
Section I: **Theoretical Perspectives**

The Concept of Compromise Revisited

1 Introduction

Conflict is inevitable in any human society.¹ This is not a fundamental problem for societal reproduction: humanity has always been confronted with the inequalities of the status quo – and the fact that the dice could have fallen differently – as well as with myriad new possibilities. Beyond drawing attention to this contingency, engaging in conflict can engender social change and progress and, under certain conditions, the side effects can be stabilizing and integrational for societies (see, e.g., Simmel 2009; Sorel 1999; Follett 1941; Coser 1956; Dahrendorf 1966, 1979; Dubiel 1998, 1999; and, more recently, August and Westphal 2024). However, conflict can also be dysfunctional or destructive, as much for opposing parties as for affected third parties and society at large. The likelihood of negative consequences increases when the number of conflicts exceeds a manageable level, when too many conflicts intensify and escalate simultaneously, or when violence becomes a preferred means of engagement. Societies therefore depend on having a broad and effective repertoire of conflict management techniques at their disposal in order to limit any dysfunctional or destructive impact.

Compromise is integral to this repertoire, at least in contemporary societies. Georg Simmel went so far as to characterize compromise as “one of the greatest inventions of humanity” (2009: 300). In light of this appraisal, the scant attention paid to compromise in the humanities and social sciences is surprising, to say the least.² Systematic empirical studies on the role of compromise in the United

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2 Seminal social science and history reference works attest to this diagnosis: both editions of the international and interdisciplinary *Encyclopedia of Social & Behavioral Sciences* (Smelser and Baltes 2001; Wright 2015) lack an entry on compromise. The same is true for *Geschichtliche*

States, such as those by Seltser (1984), Brewer and colleagues (2018a, 2018b), and, more recently, Wolak (2020) remain scarce. It is precisely the expectation that societies experience, understand, value, and use compromise very differently that makes the lack of comparative research, especially regarding epochs and cultures, particularly striking. Nevertheless, the last thirty years have seen growing interdisciplinary engagement with compromise, though primarily on a theoretical-conceptual and normative level. This has included some studies on the history of the term (see, e.g., Benjamin 1990; Dobel 1990; Greiffenhagen 1999; Margalit 2010; Gutmann and Thompson 2012; Huxtable 2013: ch. 6; Fumurescu 2013, 2019; Wendt 2016; Rostbøll and Scavenius 2018; Baume and Novak 2020; Zanetti 2022; see also the early contribution by Pennock and Chapman 1979).³ It would seem that this increased attention is related to political and social changes that have resulted in consensus – whether “communicative” or “overlapping” (Habermas 1986, 1989, 1997; Rawls 2005) – no longer being the central, indisputable conflict management method of choice (see also Weinstock 2018). Certainly, in political theory, the primary focus has been on identifying the conditions that lend compromise moral qualities or moral acceptability. This is clearly an important area of research. However, in many cases, the questions posed push the role and function of compromise for the whole spectrum of conflict management into the background. Moreover, they appear to support the establishment of compromise as *second-class consensus* (see Warren and Mansbridge 2016; Weinstock 2018).

Apart from being poorly researched, compromise also has a decidedly poor reputation. It is regarded as an expression of weakness, cowardice, or a lack of courage in pursuing one’s own goals. Compromises are deemed shady because they strengthen the status quo and prevent progress, and – as they result from the existing balance of power – because they are dubious. In addition, parties compromising on moral questions are said to run the risk of betraying their principles, “compromising” their integrity or identity, or of being inconsistent because the compromise may contradict principles that they purport are (unconditionally) valid. Besides being “lazy,” compromises can also be “rotten,” for example, when they contribute to stabilizing unjust or inhumane conditions (Margalit 2010).

In more recent political theory debates, compromises that do not fulfil the necessary moral requirements have often been disparaged as “settlements” or “bargains” without any acknowledgement of their relative (and morally thoroughly desirable) benefits. At the same time, and contrary to common parlance,

Grundbegriffe (Brunner et al. 1972–2004). Even the recently published *Handbuch zur Geschichte der Konfliktlösung in Europa* (van Mayenburg et al. 2021) does not contain an entry on the subject.

³ De Boer and Westphal (2023) provide an overview of recent literature.

these debates are narrowing the term *compromise* to a specific, empirically rather rare variant.

Economic, legal, organizational and socio-psychological literature on negotiation and mediation largely seconds this devaluation or disparagement of compromise (at least when it is characterized as a “settlement” or “bargain”) through a generally unfavorable, abstract, and reductionist comparison with “integrative solutions” (see, e.g., Follett 1941; Walton and McKersie 1965; Raiffa 1982; Lax and Sebenius 1986; Ury et al. 1988; Bazerman and Neale 1992; Thomas 1994; Pruitt and Carnevale 1993; Fisher et al. 2012; Diamond 2018; Shell 2018; Menkel-Meadow 1984, 2022; however, see also Menkel-Meadow 2019). Again, as with political theory reflections on “moral” compromise, this is often without any consideration as to how often integrative solutions are an available option (or an option that can feasibly be developed) in real conflict situations.

To date, research on compromise has not sufficiently (terminologically) differentiated the conflict management repertoire, which makes it very difficult to ascertain the precise roles, functions, and characteristics of compromise within this repertoire. The internal variability and malleability of this conflict regulation technique has received equally insufficient attention. As such, and not least from a practical perspective, it is not possible to sufficiently determine the conditions through which compromise can be shaped and enhanced, including in a moral sense.

This paper breaks away from the above-mentioned research tradition by attempting to develop a revised definition of the term *compromise* that – in line with Hirschman (1985) – is somewhat more “complicated” in its design. In doing so, it aims to allow the full breadth and variety of compromise – an empirically observable social practice of conflict management based on all opposing parties making concessions – to be compared across epochs and cultures. The definition of compromise proposed here is therefore explicitly *narrow* and *parsimonious*. In contrast with the prevailing, dichotomic definition in political theory, which separates *moral* compromise from other conflict regulation techniques based on the use of concession, here, the conflict management technique does not have to meet threshold criteria (e.g., *non-violence*) to be considered “moral”; instead, its “morality” is determined gradually (e.g., as *more* or *less* violence). A narrow definition coupled with an understanding in gradual terms allows the identification of conditions that can be molded by degrees, making it possible for stakeholders to shape compromises such that they exhibit higher moral standards and are simultaneously more future-proof and socially inclusive. Above all, it allows for “better” compromises, in both political and practical terms.

In this paper, compromise is first differentiated from other conflict management options (2). It is then introduced as a malleable (3) and multiform (4) conflict

regulation technique. Counter to the prevailing tendency of conceiving of compromise as both a process *and* an outcome, here the term will be defined solely according to its conflict-regulating effect, which can be achieved in a variety of ways (5). Finally, this paper will outline the capabilities and achievements that make compromise special in comparison with other conflict regulation techniques (6) and caused Simmel to characterize it as “one of the greatest inventions of humanity” (2009: 300).

2 Compromise: One of Many Options for Managing Conflicts

Not every conflict has to be actively managed. If the risks of inaction are limited, the claims are insignificant, or the resources necessary to manage the conflict are either unavailable or needed more urgently elsewhere, opposing parties can choose to ignore the issue at hand. Conflicts, however, can also be ended, de-escalated, or temporarily assuaged through fundamentally distinct methods of conflict management, three of which are outlined in this paper: *resolution*, *decision*, and *regulation*.⁴

2.1 Resolution

Conflicts are *resolved* when their root causes are eliminated. There are a number of techniques for resolving conflicts:

2.1.1 Correcting Errors of Perception

Opposing parties realize that, contrary to their assumptions, their claims do not in fact conflict. A classic, oft-cited example is that of two siblings arguing over the last orange (Fisher et al. 2012: 58, 74). When they realize that one sibling only

⁴ This paper differentiates between methods and techniques according to their desired outcomes. These outcomes can, in turn, be achieved in very different ways. It therefore makes little sense to couple outcomes and processes within a definition, as is current practice for defining concepts in political theory debates on conflict management, especially with respect to *compromise* (for a recent example, see Zanetti 2022: 21).

wants the zest (for a cake) and the other only the juice (for a drink), the conflict is resolved.⁵

2.1.2 Correcting Errors of Judgement

At least one of the parties reaches the conclusion that they are asserting a claim erroneously or that their claim needs to be adjusted. An example of this is the 1965 “*Dignitatis Humanae*” declaration by the Second Vatican Council, which affirms the right of religious freedom (in direct contrast to the position of the Catholic Church in the nineteenth century, which still regarded religious freedom as an aberration). Correcting an error of judgement in this way can make opposing parties’ interests compatible or can pave the way for a consensus, i.e., a judgment considered by all parties, for the same reasons, to be true or correct.

2.1.3 Reinterpreting or Altering the Situation

This allows a course of action to be discovered or created where conflicting claims, or the interests or desires underlying those claims, can be satisfied in more or less equal measure. The conflict is therefore resolved through integration (Follett 1941: 32; see also Walton and McKersie 1965: ch. 4).⁶ A classic example from Follett is that of a dispute between two library users in a small room: one

⁵ This is, however, not the “integrative solution” it is often claimed to be (see, e.g., Pruitt and Carnevale 1993: 38), quite simply because no conflict exists; the two parties had merely misperceived each other’s claims.

⁶ Pruitt distinguishes between five forms of integrative solution: *expanding the pie* (increasing the amount or size of distributable assets), *logrolling* (exchanging concessions), *bridging* (satisfying underlying interests rather than the claims themselves), *non-specific compensation*, and *cost-cutting for the relenting party* (1983: 37–41, see also Pruitt and Carnevale 1993: 36–39). However, only *expanding the pie* and *bridging* adhere to a stricter sense of Follett’s notion of *integration*. In contrast, *logrolling* and *non-specific compensation* both represent an exchange that is advantageous to both parties (see below). *Cost-cutting for the relenting party* cannot be counted as an integrative solution because one party retains less from the arrangement than they had hoped, even if their loss is not as great as initially feared. The distinction between integration and exchanges that are advantageous to both parties is necessary because the logic behind them differs: one seeks to solve a problem, the other to create value (Cohen 2020: 167). It is worth noting that even creative problem-solving methods such as *expanding the pie* are not automatically preferable as they may come at a cost to third parties. Furthermore, integrative solutions are not always an available option (see Follett 1941: 36; May 2018: 154; on the prerequisites of integrative solutions, see also Walton and McKersie 1965: 5).

wants to open the window to let in fresh air while the other, fearing a draft, would like the window to remain closed. The conflict is resolved by bringing the neighboring room into the equation and opening the window there (1941: 32).

Conflicts may also be resolved through *reconciliation* or *forgiveness*; however, as these techniques focus on the relationships between opposing parties rather than the matter or object in dispute, they are outside the scope of this paper.⁷

2.2 Decision

Conflicts can be *decided* in favor of one of the parties (i.e., halted either temporarily or permanently). In this case, the root cause of the conflict is not eliminated. As with resolution, conflicts can be decided using a number of possible techniques:

2.2.1 Deciding by Decree or Command

The party issuing the decree or command has so much authority or power that resistance from the weaker party is futile.

2.2.2 Deciding Through Combat

At least one of the parties believes themselves to be so powerful or resource-rich in relation to the other that they will achieve their desired outcome completely, or almost completely, even in the face of resistance. In short, they are confident of victory (see, e.g., Ury et al. 1988: 7–8; Pruitt and Kim 2004: 5, 51–52). Conventional means include the use or threat of violence, coercion, or sanctions, although opposing parties can also choose to employ non-violent means (Dayton

⁷ Simmel discusses these forms as specific (subjective) *attitudes* (2009: 300–305). In contrast to the three techniques for resolving conflict outlined above, the focus here is not on the matter or object in dispute but rather on the relationships between the opposing parties which, having been damaged during the conflict, now need to be repaired or reestablished on a different basis. *Reconciliation* and *forgiveness* therefore generally presuppose other forms of conflict management (although in specific cases, reconciling or forgiving may be beneficial to the overall management of the conflict). The latest research into transitional justice emphasizes both the matter or object in dispute and the relationships between opposing parties (for a recent example, see Haldemann 2023).

and Kriesberg 2022: 6). As combat may also end in defeat, this is a risky (and often expensive) way to decide conflict. Combat may also fail to reach a conclusion, instead leading to an ongoing (and, again, expensive) manifestation of this technique, such as trench warfare or a cold war.⁸ This occurs because the balance of power between two parties can seldom be measured precisely; in addition, the balance may change during combat, not least through the intervention of a third party.

2.2.3 Using a Mutually Recognized Procedure

The opposing parties, or a respected third party, decide the conflict (either temporarily or permanently) using a mutually recognized procedure. A typical example is that of securing a parliamentary majority, a civilian form of combat that relies on the balance of power (Canetti 2021: 237). Conflicts may also be decided by court decisions, often with recourse to a pre-existing normative framework (see Ury et al. 1988: 7), through competition, or by a third party. These third parties may come from a variety of social backgrounds and possess varying levels of authority (e.g., arbitrators, potentates, and legal guardians).

2.2.4 Refraining from Asserting Claims Without Ceding Their Validity

One party capitulates to the superiority of another or concludes that the potential costs of conflict outstrip the potential gains. Alternatively, the original claims may have lost significance or other concerns gained significance (see Dayton and Kriesberg 2022: 228; Gulliver 1979: 71).

2.3 Regulation

Conflicts are *regulated* when opposing parties find a way to either shut them down or to reduce their intensity and prevent escalation. Conflicts are generally *regulated* for a limited time.

⁸ Not all combat is initiated with a view to victory. Weaker parties with no prospect of victory may initiate combat strategically in order to demonstrate the associated high costs and risks to the stronger party, thereby making other forms of conflict management more attractive.

2.3.1 Agreeing to Set the Conflict Aside Temporarily

This agreement may be explicit or implicit; all opposing parties temporarily refrain from asserting their claims without ceding the validity of those claims (Golding 1979: 6). This is achieved by either postponing the conflict to a later date (perhaps indefinitely)⁹ or by agreeing to tolerate each other's claims, i.e., "agreeing to disagree" (Gulliver 1979: 78). A prominent example of "agreeing to disagree" is the policy of "privatizing" or "depoliticizing" disagreement and conflict. This technique was developed in response to the sixteenth- and seventeenth-century religious wars in Europe, which relegated the discussion of politically contentious issues to the (legally protected) private sphere. Another variant of "agreeing to disagree" is opposing parties tempering their claims and coming to terms with the existing arrangement (Goodin 2012). Opposing parties may also reprioritize their claims and focus on less-conflicting, or even compatible, goals.

2.3.2 Exchange or Bartering

One party offers the other something of at least equal value so that they renounce their claim.¹⁰ This option requires a "sacrifice" from both parties, i.e., both must renounce something (Simmel 2009: 300, see also Goodin 2012: 89, footnote 5). However, this renunciation is fully compensated (an *exchange of equivalents*), and sometimes even overcompensated (an *exchange beneficial to both parties*).¹¹ Overcompensation may occur when more than one matter or object is in dispute

⁹ Schmitt's now-famous phrase "dilatatory compromises" (2008: 85) refers to nothing more than a specific form of postponement, as is made clear in his examples (2008: 85–86). In a "dilatatory compromise," a formula is used that appears to satisfy all claims, effectively hiding (either by accident or design) the fact that the conflict has been neither *resolved* nor *decided* but continues to exist, unmanaged.

¹⁰ To distinguish between exchange and bartering is in line with the use of the term in the study of economics: "Barter, as distinct from exchange, is defined by the absence of money both as a medium of exchange and a measure of value." (Edgeworth 2018: 741) In contrast, the term *deal* is often used as a generic term for negotiations and thereby includes both *exchange* and *barter* as well as even, occasionally, *compromise*. *Bargain* is often used as a similarly blanket term. *Deal* can, however, also be used in a more specific sense to denote an exchange beneficial to both/all parties. Bazerman and Neale also use the term *trade-off* in this sense (1992: 16).

¹¹ The fundamental distinction between *exchange/barter* and *compromise* lies in the matter of compensation. In both cases, sacrifices are made by each of the opposing parties. In an *exchange/barter*, those sacrifices are compensated, whereas in a *compromise* they are not (more below). Goodin draws this distinction differently, making the highly idiosyncratic assertion that both *exchange/bargain* and *compromise* require sacrifice, but that in the case of *exchange/barter* (and

and opposing parties value these matters or objects differently. If both parties renounce their claim to that which is less important to them, they can both satisfy their claim to that which they consider more important, thereby (subjectively) gaining more than they lose and making an *exchange beneficial to both*.¹²

2.3.3 Compromise

Opposing parties agree to, or at least accept, regulation that allows them to each satisfy one part of their claim while renouncing another, i.e., they make concessions.¹³ This characteristic is responsible for the fundamental ambivalence of compromise: emphasis can either be placed on the partial realization of a claim (i.e., highlighting the success) or the concessions made (i.e., lamenting the sacrifice).¹⁴ Framing has always played an important role in the reception (and appraisal) of compromise.¹⁵ The exact extent to which claims are satisfied and concessions made is in large part influenced by the balance of power, including any

contrary to *compromise*), “nothing of principled concern” is affected (2012: 89, footnote 5, with reference to Lepora 2012: 3).

12 An exchange beneficial to both parties is, for example, the practice of *logrolling* in the United States Congress.

13 The distinction between *exchange/barter* and *compromise* is not always clear-cut because some forms of conflict management are composite (i.e., they combine a variety of techniques). A classic example is buying a second-hand car, which is an *exchange*, where the terms are not fixed from the outset and there is room to negotiate. Conflict arising in the context of an exchange is often regulated through *compromise*. Nevertheless, these exchanges cannot be termed “anaemic compromises” (Margalit 2010: 39–40) because, however the compromise may appear, opposing parties’ minimum requirements are exceeded (a defining characteristic of an *exchange beneficial to both parties*). Both materially and psychologically, this differs from a straight *compromise* where both parties must concede part of their claim, i.e., lose something (see the impact of anticipating losses as opposed to anticipating gains; Kahneman and Tversky 1979: 279). Nonetheless, opposing parties or observers of the outcome may frame this composite style of conflict management as either an *exchange/barter* or a *compromise* for strategic reasons. However, such framing should be explained rather than conceptually predetermined.

14 The ambivalence here is not a paradox – this is not a case of claims being satisfied because they were renounced (as in Luban 1985: 414–416) but rather one of renouncing one part of a claim in order to satisfy another (see Goodin 2012: 52).

15 Individual compromise and, above all, *balancing strategies* (see footnote 16) may be criticized for insufficiently meeting stated aims and not making a serious enough attempt to fight for their underlying interests, through combat if necessary. This can lead to frustration and, in turn, radicalization. I would like to thank Wolfgang Knöbl for this observation. Advocating an increase in conflict as a central mode for countering the disappointments of compromise- or balancing-based politics (Laclau and Mouffe 1993; Mouffe 1993, 2005, 2013) without presenting a single delib-

support mobilized from third parties (see Gulliver 1979: 79). However, this does not mean that one party can dictate the outcome: compromise is only necessary or attractive when none of the opposing parties believes themselves powerful enough to be able to decide the conflict by decree or through combat. For this reason, even a stronger party cannot demand limitless concessions.

This determination of the full range of conflict management methods and techniques is essential because the attractiveness of compromise rests on the availability and prospects of alternative options for each respective conflict. To couch this in the language of negotiation theory: it is important to establish the *best alternative to compromise* (BATCO; for a popular account see Fisher et al. 2012: 101–102) in each situation.¹⁶

3 Compromise: A Malleable Conflict Regulation Technique

Compromise is malleable. To allow for the study of its prerequisites and possibilities in a variety of dimensions, it is therefore advisable to limit the definition of the term to its core feature, concession (i.e., to define it parsimoniously). I would therefore define it as follows:

eration as to how increased conflict can be managed (August 2022) is, given the destructive potential of this mode, quite simply irresponsible.

16 Furthermore, the primary techniques introduced here can be distinguished from *strategies* for managing conflict, which combine a number of these techniques in various measures into bundles. One such strategy is *modus vivendi* (see Gray 2000; Horton 2010; Willems 2012; Horton et al. 2019). As a rule, this strategy is based on a situational analysis showing that the prospects of resolving disagreement and conflict are poor and the balance of power makes deciding through combat unattractive. In this setting, *modus vivendi* aims for an outcome that is acceptable, or at least bearable, for all parties (cf. Arnsperger and Picavet 2004: 181). Accordingly, this strategy predominantly employs techniques for regulating conflict, including compromise. Therefore, and contrary to what is often assumed, *modus vivendi* and compromise are not equivalent in nature (*pars pro toto*, Weinstock 2017: 639). *Balancing* is another such strategy. As a rule, balancing is based on a situational analysis showing that the prospects of resolving disagreement and conflict are poor, but that at the same time there is a great need (or even an imperative) to facilitate and secure a high degree of cooperation. This strategy also relies predominantly on conflict regulation techniques, such as compromise, as well as on techniques for *deciding* conflict either temporarily, through a majority decision, or through competition. In English (as opposed to other languages with distinct terms, such as German), this strategy is often referred to as *compromise* – as shown in lists providing examples of the term *compromise* (Bellamy and Hollis 1998: 65–67; Bellamy and Schönlau 2003: 4–6). See also Conway’s blanket use of the term (2020).

Compromise is a conflict regulation technique that alleviates the conflict around incompatible claims in that opposing parties implicitly or explicitly reach an agreement, or agree to accept a third-party decree or recommendation, that at least temporarily forms the basis of their future actions, and in which all parties refrain from asserting, without renouncing, one part of their claim (i.e., make concessions) in order to satisfy another part of their claim.¹⁷

What are the advantages of such a parsimonious definition? Why not add further characteristics, as is current practice in political theory debates on the subject?

3.1 Reasons to Define Compromise Parsimoniously

First, compromise has changed throughout history. As demonstrated by historical and cultural comparisons, there are very different ways to regulate conflict when concessions are made by all parties as well as marked distinctions in how the technique is perceived, valued, and employed. In addition, compromise is used for various purposes and attributed a variety of roles and functions.¹⁸ In many cases, this variance is due to respective interpretations of previous conflicts and the successes and failures experienced while attempting to limit the destructive potential of those conflicts. Identifying this variance and deciphering the structural and situational factors that engender it requires a particularly parsimonious definition, i.e., one that is limited to few – or even one – criterion.

Second, it is possible to mold the substance, time horizon, and social scope of compromises. In its *substance*, a compromise can be limited to regulating the specific claims in dispute. However, the parties may also consider the impact of a compromise on (some of) their other (potentially also conflicting) goals. Beyond this, parties may seek a compromise that partially or fully satisfies their more ambitious social, political, and moral goals and commitments, or that at least does not cause any serious damage in those areas. This may include taking into account moral notions of fairness and mutual respect as well as sociopolitical goals relating to sustaining relationships, establishing or maintaining a cooperative approach to handling conflict, or securing either order or peaceful co-existence.

¹⁷ Cf. other definitions of *compromise* by Day 1989: 472–474; Cohen-Almagor 2006: 435–440; May 2011: 582–585; Bellamy 2012: 448–453; Gutmann and Thompson 2012: 10–16; Jones and O’Flynn 2012a: 4–6; van Parijs 2012: 467–470; Wendt 2019: 2856–2857; Zanetti 2022: 21.

¹⁸ A variety of *cultures of compromise* can be distinguished according to the specific role and function they assign compromise within their respective repertoires of conflict management techniques.

In terms of the *time horizon*, opposing parties can either focus exclusively on their own current interests or also consider implications for their future (potentially also conflicting) interests. This will include the ability to reproduce the conditions necessary to serve, or at least not jeopardize, their own future interests – for example, the ability and willingness for continuing societal cooperation.

Regarding *social scope*, parties can either focus exclusively on regulating their currently disputed claims or they can choose to consider the opposing party's (other) interests, or even the interests of affected third parties. An expansion in social scope can be the result of particular relationships between opposing parties, or between opposing and third parties (e.g., partnerships, family ties, or membership of the same social group); alternatively, such an expansion can be attributed to the social norms surrounding conflict regulation (Pruitt and Carnevale 1993: ch. 8). Furthermore, opposing parties may use compromise as an explicit attempt to improve their relationship with an opposing or third party.¹⁹

These three measures can be combined, for example, by taking into account the future interests of a third party (e.g., those of younger generations). In addition, intended effects need not necessarily be positive; one party may even attempt to explicitly harm the interests of their opposing party or even a third party.²⁰

The possibility of integrating the wider impact on the substance, time horizon, and social scope of the conflict into a compromise is not solely attributable to opposing parties' ambitions. It is also a consequence of the fact that conflict is generally not an isolated incident, despite its frequent characterization as such in the elegant models pertaining to (economic) game theory. Rather, conflicts are interconnected and tightly woven into their own social contexts in a variety of ways, and as such they cannot fail to affect the three dimensions outlined above.

The interconnectedness of conflict can be observed in a number of areas. First, conflicts rarely have a single root cause. Wage disputes are generally as much an issue of status, recognition, and fairness as they are of money. The conflict surrounding abortion goes beyond the moral question of the status of an em-

¹⁹ Two measures of the social dimension – the extent to which one's own interests and the interests of others are considered – form the "dual concern" model (see Thomas 1992: 266; 1994: 660; Pruitt and Carnevale 1993: ch. 7; see also the early contribution by Blake and Mouton 1964: 10). However, it is important to note that within this model, compromise is fixed in a specific intermediary position between various parties' interests. This does not sufficiently take into account that compromises can be customized gradually and can therefore assume very different positions along both axes.

²⁰ These dimensions can also be brought into play at an earlier point, i.e., by deciding which conflict management method(s) and technique(s) to use and how they should be applied in light of the parties involved.

bryo and the balancing of that embryo's right to life with reproductive rights; it also touches on the relative standing of the sexes, the financial support available to (prospective) parents, and the options available to relevant professionals – and it has consequences for academic freedom (e.g., stem cell research). These interconnections provide opposing parties with latitude regarding the (socially impactful) definition of a conflict situation.²¹ Second, opposing parties are seldom confronted with only one conflict at once, and third, as mentioned above, opposing parties are often linked in a variety of social relationships beyond the conflict itself. Finally, in many cases, opposing parties encounter each other in not just one but many, or even repeated, conflict situations, whether that be as part of the same structural conflict (e.g., trade unions and management) or vastly different conflicts (e.g., the political parties in a coalition government). Behavior during one conflict can therefore significantly influence other conflicts.

To gauge the viability of a particular conflict management strategy, parties must therefore consider their own interests as well as their various interdependencies and potential impact alongside those of each opposing party. After all, whether a strategy is viable depends on the opposing parties' reactions, which in turn depend on their aims within and beyond the conflict, the meaning they have attributed to this particular conflict, other conflicts they are currently facing, resources in their possession (and the proportion they are willing to allocate in the pursuit of this particular goal), and whether their preferred attitude to conflict is cooperative, competitive, or aggressive. Obtaining sufficient information on these points is not easy.²² Opposing parties therefore often test reactions to a variety of conflict management options. They must also take the wider social context into consideration – that is, not only socioeconomic, politico-judicial, and cultural cir-

21 The exact definition of the matter or object in dispute therefore tends to form part of the conflict. Matters or objects in dispute can be broken down into their constituent parts and managed using different techniques. Opposing parties may also reassess the significance they assign to constituent parts and, in doing so, make the conflict more manageable. Aubert (1963) put forward the theory that conflicts of value are de-escalated when transformed into conflicts of interest because the “stakes” of the latter are lower and the relevant established conflict regulation mechanisms more effective (see also Wolff 1969: 21). However, Aubert has never explained the mechanism or logic behind such a transformation. One possibility of decoding this logic lies in understanding the transformation as a shift of meaning through which the “interest” component of the matter or object in dispute is given more weight than the “value” component.

22 Socially circulating interpretations of the structure of conflict are one source of this type of information. On the relatively well-researched roles as well as problems of conflict narratives, see, e.g., Cobb 2013; Bar-Tal et al. 2014; Federman 2016; Nünning and Nünning 2017; Koschorke 2018: 189–199; Dayton and Kriesberg 2022: 12–14. On conflict narratives and compromises, see, for a recent example, Gurr 2024.

cumstances, but also the impact of conflict and conflict management on third parties. This is because third parties may intervene (or be persuaded to intervene) for a wide variety of reasons, whether as coalition partners, intermediaries, or arbitrators; they may even enter the conflict as further opposing parties. In addition, conflicts (and opposing parties' behavior) are also observed and judged by various audiences. Third-party reactions and the positioning of relevant audiences can substantially alter the conflict situation and relative status of the parties involved.

Compromises are particularly capable of coping with the high complexity of these social entanglements and interconnections in the substance of a conflict. It is precisely these entanglements and interconnections that make the abstract discussions about isolated conflicts and the way they are managed, often found in negotiation research and political theory, so uninformative.

When opposing parties attempt to ascertain the relative benefits of a compromise, they may take the substance, time horizon, and social scope into account, which may in turn alter their willingness to make concessions (either positively or negatively). However, there is no obligation on them to do so; the decision will rest on how significant each party judges the impact of effects in those dimensions to be. Ultimately, opposing parties will agree to a compromise because it satisfies their underlying interests better than any other available conflict management technique.

As a rule, compromises are largely determined by the balance of power; necessary concessions from both sides are therefore, in a sense, *enforced*. In contrast, concessions that are based on a desire to create positive impact in one or more of the three dimensions outlined above are not *enforced* but *desired*. In both of these cases, parties do not need additional reasons to compromise. Additional reasons are only necessary when a) one party does not judge compromise to be the most favorable of the available options or b) one party wishes to make more concessions than mandated by the balance of power or their further aims, i.e., concessions that are neither enforced nor desired. This last point applies in particular to compromises that an impartial observer would consider morally acceptable, i.e., those that respect moral standards such as fairness and reciprocity. It is only in this context that the political theory debate about the intrinsic *reasons for*, or *obligations to*, compromise – such as “mutual respect” – makes sense (see, e.g., May 2005, 2011; Weinstock 2013; Wendt 2016; Rostbøll 2017).²³ The jarring aspect

²³ Debated reasons include “a commitment to union” (Cohen 1971: 47, according to Carens 1979: 135), “personal autonomy,” “dignity of other citizens,” “extending and strengthening” “liberal and democratic life” (Dobel 1990: 80), “mutual respect” and “concern with the common good” (Bellamy and Hollis 1998: 76), “the values of accommodation and inclusiveness” (May 2005: 342),

of this debate is that it is conducted without any reflection on the real-world conditions that give these reasons their necessary weight. First, underpinning moral or political considerations must either be already incorporated into opposing parties' goals (as in some of the cases outlined above) or the parties must be willing to undergo a moral learning process to integrate those considerations into their repertoire of goals or, alternatively, to accept and observe them as (external) moral limitations to the achievement of their own goals. Second, proposing good reasons for a morally acceptable compromise to a party for whom such considerations do not have any moral resonance (e.g., Hitler or Putin) is futile. Reasons for compromise can only be proposed to others who possess a similar moral framework; it is essentially a case of "preaching to the converted." Finally, the debate about reasons for compromise attributes too much weight to morality and rationality: the primary response to an unequal balance of power is neither "morality" nor "rationality" but (self-)organization and the mobilization of support.

The principal benefit of the parsimonious definition of compromise recommended here is that it allows compromise – both conceptually and practically – to be customized precisely, in line with parties' various goals as well as with real-life conflicts that are highly interconnected and tightly woven into their social context in a variety of ways.²⁴ In contrast, the dichotomic definitions that dominate political theory – i.e., those which use specific criteria to categorically distinguish between morally acceptable and morally unacceptable (or at least questionable) compromises – fail to recognize the possibilities afforded by precise customization.²⁵ It is only this dichotomic perspective that views reasons for compromise as indispensable.

What, then, are the reasons for excluding further criteria from the definition of compromise – in particular, those cited in political theory debates on the subject?

"trust and respect that is due to [. . .] epistemic peers," "the principle of democratic inclusion and representation," "the ideal of a society in which citizens prescind from the logic of 'winner takes all,'" "the conditions under which moral principles can best be promoted in real-world conditions in which reasonable others disagree with us" (Weinstock 2013: 547, 550, 554), and "democratic respect" (Rostbøll 2017: 628–629).

24 From this perspective, additional reasons for compromise rather prompt parties to examine whether, in light of other goals or moral considerations, their aspirations for the current conflict are worth pursuing.

25 See, e.g., the distinctions "bare" vs. "deep" compromise (Richardson 2002: 146–149), "principled" vs. "tactical" compromise (Cohen-Almagor 2006: 440, 443), "pragmatic" vs. "principled" compromise (Jones and O'Flynn 2012a: 7–8), "shallow" vs. "deep" compromise (Bellamy 2012: 449–453), "settlement" or "*modus vivendi*" vs. "compromise" (Weinstock 2013: 539; 2017: 639), and "hard-nosed bargaining" vs. "compromise" (Weinstock 2018: 184).

3.2 Reasons to Exclude Further Criteria from the Definition

First and foremost, given the gradual malleability of compromise, it makes little sense to limit the term to cases that meet certain moral quality criteria, i.e., a threshold value (Weinstock 2017: 638). Above all, this conceptual limitation would take an established conflict regulation term (with broad application) and reserve it for an empirically rare phenomenon – rare because the moral criteria cannot regularly be met. Such a limitation also threatens to both overlook the empirical diversity of this style of conflict regulation (see the early contribution by Carens 1979: 140) and to insufficiently (normatively) appreciate the positive impact of compromises that do not fulfil such specific criteria, for example, those that prevent combat, conserve resources, constrain the intensity and potential for the escalation of a conflict, and ensure co-operation.

It makes just as little sense to think of (genuine) compromise as a specific technique in the regulation of questions of “principled concern” (as in Goodin 2012: 53), let alone “moral issues.” Here, the limitation is jarring as, in the prevailing view, “conflicts of values” (which are often used as the prime example of conflict relating to issues of fundamental importance) are exactly those that cannot be regulated through compromise (see *pars pro toto* Aubert 1963; Luhmann 1998: 372; Habermas 2008: 135); as of yet, no argument or findings have been presented that challenge this view (a task taken up below). In addition, conflicts of interest, even those whose claims can be broken down into constituent parts, do not necessarily exhibit less intensity or potential for escalation than moral issues. The ability to regulate conflict through concessions is therefore useful in these cases as well and may even be essential. After all, matters or objects in dispute can rarely be categorized definitively as *interests* or *values*. As a rule, there are generally varied, overlapping aspects to any conflict situation. Over and above the conditions of a situation, participant framing leads to one particular aspect of a conflict being highlighted or made dominant. This gives rise to the possibility of altering the character of a conflict by shifting the meaning of various elements within it, thereby bringing other methods of conflict management into play.

It makes even less sense to regard *durability* as a characteristic trait of compromise, or at least of “genuine compromise” (as in Goodin 2012: 55). In many situations, it is precisely the provisional nature of compromise that makes it at all suitable for application as a conflict management technique. During a compromise, the parties refrain from asserting part of their claim but do not renounce that part, not least because they consider it legitimate. Provisional regulation allows parties to retain hope that the conceded part of their (legitimate) claim may still be satisfied at a later date. Furthermore, the conditions under which compromises are made are, as a rule (and analogous to other conflict management op-

tions), marked by a scarcity of time and resources, and an unequal balance of power. Provisional regulation therefore also offers the opportunity (or the promise) to discover or create options for managing conflict that allow conflicting claims to be satisfied more fully – whether as a mutually beneficial compromise or in another manner. The provisional nature of compromise also provides scope for the conditions under which it was reached to change or be changed. Imbalances between power relations can of course intensify; however, they may also be redressed, resulting in compromises in which the conflicting claims of all parties are satisfied more equally (or paving the way for other conflict management options that have the same effect). Nevertheless, compromises may also work so well that they are adopted permanently – the original fact of their being a compromise is then often forgotten. This can be observed in many constitutions, for example, those of the United States and Germany (see Llanque 2014).

Voluntariness is not a necessary condition for making or accepting compromises either (cf. Zanetti 2022: 36; see also Bellamy et al. 2012: 287–289; Bellamy 2012: 449). The only decisive factor is whether the compromise or, to be more precise, the achieved outcome²⁶ is preferable to that of other available conflict management options – only then will the compromise be accepted, and even then, only for as long as this remains the case. Compromises forced onto opposing parties by a third party can therefore be accepted, or even welcomed.²⁷ For these reasons, the parties do not need to make a separate commitment to the outcome (cf. Dobel 1990: 63) or have particular trust in the willingness of the opposing party to respect the compromise (cf. Golding 1979: 18).

Non-violence, which is likewise often cited as a prerequisite for compromise, is more complicated. In any given conflict there is typically much uncertainty as

²⁶ On compromise as an outcome, see also Gulliver 1979: ch. 3 and xiii; on compromise as a process see Rouméas 2021. Because conflict regulation is essentially concerned with outcomes, it does not make sense to define compromise as both an outcome and a process (as in Golding 1979: 8–9; Jones and O’Flynn 2012b: 398–399, with reference to Benditt 1979: 30 and Kuflik 1979: 39–40; more recently Zanetti 2022: 21), let alone as only a process (Lepora 2012: 1, footnote 2). This dual definition is often accompanied by an explicit limitation of the term to processes (negotiations) entered into by the opposing parties (Jones and O’Flynn 2012b: 398–399; Zanetti 2022: 21; cf. Golding 1979: 8). Empirically, both past and present, decreed or even enforced compromises have played an important role in conflict regulation. Even if opposing parties are not actively involved in the conflict management process, they may realize that the recommended or decreed regulation leads to a better outcome for them than any available alternative and therefore agree to or at least accept it.

²⁷ For example, children arguing over which television program to watch will accept a parent’s authoritatively decreed compromise as an appropriate way of regulating the conflict and will abide by the compromise.

to which of the various conflict management options is preferable. It can therefore be perfectly rational to test an opponent's strength or demonstrate the disadvantages of open combat – as seen in wage disputes or toward the end of a war, when opposing parties' negotiations are interspersed with flare-ups of violence. Naturally, not every act of violence or coercion is compatible with the concept of compromise as a conflict regulation technique. Referring to someone handing over their wallet while being mugged at gunpoint as a "compromise" is an over-extension of the term. In such a case, it is more appropriate to talk about a (perfectly reasonable) capitulation.

In research on compromise, it is frequently asserted that the opposing parties must "respect" and "recognize" each other and find each other "trustworthy" (see Golding 1979: 16; Benditt 1979: 28; recently Zanetti 2022: 35). This is not the case. The only requirement is that the opposing parties are standing in the way of each other's goals²⁸ and that alternative options for dealing with the conflict – for example, combat – are less preferable. Therefore, compromises can also be made with the figurative "devil" – whether they should be or not can be (morally) disputed (see Mnookin 2011).

Nor do compromises have to be "fair" (see the debate in Jones and O'Flynn 2012a; Wendt 2019).²⁹ The extent to which concessions are made and claims satisfied must be distributed between the opposing parties – as a rule, this by no means necessarily happens equally; as mentioned above, the division largely depends on the balance of power.³⁰

The only prerequisite for compromise to be an acceptable conflict regulation technique is that it is the preferred available option for all opposing parties.³¹

²⁸ I would like to thank Jens Gurr for this consideration.

²⁹ This does not mean to assert that reflecting on conditions which would allow for fairer compromises, or even make fairer compromises more likely, is not worthwhile.

³⁰ It also makes little sense to characterize compromise as "second best" (see Wendt 2016: 13–14; Zanetti 2022: 23). Within the limits of the "circumstances of politics" (Waldron 1999: 101–103), fully attaining one's goals at no cost or sacrifice to oneself is rarely achievable, even in the best-case scenario. Instead, it is better to compare the real alternatives available for managing conflict in a specific situation in order to determine how far goals can be met in that particular circumstance. Characterizing compromise as "second best" only leads to unrealistic expectations and notorious disappointment – to invert Jon Elster, to being "sadder but not wiser" (1985) – and thus conceptually pre-implants compromise's bad reputation. Compromises do not always engender an improvement of the status quo either (as in Gutmann and Thompson 2012: 10) because their purpose may be to prevent a deterioration in the status quo, or even a worst-case scenario.

³¹ Whether this is the case depends on the parties' subjective assessments. For example, weaker parties for whom the costs of compromise would be intolerable may prefer an open, possibly violent technique for deciding conflict, even if they are likely to lose. The fact that compromise

One particularly strong reason for preferring compromise is that no matter how painful the concessions may be, opposing parties are all able to satisfy at least part of their claim.

Even though voluntariness, non-violence, and mutual respect are not essential preconditions for an effective compromise, it is important to note that these conditions can still be beneficial to a compromise's inception, strength, and durability.

4 Variants of Compromise

Compromises can take on very different forms.³² One of these is “meeting in the middle” or “splitting the difference” (see Benjamin 1990; Bellamy and Hollis 1998: 65) – an expression that is somewhat euphemistic given that compromises are influenced by the balance of power and rarely demand equal concessions from all parties. This form is particularly suitable for matters or objects that are divisible into units, such as the amount of a pay increase in a wage dispute.

A second form of compromise consists of satisfying claims alternately. This is suitable for matters or objects that are *not* divisible when, for whatever reason, opposing parties expect their claims to repeatedly come into conflict and therefore take a longer-term view. A classic example is the economic game theory “battle of the sexes” conflict in which a married couple have decided to eat in a restaurant but have different preferences as to the cuisine: French vs. Italian. A compromise could be alternating between the two options.

A third form of compromise is finding an option that is agreeable to both parties even though it is not their first preference. For example, our married couple could decide to eat at a Greek restaurant (see, e.g., Goodin 1995: 52–55).

“Integrative compromises,” which are above all applicable to moral conflicts, include the *essential* components of both moral positions (a move that is often the first concession). Concessions are primarily linked to implementation as the positions advocated are only partially adopted (see, e.g., Willems 2016: 265–268). A prime example of this type of inclusive compromise is the May 1993 German Federal Constitutional Court ruling on abortion and the related statutory regulation

has relatively few prerequisites does not automatically make it the best conflict management technique in every situation.

³² For distinctions between the various forms of compromise, see, e.g., Rustow 1955: 231–232; Günther 2006: 39–45. A systematic typology of the various forms of compromise remains an urgent research need.

that was adopted in June 1995. The amendment of section 218a(1) in conjunction with section 219 of the German penal code declared abortion unlawful while exempting it from punishment if carried out under certain conditions within the first twelve weeks. These conditions include attending a mandatory consultation at a licensed counseling center. The consultations are in no way neutral; they explicitly aim to protect the life of the embryo or fetus by encouraging pregnant women to continue their pregnancies. One of its key aims is to make pregnant women conscious of the fact that

the unborn has its own right to life vis-à-vis her and thus that it enjoys the special protection of the legal system – even in the early phase of pregnancy. Furthermore, she must realize that the legal system only considers allowing pregnancy terminations in exceptional situations – namely in those situations where the woman would be subject to such a severe and exceptional burden that to have the child would be to exceed the limits of exactable self-sacrifice.³³

After the consultation, pregnant women are issued with a certificate that – after a waiting period of at least three days, but without further proceedings or being obliged to state reasons – allows them to have their pregnancy terminated by a doctor.

This form of compromise is inclusive because both moral positions on abortion are symbolically *and* materially recognized.³⁴ The pro-life position is acknowledged by insisting on the embryo or fetus' right to life through the declaration of abortion as unlawful and the mandatory counseling which aims to protect the embryo or fetus. The standpoint in favor of reproductive autonomy is acknowledged through the recognition that pregnancies cannot be continued against the express wishes of a pregnant woman and that, once they have received a counseling certificate, pregnant women can in fact make a free choice without offering any further explanation.

5 Reaching a Compromise

Compromises can be *reached in very different ways*. They are often preceded by negotiations between opposing parties that have concluded with an unforced

³³ German Federal Constitutional Court 1993, 2 BvF 2/90, 2 BvF 4/92, and 2 BvF 5/92, paragraph 221, <https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/1993/05/fs19930528_2bvf000290en.html> (accessed 28 February 2025).

³⁴ In contrast, Weinstock designates compromises as “inclusive” when parties “integrate *aspects* of the other’s position into the final settlement” (2013: 539; emphasis added).

agreement that is supported by everyone involved. Compromise and negotiation research both tend to distinguish between *bargaining* and *negotiation* (see Shell 2018: xiii; however, see also Golding 1979: 14–17; Gulliver 1979: 71).³⁵ When *bargaining*, opposing parties consider themselves to be rivals or adversaries and are strictly focused on maximizing their own advantage by any means necessary. Luban (1985: 398) has aptly characterized this as a “jiujitsu approach.” When *negotiating*, parties see themselves as collaborators. They eschew means such as deception and manipulation and base their search for a resolution on shared (normative) standards (Luban 1985: 399). Real-life negotiations may reside on a continuum between these poles and combine elements of the two (see Dayton and Kriesberg 2022: 236).³⁶

Undoubtedly, compromises may also be the outcome of another conflict management technique, such as a third-party decree or a court ruling, and may be suggested or even imposed by third parties or mediators.³⁷ In addition, they can be achieved through deliberation (Richardson 2002: 148–149; Warren and Mansbridge 2016; Weinstock 2018).³⁸ Explicit communication is not a prerequisite as compromises can also be the result of reciprocal adaptation (see Axelrod 1984). It is worth noting here that negotiations are not necessarily carried out with a view to reaching a compromise but may also be part of a different conflict management technique, such as an integrative solution, an exchange, or a decision to adjourn the conflict. Therefore, and contrary to the assertions frequently made in

35 This is comparable to the distinctions made between “distributive” and “integrative” bargaining (Walton and McKersie 1965) and “competitive” and “collaborative” negotiations (Dayton and Kriesberg 2022: 230–233).

36 This is not least due to the fact that, in contrast to the apprehensions about problematic social consequences often articulated in literature on negotiations, “contentious behaviour” fulfils important functions such as drawing attention to bias in the status quo and communicating “red lines” or non-negotiable elements of opposing parties’ claims (Pruitt 1983: 47–48).

37 The medieval court of arbitration grounded in Roman law (*compromissum*) had two alternative procedures: one bound by opposing parties’ consent (*minne*), the other enacted by authority (*recht*). Both could (also) result in a compromise. I would like to thank Masaki Taguchi for this observation. Parents may also face these two alternatives when mediating between their children. For more on the manifold roles of third parties in conflict management, see Ury 2000: 116, 143, 170; Ford 2018.

38 Weinstock (2018) rightly stresses that in individualized and plural societies the realistic goal for deliberation is compromise rather than consensus.

research on the subject,³⁹ negotiations are not an essential component of compromise.⁴⁰

6 The Capabilities and Achievements of Compromise

Attempts to determine the capabilities and achievements of compromise tend to suffer from not being conducted within a systematic, practical comparison with other conflict management techniques. In many cases, compromise is either considered alone, or at most with one other conflict management technique in a comparison that is restricted to only a few dimensions.⁴¹ However, the special capabilities and achievements of compromise only become clear when it is compared with the entire spectrum of conflict management techniques, keeping a broad range of criteria in mind. Where comparisons do exist, they are abstract as opposed to being focused on specific conflicts; in most cases, the real-world availability of the alternatives deemed preferable is not taken into consideration, and the scenarios under comparison are generally limited to two actors and one single interaction (Gutmann and Thompson 2012: 11). This disregards the fact that

³⁹ In her insightful, multifaceted examination of compromise from a philosophical perspective, Zanetti (2022: 34–38) considers “negotiation” to be a central characteristic of compromise, alongside “voluntariness” and “non-violence.” However, it remains unclear whether Zanetti’s definition is (principally) motivated by an interest in conceptually indexing the broad and varied practice of reaching a compromise or by an interest in the moral qualities of compromises, i.e., fairness, legitimacy, and justification. Cf. Willems 2023, where some of the definitions and reasoning presented here were initially developed.

⁴⁰ As noted above (footnote 26), these observations challenge the coupling of *outcome* and *process* in the definition of *compromise*. This decoupling has the additional advantage that it becomes clear that choosing and shaping the process are further dimensions that can be used to influence the quality and outcomes of tangible conflict management techniques, such as compromise (more below).

⁴¹ Negotiation research, for example, bears “returns” in mind when it regularly compares compromise (mainly the “splitting the difference” variant) with a “win-win” or with “integrative conflict management” (see Diamond 2018: 153; see also Pruitt 1983: 35): “In our view, this [compromise] is not a distinct strategy but a kind of ‘lazy’ problem solving, involving a half-hearted attempt to find a solution serving both parties’ interests” (Pruitt and Kim 2004: 41). Legal scholars and legal philosophers consider fairness and/or justice when comparing compromise with court decisions (Fiss 1984; Gutmann 2023). Political philosophers generally do not attempt to determine the capabilities and achievements of compromise (especially not in comparison), instead focusing only on moral qualities and legitimacy (for a recent example, see Zanetti 2022).

conflicts and conflict management are embedded within a certain substance, time horizon, and social scope (see above; also see Willems 2023), and are usually part of a long-standing social practice whose outcomes can be challenged, revised, or improved if circumstances change. This *situational component* of conflict management, i.e., the determination of the relative advantages and impact of available techniques, means that the usual abstract comparisons between compromise and *integrative solutions* found in economic and legal theory completely lack in informative value (more below). A systematic comparison of the capabilities and achievements of conflict management forms is likewise a research gap (see, however, Overeem 2023). This paper can only indicate by way of example how such an undertaking could be modeled.

6.1 Applicability

Compromise is universally applicable because all conflicts can be regulated through a partial renouncement of each opposing party's claims.⁴² Other techniques for deciding or regulating conflict may also be universally applicable, for example, combat or exchange. In contrast, conflict resolution techniques can only be employed in conflict situations where there has been an error in perception, an error in judgement, or an error in appraising a situation or relevant needs and interests.⁴³ This universal applicability is strongly contested in sociological conflict theory, which maintains that compromise is not suitable for matters or objects in dispute that cannot be divided or for conflicts between values that are based on fundamental (normative) disagreement (according to Simmel 2009: 299). In many cases these contentions are, however, based on confusion between technical impossibilities and a lack of willingness and/or normative desirability as well as a lack of systematic, empirical research. Limitations on capabilities and achievements are often only suggested when the understanding of compromise has been implicitly narrowed to include only one of its forms, such as "meeting in

⁴² Shell also attests to compromise being a "useful strategy in every situation" (2018: 109).

⁴³ Since Follet, economic and legal negotiation research has regarded integrative solutions (in the wider sense) to be a fundamentally more advantageous and multilayered conflict management technique than compromise (when understood solely as "splitting the difference"; Follett 1941: 35–36; Pruitt and Carnevale 1993: 17; Diamond 2018: 153), which has at least contributed to compromise's bad reputation. This sweeping judgment is based on the reasoning that in a compromise something must be forfeited, whereas in an integrative solution something can be gained. Further reflections on which strategy is suited to which combination of conflicts, taking into account necessary or beneficial prerequisites, and, above all, availability, are generally lacking, as is equivalent empirical research.

the middle” or “sharing the pie,” which are clearly not effective for “indivisible” matters or objects in dispute. As Simmel (2009: 300) himself already observed, this fails to acknowledge that indivisible matters or objects can be either completely or partially substituted; it also disregards the fact that compromise also exists in other forms. As explained above, it is precisely these supposedly indivisible conflicts between values that can be regulated through *inclusive compromise*.

6.2 Prerequisites

Compromise has relatively few prerequisites because it requires relatively few resources – the *costs* are largely the *renunciation* of part of one’s own claim. In contrast, exchange often requires substantial resources – after all, the parties have to offer something for the exchange. Conflict resolution techniques such as consensus and integrative solutions require time and other resources for discussions and negotiations; these must be given without any guarantee that the investment will pay off, for at the outset it is unclear whether the conflict is in fact based on an error of judgement or perception. Seeking compromise through negotiations also requires time and other resources, again without any guarantee that the parties will be successful in their attempt to regulate the conflict. However, in contrast to other conflict resolution techniques, compromise is readily available because (as demonstrated above) it is universally applicable.

In normative terms, compromise also has relatively few requirements. The only condition is that the parties reach the conclusion that their opponent is stopping them from satisfying their claims and that compromise is the best or most advantageous of the available courses of action. Naturally, the moral quality of a compromise is improved if opposing parties abide by moral principles (as long as other opposing parties do not exploit this behavior during the conflict).

6.3 Risk

Compromise is a relatively low-risk conflict management technique. In contrast to all of the techniques for deciding conflict (e.g., combat or decision by a third party, such as a court ruling or parliamentary vote), here, not everything is at stake and there is no risk of total defeat. Instead, opposing parties can each satisfy at least part of their claims.

6.4 Security

Analogous to compromise, victory does not end the conflict in many cases. The crucial difference is that in a compromise, the weaker parties satisfy at least part of their claims; this is not necessarily the case when a conflict has been decided through combat. Therefore, victorious parties must to a much greater extent take into account that defeated parties may simply be waiting for an opportune moment to turn the tables or are making long-term preparations to that effect. As conflicts surrounding nationality demonstrate, this situation can endure for decades or even centuries, which leads to a high degree of permanent instability (and binds attention and resources). Even the attempt to decide a conflict through combat can lead to a high level of instability because conflicts can escalate and make the situation harder to reconcile: tougher measures are resorted to, claims are extended and made absolute, the degree of enmity between opposing parties increases, the direct and indirect costs of the conflict increase, and the possibility of recourse to other ways of approaching the conflict diminishes. In contrast, compromises are much more likely to be able to counteract such dynamics.

6.5 Robustness

Finally, compromise is relatively robust as it tends to self-stabilize. Participants choose to compromise when it is the best available course of action, i.e., when the alternatives are riskier, more unsafe, and/or more expensive. Opposing parties usually have an interest in ensuring that arrangements based on concessions by all sides remain valid for at least a limited time – as long as circumstances do not fundamentally change. Conversely, another advantage of compromise is that it is not too robust to be stable. Compromises are agreed under an imbalance of power and, as with other conflict management techniques, often under time pressure. While this could provide adequate reasons for revising agreements, good compromises are shaped in such a way that they first limit themselves to a basic framework and then finalize details in future steps.

7 Conclusion

Compromise is an ambivalent, structurally and situationally contingent, extremely malleable, multiform conflict regulation technique that has concession at its core. In addition, it is universally applicable, low-risk, robust, relatively future-

proof, and has markedly few prerequisites. Its comparatively high capabilities and flexibility in dealing with one of the central challenges of human societies – conflict – are exactly what justifies Simmel’s conviction that compromise is “one of the greatest inventions of humanity” (2009: 300; on Simmel’s concept of compromise, see also Papilloud and Rol 2004).

Nevertheless, compromise has its detractors. As can be conceded to those who describe it as requiring certain preconditions, such as mutual respect, compromise can certainly be *upgraded* for specific purposes. However, to illustrate through analogy: the wheel, another of humanity’s greatest inventions, comes in a number of varieties serving a range of purposes. Not every wheel that is mounted on a car or bike has the capacity to win a Grand Prix or excel in the mountain races and time trials of the Tour de France. Simpler, imperfect variants are more suitable, more readily available, and significantly less expensive for everyday use – and those basic versions are still clearly wheels. Do we call the wheel one of the greatest inventions of humanity because it helps racing drivers and professional cyclists win races, or rather because it fundamentally altered and eased our daily lives, both economically and socially? Many of the oft-cited (additional) requirements for compromise – such as voluntariness, non-violence, and mutual respect – are easier to demand on paper than to establish in practice. The parsimonious, bread-and-butter variety of compromise defined here is therefore the indispensable, basic variety. Yet even this basic variety can have subtle, normatively desirable effects that merit appreciation.

Why is it now necessary to revise the concept of compromise and defend its new, parsimonious definition from its “cultured despisers”? Two observations are appropriate here. On the one hand, many Western democracies are facing an increase in significant challenges such as pandemics, climate change, migration, and societal inequalities, and their responses are increasingly characterized by deep disagreements. Those challenges therefore tend to lead to fundamental conflicts. In addition, such conflicts must be managed almost simultaneously, which heightens tensions and reinforces the tendency toward polarization. On the other hand, Western societies are being urged toward individualization and pluralization, as indicated by the drastic alterations to the political landscapes of Western democracies governed by proportional representation. The capacity of formerly large parties to integrate diverse parts of the electorate is dwindling, while new parties aimed at specific sections of the electorate are forming, aided in their recruitment of members and supporters by new technological possibilities. The resultant increase in competition, which in countries with restrictive hurdles for entry to parliament time and again mutates into a fight for survival, leads to the predominance of a *logic of mobilization*, i.e., decisive, uncompromising advocacy of the central claims of the parties’ respective sections of the electorate. This logic

is diametrically opposed to the “spirit of compromise” that is indispensable to government, and especially government by coalition (Gutmann and Thompson 2012).

Individualization and pluralization also impact on other widespread intermediary institutions, such as trade unions and churches. These institutions are grappling with a serious drop in membership that is reducing their contribution to social integration and aggregation. At the same time, there has been a rise in single-issue movements that are able to make demands unmediated within the political process. Under these altered circumstances, classic intermediary institutions are losing their function as *schools of democracy* in which a repertoire of productive conflict management techniques can be learnt and practiced.

Against a backdrop of increasing, intensifying conflicts, one of the greatest inventions of humanity – compromise – is now indispensable. Determining the structural, institutional, and situational prerequisites for both reaching compromises, as well as inspiring and strengthening the ability to uphold compromises, urgently requires further systematic, comparative research across epochs and cultures.

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