao people in describing the capacity of conflict to cause a loss of face and eyes, the following expressions identify the most important approach they would take in dealing with conflict:

1. "No one will know your roof is leaking if you don't tell them" (*fon bor huar hern pei ga bor hu*).

2. "If you don't turn on the lights, no one will see inside your home" (*fi bor tdi hern pei gor bor hoong*).

3. "Don't fight in front of the face of others" (*bor thong pit gun thone na peur ern*).

4. "It's not good to bring a poisonous snake into the house" (*ow gnu how ma hern bor dee*).

5. "Don't bring other people's conflict onto your shoulders" (*ya ow bunha poo ern ma hap*).

These metaphors demonstrate the Lao cultural view that conflict, as a problem, is something that should be guarded quietly and efforts should be taken to ensure that it stays private or removed from oneself. I find the third expression particularly interesting: "don't fight in front of the face of others." This is another play on the concept of "face," specifically in the literal sense of not fighting in front of someone's physical face or in front of someone's metaphoric "face." This expression illustrates the importance of maintaining one's own face as well as preventing damage to the face of bystanders. Like blowing ash coating everything around a fire, even the face of a bystander can be affected by a fight.

Clearly, open conflict is discouraged and avoided in Lao culture. These expressions are evidence of people's desire to avoid conflict and keep it as private as possible. The metaphors demonstrate that in Lao culture, maintaining discretion in one's personal conflicts and distance from other's conflicts is prudent. These conflict resolution etiquettes are vital to preserving social harmony. These values are taught to people at a young age and are passed on from generation to generation.

The story of "Wrapped-Ash Delight" is not just a folktale of Lao culture. Several participants in the research discussed similar stories of conflict avoidance and face saving in trying to find creative ways to resolve conflicts. For example, an interviewee discussed how a person might avoid conflict and save face if she had stolen something from another's home. She described returning the item on the steps of the home where the item was taken. Alternatively, the stolen item can also be wrapped up as a present and given to the owner in a situation where they are receiving many other presents, such as a wedding or celebration. As the participant stated, "Some people still use this method because the item is being returned anonymously and the owner won't be able to tell who it is from. And if the owner does figure out who it is, they can pretend that they don't know in order to save face." This illustrates the importance of maintaining face in a conflict situation or saving the other's face by providing a way out for both parties.

The concept of face is similar to other cultures as well. It is particularly important to allow the parties in conflict to save face in any conflict resolution. However, the Lao concept of face is remarkably holistic. In Laos, face is applied to three different levels: the individual, the family, and the community. Conflict resolution requires being able to save one's own face, the face of the families involved in the situation, and the whole

community where the conflict takes place in. The story of the stolen belt illustrates these different levels of maintaining and saving face in conflict. Nang Piew and Nang Oie both need to save face by avoiding the conflict and open confrontation. Nang Piew wanted to save the face of her mother and her family by not discussing the situation with them. Nang Oie wanted to spare her family the embarrassment that their daughter had lost something precious. The *nei ban* wanted to help the whole community maintain face by devising a plan to address the conflict in a way that ensured social harmony.

At this point, enough information has been presented to develop an appropriate definition for Lao conflict or *bunha. Bunha* refers to a situation in which one or more people are in an incident or engaged in actions that contribute to a "loss of face" or an "embarrassment of face" for themselves and/or others that disrupt their inner psyche, relationships, and/or social harmony. Related to the Lao concept of *bunha*, an appropriate Lao definition of conflict resolution could be: a situation in which one or more people are in a circumstance or engaged in actions that help to "maintain face," prevent "loss of face," or "rebuild face" for themselves and/or others in order to restore personal, interpersonal, or intergroup harmony. These are obviously very broad definitions, but they reflect the large scope of *bunha* in that they apply to intrapersonal, interpersonal, intergroup, and structural conflict. As will be discussed, these definitions also influence *ot* (avoidance) as well as the multi-dimensional use of *op-lom* (discussion) in conflict resolution.

Avoidance of Conflict

The conflict and conflict resolution metaphors identified earlier in this chapter suggest there is a relationship between cultural views of conflict and strategies of conflict resolution. Because open conflict is perceived as working against social harmony and face, it is shunned and evaded. Avoidance of conflict is an underlying theme in Lao conflict resolution and is key in understanding the reasons behind their conflict resolution processes. The negative perceptions of conflict and the importance of maintaining privacy give birth to avoidance strategies. Examples of avoidance are illustrated by the following citations:

1. "Sometimes we have to just take it! *Chai ot ow!*" (54 year old female Ethnic Lao housewife) (54 year old female Ethnic Lao merchant)

2. "When faced with conflict, I sometimes will have to take it and be patient - *Ot tone* – and walk away." (41 year old Ethnic Lao male teacher)

3. "When there is a conflict, sometimes we have to tolerate and just take it – O*t gun bai*." (70 year old male Thai Deng teacher)

4. "Just keep quiet, when I am quiet sometimes it can help some situation . . . keep quiet and try again later, quiet I mean keeping silent." (22 year old female Ethnic Lao student)

5. "When I have a problem, I don't discuss it with anyone. I keep it to myself . . . I solve the problem by staying quiet. I do not say anything because then there will be an argument" (55 year old female Ethnic Lao housewife)

6. "Our family doesn't want to have an argument, depends on what they want to do. If it affects our house then we will have to do the repairs and don't say anything . . . we hope that it will disappear." (older male Ethnic Lao electrician)

The participants have identified avoidance as their initial method of responding to conflicts, whether it is through acceptance, fear of escalation, or hope that it will eventually go away on its own.

The expressions in the above quotes, *ot ow, ot tone,* and *ot gun bai*, are characteristics of many Lao people's response to conflict. The term, *ot*, refers to refraining and abstaining from conflict. *Ot ow* means to just take it. *Ot tone* indicates patience and endurance. *Ot gun bai* suggests tolerance and remaining calm together. All these phrases convey the importance of accepting the situation in order to avoid conflict. One of the participants in the study clearly espoused this principle in her personal life. Her husband was a well-known philanderer among the people in the community. However, this woman never once confronted her husband about his affairs nor did she talk about the situation with her family and friends. She tolerated the situation and remained patient throughout her marriage until the day her husband passed away.

Avoidance is a powerful force in Lao conflict resolution, as it is consistently compelling disputants not only to avoid conflict entirely but also to avoid any potential escalation in conflict, thereby avoiding further loss of face and eyes and maintaining social harmony. Again, the "Wrapped-Ash Delight" folktale illustrates the importance of avoidance in conflict situation. When Nang Piew was debating about whether to tell her mother about finding the belt, she felt that she could not as her mother would ask her to return it and that would go against her earlier words of denial to Nang Oie. As nobody

knew that she had taken the belt, Nang Piew thought it was important to not escalate the conflict. She avoided escalating a direct conflict with her mother as well as Nang Oie.

In that sense, avoidance is a trait that runs through the entire conflict resolution spectrum, by discouraging people to avoid further escalation of conflict that requires increasingly public conflict resolution processes. The following quotes illustrate the importance to avoiding conflict and maintaining privacy:

1. "We like to solve the problem in the family because we don't want to go to the *Neoy Gai Geer* (village mediation committee)." (60 year old female Ethnic Lao business woman)

2. "We discuss in the family because we don't want other families to know we have a problem." (27 year old female Ethnic Lao)

3. "We talk about our problems in the family because I don't want everyone to know about my situation . . . We just have to love and help each other." (52 year old female Ethnic Lao government worker)

4. "We discuss the conflict in our family because we don't want the village to know about our problems." (69 year old male Ethnic Lao farmer)

When avoidance is not possible, privacy is endangered and maintaining social status becomes tenuous. In "Wrapped-Ash Delight," the *nei ban* and elders explain the missing belt situation and "admonished whoever had found the belt to return it to its rightful owner." When this did not resolve the conflict, they encouraged the whole village to become involve in finding the solution through the exercise of wrapping ash in banana leaf packages. In doing this, the *nei ban* and elders are able to condemn the socially

destructive behavior while at the same time ensuring that any confrontation and loss of face are avoided.

Cultural Values Regarding Conflict and Conflict Resolution

Much of the research data that will be presented alludes to cultural values important in the Lao culture. The following quotes are ones that are thematically representative of much that has been and will be described:

1. "Whenever we have conflict, we make our family lose face and respect . . . We don't want to lose face so we only go to someone outside the home to help resolve our conflict if absolutely necessary. It is embarrassing to have a conflict and we can lose face so we have to resolve it in the family." (76 year old male Ethnic Lao teacher)

2. "The elders educate and encourage them to go to the temple to calm down, to help them be softer. The elders provide reasons on what's good and bad. Then let the people think and make changes." (69 year old male Ethnic Lao farmer)

3. "We must watch our parents and learn from them. If we do things according to traditions then we will be happy and strong." (63 year old male Khammu teacher and *nei ban*)

In terms of cultural values, these three quotes identify respect, calmness, softness, traditions, respect for elders, and family as an important part of Lao social virtue. In fact, in reflecting on many of the conversations from the interviews, the Lao words for "calm, care, love, help, teach, respect, do good, and traditions," appear multiple times, with the words "calm and respect," being the most often used. These are obviously valued cultural

attributes and promoting these qualities is a big part of maintaining one's "face and eyes." As seen by the Lao metaphors for conflict and demonstrated by quotes throughout this research, the Lao people view conflict as impinging on these values.

These cultural values are demonstrated in the "Wrapped-Ash Delight" folktale where the *nei ban* and elders in the community help to resolve the conflict in a way that maintains face for everyone. They help the people to remain calm in conflict and to respect the traditions of the community. The lesson that can be taken from this story is that when someone has done something wrong, it is important to provide a way for him or her to resolve the conflict without losing face. Also, it is imperative that the conflict does not escalate to an open confrontation where the loss of face for everyone involved is imminent. These values are consistent with our definition for Lao conflict resolution in that they are actions that are taken to prevent the "loss of face."

It is no surprise that parents are expected to play a big role in transmitting these cultural values to their children and that they, along with elders, are considered the caretakers of tradition and peace.

1. "My mother teaches me to use nice words and not strong words. If you do bad things the bad things will return, if you do good things you will be returned with nice words. So be polite and don't look down on others." (22 year old female Ethnic Lao student)

2. "I teach my children to . . . be a good person and respect older people and parents. Brothers and sisters must help each other; be friendly, do similar things as our traditions and regions where our parents are from. Our parents have taught us like

this to keep this message and teach our children in the future." (45 year old male

Ethnic Lao)

3. "We have to warn and remind them to change, to do good, and to speak softly or

    nicely with each other in order to understand how to resolve our problem and to

    understand each other." (29 year old male Ethnic Lao soldier)

4. "My parents taught me I have ears to listen, eyes to look at things. They teach us

    to never say bad things." (48 year old female Ethnic Lao housewife)

5. "As parents we want our children to be good persons so we discuss (*op-lom*) with

    them to be smart but not to prohibit them from doing everything. We take their

    opinions into consideration too. However, if they are not 18 or 20 years old, we

    won't let them go out drinking otherwise we will lose face or embarrass our face

    (*ai na*)." (53 year old female Ethnic Lao housewife)

Again, these quotes show us that the Lao people have definite boundaries between "good"

and "bad." They are not always specific beyond that, but the words "speaking softly, be

friendly, be polite, maintain traditions, use nice words," all reflect themes that are

important in Lao conflict resolution. Being in conflict is not viewed as nurturing these

social values. Therefore, in cultivating and maintaining face, there is significant cultural

pressure to stay out of conflict.

Cultural Pressure to Resolve Conflicts

The word, "embarrassing," is a word that is often used by the interviewees as a

negative cultural value. When participants discussed conflict, they often described the

situation as causing them to *sear na, sear tda* (lose face and eyes) and *ai na* (embarrass

face). Embarrassment leads to a loss of "face and eyes," and is therefore viewed as working against social harmony. Furthermore, as demonstrated by the symbol of ash and chilies, and as will be shown throughout the following chapters, embarrassment seems to be quite "contagious" in Laos, as support networks, mediators, and others involved in conflict can all be susceptible to being embarrassed, regardless of their involvement in the initial conflict situation. Confirmed by the citations presented so far, this is particularly true of their most important support network, the families of those directly involved in disputes. With that in mind, we can see that there is significant cultural pressure on disputants to resolve conflicts, in order to save themselves and others from embarrassment.

This cultural pressure is evident in the relational structures in Lao society. The following quotes illustrate their hierarchical relationships, especially in regards to a respect for elders.

1. "My mother and uncle are well known in the village because they are older and they will *op-lom* (discuss/advise) . . . my younger brother is afraid of my uncle so he will do whatever my uncle says and will change." (24 year old male student)

2. "People listen to the elders whom they respect. If they are respected, you go to that person and people don't question the decision, they just accept it. Elders can be old *nei ban* (village leader), teacher, or soldier. There is a reverence for elders." (57 year old male Ethnic Lao *nei ban*)

3. "In all my 20 years of being a *nei ban* (village leader) and member of the *Neoy Gai Geer* (Village Mediation Committee), no parties in conflict have ever

returned to the committee to discuss revisions to their agreement." (65 year old

male Ethnic Lao *nei ban*).

4. "When there are conflicts between villagers, we have to educate them to build

solidarity. If that doesn't work then we have to enforce rules and send them to

village authorities [including the *Neoy Gai Geer*] who will follow step-by-step

processes to resolve conflicts." (72 year old male Ethnic Lao elder and former *nei

ban*)

5. "If after three times, they don't listen to the *nei ban* (village leader), then it means

they don't respect him. They are being disrespectful by not listening to him." (42

year old Ethnic Lao housewife)

The cultural values of respecting elders, caring for community, maintain friendships,

speak softly, and so forth create pressure to resolve conflict and abide by the resolutions

established by these people. These quotes illustrate the cultural pressures people in

conflict situations are under. In order to prevent a loss of face or embarrassment for

themselves and others, one must resolve conflicts according to the cultural traditions,

traditions which have been established, maintained, and taught by parents and elders. The

importance of societal pressures in respecting traditions and demonstrating cultural

values creates a strong foundation for a cultural willingness to resolve conflict.

The Lao folktale clearly demonstrates the respect for tradition in resolving

conflicts. First of all, the *nei ban* and elders were called upon to assist in the resolution of

conflict. The whole community was invited to participate in addressing the missing belt.

Each person present at the bathing site along the river was asked to bring a package of

ash wrapped in banana leaves. Everyone had an obligation to do this as a sign of respect

for the elders, maintenance of relationships, and care for the community. As the story

concludes, "The noisy commotion symbolized the love solidarity, sincerity, and

brotherhood that had been shared by all in this village from many generations."

Conclusion

Culture is a composite of different attributes, including communication, facework,

knowledge, conflict resolution, and rituals, that interact and influence each other.

Although Laos is a country of diverse ethnicities, cultures, and religions, there are

common cultural views of conflict and conflict resolution. From the various discussions

and interviews with different Lao participants, it is evident that they have a clear

understanding of the meaning of conflict and conflict resolution.

The term, *bunha* (conflict) encompasses a broad definition of conflict that

includes poverty, discrimination, alcoholism, marital disputes, thievery, among other

things. The concept of "face" is complex and prominent in Laos and underlies the

people's understanding of conflict and conflict resolution as seen in the popular Lao

metaphors. Conflict contributes to a "loss of face and eyes" and conflict resolution

"restores the face and eyes."

These cultural views of conflict and conflict resolution lead to the importance of

an avoidance strategy to address conflict situations. People would rather avoid conflict in

order to prevent an argument and escalation of conflict. Cultural values of respect,

calmness, and relationship further reinforce the importance of conflict avoidance.

Cultural pressures to resolve conflicts are evident in the roles and responsibilities that

parents, elders, and village leaders have in teaching appropriate values to the next

generation. Going against the advice of elders is greatly discouraged and frowned upon in

Laos. These mechanisms promote the maintenance of relationships and social harmony.

CHAPTER VI

Lao Conflict Resolution Spectrum: Options for Resolution

"Discuss, teach, and advise one another (*op-lom du num gun*)." (Lao Proverb)

In talking with the Lao people, several important things became clear very early in the discussions. The Lao people, regardless of ethnicity, were all well aware of what options were available to them in trying to resolve conflict and, furthermore, were also aware of what options they did not want to use in resolving conflict. The participants were able to identify processes that could assist them in conflict situations. They had an intimate knowledge of the various options for resolution.

When discussing conflict during the interviews, the Lao participants used many different examples of conflict, but mainly interpersonal types of conflict between two or more people. As will become apparent, common among these were family conflicts involving the disciplining of children, extramarital affairs, gambling, and even spousal assault, as well as community conflicts involving drug abuse, assault, land or property disputes, theft, and ethnic disputes. There were also several examples of business disputes, inheritance conflicts, and even unfortunate deaths.

The large diversity of conflict topics covered, from everyday conflict issues to criminal activities, was part of the research format. As already stated, one of the goals of

this research was to discover cultural attitudes and practices in conflict resolution. In allowing for a very open-ended interview, the interviewees were not restricted in the types of conflict that they wanted to discuss. This was a culturally appropriate way for them to talk about conflict resolution. Specifically, the research was designed to encourage participants to tell stories of conflict and give specific examples of the conflict resolution processes and rituals that helped to resolve the conflict and prevent its escalation. The participants also described how these mechanisms were important in repairing the damage to relationships once the conflicts have surfaced.

This chapter describes and analyzes the conflict resolution methods in Laos as described by the interview participants. As will become evident, the major themes they presented highlight their understanding of a Lao Conflict Resolution Spectrum, their preference of mediation and mediators, and the progression of their Conflict Resolution Spectrum ending with the Village Mediation Committee (*Neoy Gai Geer*). Beyond the different mediation options lies the court system.

Lao Conflict Resolution Spectrum Defined

The people in Laos have a well-understood conflict resolution spectrum of processes to deal with conflicts in their communities. According to previous (Stobbe, 2006a, 2008a) and current research, the Lao people have consistently identified the following processes within a conflict resolution spectrum (see Table 3). The participants in the research were able to identify all the different processes that are available to help them resolve personal, group, and intergroup conflicts in Laos. The development of this Spectrum is based on the interviews, which are quoted extensively throughout the next chapters.

Table 3

Lao Conflict Resolution Spectrum

1. Discussion/Problem-Solving "*Op-lom*"
2. Parents Mediation "*Paw Mer*"
3. Relatives Mediation "*Pah Loong / Pee Nong*"
4. Elders Mediation "*Tow Gua*"
5. Village Leaders Mediation "*Nei Ban*"
6. Village Mediation Committee "*Neoy Gai Geer*"
7. Village Court "*San Ban*"
8. District Court "*San Muang*"
9. Provincial Court "*San Kwang*"
10. Supreme Court "*San Sung*"

Note: The term village refers to both a small rural community and a neighborhood or sub-

division within a city.

The following responses are evidence of the Lao people's knowledge of the

Conflict Resolution Spectrum and its various conflict resolution processes:

1. "When I have a problem, I don't discuss it with anyone. I keep it to myself . . . I

   solve the problem by staying quiet. I do not say anything because then there will

   be an argument." (55 year old female Ethnic Lao merchant)

2. "First, the husband and wife will discuss (*op-lom*) together. If it's a serious

   problem then they will discuss with their parents. If they've already talked to their

   parents and it's still not resolved then they will go to the *Neoy Gai Geer*. We have

   to follow these different steps." (32 year old female Khammu housewife)

3. "We always talk to our parents first about our problems. If they can't help us, then

   we will talk to our relatives, usually our brothers and sisters, aunts and uncles, our

   blood relatives. After that we go to the *nei ban* for help in resolving our conflict.

   The courts are only for bigger problems. The village courts may deal with divorce

cases. The provincial courts deal with cases involving deaths and murders. The Supreme Court, there are no divorce cases here." (42 year old female Ethnic Lao business woman)

4. "First, we must discuss (*op-lom*) with our relatives and siblings. Second, we talk to the elders. Third, we talk to the *nei ban*." (67 year old female Ethnic Lao housewife)

5. "The husband and wife must discuss with each other (*op-lom*). Sometimes, they will go and discuss their problems with their relatives and elders . . . the parents will talk with them. Then they might go to the village leader's (*nei ban*) house to talk with him. Usually, the couple is given three chances to try and work things out before a final decision to remain together or to separate. First, we talk to our parents, then our relatives, then the village leader (*nei ban*), and finally we go to court." (89 year old female Ethnic Lao farmer)

6. "The parents will come and discuss (*op-lom*) the problem . . . Next, they can go to talk to their relatives, the *Neoy Gai Geer*, and the courts." (61 year old male Katdu tax collector/accountant)

Each of the above quotes demonstrate people's personal knowledge of the specific conflict resolution processes that are available to disputants, as well as the different third parties who can assist in resolving conflict. The third parties are clearly identified as parents, relatives, elders, village leaders, and the village mediation committees (*Neoy Gai Geer*). Clearly, when avoidance of conflict is not possible, the Lao people use discussion, various forms of mediation and, in rare circumstances, the court system to address their conflicts.

Op-lom Discussion

The term *op-lom* needs some clarification, especially considering it was identified by many of the participants during the interview process. The process of *op-lom* mentioned in many of the quotes in this chapter is known to the Lao people as a process of listening, discussing, educating, teaching, reminding, and advising parties to resolve their disputes in constructive ways (see Figure 1). *Op-lom* is a term that is only used in reference to conflict and conflict resolution. It is much more than just talking (*wao* or *lom*) and speaking (*bpak* or *son ta naa*), but a process of active and intense counseling and advising for the purposes of helping people understand each other in conflict situations. The process of *op-lom* goes beyond the facilitation of discussion between parties, and, depending on the situation, can take the different roles of a therapist, teacher, or lawyer. There is a certain richness of exchange in *op-lom*, in terms of the context that it seeks through in-depth discussion. The quotes in the section below will further develop this term as used at the interpersonal level or at third party levels of conflict resolution.

Figure 1. Op-lom Process in Problem Solving and Mediation

Interpersonal Op-lom. When avoidance is not possible, the participants discussed the importance of talking and directly negotiating with one another about the issues in conflict. The following quotes identify interpersonal *op-lom*:

1. "We *op-lom* (discuss) with each other, the important and necessary thing is to discuss with each other – I talk to you and you talk to me." (47 year old male Viet-Lao carpenter)

2. "After an argument or conflict then we have to *op-lom* (discuss) together to explain to each other and don't fight with each other . . . talking to each other helps us understand one another." (59 year old male Ethnic Lao)

3. "Before we can solve problems, both sides need to *op-lom* (discuss) and try to understand each other, however different their personalities, they have to come to talk together, sometimes they don't like to talk together because it takes a long time to solve the problem, but if they understand each other, it's easy to work out." (24 year old male Ethnic Lao staff at private company)

4. "If there are conflicts between siblings, they should discuss together and try to understand each other. This is better than asking other people to *op-lom* (discuss) the problem because it will take longer." (60 year old male Ethnic Lao government worker)

5. "Our family we speak softly and our family does not have an argument. We have discussions quietly, it is the best method of resolving conflicts when we have nice discussions and observe each other . . . come to *op-lom* (discuss) and solve problems then we arrange some drinks to celebrate." (53 year old female Ethnic Lao teacher)

In interpersonal *op-lom*, the parties are directly involved in discussions without the assistance of third parties. This is similar to the process of negotiation, where the parties agree to talk about their issues face-to-face, come to a common understanding of the problem, and find solutions that are mutually satisfying.

Third Party Op-lom. When conflicts cannot be resolved at the interpersonal level, then the Lao people will ask third parties to assist them in resolving their dispute. As a 45 year old female Ethnic Lao merchant stated, "We discuss (*op-lom*) only between husband and wife. If the situation is bigger we have to ask our elders to come to help, such as an aunt or uncle, parents to help solve the problem." Third party *op-lom* is described by the participants as follows:

1. "Bring parties together to talk. To look at both sides and we don't take sides. The elders and village leader will *op-lom*." (69 year old male Ethnic Lao elder and former soldier)

2. "The elders educate and encourage them (*op-lom*) to go to the temple to calm down, to help them be softer. The elders provide reasons on what's good and bad. Then let the people think and make changes." (67 year old Ethnic Lao elder)

3. "I educate my children and tell them there is only the two of them, they're brothers so they have to help each other to work. Therefore, we will have enough food to eat. I have to *op-lom* them to care and love each other so they can later stand by themselves." (72 year old male Ethnic Lao elder)

4. "We have to *op-lom* with both sides and if we cannot resolve then we ask the elders, such as the village leader, to help us make the final decision about who is

right and who is wrong. After this decision is made, people are usually happy and

confident that the right decision has been made." (27 year old female Ethnic Lao)

5. "Meet with elders we respect to get some advice and suggestions. They look at

the root of the problems, where the problems started. Then they provide some

good wishes, resolution methods, and educate." (43 year old male Ethnic Lao *nei*

ban and farmer)

Evidently, the *op-lom* process is central to resolving conflicts throughout the Lao Conflict

Resolution Spectrum. The fourth citation above is descriptive of the *op-lom* process as

helping to define right and wrong, and giving the third party the decision- making

authority in resolving the conflict. Like the English term "counsel," *op-lom* can be

something that is akin to a therapist attentively listening as a counselor or like a lawyer

giving counsel in a legal situation. This will be further defined in discussions of various

third party mediations.

  Op-lom is a valued concept and skill that has been incorporated into Lao conflict

resolution processes as a basic communication strategy for individuals and third parties

involved in resolving conflicts. All the participants identified *op-lom* as an activity that

all mediators should engage in and encourage when helping people address their conflict.

It is an important communication skill that, by its definition, brings people together

through a shared understanding of various issues. In that sense, *op-lom* is a

communication tool that is characteristic of all types of mediation and conflict resolution

processes in Laos.

Parents and Relatives Mediation

Maintaining face for oneself and one's family is of utmost importance and keeping a conflict situation within the families is of significant cultural value. As informal third parties, parents and relatives play one of the most important roles in conflict resolution in Laos. The participants describe how the parents and extended family members are crucial in helping them resolve their disputes:

1. "Whenever we have conflict, we make our family lose face and respect . . . We don't want to lose face so we only go to someone outside the home to help resolve our conflict if absolutely necessary. It is embarrassing to have a conflict and we can lose face so we have to resolve it in the family." (65 year old male Ethnic Lao teacher)

2. "I don't get involved in other people's conflict. That's their business and I stay out of it. They're not family." (67 year old female housewife and farmer)

3. "I don't want to lose face so I only go outside the home for help only when it's necessary to come to an agreement." (76 year old male Ethnic Lao teacher)

4. "I don't want everyone to know about my situation. I just keep it within my family. I don't want anyone to gossip about me and my family in the community." (52 year old female Ethnic Lao government employee)

5. "It's embarrassing to have conflict and we lose face so we have to resolve it within our family." (76 year old male Ethnic Lao monk)

Cultural norms and expectations dictate that people first go to their parents and relatives for assistance in resolving conflicts, as they are people who have significant vested interest in resolving the dispute. The intimate relationship that parties have with these

intermediaries is helpful in forming strong support networks during the mediation process and the implementation of a resolution, as well as giving the disputing parties extra incentive in maintaining agreements. Additionally, informal discussions with parents and relatives ensure that conflicts remain as private as possible.

During these informal mediation processes, it is not unusual for the parents of the disputing parties to meet with each other in an attempt to resolve the conflict between their children. The nature of being parents gives them a certain amount of power, deference, and authority over their children throughout their lives. As discussed by numerous interviewees:

1. "My mom taught me to do good, have good friends, stay home, help parents, boys visit only when parents are around. My mom said, if I do good, I will have a good husband. She told me, 'When you look at an elephant, you must look at the tail too. If the Mom is good, then the children will be good too. We must know the beginning and the end." (67 year old female Ethnic Lao baker)

2. "My parents taught me to study, learn, and not fight with others. To not lie, be lazy, or steal – I must be aware of this and to not do these things . . . If we fight with friends, we must apologize and ask for forgiveness. We must be good in order to have more friends . . . to do well in school and life." (65 year old male Ethnic Lao teacher)

3. "It is our responsibility to teach our sons, daughters, and grandchildren. If it's our relatives, we must discuss (*op-lom*), teach, and love one another." (69 year old male Ethnic Lao farmer)

4. "Parents teach us to be good people, to stay on the good road, to do good, similar to Buddhist religious teachings . . . Parents must teach us how to resolve our conflicts otherwise we will lose face." (60 year old male Ethnic Lao nei ban)

5. "Our parents taught us to discuss (*op-lom*) and be clear about the problem so that in the future we can solve the problem . . . that we have to concentrate and pay more attention. It is important even when they have passed away, especially their teaching it stays with us forever." (60 year-old Ethnic Lao teacher)

6. "We must watch our parents and learn from them. If we do things according to traditions then we will be happy and strong." (63 year old male Khammu elder)

These quotes show the authority and responsibility that parents have in Lao culture. They all discuss parents as teachers and role models, instructing proper moral values to their children. Parents use *op-lom* as a teaching tool, where they teach their children "to have good friends," "not fight with others," or "stay on the good road according to Buddhist teachings." These are all important aspects of Lao social structure.

Elders Mediation

When there is an impasse and no mutually satisfying resolution, the next step is to visit non-family elders in the community. Parties in conflict often elicit respected elders to mediate various disputes. Similar to the *panchayats* in Karimpur, India, these elders are aware that conflicts are embedded in complicated social relationships, and they will discuss a compromise that is acceptable to all involved in the conflict (Wadley, 1994).

Elders traditionally command great respect and possess an enormous amount of decision-making power. Status accrues to age, wealth, skill in specific tasks, and religious knowledge (Leibo, 2003; Savada, 1995; Stuart-Fox, 1997). These roles are automatically

ascribed to them due to their age and status in society. They bring a tremendous amount of experience, knowledge, and history in dealing with conflict. Through oral traditions, elders are able to pass down important teachings about life, relationships, and conflict resolution skills to the younger generations.

The religious community holds a special role as community elders in the conflict resolution spectrum. In many of the homes where I conducted the interviews, there are Buddhist shrines placed on shelves above the head level that contained a Buddha, sacred relics, and offerings to the various spirits. Buddhist teachers, leaders, and artists play a vital role in working towards peace. Traditionally, monks have played the role of mediators in interpersonal, family, and community disputes. As a 45 year old Ethnic Lao man confirmed, "In the past, elders and monks would come and teach us about religion in order for both sides to understand each other when there are problems. That conflict is not a difficult thing and that there are benefits . . . When I resolve conflicts I use the traditions and religion."

When people are anxious, distressed, and in conflict, they will often discuss their concerns with the monks at the temples. The Lao people's respect and support of the clergy contribute to the status of monks as mediators, mentors, and teachers. Senior monks are considered elders in the community and very much revered. One of the senior monks interviewed stated,

> When there are conflicts in the community, the people come to me because they
> know me and respect me. And they know that I will help them to resolve their
> conflict. Just the other day, a couple who were having some marital problems
> came to visit me to ask me for some advice. . . .

The monk described his discussion with the couple as calm, non-confrontational, and encouraging with a focus on rebuilding the relationship. These are important values in any good conflict resolution process.

Due to the status and respect given to elders in the community, third parties involved in facilitating mediation processes in Laos are customarily older than the disputing parties due to their higher status. As a participant stated, "Of course we listen to our elders. They are older and wiser than us. If we don't listen, we will embarrass our family and cause bad omen." It is extremely uncommon to go against the advice of the mediators, for it causes everyone involved to lose face. Another participant discussed, "In conflict resolution, elders make the decisions. Elders can be parents, village leaders, monks, older relatives, and so forth." It is not unusual for younger siblings to go to their elder siblings for assistance in conflict situation.

The Lao language itself is further evidence of the respect that elders in the community command. Lao people designate different titles to individuals based on their sex, age, and family relationship. Both verbal and nonverbal honorifics are used when addressing people who are older. In speaking with elders, people will use terms, such as *achaan* (teacher), *paw tdu* (father), or *mer tdu* (mother). Nonverbal communication that shows respect for elders include bowing and holding the palms of one's hands together in front of one's body in greetings (*nop*). It is also important to ensure that one is not standing or sitting above an elder in a room. It is common to see children and younger people sitting on the floor while the elders are sitting in chairs.

It is already apparent that, unlike the impartiality of Western mediators, Lao mediators are people who often have personal connections and relationships to the

disputants. Mediators tend to have a vested interest in resolving disputes, as they understand the conflict dynamics, relationships, and personalities of those involved. It is this personal knowledge of the parties that help Lao mediators successfully interpret conflict dynamics. The elders have lived in the community for a long time and, therefore, know the families and/or parties in conflict. They have developed relationships in many settings such as the markets, temples, and neighborhoods, and can use their experience and connections in encouraging people to resolve their conflicts.

This is obviously very valuable in the open-ended process of *op-lom*. Sometimes, individuals in conflict need a listening, non-judgmental ear. As shown by many of the quotes so far, it is not uncommon for mediators to be supportive by listening and keeping judgments to a minimum, and keeping confidentiality to a maximum. These parties need non-confrontational and educated advice in helping them learn the steps that should be taken to restore face and eyes. This is an example of *op-lom* being used like a therapist who gives counseling based on his or her knowledge and experience of human relationships.

However, it is also not uncommon for Lao mediators to reprimand the parties for poor behavior, give advice as to how the conflict can be resolved, and persuasively encourage forgiveness and reconciliation. As a mediator recalled, "I advise the husband and wife to love and respect one another. I told the husband that if he continues to gamble, he will lose his wife and children because he will not be able to support them." Another elder stated, "Going to the temple to see the monks is good because they will teach them the *Sin Ha* (five main Buddhist teachings) and explain the consequences of drinking, having affairs, and so forth. They will *op-lom* and remind people that when we die none

of the material possessions on earth will go with us." In some situations, individuals need more solid direction, similar to legal counsel and arbitration where the third parties lecture, advise, and discuss consequences of unresolved conflicts.

These are the different aspects of *op-lom* as a therapist, a teacher, or even an arbitrator. It is the mediators' personal knowledge of the disputants and conflict situations that help them to choose which strategy to use and when. The mediators want conflicts to be resolved successfully so that there is peace and harmony in their community. Their "face and eyes" are related to their ability to deal with conflicts constructively. The disputants also want to positively end their conflicts. Their "face and eyes" are already threatened, and continuing conflict situations only augment that threat. Being unable to follow the terms of an agreement presided by elders would only contribute to a "loss of face" for all parties. The parties, out of respect and concern about "face and eyes," will do their best to abide by the agreement set out by elders.

Village Leaders Mediation

Kings, village leaders, and elders have played the role of third party mediators since the 14th century in Laos (Stuart-Fox, 2008). As discussed earlier, village chiefs or leaders (*paw ban or nei ban*) are traditionally called upon to assist in resolving disputes in the communities. Since 1975, village presidents (*pathan ban*), as head of the administrative committees, continue to play the role of mediators (Savada, 1995). According to all the participants in this study, this practice continues to exist today. As a 63 year old Khammu village leader confirms, "The *nei ban* has three days to think about the conflict situation; investigate the conflict; ask the parties to come together to talk

about the issues; and make decisions." Village leaders are respected third parties and have been given the specific role of mediating conflict cases in their communities.

During one of my interviews with a village leader, he excused himself when a couple from the village came to the door in a frantic state over their teenage son's disrespectful and abusive behaviour toward the parents. He immediately talked to the couple and went over to the house to see how he can help the family. I found out later that one of the resolutions to the conflict was to have the boy come live with the village leader and his family for a while in order for them to teach him how to respect his parents and the rules of the community. Later on that same day, there was a commotion in the house next to where I was conducting my interview at around 9:00 pm. As we were interviewing around a table outside in the front yard, we were able to observe what was happening. Once again, that same village leader was called to come to the house to mediate a conflict between a husband and wife.

The amount of care, dedication, and immediate assistance that the village leader was willing to provide were commendable. When I asked him how much he was available to the community, he responded, "I'm here for the people in my village 24 hours a day. Whenever they need me I will try and be there to help." The village leader did not express any resentment for being called upon at such late hours. He said, "I'm the *nei ban*, therefore, I must do all I can to help the people in my village." The *nei ban* saw it as his duty to bring social harmony to the family and community. The people in the village hold great respect for the *nei ban*. The parents who were having problems with their son described the *nei ban* as a "very good man who cares very much about the people in his village." I spoke with another villager who described him as a "good and

caring person, someone who is good at explaining and discussing problems (*op-lom*) in a calm way."

This example serves to demonstrate just how important the Conflict Resolution Spectrum is in Laos and why it is understood in such a homogenous way. As discussed earlier, Laos is still a very undeveloped country, in terms of both economic and education infrastructure. Professional and social services are unavailable to the large majority of Lao citizens; therefore, the *op-lom* that is so valued in the Lao mediation system takes on those roles. For example, there are no family therapists or marriage counselors available to couples or families going through conflict; land surveyors are not available to neighbors disputing property lines; and financial planners and bankruptcy experts are not available to give advice to farmers affected by drought, who cannot pay their employees, or who cannot afford to buy seeds for planting. Insurance is a luxury that is hardly available in a country where 77 percent of the population earns less than US$2 a day (Bertelsmann, 2006). Through the process of *op-lom*, it is parents, elders, and community leaders that assume these roles and provide assistance to people in need.

Conflicts Addressed by Parents, Relatives, Elders, and Village Leaders

As discussed, many conflicts in the family, workplace, and community are well served by the initial mediation levels of the Conflict Resolution Spectrum. At this point, it is important to address more specifically the types of conflict that are typically addressed by parents, relatives, elders, and village leaders. The following quotes are divided into family conflicts, workplace conflicts, and community conflicts as discussed by the participants in the interviews. As will be seen, there is significant variety in the

types of conflicts across these categories. Many of these conflicts are not particularly

unique to Laos, but are common themes in many places in the world.

      Family Conflicts. Family conflicts are common in Laos. Many participants at the

beginning of the interviews were hesitant to discuss personal family conflicts, but once

they were assured of anonymity and became more comfortable with the interviewer, they

readily described the following conflicts:

1. "Conflicts in the family occur when the children don't listen and go out too
   much . . . when the spouses fight about money, drunkenness, affairs, chores." (40
   year old Ethnic Lao woman farmer)

2. "Family conflicts include drunkenness, people doing drugs, being angry and
   hitting wife and children, playing cards and gambling." (40 year old female
   Khammu member of Lao Women's Union)

3. "A conflict between a husband and wife occurs when there are extramarital affairs
   or when men have second wives this can then lead to conflict." (36 year old male
   Hmong baker) [Note: Since 1975, the government has prohibited polygamy,
   however, some ethnic minorities still continue this practice.]

4. "Conflicts in the family happen when children don't listen, when spouses have
   affairs, when our salary and money are not enough, when children steal from
   parents, when children don't go to school and instead go out with their friends."
   (43 year old female Ethnic Lao housewife)

5. "My wife is a teacher but we still don't have enough money so we borrow money
   from friends, and now we are in debt." (70 year old male Tai Deng teacher)

As described, there are a variety of family conflicts, ranging from children not listening to parents to extramarital affairs to poverty issues. These conflicts are similar to family conflicts in other parts of the world.

Workplace Conflicts. Workplace conflicts also varied as the participants had different work experiences. Some of the participants interviewed were farmers, teachers, village leaders, merchants, university students, and government workers. Conflicts in the workplace include:

1. "Conflicts in the workplace are things like students fighting, teachers hitting students." (34 year old male Ethnic Lao teacher)

2. "I have no money to pay someone to help me do work in the rice fields and I have no car to take the rice to sell in the markets."(65 year old female Ethnic Lao farmer)

3. "I work in the rice fields, doing both wet rice and swidden cultivations. When we have bad weather and there's a drought, I cannot plant rice because there's no water."(26 year old male Ethnic Lao farmer)

4. "I work with my younger sibling and when he doesn't show up for work I just complain but I don't confront him because he's family." (22 year old female Ethnic Lao farmer)

5. "Sometimes we have misunderstandings about something. Just small conflicts that we can discuss." (36 year old male Ethnic Lao teacher)

The conflicts are diverse, ranging from simple misunderstandings to the inability to pay laborers for work due to natural disasters. This diversity is reflected in the kinds of work people are involved in.

Community Conflicts. Community conflicts also exist in Laos, whether one lives in small rural villages or in bigger cities. The participants described the following community conflicts:

1. "Community conflicts include children physically fighting with other children in their neighborhood." (65 year old male Ethnic Lao teacher)

2. "A community conflict is youth who are addicted to drugs. Many are addicted here! Drug dealers are arrested but then they do the same thing. Because they're addicted and also sell drugs to get money to purchase drugs." (43 year old Ethnic Lao housewife)

3. "The challenges and conflicts in our community include a lot of stealing . . . more drug addicts . . . children can't go to school because they're poor." (43 year old female Ethnic Lao teacher)

4. "There are conflicts with people stealing from the homes, especially motorcycles because Thai motorcycles only have one lock . . . They take mostly Thai motorcycles because they are number one in resale value, expensive, and have keys." (64 year old male Ethnic Lao teacher)

5. "During the wet rice cultivation, the excess water can flood and lands lose their markers, the placement of markers move further into someone else's land and this can create conflict." (65 year old male Ethnic Lao teacher)

Common community conflicts include fights, drugs, theft, and intermarriages between ethnic groups.

It is worth remembering the earlier discussion of what conflict, *bunha*, means to the Lao people. Specifically how they include issues like poverty and bad weather as

conflict issues. According to these comments, the Lao people see a connection where drought causes crop failure, poverty causes people to steal motorcycles that have high resale value, drug addiction causes drug distribution, and alcoholism causes spousal abuse. Therefore, we can understand that in Lao culture, bad weather, poverty, alcoholism and other addictions are part of *bunha*. These conflicts cause a loss of face on an individual and community scale.

These quotes also provide evidence of the large variety of roles that the Lao Conflict Resolution Spectrum has to incorporate, from dealing with parenting, marriage, children's disputes, and gossiping, all the way to assault, theft, bankruptcy, drug trafficking, and land ownership. Through *op-lom* strategies in mediation, these processes incorporate the roles of therapist, advisor, investigator, and arbitrator. As a 65 year old professor described the resolution of a land dispute, "The *nei ban* mediates the property line conflict by looking at how it's been divided up and checking the land papers." Using an objective criterion of the land papers, the *nei ban* was able to resolve the conflict. A 48 year old Ethnic Lao *nei ban* described how he mediates cases in the community, "I teach people how to resolve their conflict, I sometimes get angry at them if they don't listen and reprimand them and teach them again."

Neoy Gai Geer Mediation

As this process is significant in Laos and very little has been written about it, it is important that it be given specific attention. The following discussion on the *Neoy Gai Geer* is a result of the interviews conducted in Laos that describe the development and practice of such a mediation process. In 1985, the government adapted several traditional

mediation processes to create the *Neoy Gai Geer*, which translates, Village Mediation Committee, in order to more efficiently address various conflicts in the family, workplace, and community. To reiterate, the term "village" (*ban*) refers to communities or neighborhoods within a village, town, or city. Each *ban* has a *Neoy Gai Geer* whose mandate is to deal with conflicts in the community.

Composition of Neoy Gai Geer

This process does not use a single mediator or a co-mediator model of mediation. The *Neoy Gai Geer* consists of seven individuals who represent various groups within the village (see Figure 2). The composition of the committee reflects traditional third parties (e.g., village leader, village elder, and informal mediator) as well as contemporary third parties (e.g., Lao Women's Union representative, young people's representative, police representative, and military representative) consistent with the current socialist government. The committee is also representative of both genders. Apart from the Lao Women's Union representative, women can also represent village leaders, elders, and young people's groups. The police and military representatives are generally men. A participant stated that, "A *Nei ban* can be a man or a woman. In fact, I think there are now more female *nei ban*." Members of the *Neoy Gai Geer* are paid a small stipend by the government and consider it a privilege to serve on the committee, often increasing their status in society. Clearly, the composition on the *Neoy Gai Geer* is intended to reflect many of the different voices in the Lao community, including those who have held traditional roles in conflict resolution as well as some more modern ones.
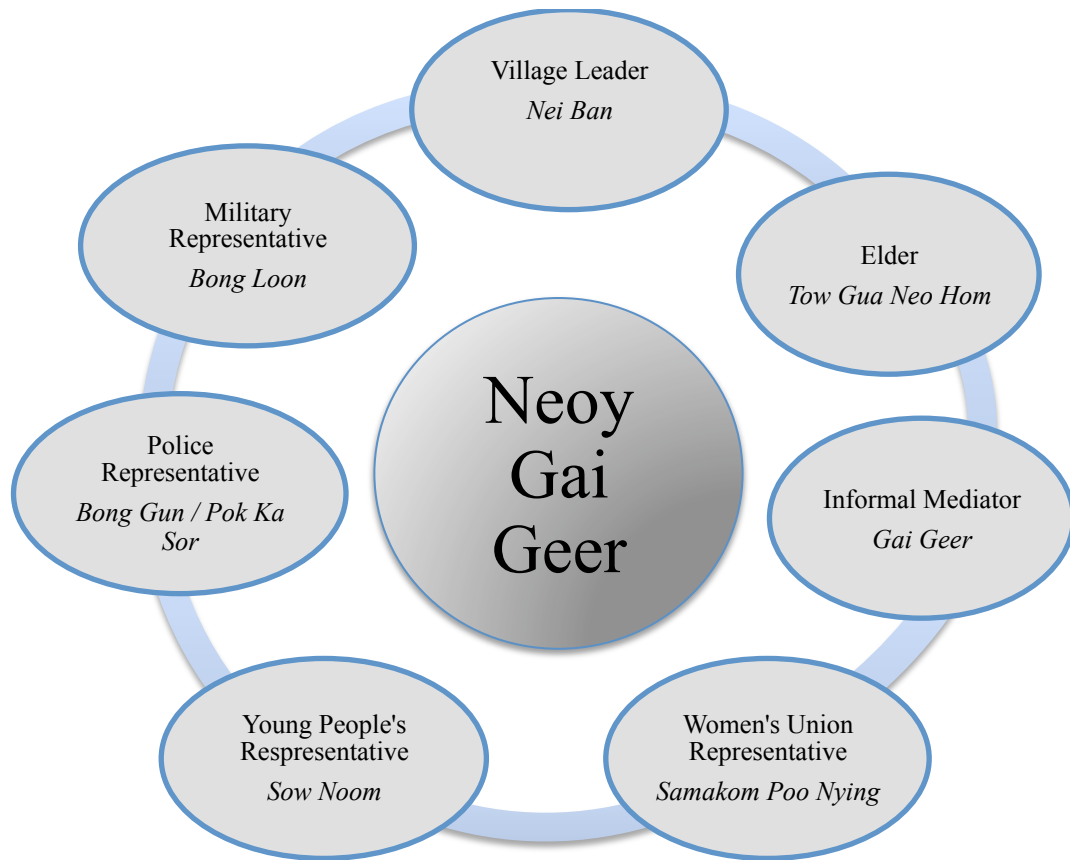
Figure 2. Composition of the *Neoy Gai Geer* (Village Mediation Committee)

In response to changes in society, new people are incorporated into traditional systems of conflict resolution that create unique processes of mediation. Today, as contemporary third parties play a role in dispute resolution in Laos, it is important to highlight one of these members of the *Neoy Gai Geer*. In 1955, an Association of Patriotic Lao Women was created and renamed the Lao Women's Union (LWU) (*Sahaphan Maenying Lao*) after 1975. It is the official state-supported women's organization in Laos that organizes workshops, conferences, and other activities for women across Laos. It publishes its own magazine and promotes the government's

National Strategy for the Advancement of Women (2005-2010). In 2005, it claimed a

membership of 970,000 (Stuart-Fox, 2008). The members are elected every three years.

In different interviews, several people commented on the women's union and

their role in Lao society:

1. "The women's organization was established in 1975 to look after women's work

   – cooking, washing, sewing, and so forth. We teach women how to do these

   things. If a woman gives birth, we will go to visit her and teach her how to care

   and feed her baby. We teach women how to work in the rice fields. We also

   mediate conflict, give them financial assistance, and help teach the family on how

   to provide for their family." (45 year old female Khammu Lao Women's Union

   member)

2. "The union helps women to better themselves in the communities, whether it is to

   provide money in order for women to be able to work outside the home, to be able

   to pay for the expense of giving birth in the hospital, or to start a business." (48

   year old female Ethnic Lao banker)

3. "A representative from the women's union serves on the *Neoy Gai Geer*.

   However, people can also discuss their conflicts with the women's union who will

   act as a mediator. If after three times of discussions, the conflict is still not

   resolved then the case will be sent to the *Neoy Gai Geer*." (48 year old female

   Ethnic Lao businesswoman)

The significance of this organization is a testament to the importance and respect that

women have in Lao society in general, but also to the recognition of the special status

that women have in contributing to the Lao community. All the ethnic groups of Laos are

relatively egalitarian. In fact, many of the minority groups in the uplands have a social structure that gives women a higher status than those in the valleys (Scott, 2009). Women hold positions outside the home, particularly in commerce. Walking around the marketplace, I observed that the majority of the merchants are women. Also, it is customary for women to be the household accountant and to take care of the family finances.

The mandate of the Lao Women's Union in advancing women's health, education, economics, and general wellbeing is reflected in the various interviews with members of this union. They also play an important role in mediation and resolution of conflict in the community. A member of the Lao Women's Union stated, "When people have a problem, they can come to us for help. We will try and help them resolve their conflict." From the interviews, it is common knowledge that the union is available for conflict resolution consulting and that people are free to discuss whatever conflict they are experiencing. If there are concerns regarding women's health, a member of the LWU will be contacted to provide education and advice. These women may also serve as elders in the communities once they have reached a certain age. In response to a question regarding the eligibility of becoming elders, a participant stated, "You have to be at least 40 years old to become an elder in the community. Before that you are too young and have no experience." As discussed, a member of the LWU is also part of the *Neoy Gai Geer*, the most formal of the mediation processes in Laos.

Procedures of Neoy Gai Geer

In terms of the actual procedure, the mediation session is often informal and may take place at one of the disputants' home or at the village leader's home. Often the

participants sit on a bamboo mat on the floor in a circle. Sometimes, the village leaders and elders are given chairs to sit on due to their status and age. As customary of all gatherings in Laos, the hosts serve drinks and light snacks (e.g., fruit and dessert). If it takes longer, a full meal may be served at the session. Normally, a mediation session can take between 1 to 3 hours. It is facilitated by the village leader as he/she is the official overseer of the village and responsible for social harmony in the community. Parents, family members, elders, and other individuals from previous mediation processes, as identified in the conflict resolution spectrum, can also be present at the *Neoy Gai Geer* discussion to provide information and be a support network for the parties in conflict. However, the final decision is made by the committee and follows a consensus decision-making model. As confirmed by numerous participants, "The *Neoy Gai Geer* decides what needs to be done. They make the decision."

The *Neoy Gai Geer* process was described by a number of participants as follows. In the first stage of the *Neoy Gai Geer* process, the committee will meet individually with parties involved in the dispute to hear their perspectives on the conflict and to gather relevant information. Second, they will speak with the parties and their respective support networks together, asking each of them to discuss the conflict and what has happened. Third, the committee will have a discussion with the whole group on how best to resolve the conflict. Each person will have an opportunity to provide some suggestions for a resolution and advice will be given to the disputing parties. Fourth, the *Neoy Gai Geer* will meet privately and take into consideration all that they have heard. As a *nei ban* and chair of the *Neoy Gai Geer* for the past 20 years discussed, "All seven members of the *Neoy Gai Geer* must come to an agreement about the resolution of the conflict." Through

a consensus-decision making process, the committee will meet in a closed session to come to a unanimous decision about the outcome of the conflict. Fifth, the *Neoy Gai Geer* will go back to the whole group with their decision, based on their knowledge, experience, and discussions in the mediation session.

Op-lom in the Neoy Gai Geer

Of all the levels of mediation, the *Neoy Gai Geer* is the most formal mediation process. As seen in the quotes below, *op-lom* is now used in a sense of "giving counsel" rather than being the "counselor" and the *Neoy Gai Geer* may present some strong reprimands if they feel it is warranted. Still, the members of the *Neoy Gai Geer* listen to the parties, other mediators, and support networks before making a decision. This process is akin to an arbitration panel, although the parties in Laos do not have a choice in the make-up of the panel.

The following comments reflect some thoughts on the role of the *Neoy Gai Geer*:

1. "The *Neoy Gai Geer* must tell the parties what they think about the conflict, even things that the parties might not like." (41 year old female Ethnic Lao farmer)

2. "We, as the *Neoy Gai Geer*, will ask the parents, relatives, and elders to look after the parties in conflict and to help them meet the terms of the agreement." (60 year old male Ethnic Lao *nei ban*)

3. "The *Neoy Gai Geer* makes the decision . . . and people have an opportunity to come back another 1 or 2 times." (63 year old male Khammu elder and former *nei ban*)

4. "When there is a problem, the *Neoy Gai Geer* will warn them 2 - 3 times, including written warnings. If the parties don't listen then the *Neoy Gai Geer* will make the decision." (43 year old male Ethnic Lao *nei ban*)

5. "The *Neoy Gai Geer* will come and talk (*op-lom*), make explanations, and according to the customary laws (*got mai*) make decisions." (45 year old male Khammu *nei ban*)

The *Neoy Gai Geer* plays an active role in the mediation process and exercises a significant level of power over the process and in decision-making. They may provide strong advice as to what they feel the parties need to do in order to repair the harm that has been done. From the quotes above, the *Neoy Gai Geer* makes decisions that are not always easy for the disputants to accept and they commission support networks to assist the parties in restoring the relationship. In that commission, they are not only making the disputing parties accountable for reconciliation but also the support networks.

At this point, there is a tremendous amount of social pressure on the disputing parties, in relation to the significant number of people involved in trying to bring about resolution. The number of people responsible for ensuring an end to the conflict, combined with the amount of "face and eyes" that is potentially at risk, is almost always strong enough to restore peace and bring about reconciliation. Once conflicts reach the *Neoy Gai Geer* level, the responsibility for the resolution is shared by a number of people in the community. Similar to the proverb that, "It takes a whole village to raise a child," sometimes it takes a whole community to resolve conflict.

When everyone is in agreement with the terms of the resolution, the *Neoy Gai Geer* will write up an official agreement letter that is signed by the parties and the *Neoy*

Gai Geer members. The decision becomes a written agreement that is endorsed by the committee. Often, these agreements can refer to customary laws (*got mai*), legislated laws, and other written documents, upon which any decisions and agreements have been based. A copy of the agreement is kept by the *Neoy Gai Geer* and other copies are distributed to the parties.

Neoy Gai Geer Fee

The fee for using the *Neoy Gai Geer* process is 50,000 Kip (US$5). For many people in Laos, this is approximately one week's salary. The fee is often split by the two parties in conflict at the beginning and later paid in full by the person who is found to be liable. Sometimes, the person who requested the assistance is required to pay first upfront. If the parties cannot afford the fee, family members will step in to help cover the cost of mediation. According to a number of participants, fees for each subsequent mediation session by the *Neoy Gai Geer* increase by 30,000 Kip (US$3). The first mediation costs 50,000 Kip, the second 80,000 Kip, and the third 110,000 Kip.

Conflicts Addressed By Neoy Gai Geer

Not surprisingly, conflicts that go to the *Neoy Gai Geer* level are those that have proven too complex and stubborn to resolve at preceding levels, as well as those that are somewhat more serious in nature. Still, there is some similarity in theme between the family, workplace, and community conflicts that are seen by the earlier mediation levels and those that go to the *Neoy Gai Geer*.

Family Conflicts. The participants described family conflicts that utilize the *Neoy Gai Geer* as follows:

1. "I reported my husband to the *Neoy Gai Geer* because he hit our children, especially our youngest son, and me, his wife. The other children would come and beg him not to do it." (52 year old Ethnic Lao immigration officer)

2. "My husband stole my money and jewelry – my bracelets, jewels, necklaces, rings . . . so I reported him to the *Neoy Gai Geer*." (52 year old Ethnic Lao immigration officer)

3. "We can go to the *Neoy Gai Geer* three times and then we have to go to the court to get a divorce." (60 year old Ethnic Lao male *nei ban*)

4. "People fight over the family inheritance – about who gets more or less. We have to *op-lom* within the family and divide more fairly. The decisions are made by respected relatives." (43 year old male Ethnic Lao *nei ban*)

5. "My colleague has some family problems. Both he and his wife had affairs. They discussed the problem with their family, then the *Neoy Gai Geer*, and finally it reached the court where a judgment was made." (50 year old Lao Soung teacher)

Family conflict cases that go through the *Neoy Gai Geer* are of a more serious nature such as domestic abuse, stealing, family inheritance, and extramarital affairs. Also, any cases that have not been successfully resolved at the lower mediation levels are referred to the *Neoy Gai Geer*. These conflicts are often more serious and complex, so much so that the other four levels have not been able to resolve them. In these cases a larger group of intermediaries can be helpful in finding a resolution.

Workplace Conflicts. A number of workplace conflicts require the services of the *Neoy Gai Geer*. The following quotes identify the kinds of workplace conflicts that are often resolved at the highest level of mediation:

1. "My husband wants to hire more laborers for construction but we don't have enough money to pay for them. Sometimes we need to pay in advance for their work before our contractors pay us." (37 year old male Ethnic Lao construction business owner)

2. "Sometimes when I give my colleagues work to do, they do not take responsibility for that work and I have to talk to them face-to-face and tell them the reasons why I am angry. After a few times, we might have to go to the *Neoy Gai Geer*." (48 year old male Ethnic Lao construction business owner)

3. "Many people now have loans for various projects, especially for rice farming, leading many people to be in debt. For example, one woman borrowed some money, but her husband and parents don't know about it." (26 year old male Ethnic Lao farmer)

4. "Sometimes in construction work, when we are working together, one of the workers can fall down from the house and die. In this conflict, we have to resolve in the traditional way. If the conflict reaches the court level, then the person in the wrong has to pay a fee . . . and the two families must compromise on the resolution." (60 year old male Ethnic Lao *nei ban*)

5. "I used to do rice cultivation. Now, I plant rubber trees, eagle wood, and so forth. I have difficulty with buying expensive seed and production, and climate problems, and lack of land for planting. We don't do *swidden* or wet-rice cultivation anymore. We plant sesame seeds and other plants, like bananas. Even if it's our lands, we're banned from doing *swidde*n rice farming . . . My friends

and I discuss this issue with the village authority." (67 year old male Khammu

farmer)

From these interviews, workplace conflicts that involve the inability of employers to pay

their employees, unpaid project debts, inability to purchase farming supplies, and even

deaths at worksites are normally dealt with at the *Neoy Gai Geer* level.

Community Conflicts. The interviews identified a number of community

conflicts that often occur in Laos. The following quotes identify some common

community disputes:

1. "If there is a land conflict, we can go to the *Neoy Gai Geer* and if we can't resolve

   it then we can go to the courts . . . There are rules and regulations about how to

   resolve such conflicts." (76 year old male Ethnic Lao monk)

2. "For the *Neoy Gai Geer*, some conflicts include water flooding the home, stealing

   of inheritance . . . children fighting and land conflict. If it's a small conflict, we

   can talk to the *nei ban* first then second we go to the *Neoy Gai Geer* to discuss the

   resolution of conflict." (76 year old male Ethnic Lao teacher)

3. "Conflicts that go to the *Neoy Gai Geer* are family conflict, neighbour conflict,

   children fighting, and water from other properties running into your home." (76

   year old male Ethnic Lao teacher)

4. "Community conflicts involve land conflicts (rice farming, stealing land), water

   problems, and so forth." (63 year old male Khammu elder)

5. "If a piece of land stays empty for a long period of time, then someone takes this

   land and plants a garden, this can create conflict." (65 year old male Ethnic Lao

   teacher)

Similar to the preceding mediation levels, the problems of spousal abuse, theft, debt, property damage, and land issues also proceed through the *Neoy Gai Geer*. Furthermore, conflicts involving accidental death, land occupancy, farming production, and inheritance issues may be addressed, giving evidence of the progression of complexity in cases.

Also a participant mentioned, "There are rules and regulations about how to resolve conflicts." This demonstrates that The *Neoy Gai Geer* is using precedents and traditional law (*got mai*) as part of the decision-making process. As a 45 year old Khammu village leader stated, "The processes to resolve conflict are effective and satisfying, especially if things are explained. Educating and discussing is good . . . The *Neoy Gai Geer* makes explanations, looks at customary laws, and makes decisions."

Rarely do any such conflicts go beyond the *Neoy Gai Geer* level. Court systems are reserved for large business conflicts, transnational corporations, and organized criminal activity such as murders and large scale drug trafficking. They are also used when conflicts cannot be resolved at the *Neoy Gai Geer* level. As discussed by an Ethnic Lao male elder, "If after a third time with the *Neoy Gai Geer* and they still cannot help resolve the conflict, then the couple must go to court." In some cases, especially in divorce cases, the lower courts serve as the "rubber stamp" for agreements already worked out by the *Neoy Gai Geer*. In these situations the *Neoy Gai Geer* has already made a recommendation for divorce, including child custody and other arrangements. These are situations where many attempts at reconciliation have already failed or where there is physical danger to family members.

Concerns Associated with Neoy Gai Geer

As with any dispute resolution process, there are questions regarding the practice of *Neoy Gai Geer*. This section discusses a few possible concerns that pertain to the *Neoy Gai Geer*. One question that I had was whether or not the conflicting parties felt obligated or compelled to go along with a resolution that was authored by a group of very important community people. One village leader responded, "I allow the people in conflict to come up with a solution that works for them. I can give them some advice but it's up to them in the end to decide what to do." A participant stated, "Even if the *nei ban* makes the decision, he will consult with the parties and listen to what they need and want to do in the situation." Another village leader answered, "The *Neoy Gai Geer* makes the final decision in the resolution of conflict but we do ask everyone present in the mediation what they think about the resolution." These quotes reflect how the parties themselves have a large responsibility in identifying solutions to their conflict. The unique aspect of the *Neoy Gai Geer* is its emphasis on wide-based consultation, a process that includes a large number of people.

In the Lao culture, it is expected that mediators will provide specific conflict resolution advice to the disputants. Mediators are culturally prescribed this role precisely because they hold some authority and expertise over the conflicting parties in terms of their status, age, and experience. That said, none of the participants in the study complained about mediators abusing their power, and many confirmed that the parties are always asked to give their input before committing to a resolution.

It should be noted that by the time disputants have reached the *Neoy Gai Geer* level, they have already been through several other mediation processes. Obviously, they

are having significant difficulty in reaching an agreement and restoring their relationship.

Just as in a formal court system, one or both parties may view the judgments at previous

stages as unfair and the *Neoy Gai Geer* serves as a process where difficult decisions are

made. It is in these situations where respect and authority are required to maintain social

harmony and where support networks become vitally important in helping the disputants

obtain and maintain the terms of the agreement.

The *Neoy Gai Geer* itself is generally viewed to have a connection to the

government structure. As in many parts of the world, corruption is an issue in Laos, and

from an outsider's perspective these connections can be viewed as hindering fairness and

impartiality. However, the study did not contain any evidence of dissatisfaction with the

Neoy Gai Geer process or its members. In fact, the interviews suggest that the support of

the government adds some legitimacy and allows for procedural consistency across all

the villages in Laos.

There is no question that the *Neoy Gai Geer* represents different voices in the

community and is committed to resolving conflicts and maintaining peace. The *Neoy Gai

Geer* is a well-respected group who is responsible for peaceful resolution of conflicts.

The following statements reflect how people feel about the different conflict resolution

processes available to them. The participants responded, "The people are satisfied with

the process and decision made in mediation;" "We are satisfied with the decisions made

by the *Neoy Gai Geer*;" "These processes are effective and satisfying;" and "The *Neoy

Gai Geer* is important in our community." As a 26 year old Hmong farmer summed up

his thoughts, "The villagers are satisfied with this traditional way of resolving conflicts –

The *Neoy Gai Geer* are good because they save time and money."

Adjudication Through the Courts

The negative consequences of continuing down this progression become clearly evident when reflecting on which systems the Lao people did not want to use in resolving conflicts. These next comments reflect the importance of social harmony in the Lao culture, and affirm that the purpose of conflict resolution systems is to establish reconciliation and maintain relationships. The participants suggest that going to court is not conducive in rebuilding positive relationships:

1. "It's good to talk about your problem with the family first, because if you go to court then people will become enemies once they are there." (76 year old female Ethnic Lao farmer)

2. "Courts are only for large conflicts, such as big loans and abuse. If people go to court they become enemies." (76+ year old female Ethnic Lao farmer)

3. "If we go to the court, we will become enemies." (76 year old female Ethnic Lao merchant)

4. "If we go to court, it costs a lot of money and embarrassment for the family." (76 year old male Ethnic Lao teacher)

5. "Going to court cost money and is an embarrassment." (75 year old male Ethnic Lao monk)

The participants all agree that it was important to use all the other processes of dispute resolution first before going to court. The court system is used as a last resort when all the other processes have failed to produce a resolution that is satisfactory for all involved and when reconciliation is already deemed impossible.

The kinds of conflicts that go through the court systems are described as follows by various participants:

1. "The district court handles divorce cases, the provincial court deals with deaths and murders, and the Supreme Court doesn't deal with divorce cases." (43 year old female Ethnic Lao businesswoman)

2. "Only large conflicts, like big loans and abuse, go to the court system." (80+ year old female Ethnic Lao elder)

3. "A common community conflict is inherited land disputes. Today, many former Lao people from Canada and the United States are returning to claim lands that belong to them. When the siblings cannot come to an agreement, they will go to take the case to court." (75 year old male Ethnic Lao monk)

4. "Youth addicted to drugs, prostitution, and unemployment conflicts are still not resolved. They are in the process of solving, the district court is working on the processes." (28 year old female Tai Dam teacher)

The quotes identified only very serious cases that are suitable for the court systems. Cases such as divorce, deaths, inherited land disputes, big loans, and drugs are dealt with at the court level.

As evidence of how rare it is to use the court system, out of 126 participants interviewed, there was only one individual who had personal knowledge of a conflict that went to the court system after exhausting all other avenues. It was a case involving two siblings where one brother borrowed money from the other to start a joint business enterprise. However, the business was not successful and the brother wanted his money to be paid back. According to the 67 year old mother,

There was a lot of money that was being borrowed to start this business venture. The brothers finally had to go to court after taking all the other steps to try and resolve the conflict. They went to talk with their parents, relatives, *nei ban*, and everything before going to court. Now the siblings are no longer talking to one another and have no relationship.

The mother said, "I tried to stay in the middle and don't bring this up to this and that person. I discussed (*op-lom*) with them and encouraged them to love each other because they are relatives, but it didn't work." The case eventually ended up in the Supreme Court in Vientiane. According to the mother, the siblings have no further contact with each other and have severed their relationship.

Unresolved Conflicts Within the System

Although the processes within the Lao Conflict Resolution Spectrum have been able to resolve many different kinds of conflicts, there were a few conflicts that the participants identified as being unresolved to their satisfaction. Examples of such unresolved conflicts include:

1. Farmers discussing the prohibition of *swidden* rice farming state, "My friends and I went to the village authorities to discuss our concerns but there is no organization to help us with this issue." (67 year old male Khammu farmer and former soldier)

2. "I used to be able to get to my garden in 30 minutes, now it takes me 1 - 2 hours to get to the new garden site. This is because a school was going to be built on my garden and I had to sell my land for the school. I can't discuss with them because they won't listen so I had to sell. I only have temporary use of this new garden

site. It's not my land permanently. The Government lets me use this land. I'm worried about animals eating my crops and I don't know when I will have to move again. I begged the government to help but they don't care." (64 year old male Khammu farmer)

3. "Sometimes people take land away from us when there are new settlements . . . When the lands are too close together and we ask them to move . . . Village authorities can't help us, therefore, I have to sacrifice and be patient. I don't report the conflict because I don't want to make trouble. There are land papers but people still take our land. Those who are rich take advantage of the poor. Or when land taxes go up but we can't question them . . . It's ineffective because I lose the benefits because I don't have the money to deal with them in court or to get the authority to come to measure the land" (46 year old female Ethnic Lao farmer)

4. "When there are conflicts around standards in house building and dikes being build near homes . . . when a dike broke and crashed into my sister's home, there are discussions but the rich can still buy whatever they want . . . We still can't resolve this conflict – it goes back and forth." (28 year old female Tai Dam teacher)

5. "Youth addicted to drugs, prostitution, and unemployment conflicts are still not resolved. They are in the process of solving, the district court is working on the processes." (28 year old female Tai Dam teacher)

The first two quotes illustrate the frustration that farmers have with government regulations regarding *swidden* rice farming and property ownership. The Khammu farmers who traditionally relied on *swidden* rice farming to feed their families have had a

difficult time adjusting to paddy rice and other cash crops farming in accordance with the 1986 New Economic Mechanism. They are not able to be self-sustaining with the new kinds of farming. The farmers feel that they cannot voice their concerns as there is really no organization or association to advocate for them.

The third and fourth examples illustrate structural conflicts between the different classes. The participants discussed how difficult it is to address conflicts regarding lands and property taxes when they do not have the financial means to hire officials to measure the property lines or to go to court to settle the dispute. It seems the village authorities are not able to assist in mediating such conflicts. Patron-client relationships are characteristic in Lao political culture where the power of patrons are found in the relationships and obligations (Stuart-Fox, 2008). Patrons, such as village leaders, are also clients of more powerful patrons through family and marriage networks, economic interests, and political loyalty. The structure of power in Laos is defined by patron-client networks (Stuart-Fox, 2008). Therefore, connections to patrons may assist in the resolution of property conflicts.

The movement to a market economy in the 1980s saw state-owned enterprises (SOE) move to privatization through share sales or leasing agreements for a specified period of time. Many were bought by family and friends of the Lao People's Revolutionary Party officials (Stuart-Fox, 2008). Being a communist state, Lao citizens do not have permanent ownership of lands but can purchase (or be given) lands for a certain period of time. Pholsena and Banomyong (2006) confirm that land is the property of the government who authorizes its use by farmers based on the hours of full-time work the family does in the fields. According to the participants, the government has discretion regarding when they want the land returned.

A common story I heard from conversations with the local citizens is how the government owns the river front properties and people are prohibited from building on them. However, the property owners from across the street often claim the piece of land in front of their property as theirs and build restaurants overlooking the river. Periodically, the Lao government would tear down the buildings only to have the locals rebuild them in order to maintain their livelihood. The village authorities have not been able to adequately address these conflicts as they have no authority to change the laws.

The final quote provides evidence of systemic issues in Lao society, namely, sex work, drug abuse, and unemployment. In 1975, prostitution was banned and many prostitutes were sent to rehabilitation camps. However, the sex trade returned with the opening of tourism and nightclubs in the 1990s (Stuart-Fox, 2008). According to Stuart-Fox (2008), most of the prostitutes are from poor rural families or ethnic minorities, and many are Vietnamese or Chinese.

The Lao people have used drugs for centuries for culinary and medicinal purposes. Traditionally, marijuana and opium have been readily available and used to treat upset stomach and general pain relief, and for flavouring foods. During the French period, the government had monopoly over the sale of opium and, in the Second Indochina War (1965-1975), the CIA was involved in the transport of opium and may even have assisted in marketing it (Stuart-Fox, 2008). In 1975, the Pathet Lao government introduced a tough policy on drugs, branding it as a social ill introduced by the West, and sent young addicts to rehabilitation camps. This drove the industry into the black market, causing a price surge in the product. For many poor and isolated farmers, this became a valuable cash crop and a means for supporting their families. By 2000, methamphetamines (*ya ba*)

became widely available, and had spread to young people as a cheap drug (Stuart-Fox, 2008). Many participants in the study described these problems as current conflicts in Lao communities. As in many countries, drug and sex work issues continue to exist.

Perhaps a way to address these systemic issues in Laos would be to look at multimodal and multilevel analysis, design, and implementation of peacebuilding activities to help build peace in communities (Byrne & Carter, 2000; Byrne & Keashly, 2000b; Lederach, 1997, 2000). Byrne and Carter (2000) developed social cubism model for a comprehensive analysis of ethnopolitical conflict. Social cubism consists of: (1) historical factors; (2) economic factors; (3) political factors; (4) religious factors; (5) demographic factors; and (6) psychocultural factors, in a complex interaction of material and psychological mechanisms. Within the internal structure of social cubism lies identities which shape the perceptions of conflict (Byrne & Carter, 2000).

The unresolved conflicts in Laos are influenced by the all the factors identified in the social cubism model. As Byrne and Carter (2000) state, "Entrenched sectarian attitudes result from political and economic institutions and cultural stereotypes that reinforce bigotry, suspicion, and polarization. A holistic, social cubism approach to intergroup conflict must account for structural and psychological dynamic interaction" (Byrne & Carter, 2000, p. 59). Various policies and structures in Laos have affected different groups in different ways. The issues of land, farming, and prostitution seem to affect the ethnic minorities more acutely.

Progression of the Lao Conflict Resolution Spectrum

The research data points to another characteristic of the Lao Conflict Resolution Spectrum, from informal mediation processes to formal court systems. Within this spectrum is the emphasis on the five different levels of mediation that are available to the Lao people. The inclusion of respective mediators from previous levels also follows a specific progression. The conflict resolution processes themselves move gradually from private to more public forums for resolving conflicts. The following section will describe each of these aspects of progression.

Progression of Conflict Resolution Processes

As identified in the Lao Conflict Resolution Spectrum (see Table 3), there is a progression of dispute resolution processes from direct involvement of the parties, to informal third parties, to formal third parties, and finally to formal court processes. Specifically, the different levels of mediation start with parents and progressively move to relatives, elders, village leaders, and finally Village Mediation Committees. These mediation processes become increasingly more formal and complex at each new stage of mediation (see Figure 3).

There is strong impetus for individuals and communities to maintain face at each subsequent resolution process by demonstrating their commitment to resolving the conflict. In the Lao Conflict Resolution Spectrum, the third parties become progressively more impartial and removed from the immediate family unit. Therefore, progression down the conflict resolution spectrum sees the processes becoming increasingly public. The probability of damaging relationships and experiencing psychological costs in loss of reputation, face, and self-esteem becomes more acute.

FIVE LEVELS OF LAO MEDIATION

Parents	Relatives	Elders	Village Leaders	Neoy Gai Geer

- INFORMAL
- PRIVATE
- NO FEE
- SMALL REPARATION
- FEW PARTICIPANTS

- FORMAL
- PUBLIC
- FEE
- LARGE REPARATION
- MANY PARTICIPANTS
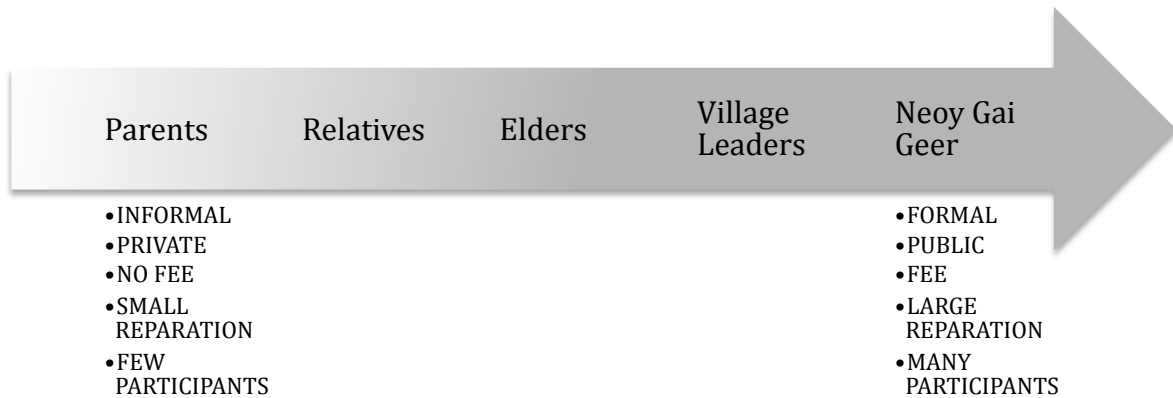
Figure 3. Progression of Mediation Levels

This progression is encouraged by the Lao cultural value of avoidance as a driving force in dispute resolution. Each level includes more people and becomes more damaging to face and social harmony. Therefore, each new level represents further loss of face and eyes and should be avoided as much as possible. It is this tendency for avoidance that causes reluctance in moving further along the conflict resolution spectrum. In this sense, the Lao Conflict Resolution Spectrum is very reflective of Lao culture where open conflict is discouraged and avoided.

Inclusion of Other Mediators in Subsequent Processes

At each new level, the mediators from the previous levels are invited to participate in the process. This is a very important aspect of the entire conflict resolution spectrum in Laos. It serves as a built-in consultation feature, in which information can be consistently and reliably shared through the different mediation processes. Previous mediators are present and provide background information, insights, clarity, and

perspective on the issue. The accounts of the stories are given directly by the people involved in the mediation thus reducing any miscommunication.

Previous mediators also help to provide the disputing parties with support networks and ensure compliance as they discuss the issues, brainstorm for solutions, and develop terms of the agreement. Working with the parties in conflict, as parents, relatives, elders, or village leaders, a network is established that can help disputants to regain lost community status. As a participant confirmed, "I feel better having my parents there at the mediation. I don't feel scared because I know they are there to support me."

Furthermore, including previous mediators also has the benefit of ensuring consistency, scrutiny, and transparency between the different levels of mediation, as well as providing a level of accountability to previous mediators. This is especially important when mediators often lack impartiality due to their role, cultural expectations, and connections to the community. Each of the previous mediators know that the next set of community members and mediators will scrutinize their work should the conflicting parties continue to advance through the different levels. Procedural justice is achieved in the mediation as there is fairness, consistency, and transparency in the process. According to Deutsch (2000), procedural justice refers to fair treatment, in terms of respect and dignity, in making and implementing the decisions that determine the outcome of the conflict situation.

Opportunities for Resolution

Having a willingness to resolve conflict also requires having opportunities to resolve conflict. These opportunities must be accessible and desirable. In each mediation process, from the parents to the *Neoy Gai Geer*, the parties are given three chances to

implement the terms of the agreements. If the conflict continues to be unresolved after discussing it with their parents three times, then the parents will ask for relatives to come to the house to assist in the resolution. If the relatives cannot help the parties after three mediations, then they will ask a village elder to mediate three times. This continues until the *Neoy Gai Geer* level. As illustrated by the quotes below, giving people three chances to resolve their conflict at each level is the norm.

1. "Families come to see me about their problems and I try to help them resolve their conflicts. They can come to see me up to three times, then they must go somewhere else if they don't listen to my advice." (75 year old Ethnic Lao senior monk)

2. "For example, if a husband and wife are fighting, the wife may go back to her parents' home in order to separate herself from her husband. If the husband goes to her parents and asks for his wife to return home . . . If after three times, the wife says, "no," then they can go see the *nei ban*. Again, a divorce will only be granted after they have seen the *nei ban* three times. If the couple has a lot of possessions, then they can go to court." (42 year old Ethnic Lao housewife)

3. "The *nei ban* will discuss and mediate the conflict in the family. He will write down the agreement and allow them some time to implement the terms. He will return to the family three times to make sure that they are complying with the agreement."

4. "To resolve conflicts, we have to talk to our family first, then the village leader, then the *Neoy Gai Geer*, and then the district authorities. The *Neoy Gai Geer* is composed of a youth's union, woman's union, elder, village leader . . . When you

have a problem, the *Neoy Gai Geer* would warn the parties two to three times in

writing before making a decision." (43 year old male Ethnic Lao *nei ban* and

farmer)

5. "If they have gone to the *Neoy Gai Geer* three times and the conflict is still not

resolved then they have to the district court to talk." (29 year old male Ethnic Lao

soldier)

6. "If a husband and wife have a conflict, they can go to the parents to discuss (*op-*

lom) the problem. If that doesn't work, they can go to talk to the *nei ban* at his

house. They have three chances and if after the third time then the couple has to

decide if they want to separate or stay together." (42 year old Ethnic Lao

housewife)

These quotes show how the disputants are given different opportunities to resolve the

conflict. Clearly, they are given three chances to address their conflict at each of the

mediation levels, from parents to the *Neoy Gai Geer*. Having the option of going back to

the mediator after the first agreement allows the parties to fine tune the resolution, and

gives them second and third chances to find a resolution that better meets their needs.

The significance of three attempts reflects an opportunity to return to mediation

that ensures the people are working on their relationship, and assume that the mediators

support their efforts. These feedback loops are vital to effective conflict resolution for

they allow the parties to return ("loop-back") to further negotiations that will meet their

needs more effectively (Ury, Brett, & Goldberg, 1988). As a participant stated, if the

parties still cannot meet the terms of the agreement after three separate meetings with the

committee, a letter from the *Neoy Gai Geer* stating the impasse can be taken to the district court (*san muang*) where the case will be assessed by a judge.

Obviously, it is not desirable to have conflict situations that are drawn out indefinitely, providing no opportunity for resolution. Connected to the opportunity to resolve conflicts, the resolution process has specific time limits that are important for addressing the conflict in a timely manner and for moving forward. In a situation where a married couple is contemplating a separation and divorce, a number of participants describe the time limits that are given to parties:

1. "People can go to the *nei ban* to talk about their marital problems. Then the couple has to think carefully for 15 days before they can make a decision on whether or not they want a divorce." (43 year old male Ethnic Lao *nei ban* and farmer)

2. "If people want to divorce, they must separate for 30 days or for a specific period of time, then they must come back together to see if they want to stay together or not." (40 year old female Khammu Lao Women's Union member).

3. "The *Neoy Gai Geer* will help make the decision in a marital separation in a written agreement. Then there is a 3-month separation and if they still can't resolve their problems, then they can ask the *nei ban* who is head of the *Neoy Gai Geer* for a divorce." (65 year old male Ethnic Lao elder and *nei ban*)

4. "If a couple is having a conflict, they will first talk to their parents, then they can talk to their aunts and uncles – other relatives. These people will *op-lom* to resolve the problem. The relatives are from both sides of the family. After that they have to go to the *Neoy Gai Geer* to help negotiate. If the parties still disagree

then they can separate. If they separate for over three months, then it means they

are automatically divorced, if they don't get back together." (26 year old male

Ethnic Lao farmer)

As a divorce case is a serious conflict, the parties are given ample opportunity to resolve

their conflict. However, according to the quotes, there are specific time limits at each

stage that encourages people to keep moving forward. After a discussion of marital

conflict with a respective third party, the couple is given 15 days to seriously think about

what they want to do. Then an official separation lasts between 30 days to 3 months, after

which time the couple can decide to divorce. Divorce cases in Laos can be rendered at the

Nei Ban and *Neoy Gai Geer* mediation levels. Few divorce cases go through the court

system, allowing mediation to be the main process of dispute resolution in the community.

Fees Associated with an Escalation of Conflict

From the interviews, it became evident that the fees attached to different levels of

conflict resolution can be a determining factor in coming to a solution at the lower levels

of mediation. The willingness to resolve is conflicts enhanced by the incremental increase

in fees for upper level conflict resolution services. Fees double with each move up the

structural levels, from the village level to the district level.

It is important to note that before one reaches the *Neoy Gai Geer* mediation, no

previous traditional levels of mediation have a service fee. As a 67 year old Lao Theung

farmer and former soldier discussed, "Traditional methods can help make compromises

and you don't have to pay, and don't lose a lot of time." The following quotes illustrate

the fee structure within the Lao Conflict Resolution Spectrum:

1. "Going to a *Neoy Gai Geer*, you must pay 50,000 Kip fee plus some cigarettes, chicken, and food and drinks." (63 year old male Khammu elder and former *nei ban*)

2. "The *Neoy Gai Geer* fee is 50,000 Kip if a couple wants to separate and divorce." (65 year-old male Ethnic Lao *nei ban*)

3. "Traditionally when a couple wants to divorce, families and relatives would seriously discuss the issues. To reach the village and district levels cost money. The *Neoy Gai Geer* would cost 50,000 Kip and the district level would cost 100,000 Kip." (57 year-old male Khammu farmer and former *nei ban*)

4. "We can go back to the *Neoy Gai Geer* to discuss our problems three times. The fee is 50,000 Kip, we can each pay 25,000 Kip." (60 year old male Ethnic Lao *nei ban*)

5. "A Lao Soung youth drove car over a Lao Loum's garden. First, they can discuss by themselves. Whoever is wrong must do this. Whatever is damaged then you have to pay that amount. It's better to talk at the lower levels because of the cost." (36 year old male Ethnic Lao teacher)

6. "Traditionally when couples divorce, the families and relatives would seriously discuss the issues – for three times they will talk before they can divorce. When they reach the village and district levels it costs money. The *Neoy Gai Geer* or village level fee is 50,000 Kip . . . and the district is 100,000 Kip." (57 year old male Khammu *nei ban* and farmer)

As discussed by the participants, the fees for the structures that assist people in the resolution of conflict varies from processes at the village to those at the district levels. As

a participant stated, "We avoid going to the village level (*Neoy Gai Geer*) because then we have to pay a fee." The *Neoy Gai Geer* fee is 50,000 Kip (US$5) and the district level fee is 100,000 Kip (US$10). The cost associated with the district level conflict resolution process is quite prohibitive for the average Lao person. According to the Central Intelligence Agency: The World Factbook, Laos' GDP per capita in 2010 is estimated to be $2,400 (CIA, 2010). This fee would be average approximately 20 percent of their weekly income. The fee is a strong incentive for resolving conflicts at levels where there are no fees attached, making informal mediation the key process in resolving disputes.

Satisfaction with Traditional Conflict Resolution Processes

In the discussions with the participants, it seems that their willingness to resolve conflicts is influenced by their satisfaction with the conflict resolution processes available to them. In many of the quotes already mentioned in this research, there is evidence that people are satisfied with the assistance and resolution of conflict that use traditional approaches:

1. "We always *op-lom*, talk to each other, this method has been used for a long time and have good results." (60 year old female Ethnic Lao)

2. "This method of *op lom* is good because when people are angry they say angry words. Here they use softer and nicer words so that people can understand." (24 year old male Ethnic Lao teacher)

3. "Traditional methods for resolving conflicts are important and have good outcomes, especially in rural settings where the law hasn't been used yet." (50 year old male Khammu)

4. "Traditional ways of solving problems are good. They encourage people to talk about their problems and because everybody can give voice and are satisfied." (67 year old male Lao Theung farmer and soldier)

5. "We have to *op-lom* with both sides and if we cannot resolve then we ask the elders, such as the village leader, to help us make the final decision about who is right and who is wrong. After this decision is made, people are usually happy and confident that the right decision has been made." (27 year old female Ethnic Lao)

The majority of the participants in the study feel positively about traditional conflict resolution processes in Laos. Traditional processes gives people a voice, save time and money, and allows a way for people to resolve their conflicts in the absence of a legal system. As stated, traditional methods allow for *op-lom* and in-depth discussions that can lead to better understanding of the conflict situation and provide a more satisfying resolution. This is part of their willingness to use these systems to resolve conflict.

Conclusion

Understanding culture and cultural conflict resolution processes is key to building relationships and reconciliation in any conflict whether it is an interpersonal, intergroup, or international conflict situation. Local, community-oriented processes can be instrumental in addressing conflicts, but their potential is often misunderstood and underestimated. Resolving conflicts in culturally appropriate ways increases positive awareness, understanding, and relationships.

There is much evidence of conflict resolution patterns as you observe Lao people, listen to their narratives, and read the limited literature on their culture. Traditional Lao

conflict resolution approaches can be placed along a continuum from the most simple and least costly to the most complex and expensive legalistic forms of dispute resolution. This chapter identifies the different conflict resolution processes that are available to the Lao people and develops a "Lao Conflict Resolution Spectrum." Within this conflict resolution continuum, there are five levels of mediation that get progressively more formal and public. This spectrum of processes allows for resolutions that are specific to the customary laws and traditions of different cultural groups involved in conflict.

The research describes the different mediation processes that are available in Laos, ranging from parents to Village Mediation Committee (*Neoy Gai Geer*). It discusses typical Lao mediation processes that are generally informal, inclusive, and respected by the larger population. The mediators themselves are elders and leaders in the communities who see it as their duty to help people resolve their disputes and to preserve social harmony. Conflicts are resolved through the skill of *op-lom* within the mediation processes. The parties in conflict have high expectations that the mediators will be able to give them sound advice for the resolution of conflict. The *Neoy Gai Geer* is the most formal of the mediation processes and involves a committee composed of various representatives from the community who uses a consensus decision-making model to resolve conflicts.

If the *Neoy Gai Geer* cannot resolve the conflict, there is the option of using the court systems. However, the court systems are inaccessible and unfamiliar to the majority of the population. As discussed in the chapter, there are a number of conflict cases that have remained unresolved due to the inability of various mediation processes to address the needs and concerns of all parties in conflict, particularly in situations that involve rice

farming, land, construction accidents, drugs, and unemployment. Many of these conflicts are part of larger structural issues and development.

There are a number of important features of the conflict resolution processes in Laos. The most notable characteristic is the progression of the Lao Conflict Resolution Spectrum from informal mediation to the more formal *Neoy Gai Geer*. As an important part of that progression, the inclusion of other mediators in subsequent processes of dispute resolution is a mechanism that helps to provide insight, clarity, and support of the resolution of conflict as well as ensuring transparency and accountability of the mediations. Another characteristic is the opportunities for resolution that are given to disputants. At each level of mediation, the parties are given three chances to resolve their conflict. If they are not able to resolve the conflict after three revised agreements, their case will be referred to the courts.

As discussed, the people are largely satisfied with the traditional processes of dispute resolution, ensuring their continued acceptability and use. All these mechanisms are in place to encourage people to resolve their disputes quickly, efficiently, and as amicably as possible. This makes it possible to uphold the high cultural value they place on maintaining relationships.

CHAPTER VII

Celebrating Conflict Resolution Through Cultural Rituals and Ceremonies

"Laos is a land of festivals. Every village, every temple, and every ethnic minority

not only holds its own special festivals but also joins the wider Lao community in

celebrating the national ones as well" (Stuart-Fox & Mixay, 2010, p. 1).

As a child, a ceremony that captured my attention was the *soukhouan* celebration

that took place in various homes to mark special events in the lives of the community.

The ones I particularly remember are the more elaborate ones where people are dressed in

their finest clothing. The women were especially beautiful in their traditional, bright-

colored Lao silk skirts and scarves, with their hair put up in buns and pinned with jewels.

There was always plenty of laughter, socializing, and food. The tables were constantly

filled and refilled with amazing Lao cuisines. The celebrations often continue late into the

night, and the children would inevitably fall asleep before the end of the celebration. I

never questioned the ceremonies that were being hosted in our home or in the homes of

others, and accepted them as part of our Lao cultural tradition. What did stand out in my

mind was the feeling of acceptance, community, and friendship at these celebrations.

These ceremonies continue to define both Lao culture and religion. Only when I

began to study the traditional conflict resolution processes of different groups around the

world and to conduct research with Lao diaspora in Canada did I begin to develop a keen

interest in exploring my own roots, specifically, the conflict resolution rituals of Laos.

Throughout my interviews in Laos, people discussed how these ceremonies are important

for conflict resolution and relationship building. Within these discussions, I was able to

explore the meanings and significance of the conflict resolution and reconciliation rituals

of the Lao people.

The following chapter describes important conflict resolution rituals and

celebrations that are specific to Laos and how these cultural activities allow for the

rebuilding of relationships and reconciliation. First, the chapter begins with a discussion

of Lao's most well know and often practiced ritual, the *baci* or *soukhouan* ceremony as a

mechanism for conflict resolution. The names *baci* or *soukhouan* are used

interchangeably in Laos, but for the sake of clarity, I will use *soukhouan* as that is the

name my family has used. Second, the *soumma* ceremony, the more intimate of the two

celebrations, is examined as a process of forgiveness and reconciliation. The

significances of various items required for these rituals will also be discussed within

these sections.

Conflict Resolution Ceremony (*Soukhouan*)

 "The rituals serve to restructure the social experience and the social identity of the actors

and participants and thus to frame social memory" (Evans, 1999, pp. 192-193).

The Lao people have a culturally unique way of memorializing agreements

through specific rituals. The *soukhouan* ceremony is so deeply ingrained in the collective

Lao culture that it deserves special attention as a ritual and ceremony that has become a cultural and cross-cultural conflict resolution structure in itself. It provides an excellent opportunity to see community-building and cultural interaction at work. Most formal processes of dispute resolution, such as the court systems, do not have ceremonies designed specifically for celebrating the end of conflict. In Laos, once a conflict is resolved there is usually a traditional *soukhouan* ceremony organized. The scope and scale of this event is dependent on many variables which will be discussed throughout this chapter. This elaborate ceremony is vital to the well-being of people in the community.

Soukhouan Event

The *soukhouan* is undoubtedly among the most common and celebrated activities in Laos, whether you are a Lao Loum, Lao Theung, or Lao Soung. It is conducted as part of almost every important event, from funerals, weddings, sicknesses, and especially in publically committing to conflict resolution. In describing a *soukhouan* the participants in the study expressed the following:

1. "We perform a *soukhouan* when relatives visit to show love and respect for each other; when someone is sick in order to make them better; when there's a wedding to bless the couple; after a death/funeral to ensure the spirits are happy; and when there's a big conflict in the family or injuries to another person, to repair the harm that's been done." (67 year old female Ethnic Lao baker)

2. "A *soukhouan* is performed when there is injury to someone in a car accident, physical fight, other accidents, and deaths; at New Year's for our parents and elders; when we are wrong in a conflict situation we must do a *soukhouan* for the

other family; when our children are leaving for study in another city or country;

and when guests come to visit." (60 year old female Ethnic Lao merchant)

To illustrate this event, the section begins with a description of a relatively large and

elaborate *soukhouan* that I attended, involving approximately 100 people, including

family members, friends, elders, monks, and other community people.

The *soukhouan* was organized by an elder aunt, her adult children and their family,

and close friends to celebrate the return of one of her siblings after many years of

separation. This family had experienced a long simmering conflict situation between two

members of the family, but with typical Lao avoidance, no one had really acknowledged

or discussed the conflict. As the sibling had already moved away from the village, the

family felt it was best to leave things alone. When the sibling returned, all the old

emotions surfaced and the atmosphere became uncomfortable within the extended family.

The elder aunt finally took the initiative to *op-lom,* and encouraged the family members

in conflict to discuss their issues with one another, especially as they were all getting

older and needed closure to their conflict. The parties in conflict were able to have a

discussion among themselves and understand the other person's perspective on various

issues of contention. The family decided to have a larger celebration that included other

family members, elders, friends, and community people to show that all is well in the

family, and to welcome the younger sibling back into the family.

Days before the ceremony took place, the hosting family and friends were already

busy making preparations for the special event. A large beautiful flower arrangement

(*makbeng*) in the shape of a cone was made to sit in the middle of a silver vase placed in

a round, bamboo, serving table about 36 inches wide and 18 inches high. Within the

flower arrangement were: tall, thin, wooden sticks around which are tied numerous 12-inch white homespun cotton threads arranged in neat rows, with a few colored threads taken from the Buddhist temples; and small, special floral bouquets wrapped in fresh banana leaves containing rolled up money in various denominations tucked within the cone-like bouquet. During the preparation, the elder aunt told me stories of how Buddhism is akin to the lotus flower; out of a muddy pond, a beautiful, fragrant flower emerges to bask on top of the water in the warm sun. She explained that the flowers arrangements are more than just beautiful to look at, they represent beauty in life, beauty in reconciliation, and beauty in growth together.

Also in the flower arrangement were five pairs of tall candles. According to the participants, the candles represent "respect, wisdom, knowledge, and enlightenment;" "new ideas" and "light to show us the way;" or "the beautifulness of the bouquet." The meanings attached to these symbolic candles are important in the overall ceremony as the ceremony hopes to bring respect, wisdom, and new ideas that help create a more beautiful relationship between the parties and the families involved. This is a symbol of a positive future and new possibilities.

Preparation for the floral arrangements can take up to three days, depending on how elaborate it is. As a guest at the home, I was able to directly observe and participate in the preparation for the *soukhouan*. It was wonderful to watch as the women, usually older (although younger women can assist), sat on the floor chatting, told stories, and laughed about various things in their lives. One elder woman had traveled from her small village in order to attend this special celebration. Although some of them had not seen each other in a long time, the conversations revealed the closeness they still felt with one

another. The elder women were chewing on betel leaves and betel nuts while working on the floral arrangement. The laughter, reminiscing, and renewing of old friendships would be occasionally interrupted by the harsh sounds of the blood red betel nut juice being spat into little buckets, just like chewing tobacco. [Note: It is believed that these leaves and nuts have medicinal properties, such as curing bad breath, relieving pain, as an aphrodisiac, and as a mild stimulant.]

Early in the morning on the day of the *soukhouan*, family and friends were preparing for the event. Older children helped clean and tidy up the house, wash dishes, and prepare the meal. The food that was being prepared for the meal was a common dish called *kao poon*, a noodle dish served with fresh vegetables and herbs in a spicy, red curry, coconut, chicken broth. The chicken for the broth was freshly prepared early that morning so the large cauldron of soup could cook all day. The fresh fragrance of the lemon grass, mint, coconut milk, and red curry overflowed into the streets around the house. The noodles were freshly made for the day of the event. While people were preparing the meals, there was a lot of talking, laughing, and joking around with one another. Just before the *soukhouan*, bowls of fruit, sweets, and eggs were placed around the flower arrangement on the serving table (*pa khouan*).

At this *soukhouan*, people were well dressed, with the women wearing their traditional Lao silk skirt (*sin*) and scarf (*pa biang*). The men wore Lao scarves over their left shoulder. The degree of the formality of the dress code depends on the purpose of the celebration. A *soukhouan* as part of a marriage ceremony is the most formal of occasions and tends to be the most elaborate in terms of dress, food, and celebration. The attire of welcoming *soukhouan* depends on who the guests of honor are. Those that involve whole

communities tend to be more formal while those intended only for family and close friends tend to be more informal.

The *soukhouan* took place in the late afternoon. Once people had arrived at the *soukhouan*, the honored guests were seated around the main table with the floral arrangement (*pa khouan*) on the floor mat in the living room area. A senior monk in attendance gave a prayer and blessing for the honored guests and ceremony. Our monk for the evening was particularly eloquent, and his prayerful chant went on for quite a long time, at least 30 minutes. During this time, the people in attendance were holding up their hands, palms together in front of their chest, in a prayer. At the end of the prayer, I turned to some elders in the room to ask what the monk was saying, and they responded, "We don't know exactly. It's some ancient Buddhist chant from the Pali script, from a long time ago. Even the monks don't know what they're chanting. It's just part of our tradition." These prayer recitations are part of paying respect to the Buddha, his *Dhamma* (truth), and his *Sangha* (clergy), and vowing to abide by the five precepts (teachings) (Stuart-Fox & Mixay, 2010). The monks were praying for tolerance and acceptance of others according to Buddhist teachings. At the same time, they are blessing the house, people, and the community where the *soukhouan* is taking place.

Once the monk prayers were done, the elders were given an opportunity to give further blessings on the event while the honored guests and those around them place one hand on the bamboo table holding the flower arrangement and the other hand raised with the palm open by the side of their heads. Others, who were not able to hold onto the table, held onto the arm or elbow of those in front of them, representing a connection between all present at the ceremony. This was explained to me as a way of strengthening the

blessings by supporting them with the power of the community. This is seen as creating a spiritual force that reinforces the wishes of the person tying the thread (Stuart-Fox & Mixay, 2010).

Once the blessings were complete, each person present took two pieces of thread (*fei pouk khene*) from the flower arrangement and tied one on each wrist of the honored guests. During this process, the honored guest kept his palm face up while having the thread tied, and put his other hand up in a prayer-like gesture while receiving blessings and well wishes. The wishes may be things like, "Oh, sister I wish you health and happiness. May you bring your family joy and make them proud. May you succeed in life. May you have many, wonderful children." (My husband once had a woman say to him, "May you have many wives.") Due to many years of experience, the elders in attendance were usually able to recite their blessings like a musical chant. While this was taking place, others continued to hold onto the arm or elbow of the person being blessed.

Once the blessing was finished, the blesser placed a few food items from the table onto the hands of the blessed. It is customary to take a bit of the food given to show respect and acceptance. As this part of the ceremony continued, the people gradually broke into smaller groups, tying the sacred threads around the wrists of those around them, giving blessings, and receiving well wishes. The honored guests had the most threads tied to their wrists, but everyone present had the opportunity to get their wrists tied and to receive good wishes and blessings.

At the end of the *soukhouan* ceremony, everyone was invited to partake in the meal prepared, and to visit with one another. Again, the honored guests were served first, but there is always an abundant amount of food for everyone. In this *soukhouan*, several

people who just happened to be walking by in the neighborhood were immediately invited to join in the welcoming festivity. The atmosphere was one of celebration where families, friends, and the community came together to celebrate an important event.

Religion and Symbolism in the Soukhouan Ceremony

Theravada Buddhism is unquestionably the dominant religion in Laos. At the same time, there is also an intermingling of Animist beliefs within their spiritual system, especially in minority ethnic groups. Even the Buddhist Clergy (*sangha*) have incorporated a belief in Animist spirits (*phi*) into their religious teachings and duties. For example, some monks are respected as having the ability to exorcise malevolent spirits from the sick or to keep them out of a house. As part of appeasing any stray spirits that might disturb the proceedings in a *soukhouan* a participant stated, "A *soukhouan* involves monks who perform meditation chants (*soot mon*) and bless the home (*soot hern*) where the event is taking place." Most Lao people believe in these supernatural forces such as house, ancestor, and forest spirits.

This belief in spirits is a descendant of the Animist spirituality that is still influential in Lao religious life. As illustrated by some of the participants in the study, "According to Khammu traditions, we celebrate various festivals throughout the year – *Boon Ka Ler* (5th month) and *Boon Dern Jim* (1st month). We are now Buddhists, but we still believe in spirits." The *soukhouan* is steeped in this blend of Buddhist and Animist traditions that is so prevalent in Lao culture.

A number of articles are required to conduct the *soukhouan* ceremony. These are symbolic gifts that are given in the Buddhist tradition of earning merit, as well as in the Animist belief of returning any stray *khouan* to one's soul (see Table 4). *Khouan* can be

thought of as the unique components that are part of one's soul or morale. Occasionally, *khouan* are believed to wander, and a *soukhouan* is performed to bring them back together, hence the name *soukhouan* that literally translates, "the meeting or coming together of *khouan*."

Table 4

Soukhouan Articles and Their Significance

Items:	Significance:
Large flower arrangement – (*makbeng*)	Represents gifts for the *khouans*; represents beauty; represents Buddhism
Small floral bouquets with money tucked within – (*dok mai took tien*)	Flowers - represent the highest level of respect; represent Buddhism; *soukhouans* have flowers; represent love and beauty
Money (*gern)*	Money – represents *boon koon* or gratefulness; giving back; obtaining merit
Thread (*fei mut khene*)	Represents restoration of *khouan*; connection; strength in spirit
Incense & Candles (*tien*)	Represents respect; wisdom; symbolic for knowledge and enlightenment; represents light and new ideas; represents light to show the way
Clothing gifts, Shirts, Traditional Lao Skirt (*sin*), or Scarf (*pa biang*)	Represents *boon koon* or gratefulness; giving back; obtaining merit *Note: shirts & scarves should be white to present purity, wholesomeness, & clarity
Chicken (*gai*), Pig (*moo*), Cow (*ngoor*), or Buffalo (*kwai*)	Is dependent on culture; size of the *soukhouan*; seriousness of the conflict; compensation
Food (*pa kao samakee*)	Represents new beginning; all is well; commitment and care for well being; offering of sustenance

Buddhist Traditions. Many of the items necessary for the *soukhouan* ritual must come in sets of five (*kun ha)* (e.g., five pairs of candles, five pairs of flowers, and so forth). The central floral arrangement (*makbeng*) also contains five arms holding the cotton threads. A village leader explained the significance of the number five as being

related to Buddhist teachings. The Buddhist *Dhamma* or truths teach five percepts (*sin ha*) for people to follow. First, do not kill (*sin pa na*) but love and respect all life. Second, do not steal (*sin bor luck/sin a tit na*) but take care of all things. Third, do no lie (*sin moo cha*) but talk to one another to ensure there is no misunderstanding. Fourth, do not have affairs or behave in sexually inappropriate ways (*sin ga may*) but respect oneself and others. Fifth, do not use drugs or intoxicants (*sin su la*) but keep a clear mind and healthy body.

The Ethnic Lao people describe the importance of showing *boon koon* to parents, elders, and monks for their assistance in teaching people about proper conduct and taking care of the family. The term, *boon koon*, means to show respect and gratitude. Through showing *boon koon* a person is acquiring merit, the Buddhist means of advancing one's status in the afterlife or future reincarnation. This merit-making can be achieved through various generous acts to others, good conduct, showing respect to elders, and giving to monks.

The concept of *boon koon* is clearly illustrated in the following quote from an older, Ethnic Lao woman with adult children:

> In Lao traditional past, I used to hear that if you have long hair and cut it off to sell in order to obtain some money to buy clothing for your mother then you will reduce *bap* (sin) and *vein* (bad luck) . . . they've [parents] looked after us and sacrificed much . . . and if we give a *sin* (Lao skirt) to our mothers then it represents *boon koon* (respect or gratitude).

The daughter's act of giving up her own hair in order to purchase her mother a Lao skirt, demonstrates her love and respect for her mother, recognizes the sacrifices that her

mother has made on her behalf, and is a generous act that is deserving of merit. That

mixture of respect, gratitude, and merit is what defines *boon koon*.

It is interesting to note that the word *boon* is also the word the Lao people use in

referring to festivals. Opportunities for gift-giving, generous acts, and showing respect

and gratitude are part of many of the Lao festivals and celebrations, including the

soukhouan. As part of the *soukhouan*, the money placed in the flower arrangements, and

the gifts that are distributed between guests are part of *boon koon*. Like the word *boon*,

the *soukhouan* can be both part of a festive celebration and a means for merit-making.

Animist Traditions. The tying of sacred threads around a person's wrists,

symbolizes the reuniting of the 32 components of an individual's spirit essence (or

khouan) into the body (Leibo, 2003; Savada, 1995; Stuart-Fox, 1997). It is believed that

the "absence of any *khouan* weakens the vital spiritual force of a person, who may as a

result become indecisive, depressed, or ill. The *soukhouan* therefore restores a person's

spiritual force and enables them to face life reinvigorated" (Stuart-Fox & Mixay, 2010, p.

19). These cotton threads are to be worn for at least three days before they are removed

by untying them. It is important to untie the threads and not cut them off, as the act of

cutting would disperse the spirits again.

The tying of threads as a metaphor for reuniting *khouan* is a very important aspect

of the ritual. In doing this, people are essentially restoring individuals souls, thereby

giving the strength to reconnect with their communities and bringing people back to

healthy relationships. According to my interviews, "When there are conflicts and fights,

it is because the spirits are wandering and unhappy (*phi khouan keert*), disrupting

people's lives." The cotton threads (*fei pouk khene*) on the floral arrangement (*makbeng*)

contain a knot in the middle to represent the containment of blessings. When people tie double knots in the thread (*yun*) around the wrists, this symbolizes strength, unity, and support, both in restoring *khouan* and in maintaining positive relationships. The tying of the threads restores harmony in the body, spirit, and social relationships. The theme of restoration in the *soukhouan* is what gives it its relevance in conflict resolution.

Soukhouan Ceremony in Conflict Resolution

The purpose of this ritual in conflict resolution is to repair the harm that has been done in conflict, rebuild relationship, and create healing in the communities. This corresponds to the restorative justice paradigm that emphasizes the importance of relationship and restitution in repairing, restoring, and nurturing of such connections. The importance of conducting a *soukhouan* as part of a conflict resolution process was discussed by the participants in the study:

1. "If people fight with each other, then you have to do a *soukhouan* and prepare a chicken. If the conflict is big, then we have to prepare a pig for the occasion." (63 year old male Khammu farmer)

2. "If a man hits his wife and she's bleeding, then he and his relatives must prepare a *soukhouan* and invite everyone to come." (63 year-old male Khammu elder)

3. "We do a *soukhouan* if we hit the other person and cause injury; if our dog bites another person. A *soukhouan* helps to calm the anger and make the other person not angry with us." (42 year old female Ethnic Lao cook)

4. "When there is a car accident involving a death, the police will be called to investigate, then a *soukhouan* is conducted." (50 year old male Khammu *nei ban*)

5. "If there is physical fighting and someone is injured then you have to do a

    soukhouan and pay a fine." (69 year old male Khammu *Neoy Gai Geer* member)

From the interviews, it is clear that the *soukhouan* is conducted when the conflicts are of

larger magnitude, often involving physical injuries. The size of the *soukhouan* is a

reflection of the gravity of the conflict situation. Family conflicts that require a

soukhouan normally involve just the family members and close friends. This is consistent

with the values of avoidance and maintaining privacy when in conflict. Sometimes, it is

important to increase the size of the *soukhouan* to involve the whole community,

especially when a larger support network is required in providing restitution, maintaining

relationships, and establishing reconciliation.

As illustrated in the various quotes, conflict situations involving fights, physical

injuries, and deaths, require a *soukhouan* in order to provide compensation, repair

damage, and prevent further escalation of conflict. A *soukhouan* helps to repair the

damage in violent situations where the perpetrator, with support from his/her family,

must apologize and ask forgiveness of the victim and his/her family. In doing so, the

perpetrator promises, in front of both families, not to commit such violent acts again. A

soukhouan helps to reduce anger and revenge as the perpetrator apologizes, takes

responsibility for his actions, and makes restitution to the injured party. It is a way of

asking those who have been wronged for forgiveness, and a way of restoring the spirits of

those in conflict by helping them towards restoring healthy relationships.

Reconciliation Ceremony (*Soumma*)

"Speak and act in a way that does not cause the loss of face and eyes (*op lom hit dee sun yung bor sear na sear tda*)." (Lao Proverb)

The *soumma* ceremony is an important ceremony in celebrating the end of conflict. It represents a small, intimate acknowledgement of conflict and reconciliation usually held within families. *Soummas* are a reflection of Lao culture and tradition that shows respect for parents and elders in a way that allow for reconciliation to take place. This honored tradition is instrumental in maintaining good relationships in the family, especially after a conflict where parents and relatives have assisted in a mediation process.

Soumma Event

I had a number of opportunities to observe and participate in *soummas* over the course of my research in Laos. For example, I was invited to one particular *soumma* that illustrates the significance of this ceremony in bridging relationships and positively impacting the lives of all those affected by the conflict. The conflict involved a mother and daughter in a painful relationship where there was deep hurt, anger, bitterness, and resentment from both parties. This estrangement lasted over a 40-year span, through various wars in Laos, deaths of family members, and numerous other life situations. The following is a short summary of this story that illustrates how powerful the *soumma* is to the Lao people in rebuilding and reconciling broken relationships.

When the daughter was still just a little girl, her father, who was a village leader, was tragically killed. The mother was left with nine children to raise on her own. The mother had a sister and brother-in-law who were unable to have children. The mother's

sister begged to have this daughter as her own and, eventually, the mother gave her up to the barren sister and brother-in-law. The daughter's new parents were poor farmers. When her parents went to work on the farm, the daughter would go spend the day with her biological mother and siblings. However, at the end of the day the daughter would always have to leave and return to the farm where she now lived. As the daughter grew up, she began to question the reasons why this happened and developed feelings of animosity and anger toward her biological mother. The daughter could share the companionship of her siblings and friends during the day, but always felt the stress of knowing she could not stay with them and would have to return to the loneliness of the farm.

The bitterness grew as the daughter believed that the biological mother had enough financial means and support to care for all her children. Although, the daughter kept in touch with her biological mother, their relationship was never close and often strained. They had talked over the years about the situation and the daughter had eventually understood and forgiven her mother. However, closure remained elusive for them as they struggled to regain some form of closeness and normalcy that would define a typical mother-daughter relationship. Finally, after 40 years the daughter decided to perform a *soumma* for her mother, in order to fully address the situation and help restore the relationship.

The daughter, with the assistance of her elder sister, helped prepare floral bouquets (*dok mai took tien*) to present to her mother, along with candles and gifts. The daughter and her own children went to visit the mother and presented this peace offering. The mother sat in a chair and the daughter and grandchildren sat on the floor to talk about

the conflict situation and how it is important to bring some sort of closure and move forward after so many years of tension. The bouquets were offered to the mother and a mini *soukhouan* was performed where threads were tied on each other's wrists and blessings were given. The mother gave blessings to the whole family and all the participants offered each other wishes for health, happiness, and success. After the hugs and well wishes, the family shared a meal together and visited throughout the evening and into the night, even after the electric generators were turned off. They talked, told stories, and laughed in the light of candles burning in the background.

The *soumma* allowed each person to discuss his/her thoughts and feelings about the situation and relationship, and see the situation from the other person's perspective. Akin to North's (1998) concept of reframing, the daughter was able to use the *soumma* to show her mother that she understood the context in which the conflict situation originated, and could now more fully appreciate the circumstance that contributed to her decisions. By looking at her mother's actions in context, she was able to empathize and view the situation in a way that made the actions more understandable.

Furthermore, the respect and status associated with age can sometimes be culturally prohibitive to parents and elders in admitting wrong and apologizing. In this case, the daughter provided a culturally appropriate avenue for reconciliation. The painful experiences were acknowledged, both parties took responsibility for their part in the conflict, and apologies were given. The mother and daughter were able to accept the sincere apologies and forgive one another. The *soumma* finally brought closure for the family after so many years of unspoken tensions.

This ritual symbolizes more than just forgiveness. It is a complete commitment to reconciliation and represents the act of bringing one's whole spirit, body, and mind in establishing a healthy relationship. It is important for families to invent "mechanisms of forgiveness" (Phipher, 1997, p. 140) because "love is an act of endless forgiveness" (Ustivov as cited in Phipher, 1997). In addition to offering forgiveness, these ceremonies are akin to taking a solemn oath of personally working towards reconciliation. The stories, history, and traditions are important in promoting in-group identities (Senehi, 2000) and this is evident in the *soumma* event that reconciled the mother and daughter.

Religion and Symbolism in Soumma Ceremony

The ceremonial symbols of the *soumma* are essentially the same as those of the *soukhouan,* except that they are somewhat smaller in scale. For example, they do not necessarily require the use of monks and elders to lead in prayers; there is no large floral arrangement (*makbeng*); less food to prepare; and less compensation to be made. The difference between these two events is akin to that of a full-scale symphony as opposed to a string quartet. One is more elaborate, complex, and ornate while the other is about closeness and intimacy.

Soumma and Relationship Affirmation. *Soummas* are conducted in honor of parents, grandparents, elders, and senior monks in the community. The children, young people, and families perform these ceremonies to show respect for elders in their families. Typically, the younger children conduct *soummas* for their parents, older siblings, and elders. One participant described a *soumma* as a "festival to show respect and to give thanks to our parents" (*boon tan koon paw mer*). The term, *boon koon,* is used to describe this act of showing love, respect, and thankfulness to the elder generation.

Traditionally, a person conducts a *soumma* at least once a year during the Lao New Year (*Pi Mai*). The significance of doing a *soumma* during the New Year celebration allows people to ask for forgiveness for all the wrong that they have done during the year and to begin the New Year with a fresh start. However, the *soumma* can be conducted at any time just as other informal rituals that deliberately encourage opportunities to share, communicate, and connect with each other to increase awareness of gaps in our assumptions and to fill them with facts, context, and history (Kolb & Putnam, 1997).

1. "We conduct a *soumma* in order to obtain blessings (*hei pon*). We do it on New Year's (5th month) to show respect for our elders. We bring food, money, and flowers." (42 year old female Ethnic Lao business owner)

2. "We do a *soumma* for our parents and older relatives at New Year's in our own homes; whenever we have conflict we make them lose face and respect." (48 year old female Ethnic Lao businesswoman)

3. "If the children have done something wrong, then they must *soumma* their parents. They must organize it and then hold flowers out to their parents to ask for forgiveness. The parents respond by forgiving their children and giving them blessings." (67 year old female Ethnic Lao baker)

4. "The older generation has taught youths to appreciate Lao traditional ceremonies and Buddhism. We are taught to do a *soumma* for our elders where the children ask elders for forgiveness and honor them with flowers and money. Sometimes they buy them Lao skirts and scarves." (47 year old female Ethnic Lao farmer)

5. "The older people are happy that the children remember how they have been fed

   and taken care of, and apologize for their mistakes and they forgive them." (45

   year old male Ethnic Lao merchant)

This ritual helps bring people together to recommit to healthy relationships with each

other. When children ask their parents for forgiveness, along with the flowers, candles,

and other gifts, the parents accept the apology and in return give them blessings. Through

both words and actions, the family is showing their readiness to leave past hurts behind

and to focus on the present and future with a clear conscience.

Soumma Ceremony in Reconciliation. In performing a *soumma*, the younger

generation is apologizing for the wrongs that they have done which have impacted their

parents and elders. They are honoring their parents for the sacrifices that they have made

in caring and providing for them. Apart from New Year's celebrations, the *soumma* ritual

is performed when people need to ask for forgiveness from the family in order to restore

relationships. According to a number of interviews, the participants felt it was important

to do a *soumma* for their parents, especially when they have caused them embarrassment,

to "repair their face and eyes" (*bpeng na bpeng tda*) or to "bring back their face and eyes"

(*ow na tda kern*). This reference to restoring "face and eyes" was a an especially common

theme among participants when referring to the *soumma*:

1. "If we embarrass our parents in some way, we must do a *soumma* in order to

   repair the face and eyes of the elders . . . We must also prepare food so that we

   can all eat together." (42 year old female Ethnic Lao co-owner of a business)

2. "A *soumma* represents the respecting of parents and elders (*nup ter tow gua*). The

   restoration of the parents' face also helps restore their face and eyes in the

community where they are seen as good parents who model appropriate behavior."

(67 year old female Ethnic Lao housewife)

3. "When a conflict is resolved, we can bring the face and eyes back by conducting

a *soumma*." (40 year old female Ethnic Lao farmer)

4. "If we embarrass our parents we must do a *soumma* to "repair the face and eyes"

of the elders." (42 year old Ethnic Lao housewife)

Such metaphors and references to repairing the face and eyes are of utmost important in

the Lao community. The *soumma* ritual is specifically created to address the

embarrassment caused by conflict and to bring people's esteem back to a respected level.

In comparison to the more public *soukhouan* ceremony, the *soumma* ritual is a

private ceremony. The *soumma* normally involves just the family that has been affected

by conflict. It is much more intimate and less elaborate than the *soukhouan*. Keeping the

ritual within the family allows the family to address the conflict internally and to

maintain face in the situation. There is still the support from the rest of the family for the

parties involved in conflict. The *soumma* provides an opportunity for the family to

become closer by restoring the harmony.

Based on Schirch's (2005) definition of ritual, the Lao *soukhouan* and *soumma*

exemplify symbolic acts that are taking place in unique spaces that are forming and

transforming people's worldviews, identities, and relationships. The symbolic sacred

threads, bouquets of flowers, centerpiece floral arrangements, food and various other

items reflect people's values and beliefs in conflict resolution traditions. The ritual

process transforms relationships from brokenness to wholeness. After the *soukhouan* and

soumma, the parties in conflict, families, and communities are reunited in spirit, mind,

and action. Similar to the principles of restorative justice (see Umbreit, 2001; Zehr, 1990, 2001), these ceremonies allow for: (1) acknowledgment of the wrong; (2) people to take responsibility for their actions; (3) restitution to be made according to cultural customs; (4) reparation of the harm done; (5) people to accept the apology and reparation; and (6) community to support and hold people accountable for repairing the relationship. Emotions such as anger, hurt, and pain have been lifted, and are replaced by forgiveness, acceptance, and healing. Celebrations of coming together of previous disputing parties are happy occasions shared by the whole community. Giddens (1991) states that:

> Without ordered ritual and collective involvement, individuals are left without
> structured ways of coping with tensions and anxieties . . . Communal rites provide
> a focus for group solidarity at major transitions . . . connected individual action to
> moral frameworks and to elemental questions about human existence. The loss of
> ritual is also the loss of such frameworks. (as cited in Irani & Funk, 2000, p. 18)

The *soukhouan* and *soumma* ceremonies are part of the maintenance, reparation, and restoration of relationships that contribute to overall social harmony in the community.

Ceremonial Connection to the Heart (*Chai*) of Soukhouan and Soumma Ceremony

Thich Nhat Hanh, a renowned Buddhist monk, stated, "Forgiveness will not be possible . . . until compassion is born in your heart. Even if you want to forgive, you cannot forgive" (as cited in Briggs, 2008, p. 25). This metaphoric connection to the heart is one that was discussed frequently by the participants in conversations about the *soukhouan* and *soumma* ceremonies:

1. "It is good to do a *soumma* to help us grow closer to each other and to allow the Buddha in our heart (*chai*) to give us patience." (66 year old female Ethnic Lao farmer)

2. "The monks teach us to love ourselves, to apologize whether we're wrong or not, and to learn to be human." (75 year old male Ethnic Lao monk)

3. "There are many methods for doing a *soumma* . . . in terms of what to wear, other decorations, and items such as gold and money. Some materials don't cost anything, but it's okay because it comes from the heart for the older people." (45 year old female Ethnic Lao salesperson)

4. "A *soukhouan* is conducted in order to fix or repair the harm according to one's own heart (*por bpeng chit chai*)." (60 year old male Ethnic Lao *nei ban*)

5. "It is important that we encourage people to talk to each other from the heart (*chai*)." (59 year old male)

In performing these rituals, the Lao people are very well aware of the significance behind these ceremonies and its impact on them as individuals and as a collective. The religious teachings connected to the ceremonies teach people to love, apologize, and be more patient human beings. These rituals have symbolic importance for interpersonal interactions that help people to commit to and reestablish healthy relationships.

These quotes also emphasize the importance of any conflict resolution to be sincere and come from the heart. The *soukhouan* and *soumma* ceremonies are ways to "repair the harm according to one's heart." When a *soukhouan* or *soumma* is performed, participants describe the activity as satisfying, for it was able to meet the needs of their hearts or *por chai*. The expression, *Koi dee chai lai* (My heart feels very good or I am

very happy), is used to describe a successful resolution to conflict and the participants'

contentment with *soukhouan* and *soumma* rituals. Conflict resolution and rituals that

satisfy the heart are essential for the transformation of conflict and the establishment of

reconciliation between the parties, families, and communities.

The analogy of effective resolutions as coming from one's heart is reflective of

Lao culture and language. The terms, *hua chai* (head of the heart), refer to the heart, the

mind, or the spirit. When there is a conflict, people are described as having *chai hi*

(strong heart or fighting heart in the sense of being angry or mad) and *hawn chai* (hot

heart in the sense of having a hot temper). These expressions of anger and bad

temperament are associated with conflicts and the parties' inability to resolve them

constructively. These are negative traits that are not valued in Lao culture. Third party

mediators are respected for their *chai yen* (cool heart in the sense of having a calm

temper), an important characteristic that enables mediators to calmly assist others in the

resolution of conflict. Being calm, clear headed, and patient are attributes of a respected

mediator. As a 60 year old Ethnic Lao businesswoman stated, "We always go see my

eldest brother when we have a conflict because he is good at listening and not making

judgments. And he is good at giving advice and keeping the situation confidential."

When people are making decisions about important conflicts, they are said to *tdat*

sin chai (make a decision according to the heart). Again, this expression stresses the

significance of a resolution that meets "the hearts" of those affected by the conflict. The

process of decision-making is taken seriously, with deep contemplation and insight. The

satisfaction in a given resolution is described as *por chai* (heart is satisfied or enough),

dee chai (good heart or happy), or *kow chai gun* (understand our hearts or understand

each other). As the discussion illustrates, an effective resolution must achieve the needs

of the heart, mind, and spirit. This holistic approach to creating a resolution makes the

conflict resolution agreement more gratifying and durable. It also allows for the

rebuilding of relationships as the resolution is heartfelt and sincere. All these components

of decision-making make it possible to move towards full reconciliation.

Private and Public Conflict Resolution Rituals

As already discussed, the most common responses to conflict situations in Laos is

avoidance and *op-lom*. These two processes allow the parties to ignore the conflict or to

have private discussions among themselves. Obviously, the level of privacy decreases as

third parties become involved and progress through the conflict resolution spectrum.

Larger, more complex and stubborn conflicts that require *the Neoy Gai Geer* to resolve

are already public conflicts. At this point, a great deal of face has been lost with the

decrease in privacy but, at the same time, a great many people are involved in helping to

restore that face. In these circumstances, the entire village may become involved in the

celebration of the resolution of conflict.

The *soukhouan* and *soumma* ceremonies are mechanisms for restoring face,

relationships, and social harmony after a conflict. The choice of which ceremony to use

as well as the size of these ceremonies are contingent on the size of the conflict and the

number of people that have become involved in its resolution. As discussed by a 34 year

old Ethnic Lao *tuk-tuk* driver (a truck with bench seats in the back, similar to a taxi),

"Suppose a husband and wife makes their parents sad, then we have to do a *soumma* for

them with candles, flowers, towels for them, and so forth." In this case, the *soumma*

ceremony of forgiveness and reconciliation is much more private and includes just the immediate family members. The use of a *soumma* in conflict resolution is almost always reserved for parents and family.

An example of a conflict case that is more public and involves more people is described by a 60 year old male Ethnic Lao *nei ban*: "If you hit someone with a motorcycle and that person is hurt, then you must do a *soukhouan* according to the injured's traditions." In this case, there are more people impacted by the conflict, including anyone who is affected by the injured person's recovery, whether in having to provide care for that person or to accommodate any responsibilities that the person is no longer able to perform. The *soukhouan* ritual would include all of those people, including extended family members and possibly other community members.

This shows how privacy in the conflict resolution spectrum corresponds to privacy in the conflict resolution rituals. The more people involved in the conflict, the larger the ceremony becomes. The more public ones are those that involve larger conflicts, such as conflicts between ethnic groups and conflicts causing injury and death. In this sense, conflict resolution, as demonstrated by the use of mediation and rituals, is owned by the grassroots, specifically those people who are directly affected by the conflict. This will become an important theme discussed later in the research.

The motorcycle accident scenario is another situation where it is important to remember the large scope of the Lao word for conflict, *bunha*. Here, the injured person may no longer be able to maintain his status, position, and responsibilities in the community, and conducting a *soukhouan* would give him/her renewed strength with which to face new challenges. This quote gives further evidence that both of these people,

regardless of who is at fault are in *bunha*. The fact that the driver was in an accident causing injury is cause for losing face whether he/she is at fault or not. Therefore, both parties need help from others to regain face. This is achieved through the *soukhouan* ritual.

In this case, the motorcycle driver is not necessarily admitting guilt and trying to make amends for the conflict, but is rather demonstrating *boon koon* and good will for the injured person. This is also evident in the example of the *soumma* that I attended and described earlier involving the estranged mother and daughter. In this circumstance the daughter is not admitting responsibility for the dispute but is giving *boon koon*, saying that fault or guilt is not important, but that she is committed to reframing the conflict, providing an avenue for apologies and forgiveness, and reconciling the relationship.

In this way, conducting a *soukhouan* or a *soumma* can be described as drawing attention to oneself. The host is publically either: admitting wrong and trying to make amends for the conflict, or demonstrating *boon koon* by sending good wishes and good will, thereby demonstrating that he or she is a good person. In this sense, both parties are in a "win-win" scenario. This is acted out in front of the people important in a particular conflict situation as affirmation of the action taken. The act of giving is the greatest form of validation and empowerment in that the person has something valuable to offer others (Hardy & Laszloffy, 2005).

Cultural Importance of Relationship in Conflict Resolution

The above discussion of rituals confirms an important theme in Lao conflict resolution, specifically, that of relationship. Already discussed is the use of *op-lom*,

parents, other mediation facilitators, and the *soukhouan* and *soumma* as tools in building relationships. Healthy relationships, be they in the family or with other community members, are an important cultural value and an important part of Lao cultural life. In discussing the value of relationship, the following quotes provide information:

1. "My parents taught me to study, learn, and not fight with others. To not lie, be lazy, or steal – I must be aware of this and to not do these things . . . If we fight with friends, we must apologize and ask for forgiveness. We must be good in order to have more friends . . . to do well in school and life." (64 year old male Ethnic Lao teacher)

2. "When they make a mistake, they must say sorry or apologize and ask for forgiveness and change their behavior." (53 year old female Ethnic Lao teacher)

3. "Parents teach us that everyone has different problems . . . teach us to focus on being a good person, don't fall in the river or set fires. Goodness not many people see, but when you do bad things many people can see." (23 year old female Ethnic Lao student)

4. "Our parents teach to do good things and hang out with good friends . . . If we're friends with good people then we will be good too." (58 year old male Khammu elder)

5. "Our parents taught us to respect our father and mother, be friendly and don't hate others, work hard, don't drink alcohol or do drugs, and so forth." (69 year old male Khammu *Neoy Gai Geer*)

The first quote above frames the value of friendship in a particularly strong way. According to this statement, maintaining friendships is as important as developing new

ones in helping people to "do well in life." Expanding one's social network is obviously

an important cultural value that helps to establish diverse support systems in times of

conflict, economic adversity, and other events where "friends" can make a big difference

in one's ability to survive and succeed. Friendship is part of "being good," or "being

friendly," and this helps one to do well in school and life.

The other aspect of this quote is in the maintenance of friendship, specifically

seeking "forgiveness" when problems arise. As discussed earlier, Archbishop Desmond

Tutu defines forgiveness as, "taking seriously the awfulness of what has happened when

you are treated unfairly. It is opening the door for the other person to have a chance to

begin again. Without forgiveness, resentment builds in us, a resentment which turns into

hostility and anger. Hatred eats away at our well being . . . Ubuntu (African word) speaks

about the essence of being human: that my humanity is caught up in your humanity

because we say a person is a person through other persons" (Enright & North, 1998, p.

foreward).

The *soukhouan* and *soumma* ceremonies are rooted in Lao spiritual symbolism

and significance, and give ways for people to reconcile relationships through the

restoration of *khouan* and *boon koon*. The public or semi-public nature of the *soukhouan*

and *soumma* rituals is part of the restoration process. As described, the act of holding

onto others' arms or elbows creates community connectedness and energy, helping to

empower the blessings, and give strength to the receiver of these blessings. Through the

strength of friendship and community, these rituals heal, restore, and give strength for

forgiveness and reconciliation, demonstrating "a person is a person through other

persons." These rituals are part of the community act of building relationships and helping disputants move toward forgiveness and reconciliation.

The third quote above is also particularly demonstrative of Lao thoughts on conflict resolution. The statement, "goodness not many people see, but when you do bad things many people see," is a comment on the importance of one's own personal etiquette in maintaining relationships. Specifically, in maintaining diverse social friendships it is necessary to nurture relationships by giving them one's personal attention. In accepting that diverse support networks are a means to survive and succeed in life, there is a real sense of how "bad things many people see" is indicative of the cultural pressure of maintaining friendships and support networks. This demonstrates the importance of their cultural willingness to resolve conflict; particularly, to avoid being seen in bad light by people.

This is why, in Laos, the resolution of conflict focuses on healing and restoring relationships between people involved in conflict. It goes beyond repairing the harm between parties to that of their families and communities. Focusing on whole communities allows for the possibility of larger reconciliation. These rituals help bring people together to acknowledge what has happened, to forgive, and to move forward in their relationship.

The *soukhouan* and *soumma* are processes of conflict transformation. Conflict transformation is moving beyond resolution of conflict to building healthy relationships and communities (Lederach, 2003). The relationship is the heart of these Lao rituals. The repairing and rebuilding of relationships between disputants and their families prepare the path for reconciliation in the community. Reconciliation involves: (1) focusing on

relationships as components in any system; (2) providing an encounter between conflicting parties to allow acknowledgment of experiences and emotions, and enhance interdependence; (3) looking outside mainstream conflict resolution traditions for innovative approaches (Lederach, 1997). The *soukhouan* and *soumma* ceremonies are the innovative approaches to reconciliation that focus on relationships and provide a space for interaction between the parties. Reconciliation promotes an encounter between people, provides a place for truth and mercy to meet in order to renew relationship, and recognizes that justice and peace requires time and place to envision an interdependent future (Lederach, 1997). An appropriately sized (e.g., dependent on the size of the conflict and the number of people involved in its resolution) celebration and recognition of the resolution of conflict allow the community to provide support for the parties as they make steps to follow through with their agreements.

Conclusion

An important characteristic of Lao conflict resolution processes is the rituals and ceremonies that are performed at the end of different conflict situations. These rituals are foundational to effective conflict resolution for a number of reasons. Specifically, the *soukhouan* and *soumma* ceremonies are instrumental in addressing restitution and reparation, in privately and publically demonstrating the coming together of former adversaries, and in the creation of shared futures between families and communities. Depending on the conflict situation, some rituals are more private (*soumma*) and others tend to be more public (*soukhouan*). Even the public nature of the *soukhouan* rituals can

vary according to the severity and extent of the conflict. The larger the impact of conflict, the more public and elaborate the ceremony in order to fully address the conflict.

These ceremonies allow for a new relationship to be developed based on a new understanding of the conflict and the parties in conflict. The *soukhouan* specifically acknowledges the wrong done and the willingness to make things right again through restitution and reparation, according to the different cultural requirements of the ethnic groups. The more intimate *soumma* ritual explicitly allows for forgiveness that often leads to reconciliation between the parties. Both of these cultural activities provide an opportunity to "restore the face and eyes" of people, family, and community in conflict. These rituals are important to building relationships and peace in the communities.

Buddhist principles of conflict resolution are helping to deal with injustice and violence in Lao communities and around the world. Buddhism's inclusive philosophy allows for dialogue, openness, and respect for other religious and non-religious traditions. "To have a religion one must accept it, follow its teachings in the conduct of one's life, and let it help raise one's intelligence to a higher level" (Nyanasamvara, 1993, p. 202). This is evident in the *soukhouan* and *soumma* rituals that are steeped in Buddhist and Animist teachings. By embracing these ceremonies in their various forms, the Lao people are showing respect, acceptance, and understanding of other cultural traditions. Their willingness to perform these rituals in accordance with different cultural group requirements help to build relationships and move people towards reconciliation.

Effective resolution addresses people's heart, mind, and spirit. In Laos, conflict resolution, forgiveness, and reconciliation are done to the satisfaction of one's heart. Satisfaction derived from the heart is necessary to transform conflict in a way that opens

the door for reconciliation. The conflict resolution processes and rituals address these components and enable people to move toward reconciliation. As people learn to value love, patience, and sincerity, they begin to see the humanity in others.

Lao conflict resolution processes and rituals demonstrate the importance of relationships in conflict resolution. Positive relationships are central to all aspects of life in Laos, and parents and elders are culturally required to teach these values to children early on in life. Relationships are restored both symbolically through the rituals as well as literally through restitution and reparation that are part of the resolution agreement. The goals of these conflict resolution rituals are healing and restoration of relationship. These rituals are performed with the assistance and guidance of families and other support networks who are responsible for enabling and ensuring parties meet resolution agreements.

Traditional conflict resolution processes and rituals have been observed for centuries and teach people valuable skills and knowledge for effective conflict resolution and transformation. The role of grassroots structures in conflict resolution requires studying traditional and religious practices of dispute resolution. Rituals and ceremonies that celebrate the end of conflict provide insights into practical relationship building activities that are culturally sensitive.

CHAPTER VIII

Cross-Cultural Conflict Resolution Systems

"Culture, whether born of a minority group, a people or a nation, must not be restricted to a specific geographical area. It belongs to the universal heritage of humankind" (Peltier, 2000, p. Preface).

As a young child, I was always fascinated with the different Lao cultural rituals, and recall my mother's stories of the various festivals she attended while living in Laos. One that I remember vividly is the story of the Lao New Year celebration in April where the whole community is actively involved in organizing and participating in one big celebration that lasts four days. Merchants lined the streets selling handicrafts, food, and flowers that are given as offerings to the temples. Many different ethnic groups roamed the streets, coming in their finest traditional dress and costumes, playing traditional games, and bringing unique and interesting musical instruments to celebrate with. Friends were invited for food and party at various homes. My mother excitedly recounted that as a young girl, she and her friends would run around the neighborhood pouring water over everyone in sight, including a few astonished guests. Then they would bring out the rice pots used to steam sticky rice over an open fire, and smear the black soot from the bottom of the pots onto the faces of friends and bystanders for good luck. The whole atmosphere

was lit up with warmth, laughter, and camaraderie. These rituals continue to be performed each year. [Note: Water is a symbol of purification and renewal, and poured over Buddha images or sprinkled over monks to make merit, and over elder family members' hands to mark respect (Stuart-Fox & Mixay, 2010)].

There are five different New Year celebrations: the Hmong in November, the Khammu in December or January, the Western in January, Chinese in February, and the Ethnic Lao in April (Stuart-Fox & Mixay, 2010). In true Lao cross-cultural fashion, all the ethnic groups participate in each other's New Year celebrations. As late president, Phomvihane proclaimed, "Each ethnic group possesses a good and beautiful culture and belongs to the national Lao community [*vongkhananyat heng saat lao*], like all the kinds of flowers which thrive in a colorful garden and give off different scents" (Pholsena & Banomyong, 2006, p. 175).

Although the government promotes solidarity, the diverse ethnicities in Laos have made it difficult to create a common Lao cultural identity. As discussed earlier in this research, these groups have come from different cultures, and have come into the region that is now considered Laos, at very different times. The Khammu people are part of a large group that are Austro-Asiatic in origin, and they have occupied northern Laos for at least 4,000 years, and possibly as much as 10,000 years (Savada, 1995). The Ethnic Lao people are part of the same group as their Thai neighbours, who slowly moved into Southeast Asia about 1,000 years ago and have been the dominant group since the 14th century in the areas of Chao Phraya, Mekong Rivers, and Shan highlands in Burma (Stuart-Fox, 2008; Stuart-Fox & Kooyman, 1992). The Hmong people are much more

recent residents, having been co-occupants of Laos for only about 200 years (Cummings, 1994; Stuart-Fox, 2008).

Historically, these groups spoke different languages, had different family hierarchies, ate different foods, farmed different crops, made different music, and were essentially distinguishable from one another. Furthermore, as discussed in the literature review, these groups have had different political leanings, and certainly have supported opposing sides in the political struggles and violence that have often been part of Lao life. Displacements during the wars, and government policies on relocation as part of national development and collective good, have greatly impacted the ethnic minorities (Pholsena & Banomyong, 2006). There is no question that, even within the urban centers, many of these differences continue to exist.

However, as we have seen from the interviews, particularly with the quotes from participants of diverse ethnicities, it is quite clear that these groups share a very similar conflict resolution spectrum, as well as very similar rituals in the *soukhouan* and *soumma* ceremonies that help build relationships. First, this chapter explores the usefulness of mediation processes and rituals in conflict resolution between the different ethnic groups in Laos, particularly in addressing intergroup dispute resolution. Second, this chapter theorizes as to how these similarities in conflict resolution processes and rituals may have developed, and how these systems have helped to maintain relationships between groups even through the violence and war in their shared and collective histories.

Conflict Resolution Systems to Address Cross-Cultural Conflicts

The interviews revealed processes of resolving conflicts between different ethnic groups and communities in Laos. The conflict resolution spectrum itself is quite similar among the different ethnic groups and well understood by the participants, particularly in its reliance on mediation as the main process of dispute resolution. The third parties that are often called upon to mediate conflict situations between ethnic groups are the elders (*tow gua*) and village leaders (*nei ban*). According to a participant, "elders hold a higher status than village leaders amongst ethnic minority groups" and would be called upon to conduct mediation as co-mediators in inter-ethnic disputes.

Cross-Cultural Conflict Resolution Process

According to the participants, the conflict resolution process used to address conflicts involving different ethnic groups and villages can be described as follows. First, the parties in conflict discuss with their respective elder or village leader about the conflict situation. Second, the village leaders conduct their own investigation to gather information about the conflict. Third, the village leaders meet to discuss the situation and convey information to their respective parties, similar to a process of conciliation or shuttle diplomacy. Fourth, the village leaders may call the parties and their families to participate in the mediation. Fifth, the village leaders may refer the case to the Village Mediation Committee (*Neoy Gai Geer*) if they are unable to resolve the dispute. In a case where there are two distinct villages involved in a conflict, the respective *Neoy Gai Geer* will work together to resolve the conflict.

The following statements describe a cross-cultural mediation process in Lao communities:

1. "If there is a conflict between people in different communities, then the *nei ban* from each village will talk with one another." (63 year old male Khammu elder)

2. "When there is a conflict between ethnic groups, we must write things down and then go talk to the *nei ban*. The *nei ban* will ask the other person to come and talk about the conflict situation. Each person can go to his own *nei ban* to discuss the problem. Then the two *nei bans* will talk and discuss what needs to be done." (76 year old female Ethnic Lao farmer)

3. "A conflict between people in different communities – must go see the *nei ban* in each village who will help to mediate the conflict. The two *nei bans* will meet to talk and will invite all the parties involved to come and talk about he situation. The two *nei bans* will make the decision for a resolution (*tdat sin*)." (65 year old male Ethnic Lao teacher)

4. "If necessary, a conflict between communities can be discussed with the *nei bans* of each respective community. The two *nei bans* will then talk with each other and make decisions according to the customary rules and regulations of each village (*got mai*). Usually the resolution is according to the traditions of each culture." (67 year old Ethnic Lao housewife)

5. "Conflicts in the community are resolved according to cultural rules and customary laws (*got mai*). For conflict involving land, you can go to see the *Neoy Gai Geer* and the court. Small community conflicts, you can talk to the *nei ban*." (76 year old ethnic Lao monk and teacher)

As discussed in the interviews, the village leaders are conciliators and mediators in conflict situations involving their communities. They are responsible for making conflict

resolution decisions that will satisfy all parties. If they are not able to resolve the conflict, there is another higher level of mediation available, the *Neoy Gai Geer*.

The creativity, flexibility, and commonality of the conflict resolution process, with its dependence on mediation, makes it possible for different groups to enter a conflict resolution dialogue with a certain level of comfort. As discussed in the quotes, third parties, such as monks, elders, and other representatives, are instrumental in helping to lead discussions and create resolutions that are culturally appropriate and satisfying. Being familiar with the mediation process and having connections with the mediators increase the probability that people in the different communities will be able to successfully resolve conflicts. Common knowledge of traditional conflict resolution processes and mutual acceptance of third party intervention are important for addressing cross-cultural conflicts.

Cross-Cultural Conflict Resolution and Customary Laws

Comments four and five immediately above make an interesting reference to customary laws or *got mai*. This concept is important to discuss as it addresses consistency in conflict resolution outcomes and is also flexible enough to work in cross-cultural conflict. New civil and criminal codes were established in Laos in the late 1980s (Stuart-Fox, 2006) to address different conflict situations. In practice, those legislative laws often work together with customary laws as objective criterion for which to determine the resolution of conflict. When the participants in the study discuss *got mai*, they are referring to both traditional customary laws and new formal legislative laws in Laos. The following quotes illustrate the coming together of the two kinds of *got mai* in determining the outcome of a conflict case:

1.   "The resolution is according to customary laws (*got mai*). For marriages – there are rules and regulations. For example, we must make payment of gold if we divorce." (55 year old Ethnic Lao teacher)

2. "We do things according to traditional customs and traditions *(got mai)* . . . We resolve conflicts according to our culture (*hit kong papenee*). We must respect each other (*nup ter gun*). We must trust each other (*seur chai gun*)." (70 year old male Tai Deng/Lao Loum teacher)

3. "We resolve conflicts in the community according to *got mai* or rules and regulations of each village . . . Conflicts with other ethnic groups, we do according to each culture." (67 year old ethnic Lao woman weaver)

4. "Some cases are good to use traditional methods and some are good to enforce the law. Therefore, people combine these methods. Both methods are necessary: *op-lom* and *got mai* . . . We have to *op-lom* first but if they still don't understand or agree then we have to use *got mai*." (59 year old male Ethnic Lao farmer)

Customary laws (*got mai*) include traditional resolutions to conflict or village customs that are widely accepted by the general population. They are often based on reciprocity and exchange, and evaluated in terms of mutual benefits. When conflicts occur at the community level, these are unwritten cultural guidelines villagers refer to when addressing issues of ethnic cultures, customs, reparation, and restitution. As illustrated in the last quote, even when new laws are created, people still refer to customary laws from their traditions in order to address the conflict situation more effective and satisfying ways.

References to customary and legislative laws may be made during the process of reaching an outcome in conflict situations, but it is important to note that these laws are not conflict resolution processes in and of themselves. They serve as accepted, cultural standards for decision-making and judgment in an attempt to resolve conflict. For example, in cases involving land disputes, the mediators will refer to objective criteria, such as any available legal papers that describe land divisions between properties, in assessing the situation. Cases that involve people from different ethnic groups are often resolved using customary laws based on the traditions of the parties involved in conflict. In order to repair the harm and make restitution, the terms of the agreement will be developed in accordance to the wronged party's customs.

Understanding that customary laws are cultural guidelines makes it possible to have greater creativity in the process and resolution of the conflict itself. The customary laws of different ethnic groups may vary, but with some innovative negotiations and resourcefulness, culturally appropriate conflict resolution is often possible. For example, many participants explained how customary laws are used and adapted in a conflict resolution procedure:

1. "If there is a conflict between an Ethnic Lao and Hmong, whoever is wrong must do what the other side wants according to their tradition. If I wronged a Hmong, then I have to do what he asks. He may ask for a pig and I have to give that to him." (42 year old ethnic female Lao businesswoman)

2. "If I am wrong in a conflict situation, then I must make things right according to the other person's culture and community." (42 year-old ethnic Lao housewife)

3. "If an Ethnic Lao has a conflict with a Chinese person, a monk (*sa tan toot*) will come and talk with the people in conflict and discuss what needs to be done according to traditions." (40 year old female Ethnic Lao farmer)

4. "An Ethnic Lao quarrels with a Khammu, each would implement their own traditions. If an Ethnic Lao hits a Khammu, the villagers would have to be involved in the decision-making and provide comments about the situation. The Ethnic Lao would have to negotiate and make things right according to Khammu traditions combined with the rules." (57 year old male Khammu farmer and former *nei ban*)

5. "If there are conflicts between ethnic groups in the same village, then each ethnic group has to respond according to their own traditions, and the village has to listen. If two ethnic groups have a conflict, representatives from each group will provide explanation." (58 year old Khammu elder and former soldier)

It is important to note that any resolution in cross-cultural conflicts is respectful of the culture that has been wronged. In order to repair the harm that has been caused by the conflict, the perpetrator must make reparation according to the cultural needs and requirements of the injured party. As a 65 year old Ethnic Lao teacher stated, if one wrongs a Khammu, the person may require a big barrel of alcohol, a pig, and cigarettes as restitution, but when an Ethnic Lao person is wronged, the person may require a cooked chicken, eggs, and alcohol. If the conflict involves an injury then money, payment of hospital bills, and a *soukhouan* may be required.

Similarly, a 61 year old Katdu accountant described the *boon sep sern*, the Katdu equivalent of a *soukhouan*. The *boon sep sern* includes giving a water buffalo, rice wine,

and water to splash over all the participants to represent that they are one family. The

whole community is invited to participate in this celebration. An Ethnic Lao *soukhouan*

does not include a buffalo, but rather a chicken, and there is no water to splash people.

However, absent from the Katdu rituals are the flowers and candles that are part of the

Ethnic Lao Buddhist tradition. The restitution, terms of the agreement, and the symbolic

details of the ritual reflect cultural requirements and wishes that are vital in understanding

and restoring relationships among groups.

Conflict Resolution Rituals to Address Cross-Cultural Conflicts

The interviews and observations reveal that characteristics within the conflict

resolution rituals and ceremonies themselves cut across cultural groups in Laos. These

shared features are important in helping different ethnic groups to acknowledge and

embrace these conflict resolution rituals as they are reflective of their own cultural values

and beliefs. These ceremonies have not been forced upon them. Instead they have been

created through relationships between groups to meet their cultural and relational needs.

The following section discusses some of the characteristics of rituals that are common

among different ethnic groups.

Fusion of Buddhism and Animism in Lao Rituals and Ceremonies

As already discussed, the Lao people have a complex religious foundation, which

is a conglomeration of Theravada Buddhism, Animism, mythologies, and rituals, to

explain experiences in their lives, family, and community. Laos is often described as a

land of festivals where "Every village, every temple, and every ethnic minority not only

holds its own special festivals but also joins the wider Lao community in celebrating the

national ones as well" (Stuart-Fox & Mixay, 2010, p. 1). A number of festivals celebrate

significant dates in Theravada Buddhism as practiced by the Ethnic Lao, interwoven with

religious practices of earlier Animist traditions, often associated with minority groups.

The Animist beliefs can be connected to the worship of snake deities and numerous

spirits, both friendly and maleficent, making Lao religion quite unique (Stuart-Fox &

Mixay, 2010). These religious beliefs are ingrained in the Lao culture and define what it

means to be Lao.

　　　　As discussed, the collaboration of Buddhist and Animist traditions that form the

basis for the *soukhouan* and *soumma* ceremonies are significant ways in helping the

different ethnic groups relate to each other. The Buddhist religion of the Ethnic Lao is

tolerant and accepting of the more Animist traditions of the minority groups. According

to Stuart-Fox and Mixay (2010), "Buddhists are convinced that all sentient beings - of

whatever religious persuasion - will eventually be reborn as Buddhists and so discover

the Dhamma and embark on the path to Enlightenment" (p. 13). The *soukhouan* and

soumma rituals are mechanisms that unite the different groups in Laos. This reflects the

cognitive processes framework for prejudice reduction where attitudes between people

are formed according to the congruence of their belief system, that people are attracted to

others with similar belief systems than to social group members (Peled & Bargal, 1983 as

cited in Abu-Nimer, 1999). All the Lao people are able to identify with one another

through these common ceremonies.

　　　　In this research, the mixing of these worldviews among ethnic groups was quite

evident. In one of the interviews, a 38 year old Ethnic Lao woman discussed the

importance of not angering a Khammu person based on her worldview. She whispered

quietly,

> I fear Khammu people because they believe in spirits. If I do something wrong to
>
> them, they will call upon their spirits to do me harm. They can put evil curses and
>
> spells on me and my family. I try to avoid them as much as possible so there's no
>
> conflict.

Obviously, this Ethnic Lao woman, even though she is Buddhist, still believes that

Animist spirits can have destructive powers. As a 69 year old Khammu man discussed,

"We believe in the spirit religion. In general, we respect the Lao Loum because they

observe spirits and Buddhist religion. It is similar, before we do anything we have to

inform the spirits." Here the participant sees more similarities than differences between

different ethnic groups and respects them for their cultural beliefs. This is confirmed by

another participant, a 50 year old Lao Soung teacher, "Each ethnic group can believe

what they want to believe; they don't have a right to criticize other ethnic belief and

tradition. For example, if they don't want to go to the temple, that's okay. We resolve

conflict according to our own culture." It is evident that the majority of the different

cultural groups in Laos are open-minded about accepting different religious views and

practices.

Establishing Cross-Cultural Relationships in Soukhouan Ceremony

The *soukhouan* ceremony "has played a fundamental role in mediating

relationships between Lao and foreigners of all persuasions" (Evans, 1998, p. 80). Evans

(1998) discusses how this ritual is also performed as a rite of passage into the community,

and how it serves to protect the community from unknown and potentially dangerous

strangers. In that sense, it serves as a mechanism to invite people to become part of the community, to bless them in the Buddhist tradition and expel any evil spirits in the Animist tradition, as a way of creating a positive relationship. The way that the different ethnic groups of Laos have incorporated this ceremony into their own cultural traditions is evidence of how successful this practice has been.

However, there are as many cultural differences in the way that the *soukhouan* ceremony is conducted as there are cultures in Laos. As part of a conflict resolution process, the *soukhouan's* emphasis on restitution is always based on the traditions of the family that has been injured. The responsibility for organizing and paying for the ceremony rests with the person at fault. A number of participants confirmed:

1. "If we are wrong, then we must do a *soukhouan* according to the wronged person's tradition or culture. For example, a Khammu requires a big barrel of alcohol . . . and an Ethnic Lao requires a cooked chicken . . . and a Hmong requires chicken." (65 year old Ethnic Lao male teacher)

2. "A conflict between an ethnic Lao and Hmong requires a *soukhouan*. A *soukhouan* for the Hmong must include a pig, chicken, and money." (29 year old male Khammu farmer and village security guard)

3. "When you make a mistake or create a conflict, you have to prepare a *soukhouan* according to Yao's tradition [part of the Hmong ethnic group] . . . For Yao, they will require you to kill a pig, chicken, but not a duck . . . Killing the animal is an offering to the spirit because they respect the spirits." (23 year old female Ethnic Lao student)

4. "Suppose we have a problem with a Hmong person, then we have to follow their culture or traditions. They respect the spirit ceremony so we have to follow that. They can also follow the Lao traditions." (29 year old female Ethnic Lao)

5. "We have to follow ours and their traditions, and both sides can get along with this. We always discuss (*op-lom*) with each other and then we have to follow what they ask." (30 year old Ethnic Lao woman)

As these quotes discuss, the food, animals, and other symbolic items will vary depending on the different cultural requirements. For example, quote number four refers to the more Animist philosophy of the Hmong people so the ceremony will reflect that tradition. Also interesting in quote number five is the use of *op-lom* in understanding and meeting the requirements of the different traditions.

The importance of this public ritual cannot be stressed enough in giving options to the different Lao groups to address conflicts both within and across their cultures. The *soukhouan* allows people to be creative in how they conduct the ritual, identify what is culturally required for an effective resolution, and choose the kinds of support they want to help them rebuild relationships. The size, location, and sophistication of the ritual are dependent on the family and community involved in the conflict. The specifics of the *soukhouan* are negotiated during the mediation session. Each *soukhouan* is unique and customized according to the cultural traditions of the parties. The *soukhouan* is not only performed as a transitional rite but provides a "point of ritual linkage across ethnic groups in Laos . . . elevated into a 'national' custom" (Evans, 1998, pp. 77-78). As shown, the

intent of the *soukhouan* ceremony is making connections, building relationships, and empowering communities to work together to resolve conflict.

Cross-Cultural Support of Rituals and Ceremonies in Laos

A *soukhouan* helps to rebuild damaged relationships, to publicly acknowledge wrong, and to show the community that the parties are working to make things right again. In all the interviews conducted, I could not find one incident of destructiveness associated with the *soukhouan* ritual. It was always associated with positive conflict resolution and peacebuilding in the community. A *soukhouan* helps people to feel good, loved, honored, and respected, and leads to overall harmony and peace in communities. The participants in the interviews have described the effectiveness of *soukhouan* and *soumma* ceremonies in the resolution of conflict:

1. "A *soukhouan* makes people happy." (52 year old female Tai Maen farmer)

2. "A *soukhouan* helps to make things right." (63 year old male Khammu elder)

3. "The results of a *soukhouan* are good." (59 year old female Ethnic Lao businesswoman)

4. "The *soukhouan* is very good way to resolve conflict . . . the Buddha in our hearts give us patience." (67 year old ethnic female Ethnic Lao gardener and weaver)

5. "If we have a conflict with our spouse, we can prepare a *soumma* ceremony in *Kan* 5, meaning with 5 flowers, 5 candles . . . when we do that we have good results and are happy." (31 year old female Ethnic Lao)

6. "The *soumma* is a good process . . . *Kan 5* (5 of each item): 5 pairs of candles, 5 pairs of flowers . . . the number 5 represents Buddhist teachings, teachings of the heart." (60 year old male Ethnic Lao electrician)

7. I feel the *soumma* is good because we want to have a good relationship with each other." (24 year old male Ethnic Lao teacher)

8. "*Soumma* is an old Lao tradition, it has good results." (45 year old male Ethnic Lao)

9. "A *soumma* is part of building our relationship and is a good thing for our family." (45 year old male Ethnic Lao)

10. "It is good to do a *soumma* because it is a well respected tradition." (42 year old Ethnic Lao housewife)

As confirmed by these quotes, the *soukhouan* and *soumma* are considered positive rituals and ceremonies that are vital in the lives of all Lao people. The participants describe the importance of these ceremonies for building good relationships and producing effective resolutions. The rituals are also important for building patience, inner strength, and spirituality that help to effect positive interpersonal relationships in the family and community. The fact that these rituals have common characteristics across different ethnic groups helps to increase the acceptance and support of such traditions in cross-cultural conflict resolution.

Development of Shared Conflict Resolution Spectrum and Rituals

From the above discussions, it is evident that mediation and rituals in Laos have characteristics that cut across cultures. Each ethnic group has similar mediation and ritual practices that are valued by the community. When there are cross-cultural encounters, the process and ritual of dispute resolution is respected and familiar. Therefore, people find these approaches legitimate in meeting their needs.

It seems reasonable to assume that the different Lao ethnic groups developed this similarity in conflict resolution together, rather than by a stroke of luck or fate that they fortuitously already shared these mechanisms upon first contact. How these common processes of conflict resolution and rituals have developed in Laos is an important part of understanding culture in depth as well as giving insights into how other groups can build relationships. The following section suggests how these structures have developed cross-culturally into common processes of mediation and ceremonies. The importance of common systems that are known and respected by different ethnic groups is vital to resolving conflict, building relationships, and achieving reconciliation in society.

Common Cultural Expectations in Relationships

Over many years of contact, the different cultural groups have developed cultural commonalities, including conflict resolution mechanisms and rituals, to help them work towards a peaceful co-existence. In learning about how these processes have led to the development of a shared cultural identity, it is important to revisit and explore Kimmel's (2000) concept of microculture where people of diverse cultural backgrounds develop "commonalities in meaning, norms of communication, and behavior; shared perception and expectation; roles" (p. 453) through interactions over time.

The early interactions in a cross-cultural relationship represent the development of a microculture. These dynamic interactions between individuals of different cultures create a microculture that is vital to effective conflict resolution. They would have developed microcultures as part of establishing economic relationships between groups. The different agro-ecological zones of the uplands and lowlands made them natural trading partners where they "provided essential goods and services to each other.

Together they represented a robust and mutually beneficial systems of exchange" (Scott, 2009, p. 105). Microcultures continue to be influenced by each respective culture. However, through negotiations people in cross-cultural relationships learn new rules for behavior and develop a shared understanding of the cultural components required to make their relationship work. In doing so, they define their microculture in a way that is particular to their interaction. I would suggest that the earliest contact between autonomous ethnic groups in Laos would have been indicative of this, and this process is the reason that the different ethnic groups in Laos have shared cross-cultural conflict resolution strategies and rituals.

Specifically, as contact became more frequent between these groups and microcultures continued to develop, conflict resolution structures developed that foster effective communication in furthering relationships in progressively varied settings. The third party mediation processes and *soukhouan* rituals are examples of conflict resolution structures that have fostered these relationships. As a Khammu member of the *Neoy Gai Geer* stated, "When we have conflict in the family, we talk with families from both sides, one, two, and three times. After that we have to the *Neoy Gai Geer*. This process is the same for both the Lao Loum and the Khammu." This, as well as many other quotes already mentioned, illustrate that the different ethnic groups have similar structures of conflict resolution, and use them to maintain and build stronger relationships within and across ethnic groups. They have created a common system of understanding conflict, developed ways of addressing restitution, and constructed mechanisms for reconciliation. The sum of many microcultures produces clear understandings of the roles, expectations,

and behavior amongst the larger population. These include conflict resolution and reconciliation structures that help maintain relationships.

Common Cultural Identity in the Grassroots

It is important to recognize that these cross-cultural, shared characteristics take time to develop, and that journey toward successful cross-cultural conflict resolution mechanisms is not necessarily smooth. As mentioned in the introduction, I have always been intrigued by the complexity of Laos, particularly in the peaceful and relaxed people that I have come to know, contrasted with the brutal violence of their past. Specifically, if the Lao people have common respect and identity, why is their history plagued with violence?

I would concur with many other authors that suggest Laos has often been a battleground for the ambitions and purposes of other third parties and nations who have regularly used ethnic differences to ignite tensions between groups in order to destabilize relationships and secure support for their own goals (see Evans, 1999; Robbins, 2005; Savada, 1995; Stuart-Fox, 1997). This is the propaganda of war, one that is all too familiar for the people of Laos. The Lao have an expression, "Do not bring lice onto your own head" (*Ya ha how ma ha heor*). The expression is a metaphor for conflict being akin to having "lice," feeding on its host, and causing significant discomfort for yourself and others around you. Unfortunately, lice are highly contagious and, as much as the Lao people have not brought most of this conflict on themselves, other powers have often transferred their own "lice."

Highlighting ethnic difference has even been done under good intentions. As previously discussed, the Lao PDR government, shortly after it came to power, tried to

relieve ethnic tensions by "re-traditionalizing" groups. It encouraged groups to embrace their ethnic heritage in an effort to demonstrate their multicultural society that respected differences. However, this only served to highlight the differences between groups and not the commonalities, and reignited tensions between them (Pholsena, 2006).

The propaganda of war and "re-traditionalizing" of groups illustrate a common theme in Lao history, namely, that people in high-level leadership positions, whether foreign or domestic, have made decisions that have created tension and mistrust between Lao people. As Stuart-Fox (1997) discussed:

> . . . for many believed that Lao would never have fought Lao had it not been for foreign intervention: the war had been fought not because of Lao intransigence or intractable political hatred, but because external powers had made use of Lao territory for their own needs. (p. 165)

The Cold War philosophies and ideologies that were championed by opposing foreign players were, in reality, entirely unimportant to the general Lao population who were busy in the market and in the fields trying to make a living to feed their families.

As briefly mentioned earlier, the mediation systems and rituals that underscore Lao Conflict Resolution are "owned and operated" by those people who are directly affected by the conflict. Considering this, combined with the historical upheaval caused by foreign interference and upper-level leadership, I believe the key to cross-cultural relationship in Laos is in the grassroots. Culture is not something that can be mandated by government or written by lawyers. The Lao culture has been forming slowly over centuries of grassroots interactions that have formed many common ways of resolving disputes. It includes distinct groups that have been inhabitants of that area for many

millennium, but also groups that are much more recent immigrants into Lao society.

Disruptions can and do occur, but as long as there is a solid foundation in the grassroots,

these conflict resolution processes will continue to exist, facilitating peaceful

relationships.

Social identity refers to a person's membership in formal or informal social

groups, such as sex, race, nationality, and religion; and this membership has emotional

and value significance (Northrup, 1989). The concept of identity or "membership" is

important to the Lao cultural whole. As a group they have developed an interdependent

relationship and developed common conflict resolution practices have helped them to

unite as Lao people at the grassroots level.

Since the Kingdom of Lan Xang in the 14th century, there has been consistent

movement towards creating a Lao identity. The diverse ethno-linguistic groups in Laos

have experienced different histories as indigenous peoples and immigrants. However,

these communities are united within one Lao national community, contributing to the

preservation and development of the country (Khamphone, 1999 as cited in Pholsena,

2006). The "'Lao-ness' and 'nation-ness' no longer lie on the majority/minority divide, or

within the dual process of incorporation and exclusion" (Pholsena, 2006, p. 114). The

participants in the study discussed aspects of their identity as follows:

1. "Yes, we are Lao, we have to love, like each other, and have a good relationship."
   (45 year old male)

2. "I don't separate the ethnicities, all ethnicities are the same, any ethnic group is
   important." (27 year old female Hor hairdresser)

3. "We are Lao people, we don't forget our main traditions. We don't leave it, we bring everything together." (older male Ethnic Lao farmer)

4. "What's the difference between Lao Loum and Tai Maen? They are the same because we are Buddhist . . . the tradition is the same as Tai Maen." (52 year old female Tai Maen farmer)

5. "Katdu religion is similar to Buddhism. The Katdu god is similar to the Buddha. The Katdu believe in Animism and spirits, and the spirits of the dead are sacred." (61 year old male Katdu tax collector)

6. "A *soukhouan* helps to make things right again . . . A Khammu *soukhouan* is the same as the Lao Loum." (63 year old male Khammu elder)

These quotes acknowledge the identity that these groups share with each other. The first three quotes highlight the importance of a good relationship and the commonality between all Lao people. As they identify themselves as Lao, each ethnic group is given equal status and acceptance of their traditions. The remaining quotes emphasize the similarities between different ethnic groups in terms of religion and rituals in Laos.

The third quote is a particularly good summary of much that has been said and discussed in this research, saying that all Lao people keep their individual traditions, but also incorporate the traditions of others into their own. This is further evidenced by the fact that the ethnic groups keep their own New Year's festivals, but also collectively participate in each other's celebrations. As can be seen by these quotes as well as others throughout this research, this acceptance and openness happens with farmers, tax collectors, men, women, all different ethnic groups, and essentially all the people who are part of grassroots society. These grassroots relationships define the larger Lao identity,

and it is their cultural quality of incorporating and adding to their own traditions that has helped them to develop similar conflict resolution mechanisms, which in turn have helped ethnic groups maintain their membership in the larger Lao identity.

Grassroots Systems as Instruments of Peaceful Relationships

As can be deduced from this study, peaceful relationships in Laos can be attributed to effective grassroots systems. Lederach (1997), a pioneer in the field of conflict resolution, identified types of actors and approaches to building peace. According to his theory, there are three levels of actors that are influential in peacebuilding efforts. The first level involves top leaderships, including military, political, or religious leaders with high visibility. These individuals are often highly visible, single mediators who are focused on high-level negotiations and cease-fires. The second level involves middle-range leadership that includes leaders in respected sectors, ethnic or religious leaders, academics or intellectuals, and humanitarian leaders (NGOs). These insider-partial teams are conducting problem-solving workshops, training in conflict resolution, and peace commissions. The third level involves grassroots leadership comprised of local leaders, leaders of indigenous NGOs, community developers, local health officials, and/or refugee camp leaders. These people are engaged in local peace commissions, grassroots training, prejudice reduction, and psychological work in postwar trauma (Lederach, 1997).

The following section focuses on the role of grassroots leadership and initiatives in promoting positive relationships in the communities in Laos. Grassroots leadership includes parents, relatives, elders, village leaders, and the *Neoy Gai Geer* who are

actively involved in assisting people to resolve their conflicts. Grassroots conflict resolution approaches of mediation, rituals, and community involvement are instrumental in building relationships that are key to peacebuilding. In Laos, this grassroots leadership and initiative is common among the different ethnic groups.

Grassroots Conflict Resolution Practices

Grassroots Leadership. The research shows the importance of local, grassroots leaders in the resolution of conflict in the community. The leaders are identified as: parents, relatives, elders, village leaders, and *Neoy Gai Geer*, who are personally connected to the parties in conflict. This connection becomes more distant as one moves from parents to the *Neoy Gai Geer* levels. These leaders are members of the community and understand the situation surrounding the conflict. As Lederach (1997) stated, the grassroots leaders can identify with the parties in terms of the conditions that generate conflict (e.g., social, economic, political, and cultural factors) and understand the direct consequences of decisions made. However, they may be limited in terms of access to higher decision power and macro analysis (Lederach, 1997). The *Neoy Gai Geer* would have the most direct access to the next level of decision makers, the district authorities and court systems, especially in cases where there is an impasse and a recommendation is forwarded to the district courts.

The role of third party leaders is highlighted in interviews. All the participants discussed the role of grassroots leaders in the process of *op-lom* or discussion. As already discussed in previous chapters, *op-lom* is a communication skill that involves teaching, educating, advising, talking, discussing, asking, and reminding parties in conflict that they need to work at understanding the situation by looking at the conflict from different

perspectives. The grassroots leaders' role is to maintain social harmony in the community by effectively advising the parties and addressing the conflicts. In doing so, they are saving their own face and the face of others as conflicts create a loss of face.

The choice of mediators, specifically that they are not unbiased and are known to the parties, is also a reflection of their preference to resolve conflicts at the grassroots level. According to the interviews, the Lao people prefer to have grassroots leaders, whether they are parents, relatives, elders, village leaders, or *Neoy Gai Geer*, to assist them in addressing their conflict situation over that of middle and upper level third parties who they have no personal connections to (see Figure 4). Whenever they are asked about whom they would go to for help, the first responses are "parents and elders."
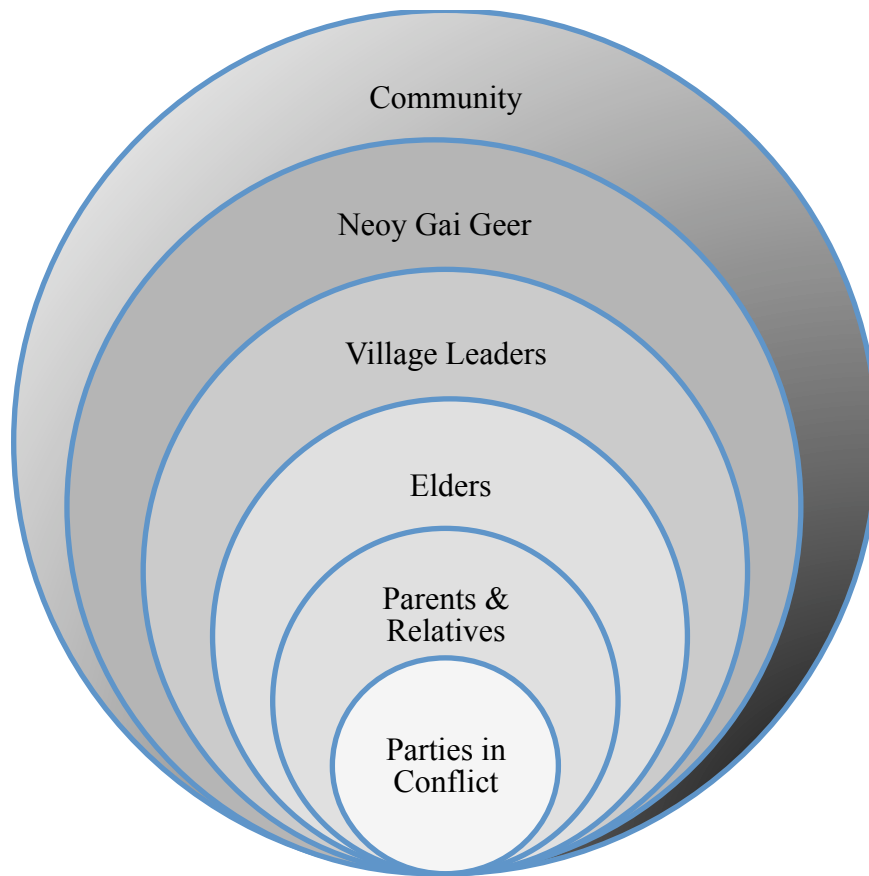

Figure 4. Lao Grassroots Leaders and Support Networks in Conflict Resolution

Grassroots Mediation Processes. The grassroots are directly involved in establishing and maintaining conflict resolution processes in their community. All the Lao people understand the conflict resolution spectrum and adhere to the progressive levels of mediation that is available to them in resolving their conflict. Mediation in Laos is defined as the assistance of local third parties in helping the disputants address their conflict in a way that preserves face and harmony in the community. Mediation is the main model of dispute resolution as it is private, cost-free (except for the *Neoy Gai Geer*), and time efficient.

As discussed, there are five levels of mediation in Laos that involve different third parties: (1) parents, (2) relatives, (3) elders, (4) village leaders, and (5) *Neoy Gai Geer*. Mediation is a relatively informal process that usually takes place in the various homes in the community. Mediation relies on grassroots mediators and locations to conduct the sessions. The people that are impacted by the conflict, besides the disputing parties, are given an opportunity to reflect on the situation, provide advise, and give suggestions for resolution. The *Neoy Gai Geer* in particular involves a number of community leaders and representatives who sit on a mediation committee. The grassroots leaders that are part of the local committee include: village leader, elder, informal mediator, young people's representative, women's union representative, police representative, and the military representative.

Grassroots Rituals and Ceremonies. The Lao rituals and ceremonies are key features of the grassroots approaches to conflict resolution. The *soukhouan* and *soumma* rituals are local, cultural ceremonies that are essential in dispute resolution and post-

conflict relationships. These grassroots initiatives help to acknowledge the conflict and to celebrate the resolution of conflict. These ceremonies are organized and performed by the grassroots families and communities.

The *soukhouan* ritual marks the end of a conflict through an event that is more public in nature. Depending on the family, community, and type of conflict, the celebration can be simple or elaborate. In a more elaborate *soukhouan*, the whole community is invited to participate in the celebration. This grassroots ritual helps to bring parties together, build relationships, and promote reconciliation. As previously discussed, the *soukhouan* provides natural community network to support the people who are rebuilding their relationships.

The *soumma* ceremony is a much more private event than the *soukhouan* ritual. In conducting a *soumma* ceremony, the people are making apologies, and asking for forgiveness of the elders in their family and community. The *soumma* is generally designated for families as part of their problem-solving process. Therefore, these ceremonies are much more private in nature. During New Year celebrations, the *soumma* is performed for elders as a sign of respect for their age, status, and involvement in the community.

Both of the *soukhouan* and *soumma* rituals are grassroots initiatives in addressing conflict and conflict resolution. The ceremonies are performed by families and local communities in order to acknowledge conflict, make restitution, and repair the harm that has been done. Post-conflict initiatives, such as the *soukhouan* and *soumma*, are examples of grassroots, bottom-up approaches that build on the traditions of the Lao people. These rituals are part of the system of conflict resolution in Laos.

Grassroots Community Collaboration in Conflict Resolution

Grassroots collaboration and agency have played an important role in conflict resolution in Laos. For example, this interesting story came up in several interviews that demonstrate the integrative power of the grassroots community. In the early days of the Lao PDR government, after taking power in 1975, they adopted a policy that prohibited citizens from their daily ritual of giving alms during the monks' morning procession through the community. Without this ceremony, the clergy would have no other means of meeting their basic needs. As the alms-giving tradition was so integral to their cultural and religious beliefs, the vast majority of citizens simply ignored the government policy and continued to give the monks their daily rations. The act of being ignored forced the Pathet Lao government to change its position. In order to maintain any credibility, the government quickly rescinded their ban, allowing traditional alms-giving, and offered their own daily ration of rice to the clergy (*sangha*) (Cummings, 1994; Pholsena, 2006). For a government that at least initially had connections to Mao Tse-Tung's philosophy that "political power grows out of the barrel of a gun" (Tse-Tung, 1938), this must have been an enlightening experience.

Laos shows us that local, community oriented processes can be instrumental in addressing conflicts and reconciliation. The mediation processes that involve various local community representatives, and the *soukhouan* and *soumma* rituals all show the importance of the role of the community in conflict resolution, the celebration of people coming together, and as support networks in post-conflict situations. Grassroots processes help build important relationships that become the foundation of peace. Jeong (2005) states, "one of the most critical conditions for making a peace process sustainable is the

inclusion of local communities" (p. 33). In countries of diverse ethnicities, cultures, and religions, it is vital that local approaches to conflict resolution be studied and utilized to resolve conflicts in the community. In Laos, local community in various grassroots initiatives are directly involved in peacebuilding in their community.

Grassroots Support of Traditional Conflict Resolution Processes

Resolving conflicts in culturally appropriate ways will increase positive awareness, understanding, and relations. Irani and Funk (2000) state, "If used creatively, traditional models for reconciliation can contribute directly to the collective empowerment of communities of citizens in coordination with religious leaders and local notables attached to particular communities and tribal groups" (p. 27). The participants in the study responded to the effectiveness of traditional conflict resolution processes within and between ethnic groups as follows:

1. "Traditional methods are still useful and everyone is satisfied." (36 year old male Ethnic Lao teacher)

2. "Traditional processes to resolve conflicts are good processes and people are satisfied with them." (55 year old male Ethnic Lao teacher)

3. "Traditional methods can be used with people from different traditions and cultures because they are similar method." (50 year old male Khammu *nei ban*)

4. "Lao traditional problem solving can be used with people from different cultures and traditions." (27 year old female Ethnic Lao)

5. "Traditional methods can be used with other cultures. According to other ethnicity they have to follow their traditions and we have to follow them too. If we don't know then we can compare which is good and beautiful, and we can choose

which one. If it's a good tradition we can learn and discuss with one another." (36

year old female Oh)

6. "Traditional conflict resolution processes can make our family happy because we

are able to talk together. They are happy with this methods." (27 year old male

Ethnic Lao)

These quotes show the support of the community for traditional conflict resolution

processes and rituals that are important for building and maintaining relationships.

Different ethnic groups in Laos rely on these traditional processes and see the similarities

in methods and ceremonies of dispute resolution.

An example of a grassroots initiative and support of traditional conflict resolution

processes was recounted by a male Khammu *nei ban* as follows:

There was a conflict in the rice fields where there was a shortage of water. The

rice fields closest to the water supply got water first and those farmers would not

allow any water to run down into the fields below. The villagers gathered and

discussed with one another. The village authorities were involved too but they did

not make any decisions. The other field owners asked for the water to be released

to flow down to the next fields. Much of the discussion centered on "gaining

together and losing together." This helped the farmers to come to an agreement

and water was released to the other fields. In the event that there was no

resolution, the village authorities suggested that the farmers vote.

Clearly the interdependence among the different farmers is illustrated here. The fact that

their livelihood depends on the cooperation of all the villagers encourages the farmers to

work together to resolve this conflict. As the *nei ban* pointed out the importance of this

interdependence as "gaining together and losing together." Rice farming is difficult enough and, in times of hardships, farmers must be able to rely on one another for assistance. If the farmers cannot come to a consensus, they will have an open vote based on a majority rule.

Here the grassroots, the people directly involved in the conflict, are having a face-to-face discussion as to how the conflict can be resolved in a way that satisfies all farmers. With the assistance of village authorities (e.g., *nei ban* or *Neoy Gai Geer*), they brainstormed for other options as well. In the event that people are not satisfied with the negotiation and discussion, they had another option of voting on the conflict issue. The resolution of conflict remains in the hands of the farmers themselves as the authorities did not make any decision for them. This case illustrates the importance of empowering the grassroots to resolve conflicts and demonstrates the support the grassroots have in their traditional processes of dispute resolution.

Conclusion

Cultural conflict resolution processes contextualize traditional knowledge, facilitate local participation in peace processes, reaffirm community values and build relationships, and prevent extinction of processes helpful in cross-cultural conflicts. Mediation and reliance on third parties are underlying key elements in intercultural conflict resolution. The conflict resolution processes of the different ethnic groups of Laos share a number of important features: they incorporate mediation by parents, respected elders, and village leaders; they use rituals and ceremonies to celebrate the resolution of conflict; and they are commonly used in the grassroots populations.

The different ethnic group's openness and willingness to resolve conflicts according to different cultural traditions are testaments of their flexibility and creativity in resolving conflicts. It shows a keen awareness and respect for other cultures, customary laws, and traditions. The fusion of Buddhism and Animism to create cross-cultural rituals and ceremonies across different ethnic groups helps people to relate to one another and unite groups. The *soukhouan* ritual is particularly helpful in inviting people to become part of one's community. This shared practice allows different people to connect in ways that reflect their unique cultures within a common ritual. As this research shows, there is tremendous support for rituals and ceremonies in Laos. These rituals are ingrained in individual cultural groups as well as the overall Lao culture.

The development of a shared conflict resolution spectrum and rituals are a result of cross-cultural interactions over time. Through these relationships, the various ethnic groups have been able to develop a shared cultural identity in communication, behaviors, and expectations in how they should relate to one another, particularly in conflict situations. The development of common conflict resolution structures to resolve disputes and mechanisms for reconciliation has helped to foster communication and maintain relationships. Building relationship through cultural conflict resolution processes is vital to resolving cross-cultural conflicts.

This research acknowledges the importance of grassroots people, groups, and organizations in creating structures that are conducive to the development of relationships. The various informal mediation processes, the role of elders in conflict resolution, and cultural ceremonies and rituals that celebrate the end of conflict are all examples of grassroots activities that promote relationship building and reconciliation in the

communities. As this study has shown, peacebuilding initiatives must include the development of positive relationships at the grassroots level. These are the people most directly affected by conflict situations, and they define the process of cultural growth and reconciliation.

Grassroots processes help build important relationships that become the foundation of peace. The parties in conflict are empowered to become agents of social change when third party interveners respect the local cultural wisdom and creative conflict resolution processes (Byrne & Keashly, 2000a). Respecting ethnic diversity in Laos has helped the people to develop common Lao identity, especially in focusing on common features of their religious and cultural practices related to conflict resolution. The Lao people's openness to incorporating other cultural traditions within their own as well as celebrating other cultural festivals has been a mechanism for inclusiveness between them. These relationship-building activities are occurring at the grassroots level.

Common processes of dispute resolution, elders as third parties, and rituals and ceremonies can help different cultural groups to recognize their common humanity. Recognition of their commonalities can help people to be more open to unique practices of conflict resolution that enhance mutual respect, positive relationships, and reconciliation. In Laos, there seems to be strong support for cross-cultural mediation practices and conflict resolution rituals to address intercultural conflicts.

CHAPTER IX

Conclusion: Grassroots Structure of Conflict Resolution – Mediation and Rituals

"Respect, love, and help one another as our parents have taught us (*Nup ter, huk peng, soy gun keur paw mer sawn*)." (Lao Proverb)

In 1978, my family decided to leave Laos for Thailand. Although the new communist government was still in its infancy, it tried through absolute military control to implement a completely impractical communist ideology to a population that had spent centuries in some kind of self-governance and autonomous state. At this point, my mother was remarried and pregnant with her fourth child. She remembers when government officials came and told her that the monetary currency that she had been storing was now illegal, and gave her a small amount of the new Lao currency. As a smart businesswoman, she had foreseen this happening and had already managed to trade some of her old currency for precious jewels and gems. These gems were invaluable to us as they retained their value much better than paper money.

We already knew many Lao people who had crossed the Mekong River to Thailand in hopes of a better life. The day that we finally made our escape, my parents went about their usual activities: hung up laundry outside to dry, parked the little motorcycles by the house, and talked to the neighbors. They had obtained permission to

visit my grandparents, who lived just north on the Mekong River. The Mekong is a massive waterway, swiftly and elegantly carving its way through the mountain ranges. The powerful current sweeps up enough red soil to make the water look like a brilliant blood vein running through eternal lime green rice fields terraced into the hills by the *swidden* rice farmers that depended on the Mekong as their economic and transportation infrastructure.

We took our boat, more of a canoe, up the Mekong River with only the clothes on our backs and as much of the jewelry that we could manage to sew into our clothes for safekeeping, and went to visit my grandparents. As we were about to leave, my parents told our grandparents of their plans at the bank of the river and said goodbye. They cried and prayed for protection as we made our way across the Mekong. As soon as we had left, a few soldiers came around the corner on the sandy Lao riverbank. My grandparents ran towards them and begged them not to shoot us. When our boat veered towards Thailand, they looked over at us and then turned a blind eye, allowing us to go on our way.

A Thai family watched our escape and quickly took our family into their home before the Thai soldiers patrolling the river saw us. After spending a night in an outdoor hut, we walked for several days in the heat and humidity of the tropics before reaching a military training camp supported by American funding. Exhausted and hungry, we found the military administrator who was running the camp, and he helped us get settled. Not long after, my youngest brother was born in the middle of rice fields in northwestern Thailand.

After another year of moving from place to place, unable to establish any kind of permanent structure in our lives, my parents decided to enter an official refugee camp.

We were in one of the smaller refugee camps, nevertheless still crowded and poor. There

was not enough food and water to go around, but the jewels that my mother had managed

to salvage would supplement our rations enough so that we could survive better than

some of the others. My parents constantly feared that the children would be stolen and

put into the sex trade work. Again, we were lucky. Our resettlement applications were

accepted by a number of countries after only 10 months in the refugee camp, but the bus

to Canada was the first to come. We boarded the bus, headed to the airport, and made our

way to Canada with less than five dollars.

Contributions to Theory and Practice in Peace and Conflict Studies

War and violence continue to play a major role in global relationships, foreign

policy, and international negotiation in spite of the fact that they segregate groups, force

divisions, and destroy relationships on a micro and macro scale. Laos is still healing from

the injustice that was brought upon it by outside players consumed with the global

mentality of the Cold War (Evans, 1999; Savada, 1995; Stuart-Fox, 1997). I wish that my

experience was a rare occurrence, but the truth is that this happens to millions of people

throughout the world every year. One only needs to look to the recent events in Africa

and the Middle East to see displaced people who are in dire need of help in rebuilding

their lives and constructing new communities. Furthermore, there are countless millions

of people in the world who have little avenue for receiving any form of social justice

because of the corrupt political regimes who control their lives. As a global society, we

have often been incapable of understanding how to approach these situations beyond

hoping and waiting for positive political change and, in some circumstances, using

military options to produce political change.

However, as discussed throughout this paper, peace continues to work its way into

existence, through processes that are valued and respected by local communities for their

ability to build relationships within and across cultures. These processes are key in

building relationships that are important for peaceful communication and interaction in

communities. It is my hope that this research contribute to the study of peace and conflict

at large, and provide a forum for discussion on culturally specific conflict resolution

processes and rituals and ways to create social justice among the world's most

marginalized and disrupted people. I hope this research makes a contribution to these

people and situations by providing a method of conflict resolution and community-

building among people who care little for political agenda and a great deal about existing

harmoniously with the people around them in order to mutually raise their quality of life.

Through in-depth interviews with 126 participants from diverse ethnic, religious,

economic, work, and educational backgrounds in three provinces of Laos, this study was

able to explore the research questions described in the introduction. Observing the Lao

people, listening to their narratives, and reading the limited literature on their culture

gave significant opportunity to understand their conflict resolution patterns. The research

revealed how the Lao Conflict Resolution Spectrum combines progressively formal

levels of mediation with the relationship building ceremonies of the *soukhouan* and

soumma to facilitate reconciliation and cultural bridging among grassroots communities.

This chapter will discuss the contributions that this research makes to the Conflict

Resolution field, specifically in regards to role of grassroots structures, mediation, rituals, and cross-cultural interaction that are part of any local conflict resolution infrastructure.

Role of Grassroots Structures in Conflict Resolution

Culturally specific ways to resolve conflicts are important in a world impacted by globalization, transnational corporations, migrant workers, immigrants, and refugees. In the field of Peace and Conflict Studies, grassroots approaches to conflict resolution are gaining attention, as Western models prove inappropriate and ineffective in certain conflict situations. Places with shattered infrastructures due to war, violence, corrupt political systems, and economic instability are all situations where grassroots conflict resolution processes may provide a viable mechanism in achieving social justice. A number of scholars and researchers have emphasized the important role local communities can take in resolving disputes through culturally appropriate methods (Avruch, 1998; Avruch & Black, 1991; Boulding, 2000; Cohen, 2004; Fry, 2006; Lederach, 1995; Nader & Todd Jr., 1978; Senehi, 2000; van Tongeren, Brenk, Hellema, & Verhoeven, 2005).

The role of grassroots structures in conflict resolution requires studying traditional and religious practices of dispute resolution. Informal mediation and other traditional conflict resolution processes that have been observed for centuries can teach people valuable skills and knowledge for effective conflict resolution. Rituals and ceremonies that celebrate the end of conflict provide insights into practical relationship building activities that are culturally sensitive and inclusive.

As discussed throughout the paper, this research acknowledges the importance of grassroots people, groups, and organizations in creating structures that are conducive to

the development of relationships. Most people live their lives at the local level. People most directly affected by large scale conflict situations define the process of cultural growth and reconciliation on a small scale. This study has shown that peacebuilding initiatives are much more effective when they are developed, facilitated, and endorsed by the grassroots.

The Lao cultural conflict resolution system is an excellent example of the importance and power that local, grassroots peacebuilding processes can have in resolving cross-cultural conflicts, and in searching for social justice in spite of hierarchical intolerance. In Laos, family structures, elders support, religious communities, village leaders, and village committees are making a difference in their role as third party mediators in resolving conflicts within their society. Buddhist principles of conflict resolution are helping to deal with injustice and violence in Lao communities. Its inclusive philosophy allows for dialogue, openness, and respect for other religious and non-religious traditions. As the statement reflects, "To have a religion one must accept it, follow its teachings in the conduct of one's life, and let it help raise one's intelligence to a higher level" (Nyanasamvara, 1993, p. 202). As shown by the situation where the Lao government attempted to ban alms giving to the clergy, the wishes of six million people can be hard to ignore. Fortunately, over time, the Lao PDR government has become more of a partner in listening to those wishes.

Statistics show that there is one lawyer for every 285 people in the United States (Kamiya, 2008), as compared to one lawyer for every 92,000 people in Laos (EU, 2008). Statistically speaking, the United States has 322 times the amount of legal representation per person. Nevertheless, we have seen that the Lao people still have ways to address

their conflict resolution needs, by and large without the use of more formalized "rule of law" systems. For countries where legal infrastructures are undeveloped, Laos provides an excellent case study with which to begin looking at a conflict resolution system that has easy access, transparency, accountability, and credibility without the need for huge infrastructures to support a fully functioning, corruption free, formal legal system.

In terms of cross-cultural conflict resolution, Laos also provides an opportunity to study cultural dialogue from the earliest to most advanced stages. The commonalities in conflict resolution processes, and rituals that the ethnic groups have developed for the purposes of maintaining relationships, have given them ways to work through differences and develop healthy interactions. The grassroots nature of their conflict resolution system has survived war and violence, ethnic hierarchy, and systemic prejudice.

Clearly, all these aspects of Lao conflict resolution, as well as the Lao people's own satisfaction, are a testament to the effectiveness of grassroots systems. This study provides further support and examples of work other scholars have done in stressing the importance of building on grassroots knowledge, capabilities, and traditions that bring greater equality and sustainable peace (Boulding, 1988, 2000; Lederach, 1995, 1997; van Tongeren et al., 2005).

Mediation in the Global Context

As the field of Conflict Resolution is rooted in the Western context, many of its theories and practices have reflected this culture. Mediation has grown tremendously since the 1940s in labor-management conflicts, in the 1970s with neighborhood dispute centers, and in the 1990s with court referred mediation and youth justice committees (Dunlop & Zack, 1997; Elliot & Goss, 1994; Ministry of the Attorney General, 2004).

Since then the Canadian Bar Association and American Bar Association have become increasingly involved in mediation. Having served on various panels at the American Bar Association Section of Dispute Resolution, it is clear to me that they would like to regulate the mediation field. However, having grown up with mediation in my culture, I feel that, if conflict resolution is going to have a positive impact in other parts of the world, it is imperative that other cultural dispute resolution models be studied and acknowledged as legitimate practices in their own right apart from the formal legal systems that are already in place. This current research project identifies various Lao conflict resolution processes, specifically its use of mediation, and discusses how they are important mechanisms for resolving conflicts in different communities in Laos.

In Laos, conflict is seen as something negative and leads to a loss of face and esteem for all involved. This fear of a loss of face greatly impacts Lao social identity, as Lao people pride themselves on being friendly, easy-going, polite, and hospitable. If avoidance is not possible, conflict resolution processes move in a direction from private to consecutively more public forums. Informal dispute resolution mechanisms, such as mediation, help parties in conflict to save face and keep conflicts as private as possible. Mediation is the preferred method of dispute resolution among the different ethnic groups.

The research describes the different mediation processes that are available in Laos, ranging from parents to Village Mediation Committee (*Neoy Gai Geer*). It discusses typical Lao mediation processes that are generally informal, inclusive, and respected by the larger population. The kinds of mediators that are favored by the Lao people also add to our understanding of mediation in the global context. The mediators themselves range from parents, relatives, elders, and leaders in the community who see it as their duty to

help people resolve their disputes and to preserve social harmony. Here, mediators are expected to have a personal connection to the parties, and any apparent bias is considered less important than the vested interest that the mediator has to bring the parties back to healthy relationship. The parties in conflict have high expectations that the mediators will be able to give them sound advice, guidance, and recommendations for the resolution of conflict. It is not uncommon for mediators to chastise the parties and warn them of the consequences of unresolved conflicts. The principles behind these mediation processes and the roles of mediators are characteristic of Lao culture.

Although there are diverse ethnic groups with distinctive characteristics in Laos, the people are able to use mediation processes that are culturally appropriate for all parties in conflict. The main principles of mediation are similar for all ethnic groups. This research highlighted several reasons why grassroots mediation is a valuable mechanism in conflict resolution: (1) they bring social harmony back to the families, groups, and communities; (2) they provide a way for parties in conflict, their families, and their communities to save face in light of conflict; (3) they create opportunities for the parties to repair the harm that has been done; (4) they provide mechanisms for the parties to continue working, socializing, and living together; and, (5) they create continual support networks for the parties so they will succeed in the resolution of conflict.

There are a number of features of the Lao mediation processes that are highlighted. The progression from informal to formal mediation processes, the inclusiveness of the mediation process, specifically who is invited to attend, and the inclusion of previous mediators in each subsequent mediation are characteristics of Lao mediation. These are all ways that the Lao conflict resolution spectrum ensures

consistency, transparency, and accountability between the different levels of the

mediation processes found within the conflict resolution spectrum, and provides a natural

support network to the parties in conflict.

It is important for the overall practice of mediation that scholars and practitioners

cease referring to mediation as an "Alternative Dispute Resolution" method. This

research adds further evidence that, in many countries in the world including Laos,

mediation is the preferred method of resolving conflicts and the formal court system is

the alternative. This paradigm shift is the first step in acknowledging the importance of

mediation and cultural rituals in conflict resolution. Recognizing the validity of these

processes acknowledges the identities and honours the cultures of our diverse

communities.

Ceremonies and Rituals of Conflict Resolution

A unique contribution of Lao conflict resolution is the rituals and ceremonies that

are performed as mechanisms for resolving disputes and tools for reconciliation. Rituals

that include food (*Pa Kao Samakee*), family, and community play an important role in

bringing parties in conflict together. There has been limited literature on the *soukhouan*

celebration as part of Lao culture (e.g., Evans, 1999; Savada, 1995; Stuart-Fox, 2008;

Stuart-Fox & Mixay, 2010), but no writing about its use in conflict resolution. To my

knowledge, there is no literature on the *soumma* ritual in Laos.

This study provides significant credibility to the importance of ritual and

ceremony in peacebuilding processes. Laos provides an opportunity to study cultural

rituals and ceremonies that help build relationships, both within and across ethnic groups.

In conflict resolution terms, the *soukhouan* ceremony demonstrates how rituals can: (1)

acknowledge damage and wrong that has been done; (2) acknowledge the commitment of the perpetrator and his family in repairing the harm; (3) recognize the importance of cultural values and needs; (4) acknowledge acceptance of the restitution by those wronged; and, (5) provide ways for a wider social network of people to support the parties and to encourage successful rebuilding of relationships.

The *soukhouan* and *soumma* ceremonies are instrumental in restitution and reparation of the harm associated with conflict. This restoration of harmony is possible through the memorialization of the end of conflict and provisions for helping people move forward. They publically demonstrate the coming together of former adversaries and the joining of two families or communities. The "fundamental mediating role of this [*soukhouan*] ritual between several realms of belief and across ethnic boundaries is striking" (Evans, 1998, p. 78). These ceremonies allow for a new relationship to be developed based on a new understanding, at both micro and macro levels of awareness and action.

This study also shows how ceremonies, rituals, and symbols are effective mechanisms in maintaining cross-cultural relationships. As previously quoted, "Symbolic acts can penetrate the impenetrable, overwhelm the defensive, and convey complex messages without saying a single word" (Schirch, 2005, p. 4). The ability to do this is even more important in cross-cultural dialogue, where language, non-verbal communication, and other culturally defined mannerisms can be barriers in establishing meaningful discourse. By conducting these rituals, offering apologies, and providing restitution these actions help people move toward relationship building and reconciliation

more readily. The rituals have a positive impact on the physical, mental, and spiritual components of the people involved.

Specifically, the Lao people use mediation and rituals to resolve conflict within their cultural groups as well as adapt these tools to address conflict across ethnic groups. As a cross-conflict resolution tool, the *soukhouan* process is an acknowledgement of the validity of different cultural customs. All the symbols of reparation, signaling the end of conflict, are culturally specific to the ethnic group that has been wronged. This is important as a sign of respect and form of apology, and also as a way of teaching each other about the different cultures and the meanings and symbols behind the ritual itself. In discovering why these differences are important to each other, *soukhouan* functions as both a cross-cultural conflict resolution process and education system.

This study provides further evidence that, when studying, identifying, or developing culturally appropriate dispute resolution processes, rituals must be a significant part in any peacebuilding initiatives. In Laos, the *soukhouan* ritual connects different ethnic groups in extraordinary ways, mediating different beliefs and across ethnic boundaries (Evans, 1998). The *soukhouan* and *soumma* ceremonies demonstrate the ability of ritual to contribute to building relationships, community, reconciliation, and overall peace. Through these grassroots initiatives positive conflict resolution is possible.

Cross-Cultural Framework for Development of Relationships

As already discussed, culture is a multi-faceted and dynamic social concept with different components that interact in unique ways to create specific cultures. Cultures define how people experience conflict and provide ways to deal with conflict situations in

a way that reflects cultural values, norms, and traditions. These dynamic and complex interactions impact various relationships that evolve over time. This study highlights these qualities in defining culture, as well as underscores the importance of looking at each culture individually and discovering conflict resolution processes that are culturally appropriate for the people involved in conflict.

The similarities between the conflict resolution spectrum of the different Lao ethnic groups provided an opportunity to contemplate exactly how these cultures had developed common systems of conflict resolution. As discussed in the background information, these groups come from different parts of Asia and Southeast Asia and have very different cultural histories and backgrounds. Distinctiveness can be found in their languages, kinship lineage, agricultural practices, foods, and rituals.

In reflecting on this chapter and the previous chapters analyzing Lao conflict resolution system, several general themes have developed that are important in allowing this system to function efficiently and credibly. In exploring how grassroots conflict resolution systems might be useful in other situations across the world, it could be important to review some of these Lao attributes within the context of a more general application. With that in mind, the following section will discuss the expectations that are part of a conflict resolution process, relationship building as part of resolution, support networks for maintaining agreements, and the power of positive results.

Expectations in Conflict Resolution

As already discussed, an important part of the Lao conflict resolution structure is the system of mediation that is understood and familiar across the different ethnic groups in Laos. As stated, it seems logical that these groups developed and adapted this system

as part of establishing microcultures early in their cross-cultural relationships, as a way of providing commonalities in expectation, as well as familiarity and comfort in maintaining relationships through conflicts between ethnic groups. Over the years, the different ethnic groups have been able to create common conflict resolution systems that consciously take into account cultural variations. This creative system of dispute resolution has been accepted by all people living in Laos as they have been able to retain important cultural symbols and meanings.

The creativity, inclusiveness, and flexibility of the conflict resolution processes help to build a culture of peace. This is an important aspect of any cross-cultural dispute resolution system. Specifically, in maintaining healthy relationships within or across cultures there must be a mechanism that serves as a positive response to conflict where tensions can be dealt with in ways that are clearly known, understood, and respected by the parties in conflict. Clear expectations about how conflicts can be addressed effectively increase the willingness of people to resolve their disputes.

Inherent in that, there must be transparency and accountability of all the parties involved in the dispute, including mediators, arbitrators, or support networks. Without this, continual questions of fairness or prejudice will continue to hinder any conflict resolution efforts. In Laos, we have seen how the process, and inclusion of multiple mediators through the conflict resolution spectrum, as well as the preference of known and familiar mediators serve to encourage transparency and accountability. As this aspect of the conflict resolution process is clearly laid out, people's expectations can be met.

Also, there must be accessibility and opportunity to use any conflict resolution system. Obviously, conflict resolution systems that are not familiar, trusted, or accessible

will not be successful. For grassroots people to have an avenue for resolving disputes, the process must be one where they have some familiarity and trust with the system itself. It is important to consult with local communities to determine creative interventions that promote peacebuilding, as they have been involved in resolving and healing conflicts for thousands of years through local belief systems and other social mechanisms (Eppel, 2006). Furthermore, it must be one that is affordable to the general population and provide opportunities for agreement modifications in response to changes in dynamic conflict situations. Overly rigid systems will not take into account either dynamics in a changing conflict or dynamics of different people in similar situations. Justice for one person is not necessarily the same as it is for another.

Relationships in Conflict Resolution

An important aspect of bridging cross-cultural differences is in building relationships. Although the field of Conflict Resolution discusses the importance of relationships, it has not always addressed it holistically. In Laos, relationship building is important in pre-conflict, current conflict, and post conflict. Lao culture places high value on creating and maintaining good relationships in the family and community as conflicts create a loss of face. Through the instructions of parents, elders, and village leaders, as well as the annual New Year's *soumma* ceremony people learn to appreciate and take care of relationships in concrete ways. When conflicts occur, their conflict resolution spectrum focuses on using various forms of mediation as a process for working through disputes and rebuilding relationships. In post conflict, their use of ritual and ceremony, specifically the *soukhouan* and *soumma*, are used for repairing the harm, re-establishing and rehabilitating relationships, and reconnecting with family and community. Similar to

the mourning rituals used by therapists, the *soukhouan* and *soumma* ceremonies are also most effective when they are done within a community of care, and when they solidify and restore communities affected by conflict (Hardy & Laszloffy, 2005).

This deliberate focus on relationship allows for disputing parties to see the humanity in others and to understand the many "faces" involved in conflict. Care and respect is taken when one is able to see the situation from the other's perspective, and within its context. In cross-cultural situations, recognizing that each party is important in his or her own cultural system and that conflicts between cultures are part of the complex interdependence between groups, can help people appreciate each relationship. This recognition of other cultures is evident in the way the Lao organize and perform the conflict resolution rituals that are specific to the requirements of the wronged person's culture.

The way cross-cultural conflicts are resolved is a form of cross-cultural education. There were many quotes from this research stating how some cultural groups required more Animist approaches to their rituals and other groups required more Buddhist approaches. This helps to inform each party of the traditions and customs of the other, and provides depth and understanding in that relationship. Part of relationship building in any cross-cultural conflict resolution requires a way of positively educating people about the customs and traditions of others in ways that encourage respect.

Support Networks in Conflict Resolution

The importance of appropriate support networks in maintaining agreements in any conflict resolution process can hardly be overstated. Having adequate support for parties attempting to maintain agreements and developing relationships is part of providing the

emotional, physical, and spiritual sustenance that disputants will require. People need to connect with their histories and extended families in order to build support systems that work for the common good (Phipher, 1997). The restorative justice paradigm in the Conflict Resolution field recognizes the importance of support networks (e.g., family conferencing, sentencing circles, and community justice forums). However, the practice of mediation most frequently referred to in the Conflict Resolution field is generally a private process involving just the parties in conflict. As discussed, one of the main characteristics of Lao mediation is that it allows for a wider number of support networks to be present in the mediation session. The number of people involved in the mediation tends to reflect the conflict in terms of size, nature, and its public context. As conflicts become more public and serious, more people become involved in each consecutive mediation process. Elegantly, this same mechanism provides for consecutively larger support networks.

In addition, there is an inherent recognition that support networks give power and credibility to the resolution, as these networks are part of upholding any agreements, and support the disputants themselves. When people develop connections and are actively involved in the process, they are more likely to feel they have a stake it its success and be more committed to the process (Kolb & Putnam, 1997). In Laos, these support networks have a vested interest in seeing agreements succeed, as parents, family members, elders, and village leaders are all responsible for maintaining social harmony. These individuals can advocate cultural values and apply pressure in upholding them to ensure commitment to resolution and relationship building. This sense of community where people are looking out for one another is vital in any conflict resolution.

Understanding that support networks are important in maintaining resolution is also a sign that there is recognition that conflicts can grow from small interpersonal disputes into larger intergroup conflicts. If conflicts are not addressed effectively, they can turn into hatred, discrimination, and violence. Involving different people as support networks is a way of holding many people accountable for conflict resolution, ensuring that there are many parties involved in controlling and managing tensions. The Lao Conflict Resolution Spectrum's inclusion of previous mediators and other family members is a way of managing the scope and size of the support network. Parties in conflict automatically have these support networks in place during mediation and post conflict rituals. The parties are not isolated but are surrounded with support.

Finally, including support networks is also a way of dealing with conflict that is rooted in deeper systemic and human needs issues. Conflict issues that are rooted in poverty will require the resources of many individuals to alleviate. Assistance can take the form of providing employment, maintaining agricultural crops, or having education opportunities. Adequate support networks from various levels will be paramount in addressing the root of any conflict situation.

Positive Conflict Resolution Results

A successful conflict resolution scenario leads to the credibility and future usage of any conflict resolution process. The Lao voices in this research have demonstrated their satisfaction with the various mediation processes, and that satisfaction continues to convince the Lao people to use the system. In any conflict resolution system, there must be some level of satisfaction for all the parties, including those found to be in the wrong. There must be opportunity for reparation and restitution for those hurt in the conflict as

well as opportunity for pardon or some mechanism that allows for perpetrators to rejoin society. All of these activities are done within the parameters of cultural values, obligations, and responsibilities. The ability of a conflict resolution system to meet the needs of all parties affected by conflict ensures that it will continue to be reflected upon positively and utilized by the people.

Future Research in the Multi-Faceted Conflict Resolution Field

The results of this study has led to various questions that these kinds of research need to further explore, and areas in the field of Peace and Conflict Studies that need to be better addressed. The following section identifies a few key areas and topics for future research that will contribute to the theory and practice of conflict resolution. The study of these topics will provide more in-depth analysis and discussion that will add to the clarity and usefulness of the field.

Mediation and Traditional Processes to Address Structural Conflicts

The results of this research clearly validate the effectiveness of a grassroots cultural framework in resolving conflicts in situations where court systems are unfamiliar and inaccessible to the majority of the population. Mediation and traditional conflict resolution rituals have key roles in resolving conflicts in Laos. Through the conflict resolution systems and rituals, they have demonstrated how effective relationship building and reconciliation can be successful in furthering peacebuilding efforts between individuals and groups. These results also give rise to other questions that require further exploration and research.

As discussed in various sections, different cultural groups in Laos are experiencing structural conflicts as a result of new government policies on relocation, prohibition of *swidden* rice farming, and open market that allow investors and transnational corporations to extract resources in areas indigenous to certain ethnic minorities. Further research needs to explore how such a cultural framework would address structural conflicts involving international businesses that use formal laws and legal systems to address conflicts, as opposed to a population that uses more informal procedures and customary laws in conflict resolution.

For example, how would grassroots groups negotiate reforms to the New Economic Mechanism of 1986 using a mediation process that is specific to their cultures? A grassroots process would allow the different ethnic groups access to justice, using a process that they are familiar with to ensure their needs are being met. How can the international community be convinced to utilize this process to address concerns of the various groups? Is it possible to combine grassroots mediation with more formal processes? Or could mediation be used to address the various issues and create an agreement that can then be officially recognized at the courts?

Religious Contribution to Positive Conflict Resolution

Peacebuilders need to pay attention to the politics and grassroots power of religion in any conflict, even those that do not revolve around religious conflicts (Morris, 2004). Pholsena (2006) discusses how the Lao Department of Religion has stressed the importance of the spiritual force of religion, particularly of Buddhism, and its role in education, the arts, and politics – "society will never undermine religion . . . society will always need spiritual support and moral values, no matter how developed it is" (p. 67).

As there are multiple causes of conflict, religious principles can provide a practical approach to conflict prevention and resolution.

Why has religion also been used as a rationale for exclusion and war? Why is it that some religious belief systems are more prone to this abuse than others? A more in-depth study of the uniqueness of Buddhism as compared to other religious traditions is needed. Why have there been so few crusades, inquisitions, and warfare conducted in the name of Buddhism?

Women and Men's Contribution to Conflict Resolution

Boulding (1988) in *Building a Global Civic Culture*, discusses the importance to "imagining" a peaceful world to give us hope for the future. Studies on how different cultures would describe their ideal world could provide valuable insights for building peace. Boulding (2000), in *Cultures of Peace: The Hidden Side of History,* describes peace culture as a "culture that promotes peaceful diversity . . . mutual caring and well-being, as well as equality that includes appreciation of difference, stewardship, and equitable sharing of the earth's resources among its members and with all living beings" (p. 1). The book discusses: the history of warfare and peace movements; provides examples of peaceful cultures around the world; new peace theories and partnerships; and conflict structures and transformation. An important discussion is the new partnerships between women and men, and between children and adults. Women bring authenticity, spontaneity, and response styles that reflect their microspaces, while men bring exploration of new territory, a spirit of new adventure, and risk taking from their macrospaces (Boulding, 2000; Symonides & Singh, 1996). Therefore, they are complementary and together they can be creative in designing peacebuilding activities.

Laos is a very egalitarian society. Women are given the same basic rights as men in terms of becoming a party member, owning property, gaining inheritance, and representing various committees. They are also active participants in the marketplace and business community (Cummings & Burke, 2005). Men and women largely share their roles as caretakers and elders of the community with significant overlap in the duties and roles between the two genders. Considering that, as well as the added complexity that gender division would have brought to this paper, I did not specifically look at separating the roles of men and women in the Lao conflict resolution processes.

However, it would be constructive to focus on how the approaches of women and men engaged in conflict resolution and peacebuilding differ in the Lao community. How do men and women differ in their roles as elders, mediators, and village leaders in Lao communities? How are they similar in the way they approach the parties in conflict and facilitate the mediation process? How do they help and support one another as active third parties?

Role of Power in Conflict Resolution

Power has long been an important topic in cultural theory and in all forms of conflict resolution. The mediator's role as a facilitator of dialogue between parties in conflict reflects a certain kind of power. As mediators, they have environmental, relational, and personal power that can influence the mediation process and outcome in specific ways (Coleman, 2000; Deutsch et al., 2006). Mediators with effective power will control resources that generate power, have motivation to influence others, possess skills in converting resources to power, and have good judgment in employing appropriate power (Deutsch, 1973).

The disputants also possess different powers that can have an impact on conflict resolution. Common perspectives on power from the social science literature include: power over; power with; powerlessness and dependence; and empowered and independent (Coleman, 2000). Depending on the individuals and groups involved in the conflict situation, different types of power may affect the relationship, conflict resolution process, and restitution. If one of the disputants is coercive and competitive, then the resolution may favor one side. The parties can also have environmental, relational, and other personal kinds of power that influence outcomes.

I believe that much of the writing regarding power in mediation would be applicable to Lao conflict resolution. However, a topic that would be interesting for future research is how those power roles are developed and assigned in grassroots conflict structures like those in Laos. Already discussed is how power and status accrues with age in Lao culture. What are some other factors that designate power in the different ethnic groups? In a culture where the rich and the poor live side-by-side, where wealthy mediators can work with poor monks at the same level of status, does access to financial resources continue to play a role in power relationships? In situations where the general public is largely unaware and unconcerned with political governance, does a one-party political system still have a role in grassroots power dynamics? Many of these questions could be addressed in a research project studying how grassroots cultures balance power dynamics so they do not become obstacles in conflict resolution.

Case Studies of People and Groups Building Peace

There is a large amount of research and literature on conflicts at the interpersonal to international levels. Much of the conflict resolution processes are discussed from an

interest-based perspective developed in the Western world. In order to develop appropriate conflict resolution processes, it is important to examine an emic approach to studying conflict approaches from an insider's perspective through unique cultural features, socio-historical frameworks, and spiritual and cultural institutions (Oetzel et al., 2006). More research is needed to study how ordinary people around the world are building peace in various ways that will add to the literature on Peace and Conflict Studies (see Boulding, 2000; Fry, 2006; van Tongeren et al., 2005). New models of culture and peacebuilding need to explore how grassroots initiatives can build infrastructures that support social harmony and traditional conflict resolution mechanisms, advancing the ability of such processes to address larger scale conflicts within communities, nations, and international arenas.

Concluding Remarks

This research project has been a journey of discovery for me. Writing and researching this document has encouraged me to reflect on my personal experiences as well as help me to understand my present and future as influenced by my Lao heritage. I have found tremendous meaning and hope in discovering the conflict resolution possibilities presented by the grassroots people in Laos, and in their ability to use mediation and rituals to find social justice and bridge cultural divides in spite of the war, violence, and injustice that have been an unfortunate feature of their history. The fact that they can still find wholeness in their Lao national identity, while retaining and respecting unique cultural identities of different ethnic groups, help define their relationships and give hope for global reconciliation.

Reliance on mediation processes and conflict resolution rituals are at the heart of relationship building and reconciliation. These processes address conflict situations holistically at the physiological, psychological, and spiritual dimensions. In discussing conflict resolution as a mechanism for personal and cultural growth, the following quote describes how these kinds of relationships can positively impact the whole world community. As the Dalai Lama said:

> The question of real, lasting world peace concerns human beings, so basic human feelings are also at its roots. Through inner peace, genuine world peace can be achieved. In this the importance of individual responsibility is quite clear; an atmosphere of peace must first be created within ourselves, then gradually expanded to include our families, our communities, and ultimately the whole planet. (Kraft, 1992, p. 2)

Glossary of Lao Words and Expressions

There may be regional differences in pronunciation and meaning of the terms identified in this glossary. Sometimes different regions will use different terms to describe the same thing. Also, as the Lao language evolves, new terms are being developed to describe similar concepts. The terms used in this paper are terms that I grew up with and are more characteristic of Luang Prabang region in Laos.

Achaan	Teacher, professor
Ai Na	"Embarrass face," embarrass
Ban	Village
Baci	Soukhouan, conflict resolution ritual or ceremony
Boon Koon	Respect, gratefulness
Boon Sep Sern	Katdu's celebration, akin to soukhouan
Boon Tan Koon Pa Mer	Respect festival for parents
Bong Gun	Police representative
Bong Loon	Military representative
Bor Mee Bunha	Avoidance, "I don't have conflict"
Bor Sear Na Sear Tda	No loss of face and eyes
Bpak	Speak
Bpeng Na, Bpeng Tda	Repair face and eyes
Bunha	Conflict, problem
Chai (Hua Chai)	Heart
Chai Hawn	"Hot heart" as in hot temperament
Chai Hi	"Strong heart" as in being angry
Chai Yen	"Cool heart" as in calm temperament
Dee Chai	"Good heart" as in being happy
Dok Mai Took Tien	Small floral bouquets wrapped in banana leaf
Ethinic Lao	Majority ethnic group in the Lao Loum grouping
Fei Pouk (Mut) Khene	Threads for soukhouan and soumma ceremony
Gai	Chicken
Gai Geer	Informal mediator
Gern	Money
Got Mai	Customary laws, laws, regulations
Hei	Swidden rice farming
Hei Pon	Blessings

Hmong	Minority ethnic group in the Lao Soung grouping, Meo people
Hor	Ethnic group from the Lao Soung grouping
Hrooi	Khammu house spirit, house guardian
Kao Poon	Traditional Lao soup made with coconut milk and red curry
Katdu	Ethnic group from the Lao Teung grouping
Kha	Slaves, traditionally associated with the Khammu population, derogatory term
Khammu	Minority ethnic group in the Lao Theung grouping
Khouan	Spirit or soul
Khuan Ban	Village leader, village chief
Kow Chai Gun	Understand each other
Kun Ha	Sets of five items for soukhouan and soumma ceremony associated with Buddhist Dhamma
Kwang	Province
Kwai	Buffalo
Lan Xang	Million elephants
Lao	All the people in Laos, Ethnic Lao language
Lao Loum	Majority population in Laos (e.g., Ethnic Lao), "Lao of the plains" or "lowland"
Lao Soung	Minority population in Laos (e.g., Hmong or Meo), "Lao of the mountain tops" or "highland"
Lao Theung	Minority population in Laos (e.g., Khammu), "Lao of the mountain slopes" or "upland," indigenous people
Lkuun	Ritual leader in Khammu villages
Lom	Talk
Makbeng	Central floral arrangement in soukhouan ceremony
Meo	Minority ethnic group in the Lao Soung groups, Hmong people
Mer Tdu	Mother (non-biological), used as part of honorifics
Moo	Pig
Muang	District
Na	Paddy rice farming, wet rice farming
Naga	Protective deities, spirit of the rivers, snake-like water dragons
Nei Ban	Village leader, village chief, sub-division leader
Neoy Gai Geer	Village Mediation Committee
Ngeuak	Fearsome spirit of the rivers, snake-like water dragons
Ngoor	Cow
Nop	Palms pressed together hand greeting
Nup Ter Gun	Respect each other
Nup Ter Tow Gua	Respect elders

Oh	Ethnic group from the Lao Theung grouping
Op-Lom	Discussion, problem solving
Ot	Refrain from, abstain from
Ot Gun Bai	Having tolerance, remaining calm
Ot Ow	Just taking it, tolerance
Ot Tone	Having patience and endurance
Ow Na Tda Kern	Bring back face and eyes
Pa Biang	Traditional Ethnic Lao scarf
Pa Kao Samakee	Communal meal
Pa Khouan	Serving table in soukhouan ceremony
Pah Loong	Relatives, Aunt/Uncle
Pathan Ban	Village President
Paw Ban	Village leader, village chief, sub-division leader
Paw-Mer	Parents, Father/Mother
Paw Tdu	Father (non-biological), used as part of honorifics
Pee Nong	Relatives
Phi	Spirit, ghost
Phi Ban	Village protective spirit
Phi Hern	House spirit
Phi Khouan Keert	Disruptive spirits
Phi Khoun Wat	Monastery spirit, temple spirit
Phi Pba	Forest spirit
Phi Then	Earth spirit
Pi Mai	New Year
Por Bpeng Chit Chai	Reparation according to one's heart
Por Chai	Satisfied, satisfied according to one's heart
Sa Tan Tot	Monk
Sahaphan Maenying Lao	Lao Women's Union
Samakom Poo Nying	Lao Women's Union
San Ban	Village court
San Kwang	Provincial court
San Muang	District court
San Soung	Supreme court
Seur Chai	Trust
Sin	Traditional Ethnic Lao skirt
Sin Bor Luck/Sin A Tit Na	Do not steal (Buddhist Dhamma)
Sin Ga May	Do not have affairs or behave in sexually inappropriate ways (Buddhist Dhamma)
Sin Moo Cha	Do not lie (Buddhist Dhamma)
Sin Pa Na	Do not kill (Buddhist Dhamma)
Sin Su La	Do not use drugs or intoxicants (Buddhist Dhamma)
Son Ta Na	Speak
Soot Hern	Bless the home

Soot Mon	Meditation chants
Soukhouan	Baci, conflict resolution ritual or ceremony
Soumma	Forgiveness or reconciliation ritual or ceremony
Sow Noom	Young people's representative
Tai Deng	Red Tai ethnic group from the Lao Theung grouping
Tai Maen	Ethnic minority group, part of the Tai speaking group
Tdat Sin (Chai)	Decision
Terk Bap Terk Vein	Punishment
Terk Tot	Punishment
Tien	Candles
Txiv Neeb	Shamans, fortunetellers
Tow Gua	Elder
Tow Gua Neo Hom	Elder
Tuk Tuk	Lao taxi, truck with long benches
Wat	Temple
Wao	Talk
Yun	Knots in thread as used in soukhouan and soumma

APPENDIX A

ORAL CONSENT FORM

(INTERVIEW)

1. Are you aware that the purpose of this interview is to learn about traditional Lao conflict resolution processes, and how different ethnic groups resolve conflicts in everyday life in Laos?

2. Are you aware that this interview is part of the principal researcher's Ph.D. dissertation project, and that the results of this research could be published in appropriate scholarly journals and presented at academic and other conferences?

3. Are you aware that this project adheres to the University of Manitoba Ethics Board who ensures your safety, anonymity, and voluntary consent? Your name will not be identified in any document. The recorded conversation and notes taken during the interview will be destroyed by the principal researcher once the research is completed.

4. Do I have your permission to ask you questions about your family, work, and community life?

5. Do I have your permission to ask you questions about conflicts and conflict resolution methods, and other related subjects?

6. Are you aware that you can withdraw from the project at any point in time and that you can skip any questions you do not want to answer?

7. Do I have permission to record this conversation?

8. Are you aware that the principal investigator will send a letter highlighting the results of the study to the village leader (*Nei Ban*) to share with the community?

9. Do you voluntarily agree to talk to me today?

APPENDIX B

PARTICIPANT INTERVIEW QUESTIONNAIRE

Date:

Interview Start Time:

Interview Finish Time:

I. DEMOGRAPHICS

Place of Birth/Village:

Ethnic Background:

Marital Status:

Birth Date:

Number of Children & Ages:

Education Level:

Work Experience:

II. INTERVIEW QUESTIONS

General Conflicts/Challenges
1. What kinds of conflicts/challenges have you experienced?
    A. In the home?
    B. At work?
    C. In the community?
    D. Between different communities?

2. How did you resolve the conflict? What conflict resolution methods were used?
    A. In the home?
    B. At work?
    C. In the community?
    D. Between different communities?

3. How effective were these dispute resolution methods in resolving the conflicts?

A. In the home?
B. At work?
C. In the community?
D. Between different communities?

Traditional Lao Conflict Resolution Processes
4. What methods have people traditionally used to resolve conflicts? How were conflicts normally resolved in Laos 40 years ago? Twenty years ago? Ten years ago?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

5. Can you describe each of these processes in detail? Who are the third parties? What was the role of each person involved in resolving the dispute? How was the outcome determined?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

6. How effective were these traditional methods in resolving conflicts? How satisfied were people with these processes? How satisfied were they with the outcomes?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

7. How would you arrange the different methods of resolution along a continuum in terms of the progression of conflict resolution? What is the first method that people use to resolve their conflicts? Who is the first person they go to for help? What are the next steps if the conflict cannot be resolved?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

8. Are traditional methods of conflict resolution still being used today to resolve conflicts? Why and why not? What other methods are available today?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

9. How important is it to revisit these traditional methods of resolving conflicts? How can these processes be reintroduced to the Laotians, particularly the younger generations?

A. In the home?
B. At work?
C. In the community?
D. Between different communities?

10. How can traditional Laotian conflict resolution methods be used to resolve cross-cultural conflicts that can arise in communities where there are a number of different ethnic groups? Which methods are used to resolve intergroup or cross-cultural conflicts? How effective were these methods?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

11. What are some traditional rituals that are used to celebrate the resolution of a conflict? Can you describe them in detail? How important are these rituals?
A. In the home?
B. At work?
C. In the community?
D. Between different communities?

APPENDIX C

PREPARATION, TRAINING, AND INTERVIEW SCHEDULE

<u>**PREPARATION, TRAINING, AND INTERVIEW SCHEDULE**</u>

<u>Date:</u>	<u>Activity:</u>
March 1 - June 27, 2009	Preparation for Research Project – translation of oral consent form, questionnaire, training materials; communication with Laos National Science Council Association for Research and Development; Lao PDR government, district officials, mayors, village leaders, NGOs, and research assistants regarding research project; travel arrangements; etc…
June 28 – July 4, 2009	Interview Training for Research Assistants & Preparation for Field Research in Vientiane, Laos
July 5-11, 2009	Conduct Interviews in Central Laos Region – daily debriefing with assistants
July 12-18, 2009	Conduct Interviews in Northern Laos Region – daily debriefing with assistants
July 19-25, 2009	Conduct Interviews in Southern Laos Region – daily debriefing with assistants
July 26 – 28, 2009	Final Debrief with Research Assistants in Vientiane, Laos
July 29 - Dec. 31, 2009	Transcription of Audiotape & Initial Analysis
Jan. 1 - Dec. 31, 2010	Manuscript Preparation

APPENDIX D

MAP OF LAOS

Figure 5. **Lao People's Democratic Republic, Map No. 3959 Rev. 2, January 2004**
© United Nations, 2004, Lao People's Democratic Republic, Map No. 3959 Rev. 2. Used
with permission by Secretary of the United Nations Publications Board, March 1, 2011.
(from www.**un**.org/Depts/Cartographic/**map**/profile/**laos**.pdf)

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