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THE IMPACT OF NEWS COVERAGE ON CONFLICT: TOWARD GREATER UNDERSTANDING

RICHARD C. REUBEN*

I. INTRODUCTION

How does news media coverage affect conflict?

Despite the pervasiveness of both the media and conflict, the question has received surprisingly little scholarly attention. Yet, at least three disciplinary streams attest to its significance for domestic and international conflict.

From a political theory perspective, it is fair to say that conflict is inevitable, both domestically and internationally. For democracies and democratizing nations, conflict lies at their political core. Indeed, classic pluralist theory holds that democracy may in part be defined in terms of the clash of interests within society, each vying for its share of the good life.[1] Between nations, conflict is inescapable because of social, political, and economic differences.[2]

Conflict theory[3] confirms the ubiquity of conflict as a clash of interests[4]

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1. *See generally* ROBERT A. DAHL, A PREFACE TO DEMOCRATIC THEORY (1956). For a concise discussion, see WILLIAM N. ESKRIDGE, JR., PHILIP P. FRICKEY & ELIZABETH GARRETT, CASES AND MATERIALS ON LEGISLATION: STATUTES AND THE CREATION OF PUBLIC POLICY 48–54 (3d ed. 2001). "Politics can be conceptualized as the process by which conflicting interest-group desires are resolved." *Id.* at 49.

2. *See* ROGER FISHER, ANDREA KUPFER SCHNEIDER, ELIZABETH BORGWARDT & BRIAN GANSON, COPING WITH INTERNATIONAL CONFLICT: A SYSTEMATIC APPROACH TO INFLUENCE IN INTERNATIONAL NEGOTIATION 1–15 (1997).

3. By conflict theory, I am referring to the general body of scholarly literature that has explored the functions, formation, escalation, de-escalation, and resolution of conflict. *See, e.g.*, LEWIS A. COSER, THE FUNCTIONS OF SOCIAL CONFLICT (1956); MORTON DEUTSCH, THE RESOLUTION OF CONFLICT: CONSTRUCTIVE AND DESTRUCTIVE PROCESSES (1973); LOUIS KRIESBERG,

and further tells us that conflict can lead to outcomes that are either constructive or destructive.[5] Simply put, conflict outcomes are constructive when their effect is ultimately to bring disputing parties together through the effective reconciliation of their differences. Conflict outcomes are destructive when they leave ruined relationships, devastation, and more conflict in their wake.

Finally, mass communications research has repeatedly documented the significant impact that the media can have in shaping the public's attitudes about a given issue, such as conflict.[6] The media often helps determine what the public perceives the issue to be about,[7] its causes and consequences,[8] whether it is important,[9] and how to think about it.[10]

CONSTRUCTIVE CONFLICTS: FROM ESCALATION TO RESOLUTION (1998); DEAN G. PRUITT & SUNG HEE KIM, SOCIAL CONFLICT: ESCALATION, STALEMATE, AND SETTLEMENT (3d ed. 2004); LEONARD L. RISKIN, JAMES E. WESTBROOK, CHRIS GUTHRIE, RICHARD C. REUBEN, JENNIFER K. ROBBENNOLT & NANCY A. WELSH, DISPUTE RESOLUTION AND LAWYERS (4th ed. 2009); JAMES A. SCHELLENBERG, CONFLICT RESOLUTION: THEORY, RESEARCH, AND PRACTICE (1996).

The term "conflict theory" has also been used to describe a Marxist-based social theory that argues that individuals and groups within society have differing resources and that more powerful groups use their power to exploit groups with less power. For a general discussion, see Arthur P. Brief, Elizabeth E. Umphress, Joerg Dietz, John W. Burrows, Rebecca M. Butz & Lotte Scholten, *Community Matters: Realistic Group Conflict Theory and the Impact of Diversity*, 48 ACAD. MGMT. J. 830 (2005). For an application, see David Jacobs, *Inequality and Police Strength: Conflict Theory and Coercive Control in Metropolitan Areas*, 44 AM. SOC. REV. 913 (1979) (applying this understanding of conflict theory to a study of policing). Other definitions of conflict theory are also possible. *See, e.g.*, Michael D. Intriligator, *Research on Conflict Theory: Analytic Approaches and Areas of Application*, 26 J. CONFLICT RESOL. 307, 307 (1982) (defining conflict theory as the study "of conflict or war using formal reasoning or mathematical approaches").

4. *See infra* notes 18–25 and accompanying text.

5. *See generally* DEUTSCH, *supra* note 3.

6. *See generally* DENIS MCQUAIL, MCQUAIL'S MASS COMMUNICATIONS THEORY 453–534 (5th ed. 2005). The real impact of media effects has been debated among media scholars, producing at least three schools of thought: that there are strong media effects, that there are weak media effects, and that there are selective media effects. Thomas Hanitzsch, *Journalists as Peacekeeping Force? Peace Journalism and Mass Communications Theory*, 5 JOURNALISM STUD. 483, 489 (2004). The selective media effects approach appears to be the more widely accepted. As one German scholar has stated: "'Some media have, at certain times and under certain circumstances, an effect on some recipients.'" *Id.* (quoting Hans-Bernd Brosius, *Medienwirkung*, *in* ÖFFENTLICHE KOMMUNIKATION: HANDBUCH KOMMUNIKATIONS- UND MEDIENWISSENSCHAFT 128, 133 (Günter Bentele, Hans-Bernd Brosius & Otfried Jarren eds., 2003)).

7. *See generally* William A. Gamson, *News as Framing: Comments on Graber*, 33 AM. BEHAV. SCI. 157 (1989).

8. *See generally* Robert M. Entman, *Framing: Toward Clarification of a Fractured Paradigm*, 43 J. COMM. 51 (1993).

9. *See generally* Maxwell E. McCombs & Donald L. Shaw, *The Agenda-Setting Function of Mass Media*, 36 PUB. OPINION Q. 176 (1972).

10. *See* Salma Ghanem, *Filling in the Tapestry: The Second Level of Agenda Setting*, *in*

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The confluence of these propositions has significant implications for the news media when it covers domestic and international conflict. In particular, it suggests that news coverage of conflict may contribute to constructive or destructive outcomes of those disputes. Because the potential personal, economic, and social costs of conflict are substantial, it also suggests that the community—whether local, national, or international—is better served by conflict coverage that is constructive and that leads to the effective resolution of conflict with a minimum of negative costs, than by coverage that is destructive.

This insight compels a reframing of our initial query: Under what conditions does the news media's coverage of conflict lead to constructive or destructive outcomes? It is a question worthy of systematic consideration. For democratic societies, the civilized consideration and resolution of conflict is an essential function of democratic governance, and the news media plays a vital role in facilitating this process of societal conflict management.[11] Across the globe the resolution of such questions can contribute to the difference between world stability and instability. The news media, for example, played an important role in fueling the fires of hatred that led to the extermination of Jews during the Holocaust and Tutsis during the Rwandan genocide,[12] but also in helping to secure peace in Northern Ireland.[13]

To be sure, the media and conflict have been studied from the perspective of a variety of mass media theories, including framing,[14] critical discourse analysis,[15] and others.[16] While this research has been helpful in *describing*

COMMUNICATION AND DEMOCRACY: EXPLORING THE INTELLECTUAL FRONTIERS IN AGENDA-SETTING THEORY 3, 3 (Maxwell McCombs, Donald L. Shaw & David Weaver eds., 1997).

11. *See* ANDREW ARNO, ALARMING REPORTS: COMMUNICATING CONFLICT IN THE DAILY NEWS 26 (2009) ("[T]he news media are integrated parts of a larger social control process associated with societal conflicts.").

12. *See* PHILIP SEIB, THE GLOBAL JOURNALIST: NEWS AND CONSCIENCE IN A WORLD OF CONFLICT 88 (2002); Phyllis E. Bernard, *Eliminationist Discourse in a Conflicted Society: Lessons for America from Africa?*, 93 MARQ. L. REV. 173, 191–200 (2009); Kevin R. Kemper & Michael Jonathan Grinfeld, Rwanda, News Media, and Genocide: Towards a Research Agenda for Reviewing the Ethics and Professional Standards of Journalists Covering Conflict 2 (Aug. 2002) (unpublished manuscript, on file with author).

13. Graham Spencer, *The Impact of Television News on the Northern Ireland Peace Negotiations*, 26 MEDIA, CULTURE & SOC'Y 603 (2004).

14. *See, e.g.*, FRAMING FRICTION: MEDIA AND SOCIAL CONFLICT (Mary S. Mander ed., 1999); MEDIA AND CONFLICT: FRAMING ISSUES, MAKING POLICY, SHAPING OPINIONS 3–132 (Eytan Gilboa ed., 2002) [hereinafter MEDIA AND CONFLICT].

15. Anastasia G. Stamou, *The Representation of Non-Protesters in a Student and Teacher Protest: A Critical Discourse Analysis of News Reporting in a Greek Newspaper*, 12 DISCOURSE & SOC'Y 653 (2001).

16. *See, e.g.*, Melissa A. Wall, *The Battle in Seattle: How Nongovernmental Organizations*

conflict coverage, it has not yet gone the next step: to assessing the *impact* of that coverage on the conflict itself. I see this as an interdisciplinary task, and in this Article, I propose that principles of conflict theory can be joined with mass communications research to take this next step, to explore and understand the question of the news media's impact on conflict. In particular, teachings on the constructive and destructive qualities of conflict and on the escalation of conflict suggest ways in which the news media can influence conflict that it covers, and point to new avenues of empirical scholarship and theory development.

In Part II of this Article, I define conflict and describe its constructive and destructive properties. While perhaps intuitive, the concept is complicated because of the inherent subjectiveness of the terms, because disputes often have both constructive and destructive qualities, and because timing can have a significant impact on the assessment of conflict. In Part III, I discuss the meaning of the escalation of conflict and then draw on existing mass communications research to describe the capacity of the news media to escalate conflict constructively and destructively. I also identify issues for further empirical research on the news media's impact on conflict escalation.

Conflict escalation can tend to lead to conflict outcomes that are more constructive or more destructive, and in Part IV, I return to conflict theory to identify several benchmarks that may help assess whether conflict coverage is likely to lead to more constructive or more destructive conflict outcomes. These include the following: the likely impact of the news coverage on the communication between the parties; the tactics the parties use in engaging the conflict; the outlook (or attitude) of the parties toward each other and the dispute; the social bond between the parties; and the power disparities between the parties. Again, I also describe areas for further research. Finally, the normative desirability of constructive conflict resolution suggests that the news media should strive toward coverage of conflict that leads to constructive rather than destructive outcomes. In Part V, I conclude by

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Used Websites in Their Challenge to the WTO, *in* MEDIA AND CONFLICT, *supra* note 14, at 25, 28 (applying emancipatory communication theory); Pamela B. Rutledge, The Impact of Media on Core Beliefs: The Predisposition of Americans Toward Conflict with China Before and After the 2008 Beijing Olympics (Nov. 2009) (unpublished Ph.D. dissertation, Fielding Graduate University) (on file with author) (applying social identity theory). For early work on the relationship between the media and conflict, see RICHARD E. RUBENSTEIN, JOHANNES BOTES, FRANK DUKES & JOHN B. STEPHENS, FRAMEWORKS FOR INTERPRETING CONFLICT: A HANDBOOK FOR JOURNALISTS (1994); THE NEWS MEDIA IN NATIONAL AND INTERNATIONAL CONFLICT (Andrew Arno & Wimal Dissanayake eds., 1984); W. PHILLIPS DAVISON, MASS COMMUNICATION AND CONFLICT RESOLUTION: THE ROLE OF THE INFORMATION MEDIA IN THE ADVANCEMENT OF INTERNATIONAL UNDERSTANDING (1974).

considering some of the implications of the foregoing discussion on the development of a formal model of constructive conflict coverage.

II. THE CHARACTER OF CONFLICT

A. Defining Conflict

Conflict has been defined in many different ways.[17] One common way is to define conflict in terms of the divergent interests of parties, real or perceived.[18] For example, Professors Pruitt and Kim define conflict as that which arises from the belief that the real or perceived interests and aspirations of the parties cannot be achieved simultaneously.[19] The emphasis is on the divergence of interests and aspirations of the parties. Interests can generally be understood in terms of the needs, desires, and concerns of the parties, while aspirations can generally be seen as the highest manifestation of these interests.[20] Interests are often distinguished from positions, which can generally be seen as the concrete articulation of the amalgamation of one's interests.[21] Parties in conflict often have many interests beyond a preferred outcome on the narrow issue presented by the dispute, such as identity, reputational, and economic interests, to name just a few. Therefore, it is important to understand interests as multifaceted and layered, and to recognize that the resolution of a dispute may affect some but not all interests involved in the underlying conflict, depending upon the conflict's depth.

One important distinction regarding the definition of conflict is the distinction between a conflict and a dispute.[22] If we define conflict in terms of the real or perceived clash of interests and aspirations between parties, we can readily see that conflict is pervasive. We all have many interests, and they often are in conflict with someone else's interests. Much of this conflict goes unnoticed, or to the extent that it is noticed, it is not acted upon by the parties.[23] We can think of this in terms of the normal jostling of everyday life, where there is conflict between people and between entities, but it is not

17. *See* DICTIONARY OF CONFLICT RESOLUTION 113–17 (Douglas H. Yarn ed., 1999).

18. Jeffrey Z. Rubin & George Levinger, *Levels of Analysis: In Search of Generalizable Knowledge*, *in* CONFLICT, COOPERATION, AND JUSTICE: ESSAYS INSPIRED BY THE WORK OF MORTON DEUTSCH 13, 15 (Barbara Benedict Bunker & Jeffrey Z. Rubin eds., 1995).

19. PRUITT & KIM, *supra* note 3, at 7–8.

20. *Id.* at 16.

21. *See* RISKIN ET AL., *supra* note 3, at 20.

22. *Id.* at 5.

23. *See generally* William L.F. Felstiner, Richard L. Abel & Austin Sarat, *The Emergence and Transformation of Disputes: Naming, Blaming, Claiming . . .* , 15 LAW & SOC'Y REV. 631, 636 (1980–81) ("[O]nly a small fraction of injurious experiences ever mature into disputes . . . .").

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formalized or escalated in terms of naming, blaming, or claiming behaviors.[24] Naming occurs when a party recognizes that its interests or aspirations, real or perceived, diverge from another party's interests or aspirations. Conflict then formalizes when a party blames another for the lack of satisfaction of the first party's interests. It escalates when a party claims some form of recompense from the other for the interference with the fulfillment of the first party's interests.[25] Claiming behaviors can range from the mere request for an apology to formal litigation.

When parties do formalize conflict through such behaviors, a particular dispute emerges. A dispute, then, is an immediate manifestation of an underlying conflict.[26] For example, there was a dispute in South Carolina in 2000 over whether the Confederate flag should be flown over the state capitol.[27] In that situation, the dispute over the flying of the state flag was the immediate manifestation of the larger conflict over race relations in the United States. Similarly, the ongoing dispute between the United States and Iran over Iran's nuclear arms program is in part the immediate manifestation of underlying conflict over security, power, identity, and other issues that help define the relationship between the two nations. As these illustrations suggest, when the media is covering conflict, particularly in breaking news, it is often covering a dispute rather than the underlying conflict.

Conflict can also be considered at the individual level and at the group level, whether that group is a collection of people, an organization, or a nation. While conflict is often quite significant to the involved parties, more is often required to capture the news media's attention. The dispute must be newsworthy to the particular audience of the news media.[28] That is to say, the dispute needs to be between individuals, groups, or entities that the relevant audience cares about because of the prominence, status, or importance of one or more of the parties or issues.[29] Thus, when one is thinking about news coverage of conflict, one is thinking about conflict involving a certain class of individuals, groups, or entities—those deemed to be newsworthy.

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24. *Id.*

25. *Id.* at 635–36.

26. RISKIN ET AL., *supra* note 3, at 5. Other manifestations of conflict, such as demoralization, are also possible. *Id.*

27. Borgna Brunner, Infoplease, South Carolina's Confederate Flag Comes Down (June 30, 2000), http://www.infoplease.com/spot/confederate4.html.

28. BRIAN S. BROOKS, GEORGE KENNEDY, DARYL R. MOEN & DON RANLY (THE MISSOURI GROUP), NEWS REPORTING AND WRITING 4–6 (6th ed. 1999).

29. *Id.* at 5–6. Important elements of a news story are impact, conflict, novelty, prominence, proximity, and timeliness. *Id.*

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Finally, societal conflict merits special note. In a democracy, societal conflict is particularly important, and newsworthy, because these conflicts are the disputes over which society itself, acting through its many constituencies, disagrees. Abortion, same-sex marriage, and government bailouts of the private sector are all examples of significant societal conflicts that command the media's attention. This attention is appropriate because part of the news media's function in a democracy is to facilitate the public's consideration of public issues.[30] It is this function that in part justifies constitutional protection for media activities in the form of First Amendment protections for the freedom of the press.[31] It is therefore this kind of societal conflict with which news media coverage of conflict should be most concerned, and which is the primary focus of this Article.

B. Constructive and Destructive Conflict

Conflict does not exist in a vacuum. Rather, it is a product of social interaction that is itself embedded within a larger social context. As a result, emerged conflict will generally have some kind of an impact, first on the parties, and then perhaps more broadly. Conflict theory scholars have long characterized these effects as either constructive or destructive,[32] qualities that bear further examination below.

1. The Meaning of the Terms

Although it is perhaps counterintuitive, conflict often has constructive effects.[33] It is the vehicle through which conflicting interests and claims can be revealed and resolved.[34] Such resolution can stabilize, integrate, and improve relationships by permitting the parties to readjust their expectations and eliminate sources of dissatisfaction.[35] Conflict can spark curiosity, prevent stagnation, and forestall premature decision making. It can also help people and groups establish their identities and the boundaries between them.[36] Within groups, conflict often helps fortify existing norms or spur the emergence of new norms, facilitating the group's continued existence under

30. For a critique of this view, see Doris Graber, *The Media and Democracy: Beyond Myths and Stereotypes*, 6 ANN. REV. POL. SCI. 139, 143 (2003).

31. U.S. CONST. amend. I.

32. *See, e.g.*, DEUTSCH, *supra* note 3, at 17; KRIESBERG, *supra* note 3, at 21–22.

33. The seminal work on the functions of conflict is COSER, *supra* note 3.

34. DEUTSCH, *supra* note 3, at 9.

35. COSER, *supra* note 3, at 154–55.

36. *Id.* at 38.

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changing conditions.[37] It can also serve as a means for assessing the relative strength of competing interests, allowing relationships to evolve.

Conflict, of course, also has destructive effects. It can spoil relationships through the use of harsh tactics and lead to outcomes that are detrimental to the interests, needs, and concerns of one or more of the parties. It can cause the unnecessary dissipation and diversion of time, money, and other resources. It can cause organizational dysfunction, gridlock, and possible ruin.[38] Conflict can also produce long-lasting physical, psychic, and emotional harm in participants to the conflict, as well as in third parties.[39] People involved in armed conflict, for example, often report post-traumatic stress disorder, with symptoms that include flashbacks and nightmares, social withdrawal, and hypervigilance.[40] Similarly, ethnic groups and even nations can suffer such intense emotional scarring that it becomes a part of their core identity as "chosen traumas"—a "shared mental representation of a massive trauma that the group's ancestors suffered at the hands of an enemy."[41]

2. Complicating Considerations

While conflict theory thus distinguishes between constructive and destructive conflict, determining the character of a particular dispute is a precarious enterprise. One must first grapple with the problem of perspective. Just as beauty lies in the eyes of the beholder, so too may an assessment of the constructiveness or destructiveness of any given dispute. After all, to the extent that the dispute produces a clear winner and a clear loser, the loser is unlikely to view the conflict as constructive. In this sense, the task is inherently subjective; it depends on whom you ask. While significant at the level of individual conflict, this analytical challenge is even greater with respect to societal conflict, where assessments of conflict constructiveness can ultimately turn on ideology, world view, economic consequences, or any number of other personal and group interests that come together to form individual and collective judgment. Assessment of the ultimate constructiveness of the conflict over gay marriage rights, for example, may well turn on whether one sees those rights as incidents of personal autonomy or views their assertion as a threat to traditional family values.

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37. *Id.* at 80.

38. *See* KARL A. SLAIKEU & RALPH H. HASSON, CONTROLLING THE COSTS OF CONFLICT: HOW TO DESIGN A SYSTEM FOR YOUR ORGANIZATION 14–16 (1998).

39. *See* PRUITT & KIM, *supra* note 3, at 11–12 (citing studies).

40. *Id.* at 12.

41. Vamik D. Volkan, *Transgenerational Transmissions and Chosen Traumas: An Aspect of Large-Group Identity*, 34 GROUP ANALYSIS 79, 79 (2001).

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To further complicate the constructive/destructive distinction, one must also recognize that any given dispute may well bear both destructive and constructive qualities, at least to some degree. In this sense, the dichotomy is a false one. The question really is which characteristic dominates the dispute,[42] and that may change as the dispute moves from emergence to escalation, and ultimately, to resolution.

Assume, for example, a dispute between spouses over whether to spend Thanksgiving with his or her family. Once it has emerged, the dispute escalates as the couple puts time and energy into it. As discussed more fully below, this escalation can be constructive if the parties use problem-solving methods of engagement or destructive if they use more contentious means.[43] Assume further, that the couple has employed contentious tactics—such as raised voices, threats, or name-calling—which lead to anger, hostility, and estrangement until the problem is somehow resolved. This escalation is destructive in that the tactics the spouses have used chafe the bonds between them and can lead to a destructive outcome, such as the husband simply decreeing that the couple will spend Thanksgiving with his family. Such a result would be destructive because it satisfies the interests, needs, desires, concerns, and preferences of only one of the spouses (the husband); because it threatens the future vitality of the couple's relationship; and because it diverts the couple's time, energy, and other resources toward unproductive ends, among other possible negative consequences. This would be an example of destructiveness dominating both the escalation and the outcome of the dispute.

On the other hand, a constructive outcome is also possible even where the parties, as here, have used a destructive process to engage the dispute. Assume, for example, that the spouses recognize that their contentious tactics are no longer effective, or decide that the costs of waging battle are no longer acceptable, and switch to some form of problem-solving.[44] Such a move would presumably lead to a mutually acceptable resolution to the problem at some level—for instance, alternating families on Thanksgivings. Thus, even though the escalation process itself was destructive, the resolution was constructive in that it ultimately satisfied both parties' interests at a meaningful level. Depending upon its depth, the resolution may also improve their long-term relationship by enhancing mutual understanding, respect, and

42. *See* DEUTSCH, *supra* note 3, at 31; Laura E. Drake & William A. Donohue, *Communicative Framing Theory in Conflict Resolution*, 23 COMM. RES. 297, 302 (1996) (citing the possibility of identifying a dominant communication frame when multiple frames are possible).

43. *See infra* notes 54–67 and accompanying text.

44. *See* PRUITT & KIM, *supra* note 3, at 175–76.

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trust; by establishing boundaries, norms, and expectations for similar situations in the future; and by providing standards for the resolution of other types of conflict the couple may experience. In such a situation, the dispute's constructive qualities can be said to dominate its destructive ones.

Whether the couple will be able to achieve these many constructive effects will depend upon the depth to which the parties address the underlying issues of conflict in addition to the immediate issue of where to spend Thanksgiving. As noted above, a dispute such as the fight over Thanksgiving may be an immediate manifestation of an underlying conflict. Both the constructive and destructive outcomes I have described may have resolved the dispute over Thanksgiving, but they may not have addressed the couple's underlying conflicting interests. In the case of the destructive outcome, the experience almost certainly will leave a residue of conflict in place that will continue to influence the relationship and will provide kindling for the emergence of future disputes. Even the constructive resolution scenario has this potential. If issues of power or individual or collective identity lie beneath the dispute over Thanksgiving and were not addressed during the course of resolution, for example, the ingredients remain for the outbreak of a future dispute.[45]

The foregoing discussion reveals a third complication for the constructive/destructive distinction: the timing of the inquiry. That is to say, the time at which one assesses a conflict's constructive character may have a significant impact on the outcome of that evaluation. As we saw with the second Thanksgiving scenario, a dispute that appears destructive during its escalation may well have a happy, constructive ending. On the other hand, if we ask the question later, we may find that this constructive resolution was illusory, only to be followed by another round of destructive escalation (with a possibly different outcome) because the underlying conflicting interests were not adequately addressed. In this way, the timing of the inquiry can also influence one's assessment of what appears to be a destructive conflict because it sometimes takes time for the constructive character of the ultimate resolution of a dispute to fully unfold. The assessment by Germans of the constructiveness of World War II may be very different if one asked the question today, in this twenty-first century, than if the inquiry was made at the end of the war in 1945. That is to say that a conflict that seems initially destructive may in fact turn out constructive, and vice versa.

45. The unique characteristics and personality traits of the parties, the nature and weight of the tactics used to engage the dispute, and the larger historical context of their relationship are also important in this regard.

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3. Proceed with Caution

These dynamics complicate any assessment of the constructiveness or destructiveness of a given conflict or dispute. But they need not dissuade one from the task. Instead, they counsel one to proceed with caution and to recognize that such evaluations are to be made from the perspective of an individual or group, and at a particular point in time. Perspective in this sense may refer to the perspective of an individual or group as a participant in the dispute, or as an observer to the dispute. For example, the constructiveness of a dispute over the siting of a dam may be viewed from the perspective of the participants (the government, affected property owners, etc.) as well as of members of the community. Similarly, the conflict over abortion rights may be viewed from the perspectives of those seeking and providing abortion services, those supporting or opposing the delivery of those services, as well as those in the local, state, and national communities at large (among other possible perspectives). Each of these different constituencies may have a different assessment of the constructiveness of the conflict.

These complications also counsel a shift in terms of one's understanding of conflict's constructive and destructive characters. While these qualities are often thought of as a dichotomy, it is more accurate and helpful to think of them as a paradox, acknowledging that conflict has both of these opposing qualities and that both of these attributes must be understood to have full comprehension of the character of a particular dispute. The challenge, then, is to identify how the paradox manifests in any given dispute and to ascertain which of these qualities most fairly characterizes the dispute as a whole. This is a matter of degree, not absolutes: Is the dispute more destructive or more constructive when viewed from a particular perspective at a particular point in time?

III. THE POTENTIAL ESCALATION OF CONFLICT THROUGH NEWS MEDIA COVERAGE

In the preceding Part, I discussed the definition of conflict, conflict's paradoxical qualities of constructiveness and destructiveness, and some of the analytical challenges to assessing the essential, or dominant, character of a particular conflict or dispute as more constructive or destructive. Once a dispute emerges, one of its central propensities is to escalate,[46] and in this

46. It is also possible for emergent conflict to stabilize, which can be thought of as the opposite of escalation. *See* PRUITT & KIM, *supra* note 3, at 298. The stabilization of conflict is not the same as its resolution, however. Resolution refers to the problem being resolved, while stabilized conflict means the emerged conflict has not escalated and is still awaiting resolution.

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Part, I explore the meaning of escalation and the news media's capacity to promote the escalation process.

A. The Meaning of Escalation

When conflict escalates, it expands along several different dimensions. Pruitt and Kim suggest this expansion can be seen along at least five dimensions.[47] One dimension is the number of participants involved in the conflict; the presence of more participants is a sign of a more escalated dispute.[48] Another dimension is the amount of resources, such as the time, money, and energy that the parties devote to the dispute; the more resources that are pumped into the dispute, the more escalated it will be.[49] A third dimension is the number of issues at play in the conflict; the more issues, the more escalated the dispute.[50] The nature of those issues is also important; less escalated conflict will often focus on narrower, more discrete issues, while more escalated conflict will often define the issues more generally.[51] A fourth dimension of escalation is the intensity of the tactics; the more extreme the tactics, the greater the escalation of the dispute.[52] A final dimension of escalation is the goals of the parties with respect to the dispute, as goals often become more extreme as the dispute escalates.[53]

B. Constructive and Destructive Escalation

Escalation along these dimensions is often destructive, but it can be constructive as well.[54] The escalation of conflict can be necessary to bring conflicting interests to the surface and to ready them for resolution. For example, many would view the successes of the civil rights movement in the United States in the 1950s and '60s to be the result of the constructive escalation of societal conflict.[55]

What distinguishes constructive from destructive escalation is the manner in which the escalation takes place along each of these dimensions. The

47. PRUITT & KIM, *supra* note 3, at 89; *see also* DEUTSCH, *supra* note 3, at 351–52.

48. PRUITT & KIM, *supra* note 3, at 91.

49. *Id.* at 89.

50. *Id.*

51. *Id.*

52. *Id.*

53. *Id.* at 90.

54. KRIESBERG, *supra* note 3, at 152.

55. *Id.* at 170. For a highlight of this movement, see Brown v. Bd. of Educ., 347 U.S. 483, 493 (1954) (holding that segregating schools by race deprives minority students of the opportunity for an equal education).

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tactics that the parties use to wage the dispute are particularly significant.[56] If the parties use contentious tactics, then the dispute is more likely to escalate destructively. Contentious tactics are ones intended to help one party triumph over the other without regard to the other's interests, needs, and concerns.[57] These can include threats, deceit, and trickery, among other techniques,[58] and contribute to destructive escalation along each dimension of escalation. The addition of participants, when destructive, can lead to the formation of coalitions[59] and spoilers[60] with respect to the dispute, thus increasing its overall size and complexity. Investing more resources into the dispute can intensify it physically and psychologically. Increasing the severity of the tactics can have devastating effects and inspire reciprocation. Expanding the number and nature of issues creates more complexity, often involving more people and resources, making resolution more difficult. The shift in goals, too, can have a destructive quality, as the parties ultimately become more interested in hurting the other side rather than merely having their interests satisfied.[61]

On the other hand, if the parties use problem-solving tactics, the dispute has a better chance of escalating constructively. Problem-solving tactics generally include: empathetic listening to the other side's point of view;[62] artful questioning to solicit the other side's underlying interests, needs, and concerns; [63] and creative attempts to satisfy those underlying needs, interests, and concerns in the resolution of the dispute.[64] As we see with the civil rights example, problem-solving tactics can also include the use of litigation,

56. KRIESBERG, *supra* note 3, at 22.

57. *See* PRUITT & KIM, *supra* note 3, at 63.

58. *See id.* at 63–84 (discussing contentious tactics); *see generally* Gary Goodpaster, *A Primer on Competitive Bargaining*, 1996 J. DISP. RESOL. 325.

59. *See* Gary Goodpaster, *Coalitions and Representative Bargaining*, 9 OHIO ST. J. ON DISP. RESOL. 243, 250 (1994) ("Coalition formation occurs when parties negotiate an alliance agreement, formally or informally, expressly or tacitly.").

60. Spoilers are individuals or groups that seek to undermine a peace process. *See generally* CHALLENGES TO PEACEBUILDING: MANAGING SPOILERS DURING CONFLICT RESOLUTION (Edward Newman & Oliver Richmond eds., 2006); Stephen John Stedman, *Spoiler Problems in Peace Processes*, 22 INT'L SECURITY 5 (1997).

61. Friedrich Glasl, *The Process of Conflict Escalation and Roles of Third Parties*, *in* CONFLICT MANAGEMENT AND INDUSTRIAL RELATIONS 119, 130–31 (Gerard B.J. Bomers & Richard B. Peterson eds., 1982), *cited in* PRUITT & KIM, *supra* note 3, at 90.

62. *See* RISKIN ET AL., *supra* note 3, at 143–63.

63. *Id.* at 141–43.

64. *Id.* at 116–23. For an important discussion of problem-solving in the legal context, see Carrie Menkel-Meadow, *Toward Another View of Legal Negotiation: The Structure of Problem Solving*, 31 UCLA L. REV. 754 (1984).

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peaceful demonstration, and other civil means.

It is possible for constructive qualities to inure to each dimension of escalation. The addition of participants, for example, can bring into the dispute a person or group of people capable of moderating or even formally mediating the dispute.[65] The devotion of more resources to the dispute, such as time, energy, or money, can bring focus and attention to the dispute, paving the way for resolution. Increasing the number of issues can provide more opportunities for preference trade-offs that are often helpful in the negotiation of a resolution.[66] Artfully done, raising the level of the tactics can be effective in demonstrating the resolve necessary to be taken seriously, bringing recalcitrant parties to the table, and establishing critical boundaries.[67] Finally, goals can shift from merely prevailing in the dispute to achieving more permanent or systemic changes.

As we can see, the news media has the capacity to escalate conflict constructively or destructively, and in the next section, I look more closely at the news media's general capacity to escalate conflict.

C. The News Media's Capacity to Escalate Conflict

Through its power to communicate messages to many people, the news media has a unique capacity to escalate conflict—that is, to expand a dispute along each of the dimensions discussed above—destructively or constructively. In this way, the news media serves as a moderator of disputes, stoking escalation that may be more constructive or destructive, depending upon what is reported.[68]

Introducing the dimensions of expansion as measures of constructive or destructive escalation raises interesting questions. When does news coverage encourage parties to use problem-solving rather than contentious tactics? When does the adding of issues by the news media facilitate negotiated settlement rather than additional problems and complexity? Under what conditions does news coverage spur greater resolve for resolution rather than harm to the other party?

Mass communications researchers have not yet focused on such questions.

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65. Crosscutting communities, for example, tend to be more stable, in part because community members come forth to mediate disputes. *See* PRUITT & KIM, *supra* note 3, at 140.

66. *See* ROBERT H. MNOOKIN, SCOTT R. PEPPET & ANDREW S. TULUMELLO, BEYOND WINNING: NEGOTIATING TO CREATE VALUE IN DEALS AND DISPUTES 11–43 (2000).

67. *See* DEUTSCH, *supra* note 3, at 32.

68. It is also possible for news coverage to stabilize conflict or prevent its escalation. *See* PRUITT & KIM, *supra* note 3, at 298. This potential is worth exploring, but is beyond the scope of this Article's emphasis on escalation.

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However, there has been some research that, when interpreted from a conflict theory perspective, provides insight into the news media's potential impact on conflict escalation.[69] This research suggests that news media coverage can lead to both constructive and destructive escalation.

1. Constructive Escalation

Recall that constructive escalation is promoted by problem-solving tactics, such as skillful questioning and listening, rather than contentious tactics. These problem-solving tactics may generally be thought of as efforts to enhance the communication of the parties. The news media can participate in problem-solving tactics to foster constructive escalation.[70]

In a qualitative study of the news media's role in the Northern Ireland peace process, for example, Spencer found that the news media played a constructive role by facilitating communications between the parties in a number of ways.[71] It provided a medium through which Sinn Fein and unionist negotiators signaled each other on issues in contention, such as their views with respect to the release of prisoners,[72] and communicated with others in their organizations as well as with outside supporters.[73] Journalists also facilitated back-channel communications by sharing information outside of news coverage that influenced the thinking of negotiation participants and the planning of future moves.[74] As the reality of the Good Friday Agreement began to near, news media coverage continued to play a constructive role by pressuring negotiators to continue talking rather than walk away, and by evoking a public spirit of hope that the long-running conflict would finally resolve.[75] As one interviewed journalist contended: "I think it is fair to say that there would have been no Good Friday Agreement without the media. There was simply no forum to get this thing started except through the

69. As I use the term, mass communications research is drawn from a broad array of social science perspectives, including mass media studies, communication, political science, sociology, and anthropology.

70. *See* RUBENSTEIN ET AL., *supra* note 16, at 121 ("[J]ournalists have the ability to clarify issues and create understanding between various kinds of disputants.").

71. *See* Spencer, *supra* note 13. It should be noted that Spencer's research most pointedly focuses on the news media's capacity to play a constructive role in conflict. However, the practices that he describes are also the type most likely to lead to constructive escalation, and are therefore illustrative.

72. *Id.* at 611.

73. *Id.* at 615.

74. *Id.* at 618.

75. *Id.* at 611–12.

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news."[76]

2. Destructive Effects

Spencer's description of the Northern Ireland media demonstrates the constructive role that the news media can play in the escalation and settlement of even intractable conflict. But the mass media research, when viewed from a conflict perspective, more commonly points to the news media's potential to contribute to destructive escalation.

Much of this research has focused on the media's powerful capacity to frame the subjects that it covers, including conflict and disputes.[77] Framing has been studied in a variety of disciplines[78] and is animated by complex cognitive processes.[79] In the mass media context, the news media engages in framing when it "select[s] some aspects of a perceived reality and make[s] them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described."[80] Conflict frames are particularly common in news coverage,[81] and news media framing effects have been found to influence public opinion on political campaigns[82] and

76. *Id.* at 619 (internal quotation marks omitted).

77. Framing is a complex process that is subject to different definitions and theoretical approaches. *See* Art Dewulf, Barbara Gray, Linda Putnam, Roy Lewicki, Noelle Aarts, Rene Bouwen & Cees van Woerkum, *Disentangling Approaches to Framing in Conflict and Negotiation Research: A Meta-Paradigmatic Perspective*, 62 HUM. REL. 155, 157 (2009) (describing six orientations to framing analysis).

78. *See* Boris H.J.M. Brummans, Linda L. Putnam, Barbara Gray, Ralph Hanke, Roy J. Lewicki & Carolyn Wiethoff, *Making Sense of Intractable Multiparty Conflict: A Study of Framing in Four Environmental Disputes*, 75 COMM. MONOGRAPHS 25, 27 (2008) (discussing different disciplinary approaches to framing).

79. For a summary of these cognitive processes, see Jaeho Cho, Homero Gil de Zuniga, Dhavan V. Shah & Douglas M. McLeod, *Cue Convergence: Associative Effects on Social Intolerance*, 33 COMM. RES. 136, 138–39 (2006); Nam-Jin Lee, Douglas M. McLeod & Dhavan V. Shah, *Framing Policy Debates: Issue Dualism, Journalistic Frames, and Opinions on Controversial Policy Issues*, 35 COMM. RES. 695, 698 (2008).

80. Entman, *supra* note 8, at 52 (emphasis omitted). For a general discussion of media framing, see Paul D'Angelo, *News Framing as a Multiparadigmatic Research Program: A Response to Entman*, 52 J. COMM. 870 (2002); Dietram A. Scheufele, *Framing as a Theory of Media Effects*, 49 J. COMM. 103 (1999).

81. Holli A. Semetko & Patti M. Valkenburg, *Framing European Politics: A Content Analysis of Press and Television News*, 50 J. COMM. 93, 95, 98 (2000) (identifying conflict as one of the most frequent frames used by the news media in a content analysis of more than 4,000 newspaper and TV news stories about European political issues).

82. *See, e.g.*, June Woong Rhee, *Strategy and Issue Frames in Election Campaign Coverage: A Social Cognitive Account of Framing Effects*, 47 J. COMM. 26, 30 (1997) (strategic vs. issue frames); Fuyuan Shen, *Chronic Accessibility and Individual Cognitions: Examining the Effects of Message*

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social issues like poverty[83] and welfare.[84] Framing has also been studied in the communication context, where research has confirmed its importance in defining conflict, interpreting and reinforcing conflict dynamics, and ultimately resolving conflict (by bringing divergent frames into alignment through reframing).[85] As it disseminates information about conflict, news media coverage can amplify these conflict dynamics by framing the issues of conflict, the identities and relationships between the parties in conflict, and the interactive process of conflict.[86]

While mass communications research has not focused on the impact of news frames on conflict escalation, there has been some research that, when viewed from a conflict perspective, does identify ways that news media framing can lead to the destructive escalation of conflict—for example, fostering a zero-sum mindset, polarizing the parties, and marginalizing parties.

a. Fostering a Zero-Sum Mindset

Conflict theory suggests that conflict escalates destructively when one or both of the parties view the conflict or a dispute as necessarily something that is won by one party and lost by the other—that the dispute is zero-sum.[87] News media coverage can perpetuate such an understanding of conflict or a dispute.

News stories about conflict frequently follow a structural paradigm that is

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Frames in Political Advertisements, 54 J. COMM. 123, 133 (2004) (finding that political ads that were framed in terms of issues evoked issue-related thoughts regarding the candidate, while political ads framed in terms of character evoked character-related thoughts regarding the candidate).

83. Shanto Iyengar, *Framing Responsibility for Political Issues: The Case of Poverty*, 12 POL. BEHAV. 19, 26–27 (1990) (finding that when news stories presented poverty in a personalized way, audiences tended to blame the individual, while they tended to blame society when the stories presented poverty as the result of economic conditions and social policies); Jörg Matthes, *Framing Responsibility for Political Issues: The Preference for Dispositional Attributions and the Effects of News Frames*, 26 COMM. RES. REP. 82, 85 (2009) (replicating Iyengar's study and further finding evidence that the more judgment-relevant information a news frame provides, the more likely audiences are to base their attributions on the frame rather than general personality traits).

84. *See, e.g.*, Michelle Brophy-Baermann & Andrew J. Bloeser, *Stealthy Wealth: The Untold Story of Welfare Privatization*, 11 HARV. INT'L J. PRESS/POL. 89, 104 (2006) (finding that frames supportive of faith-based solutions made up 27% of privatization preferences, while frames critical of faith-based solutions constituted only 13% of privatization preferences).

85. Roy J. Lewicki & Barbara Gray, *Introduction*, *in* MAKING SENSE OF INTRACTABLE ENVIRONMENTAL CONFLICTS: FRAMES AND CASES 5–6 (Roy J. Lewicki, Barbara Gray & Michael Elliott eds., 2003); *see generally* Laura E. Drake & William A. Donohue, *Communicative Framing Theory in Conflict Resolution*, 23 COMM. RES. 297 (1996).

86. *See* Dewulf et al., *supra* note 77, at 157.

87. *See* PRUITT & KIM, *supra* note 3, at 106.

sometimes called "issue dualism," in which the news media reduces complex issues to two competing sides that are articulated by familiar, predictable sources and that get roughly equal weight in their coverage.[88] For example, the media framed as a mere conflict between rural and urban interests a complex environmental dispute over an aquifer in Texas that involved problems relating to a growing number of users, public health, endangered species, and governmental and private property rights, among other issues.[89] Issue dualism is defended by journalists who say it promotes balance[90] and provides for dramatic storytelling that is important to readers.[91] However, it has also been criticized because its simplified coverage undermines public discourse, marginalizes minority voices,[92] and does not necessarily provide for equal treatment despite the balance of its frame.[93]

In addition, news stories about conflict frequently employ "battle" metaphors or "fight" frames to tell the story.[94] For example, Jameson and Entman's study of media coverage of New York City budget proposals shows that the city's four major newspapers consistently used war and fight metaphors to characterize conflict over the budget.[95] Examples include

88. *See* Lee, *supra* note 79, at 695 (citing references).

89. Linda L. Putnam & Martha Shoemaker, *Changes in Conflict Framing in the News Coverage of an Environmental Conflict*, 2007 J. DISP. RESOL. 167, 169–71.

90. W. LANCE BENNETT, NEWS: THE POLITICS OF ILLUSION 193 (5th ed. 2003).

91. Todd Gitlin, *The Whole World Is Watching*, *in* TRANSMISSION: TOWARD A POST-TELEVISION CULTURE 91, 93 (Peter d'Agostino & David Tafler eds., 2d ed. 1994); Michael Schudson, *Deadlines, Datelines, and History*, *in* READING THE NEWS: A PANTHEON GUIDE TO POPULAR CULTURE 79, 99 (Robert Karl Manoff & Michael Schudson eds., 1986).

92. *See* Lee et al., *supra* note 79, at 695 (citing references).

93. *See* Brophy-Baermann & Bloeser, *supra* note 84, at 104 (noting that despite issue dualism, the number of stories with frames that were supportive of faith-based solutions to welfare far exceeded the number of stories with frames that criticized faith-based solutions).

94. *See, e.g.*, Seow Ting Lee, Crispin C. Maslog & Hun Shik Kim, *Asian Conflicts and the Iraq War: A Comparative Framing Analysis*, 68 INT'L COMM. GAZETTE 499, 506 (2006) (finding local conflicts in India, Pakistan, Sri Lanka, Indonesia, and the Philippines were frequently constructed according to a war frame); Zizi Papacharissi & Maria de Fatima Oliveira, *News Frames Terrorism: A Comparative Analysis of Frames Employed in Terrorism Coverage in U.S. and U.K. Newspapers*, 13 INT'L J. PRESS/POL. 52, 68–69 (2008) (finding that, among newspapers studied, U.S. newspapers tended to use a military frame for their terrorism-related coverage, while British papers tended to use a diplomatic frame); Trudie Richards & Brent King, *An Alternative to the Fighting Frame in News Reporting*, 25 CANADIAN J. COMM. 479, 483–90 (2000) (describing the impact of a fight frame on a conflict between a monastery and surrounding landowners). *See also* Jack Lule, *War and Its Metaphors: News Language and the Prelude to War in Iraq, 2003*, 5 JOURNALISM STUD. 179 (2004) (identifying metaphors used by NBC Nightly News in its coverage of the ramp-up to the war in Iraq).

95. Jessica Katz Jameson & Robert M. Entman, *The Role of Journalism in Democratic Conflict Management: Narrating the New York Budget Crisis After 9/11*, 9 HARV. INT'L J. PRESS/POL. 38, 45 (2004).

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references to the "budget battle," found in all four papers, "going to war with Albany," a proposal being "dead on arrival," "wrangling over budget cuts," and "taking a whack" at the car lobby.[96] Jameson and Entman suggest that the dominance of these metaphors created "an impression that the budget issue must inevitably yield winners and losers," and resulted in the devaluation of any common interests the parties may share.[97]

Viewed from a conflict theory perspective, issue dualism and the use of battle metaphors would seem to have significant potential to promote destructive escalation by fostering a zero-sum mindset, discouraging consideration of resolution possibilities that allow for the satisfaction of mutual interests, polarizing news audiences, and inspiring participants to devote more time, energy, and other resources to the dispute. As noted above, in oversimplifying the dispute, issue dualism can also conceal both parties and issues that are significant to the conflict and its resolution.[98]

b. Polarizing the Parties

Conflict research demonstrates that parties become more distant as conflict escalates destructively, a phenomenon known as autistic hostility.[99] News media coverage of conflict can spur such polarization. This perhaps can be seen most vividly in international coverage of ethnic conflict, where news coverage tends to be ethnocentric as journalists strive to fit news into frames that are culturally and ideologically familiar.[100] Such frames are attractive to audiences but polarizing for the conflict, thus enhancing the

96. *Id.* (internal citations omitted).

97. *Id.* at 47. Reflecting the important role that the media plays in democratic society, Jameson and Entman also worry that the focus on fighting language may reduce the sense of involvement and interest among citizens and "heighten cynicism about the potential for managing . . . conflicts democratically." *Id.* at 53.

98. *See* Susan G. Hackley, *In the Global Village, Can War Survive?*, 93 MARQ. L. REV. 25, 30 (2009) ("If journalists were to view conflict with a more nuanced and sophisticated understanding of conflict management concepts, including developing a knowledge of alternatives to violence, various frameworks for analysis, relevant historical lessons and parallels, and appreciation of complexity, they could help open up public discussion on a whole range of issues.").

99. PRUITT & KIM, *supra* note 3, at 160.

100. Christopher E. Beaudoin & Esther Thorson, *Spiral of Violence? Conflict and Conflict Resolution in International News*, *in* MEDIA AND CONFLICT, *supra* note 14, at 45, 56 (finding international conflict stories involving the U.S. were more positive than other international conflict stories); Young Chul Yoon & Gwangho E., *Framing International Conflicts in Asia: A Comparative Analysis of News Coverage of Tokdo*, *in* MEDIA AND CONFLICT, *supra* note 14, at 89, 93. For a general discussion of ethnocentrism in journalism, see Nancy K. Rivenburgh, *Social Identity Theory and News Portrayals of Citizens Involved in International Affairs*, 2 MEDIA PSYCHOL. 303, 304 (2000).

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likelihood of more contentious decision making and actions.[101]

Ethnocentrism may be defined as the tendency to see others and the world from the perspective of one's own group, generally accepting those who are members of the group and rejecting those who are not.[102] High ethnocentrism tends to lead to the view of one's in-group as virtuous and superior and the out-group as contemptible and inferior.[103] In conflict situations, ethnocentrism contributes to destructive escalation by delegitimizing the values, beliefs, opinions, and actions of the out-group, thus polarizing the parties and paving the way for the use of more extreme tactics and conflict-related behaviors.

Empirical research suggests news coverage can be motivated by ethnocentrism, and foster ethnocentrism, in significant ways. For example, Wolfsfeld and his co-authors argue that ethnocentrism leads to two modes of death coverage in violent ethnic conflict: the Victims Mode of reporting and the Defensive Mode of reporting.[104] These modes of reporting are significant to conflict because they reinforce existing negative, hostile, and ethnocentric attitudes about the conflict and its participants,[105] promoting concomitant behaviors and thus contributing to destructive escalation.

The Victims Mode of reporting is used when members of one's own ethnic group are the victims and it generally involves a high level of emotionalism. This is manifest through high story prominence, high levels of drama in the stories, and the personalization of the victims with their names, ages, pictures, etc.[106] The Victims Mode of reporting also provides cultural context by using news frames that resonate with popular beliefs, such as by framing stories in terms of ethnic solidarity or demonization of the enemy.[107]

By contrast, the Defensive Mode of reporting is used when members of one's own ethnic group cause the deaths.[108] It is characterized by low levels of emotionalism, including low prominence of stories about the event, the use

101. Cass R. Sunstein, *Deliberative Trouble? Why Groups Go to Extremes*, 110 YALE L.J. 71, 85–96 (2000) (describing the dynamics of group polarization).

102. ROBERT A. LEVINE & DONALD T. CAMPBELL, ETHNOCENTRISM: THEORIES OF CONFLICT, ETHNIC ATTITUDES, AND GROUP BEHAVIOR 7–8 (1972) (quoting WILLIAM GRAHAM SUMNER, FOLKWAYS 13 (1906)).

103. *See* DICTIONARY OF CONFLICT RESOLUTION, *supra* note 17, at 170–71.

104. Gadi Wolfsfeld, Paul Frosh & Maurice T. Awabdy, *Covering Death in Conflicts: Coverage of the Second Intifada on Israeli and Palestinian Television*, 45 J. PEACE RES. 401, 402–03 (2008).

105. *Id.* at 404–05.

106. *Id.* at 403.

107. *Id.* at 404.

108. *Id.*

of an analytical or intellectualized perspective rather than a dramatized one, and depersonalization of the victims, such as by transforming them into statistics.[109] The Defensive Mode of reporting provides for cultural context by interpreting the event as justified by the actions of the other side.[110]

Conflict theory would suggest that such modes of coverage can contribute to destructive conflict escalation by reinforcing negative attitudes toward the conflict and encouraging destructive behaviors in furtherance of the conflict. Wolfsfeld and his colleagues found strong evidence of these reporting modes in a content analysis of Israeli and Palestinian television coverage of two events: a Palestinian suicide bombing that killed nineteen Israelis and the Israeli killing of a Hamas leader that also left sixteen Palestinians dead. When covering the Palestinian suicide bombing, the Israeli television station reported with a high level of emotionalism[111] and cultural context,[112] consistent with the Victims Mode. Meanwhile, the Palestinian station demonstrated a Defensive Mode of reporting by covering the attack with a low level of emotionalism[113] and a cultural context placing the attack in the overall context of the Israeli–Palestinian struggle.[114] The tables were turned, however, in the coverage of the killing of the Hamas leader and civilians. The Palestinian TV station's coverage fit the Victims Mode of reporting by using a high level of emotionalism[115] and cultural context of ethnic solidarity and demonization,[116] while the Israeli station's coverage reflected the Defensive Mode, with low emotionalism[117] and cultural context suggesting the attack was justified because the Hamas leader was a proper target for attack.[118]

These modes of reporting take place in the highly charged context of the coverage of death resulting from violent conflict, especially long-standing ethnic conflict. However, the in-group/out-group dynamics of ethnocentrism described above are not limited to ethnic conflict. In-group favoritism is "a robust and nearly ubiquitous fact of social life" that affects attitudes, beliefs, and behaviors.[119] Research has shown that even when group membership is

109. *Id.* at 405.
110. *Id.*
111. *Id.* at 407–09.
112. *Id.* at 409–10.
113. *Id.* at 409.
114. *Id.* at 410.
115. *Id.* at 411–12.
116. *Id.* at 414–16.
117. *Id.* at 412–14.
118. *Id.* at 413.
119. *See* Kristin A. Lane, Jason P. Mitchell & Mahzarin R. Banaji, *Me and My Group: Cultural Status Can Disrupt Cognitive Consistency*, 23 SOC. COGNITION 353, 354 (2005). For an early

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fleeting, members evaluate the in-group more positively,[120] distribute more resources to the in-group,[121] and ascribe more positive traits to the in-group than to the out-group.[122] Scholars have repeatedly confirmed in-group favoritism, even when group membership is based on arbitrary assignment to the group.[123]

The dynamics of in-group favoritism would seem to bear significantly upon the news media's ability to escalate conflict destructively because attitudes toward a conflict or a dispute can be the basis of group distinction and identification, thus leading to in-group, out-group effects.[124] Social identity theory,[125] for example, explains in-group favoritism and intergroup bias as the function of a two-step process.[126] In the first step, the perceiver divides the world into at least two distinguishable social categories that separate self from other. In the second, the perceiver views the category to which she belongs more favorably because of the innate desire for positive self-esteem. Applied to the news coverage of conflict or a dispute, social identity theory suggests that the news audience member recognizes that there can be different attitudes toward the conflict or dispute being covered and associates herself with the attitude that is more consistent with her own beliefs. In so doing, she participates in the creation or maintenance of an in-group and an out-group with respect to the conflict or dispute. The establishment of such an in-group and an out-group can lead to the kind of dynamics seen in ethnocentrism, such as in-group superiority and out-group deprecation.

Research linking news media coverage of conflict to in-group/out-group

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discussion, see COSER, *supra* note 3, at 87–110.

120. Samuel L. Gaertner, Jeffrey Mann, Audrey Murrell & John F. Dovidio, *Reducing Intergroup Bias: The Benefits of Recategorization,* 57 J. PERSONALITY & SOC. PSYCHOL. 239, 242 (1989).

121. Henri Tajfel et al., *Social Categorization and Intergroup Behaviour*, 1 EUR. J. SOC. PSYCHOL. 149, 151–72 (1971).

122. Maria Rosaria Cadinu & Myron Rothbart, *Self-Anchoring and Differentiation Processes in the Minimal Group Setting*, 70 J. PERSONALITY & SOC. PSYCHOL. 661, 671 (1996).

123. For a review, see Tajfel et al., *supra* note 121.

124. This is a fitting area for future empirical research.

125. Henri Tajfel & John C. Turner, *The Social Identity Theory of Intergroup Behavior*, *in* PSYCHOLOGY OF INTERGROUP RELATIONS 7 (Stephen Worchel & William G. Austin eds., 2d ed. 1986). Social identity theory generally construes intergroup relations in terms of processes of self-categorization and group identity.

126. Phyllis A. Anastasio, Karen C. Rose & Judith G. Chapman, *The Divisive Coverage Effect: How Media May Cleave Differences of Opinion Between Social Groups*, 32 COMM. RES. 171, 174 (2005).

effects has been only indirect.[127] Framing research, for example, has found significant framing effects on public tolerance toward non-mainstream groups; in this context, the public can be seen as the in-group, and the deviating group as the out-group. In one study, Nelson and his colleagues found that undergraduate political science students were less tolerant of a Ku Klux Klan rally when the story was framed in terms of maintaining public order than when it was framed in terms of free speech rights.[128] In another study, researchers found that the media's use of an individual frame, rather than a group frame, to depict the impact of post-9/11 domestic security policies on a fringe activist group made subjects less tolerant of radicals they opposed and more tolerant of radicals they supported.[129] In a third study, researchers found that news media cues[130] leading to unfavorable evaluations of Arabs after 9/11 as extremists or immigrants were closely linked to intolerance for the expression of extreme perspectives by Arabs, support for immigration restrictions, and opposition to minority empowerment.[131]

The tolerance research thus lends some support for the possibility of in-group/out-group effects deriving from news coverage of conflict that could lead to destructive escalation by polarizing groups in conflict. Similarly,

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127. *But see* Daniel Bar-Tal, Amiram Raviv, Alona Raviv & Adi Dgani-Hirsh, *The Influence of the Ethos of Conflict on Israeli Jews' Interpretation of Jewish–Palestinian Encounters*, 53 J. CONFLICT RESOL. 94, 111 (2009) (finding that Israelis with high-conflict ethos tended to perceive Palestinians as more aggressive and blameworthy, and to stereotype Palestinians more negatively, than those with a low-conflict ethos); Yuki Fujioka, *Emotional TV Viewing and Minority Audience: How Mexican Americans Process and Evaluate TV News About In-Group Members*, 32 COMM. RES. 566, 578–83 (2005) (finding that Mexican-American experiment participants exhibited stronger emotional responses to self-referencing content of TV news coverage than white participants, and that news segments featuring Mexican-Americans were more arousing and subject to better recall for Mexican-American participants than for white participants); Anna Korteweg & Gökçe Yurdakul, *Islam, Gender and Immigrant Integration: Boundary Drawing in Discourses on Honour Killing in the Netherlands and Germany*, 32 ETHNIC & RACIAL STUD. 218, 224 (2009) (finding that newspaper content analysis indicates news media drew bright lines between the majority population and immigrants).

128. Thomas E. Nelson, Rosalee A. Clawson & Zoe M. Oxley, *Media Framing of a Civil Liberties Conflict and its Effect on Tolerance*, 91 AM. POL. SCI. REV. 567, 567 (1997).

129. Heejo Keum, Elliott D. Hillback, Hernando Rojas, Homero Gil de Zuniga, Dhavan V. Shah & Douglas M. McLeod, *Personifying the Radical: How News Framing Polarizes Security Concerns and Tolerance Judgments*, 31 HUM. COMM. RES. 337, 353–55 (2005).

130. News cues are labels used to characterize issues, groups, and figures in the news. They are similar to news frames in that they shape how people think about issues, groups, and figures, but differ in that cues are modifiers used to define specific subjects while frames are used to structure entire press accounts. Cues are also considered to be the product of competition between elites over labeling, while frames are more a product of professional and social norms. Jaeho Cho, Homero Gil de Zuniga, Dhavan V. Shah & Douglas M. McLeod, *Cue Convergence: Associative Effects on Social Intolerance*, 33 COMM. RES. 136, 137–38 (2006).

131. *Id.* at 149.

Anastasio and her co-authors found evidence of polarization in news coverage that pits one social group against another divisively—that is, when reporting shows members of each group having strong views relative to their group. While the team found its results generally moderated by social context, it did find that divisive coverage led college fraternity and sorority study participants to judge a fraternity defendant being tried for vandalism less harshly than non-Greek participants.[132] Interpreted from a conflict perspective, such a result again suggests that divisive coverage of a conflict or dispute can promote in-group favoritism bias effects that can escalate conflict destructively by increasing the polarization of the parties.

c. Denigration of Participants

An important contributor to the destructive escalation of conflict, particularly sustained conflict, is the delegitimization of the other side's perspective.[133] News coverage can foster destructive escalation by promoting the denigration of one of the disputants, such as by marginalization or demonization. This is well illustrated by what researchers have called the "protest paradigm," a set of journalistic practices that typifies mainstream coverage of social protests.[134] The phenomenon does not necessarily reflect malevolent intent by the news media, but rather is rooted in the biases of individual reporters, professional canons, the operation of the news organization, and the cultural and ideological mores of the community.[135]

Theoretically, the protest paradigm posits that the more protest groups threaten the status quo by attempting to change current conditions, norms, and policies, the more negatively they will be treated by the news media.[136] This harsh coverage both marginalizes the protest group and reinforces the status quo. Researchers have identified several protest paradigm characteristics: derogatory news frames (such as "protester versus police" and "the carnival"), reliance on official sources, the invocation of public opinion that frames protesters as an isolated minority, delegitimization (such as by treating the

132. Anastasio et al., *supra* note 126, at 181–82.

133. *See* PRUITT & KIM, *supra* note 3, at 105–13.

134. *See* Michael P. Boyle, Michael R. McCluskey, Douglas M. McLeod & Sue E. Stein, *Newspapers and Protest: An Examination of Protest Coverage from 1960 to 1999*, 82 JOURNALISM & MASS COMM. Q. 638, 639–40 (2005); Douglas M. McLeod, *News Coverage and Social Protest: How the Media's Protest Paradigm Exacerbates Social Conflict*, 2007 J. DISP. RESOL. 185, 185.

135. PAMELA J. SHOEMAKER & STEPHEN D. REESE, MEDIATING THE MESSAGE: THEORIES OF INFLUENCES ON MASS MEDIA CONTENT 261–71 (2d ed. 1996).

136. *See* Joseph Man Chan & Chi-Chuan Lee, *Journalistic "Paradigms" of Civil Protests: A Case Study in Hong Kong*, *in* THE NEWS MEDIA IN NATIONAL AND INTERNATIONAL CONFLICT 183, 187, 190 (Andrew Arno & Wimal Dissanayake eds., 1984).

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protesters' cause as futile or a failure), and demonization of the parties (such as by focusing on the negative consequences of the protest).[137] They have also found significant protest paradigm effects on audience opinions. For example, in an experiment in which subjects were asked to view three television stories about anarchist protests, McLeod and Detenber found that stories with protest paradigm characteristics strongly influenced the opinion of the respondents toward the protesters and their cause.[138] In particular, they found that higher levels of support for the status quo elicited higher levels of criticism of the protesters, lower perceptions of the effectiveness of the protest, and lower estimations of support for the protesters' cause.[139]

Conflict theory would suggest that such coverage and effects can contribute to destructive escalation.[140] By demonizing and marginalizing the protesters, the media diminishes the likelihood that the substantive issues the protesters raise will be addressed, much less resolved to their satisfaction.[141] This would theoretically encourage the protesters to escalate the dispute, for example, by seeking out more supporters for their cause; indeed, this is often an important secondary purpose behind such protests. It can also motivate the protesters to devote more resources to their efforts (time, money, energy), to raise the level of their tactics in an effort to be heard and taken seriously, and to strengthen their resolve with respect to conflict issues.[142]

D. Summary and a Path of Inquiry

In this Part, I defined escalation as the expansion of conflict along at least five different dimensions—tactics, issues, participants, resources, and goals—and recognized that escalation, like conflict itself, can be both constructive and destructive. I found evidence in the mass communications literature suggesting that, when viewed from a conflict theory perspective, news

137. Douglas M. McLeod & James K. Hertog, *Social Control, Social Change and the Mass Media's Role in the Regulation of Protest Groups*, *in* MASS MEDIA, SOCIAL CONTROL, AND SOCIAL CHANGE: A MACROSOCIAL PERSPECTIVE 305, 311–22 (David Demers & K. Viswanath eds., 1999).

138. Douglas M. McLeod & Benjamin H. Detenber, *Framing Effects of Television News Coverage of Social Protest*, 49 J. COMM. 3 (1999). *But see* Benjamin H. Detenber, Melissa R. Gotlieb, Douglas M. McLeod & Olga Malinkina, *Frame Intensity Effects of Television News Stories About a High-Visibility Protest Issue*, 10 MASS COMM. & SOC'Y 439, 454–55 (2007) (finding some weakened effects when the protest was about abortion, a more salient social issue).

139. McLeod & Detenber, *supra* note 138, at 13–15.

140. KRIESBERG, *supra* note 3, at 169.

141. *See* Gadi Wolfsfeld, Eli Avraham & Issam Aburaiya, *When Prophesy Always Fails: Israeli Press Coverage of the Arab Minority's Land Day Protests*, 17 POL. COMM. 115, 129 (2000) (finding that coverage of Arab protests on Land Day used a law and order frame that did not include Arab claims for justice and equality).

142. *See* COSER, *supra* note 3, at 90.

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coverage can contribute to both constructive and destructive escalation. This evidence demonstrated that escalation can be constructive when it fosters greater communications between the parties, and destructive when it fuels a zero-sum mindset toward to the conflict or dispute, polarizes the parties, or denigrates one of the parties.

Because mass communications researchers have not studied conflict coverage to assess its impact on conflict escalation, the foregoing analysis raises several questions for further research. As we square conflict theory and mass communications research, one set of questions can be thought of as top-down questions—that is, questions that flow from the use of the dimensions of conflict escalation as measures of conflict escalation by the news media. Broadly stated, these questions include whether and under what conditions coverage of a conflict or dispute leads to an increase in the number of participants in the dispute, the number of issues at stake, the resources the parties devote to the dispute, the intensity of the tactics, and the extremity of the parties' goals. A second, more complex level of inquiry from this perspective concerns the constructiveness or destructiveness of escalation generated by such coverage and is discussed further below.[143]

Further integration of conflict theory and mass communications research yields still other top-down questions. The research on conflict escalation has identified several social-psychological processes that can fuel a conflict's destructive escalation.[144] These include the cultivation of stereotypes, selective perception,[145] self-fulfilling prophecies,[146] overcommitment and entrapment,[147] cognitive rigidity,[148] a gamesmanship orientation,[149] miscommunication, autistic hostility, reactive devaluation,[150]

143. *See infra* Part IV.B.

144. Peter T. Coleman, *Intractable Conflict*, *in* THE HANDBOOK OF CONFLICT RESOLUTION: THEORY AND PRACTICE 428, 434 (Morton Deutsch & Peter T. Coleman eds., 2000).

145. This includes selective evaluation of behavior, discovery of confirming evidence, and attributional distortions. PRUITT & KIM, *supra* note 3, at 156–59.

146. This is the tendency of negative perceptions of a party in conflict to influence that party's behavior with respect to the conflict. *Id.* at 154–55.

147. This is the tendency of parties to devote more resources to a dispute than would be justified by objective standards. *Id.* at 165–66.

148. This is the narrowing of thought and the inability to envision alternatives. Coleman, *supra* note 144, at 434.

149. A gamesmanship orientation shifts the focus of the parties away from what is at stake and toward a more abstract struggle over power. *Id.*

150. This is the tendency for a party in conflict to reject concessions by the other side, even when such concessions are desired by the party. *See generally* Lee Ross, *Reactive Devaluation in Negotiation and Conflict Resolution*, *in* BARRIERS TO CONFLICT RESOLUTION 26 (Kenneth J. Arrow et al. eds., 1995). For a study finding evidence of reactive devaluation in the context of international

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deindividuation,[151] and dehumanization.[152] Further research can seek to ascertain the degree to which news media coverage of a conflict or a dispute intensifies or abates each of these psychological processes.

Other research questions flow from the bottom up, from the assessment of news media practices from the perspective of conflict theory. For example, we identified several media framing practices that have been studied by mass communications scholars—issue dualism and battle metaphors, ethnocentric coverage, and the protest paradigm—as likely to contribute to the destructive escalation of a conflict or dispute because they foster a zero-sum mindset, polarize, or denigrate the parties.[153] This, however, is admittedly mere inference. Sound empirical research is needed to establish this connection between conflict coverage and destructive conflict escalation. Do issue dualism and battle metaphors, for instance, lead audiences to have a zero-sum perspective on the conflict or dispute, and how does such an attitude affect audience behaviors with respect to conflict? Does news coverage engender ethnocentrism or in-group favoritism with respect to a conflict or dispute, and to what extent do the dynamics related to these processes affect conflict behaviors? To what extent do the practices of the protest paradigm attract audience members to the protesters' cause and motivate marginalized parties to devote more resources to their efforts (time, money, energy), to raise the level of their tactics, and to strengthen their resolve with respect to conflict issues?

When asked in the context of particular coverage of particular conflicts or disputes, the answers to such questions are a starting point toward our greater understanding of the media's contribution to the constructive or destructive escalation of conflict.

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conflict news coverage, see Ifat Maoz, *The Effect of News Coverage Concerning the Opponents' Reaction to a Concession on Its Evaluation in the Israeli–Palestinian Conflict*, 11 HARV. INT'L J. PRESS/POL. 70, 80–81 (2006).

151. This is the tendency of a party or parties in conflict to view the other party or parties as mere members of a group rather than as individuals. PRUITT & KIM, *supra* note 3, at 111–13.

152. This is the tendency of a party or parties in conflict to view the other party or parties as something other than human. *Id.* at 111–12. For example, in Rwanda, the Hutus compared the Tutsis to cockroaches, something other than human, which made it easier for Hutus to kill Tutsis. *See, e.g.*, Bernard, *supra* note 12, at 191; Jean-Marie Vianney Higiro, *Rwandan Private Print Media on the Eve of the Genocide*, *in* THE MEDIA AND THE RWANDA GENOCIDE 73, 85 (Allan Thompson ed., 2007).

153. *See supra* notes 87–142 and accompanying text.

IV. BENCHMARKS FOR CONSIDERING THE MEDIA'S IMPACT ON CONFLICT OUTCOMES

I have thus far suggested that the news media has a unique capacity to escalate conflict, either constructively or destructively, as they communicate messages about conflict to their audiences. I have also demonstrated how the dimensions of conflict escalation provide particular measures for assessing how news media coverage of conflict contributes to its destructive or constructive escalation. Yet the question remains: What is the impact of news coverage on the *outcomes* of conflict or disputes?

A. Constructive and Destructive Outcomes

Again, we must distinguish between constructive and destructive outcomes, concepts that can be roughly equated with what the dispute resolution literature often refers to as integrative and distributive outcomes.[154] Constructive outcomes, therefore, are outcomes that integrate, or satisfy, the interests, needs, and concerns of all parties to the dispute, at least to some degree. But constructive outcomes also bear some of the other characteristics of constructive conflict, such as functional relationships that are strengthened by mutual understanding, respect, and trust. They also evidence better communications and clearer, more realistic expectations between the parties.

On the other hand, destructive conflict outcomes are outcomes that meet the interests, needs, and concerns of only one party, if any, and are characterized by relationships in which there is little, if any, mutual understanding, respect, trust, or communication. Destructive outcomes also evidence dissipated party resources, lost opportunities, and psychic harms to the parties and third parties. Many outcomes, of course, include both constructive and destructive elements, and again, the question in any particular case is which characteristic is dominant from a particular perspective at a particular point in time.

154. The literature noting the distinction between integrative and distributive outcomes and extolling the virtues of integrative outcomes has a long pedigree. *See, e.g.*, DYNAMIC ADMINISTRATION: THE COLLECTED PAPERS OF MARY PARKER FOLLETT 30–45 (Henry C. Metcalf & L. Urwick eds., 1942); ROGER FISHER, WILLIAM URY & BRUCE PATTON, GETTING TO YES: NEGOTIATING AGREEMENT WITHOUT GIVING IN 40–55 (2d ed. 1991); DAVID A. LAX & JAMES K. SEBENIUS, THE MANAGER AS NEGOTIATOR: BARGAINING FOR COOPERATION AND COMPETITIVE GAIN 88–153 (1986); DEAN G. PRUITT, NEGOTIATION BEHAVIOR 137–41 (1981); HOWARD RAIFFA, THE ART AND SCIENCE OF NEGOTIATION 33, 131 (1982); RICHARD E. WALTON & ROBERT B. MCKERSIE, A BEHAVIORAL THEORY OF LABOR NEGOTIATIONS: AN ANALYSIS OF A SOCIAL INTERACTION SYSTEM 162 (1965).

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B. Assessing the Likelihood of Constructive or Destructive Outcomes

Conflict constructiveness and other underlying principles of conflict theory point to several dimensions or benchmarks that can be used in determining whether news media coverage is likely to lead to a constructive or destructive outcome of a particular dispute when viewed from a particular perspective at a particular point in time. In this section I suggest several such reference points to test in further empirical research.

Significantly, these benchmarks can also be used to assess whether conflict escalation is constructive or destructive because of the integral relationship between conflict escalation and conflict outcomes. They are both parts of the whole of conflict, and the lines between them can often blur, especially given the propensity of unresolved conflict to reignite into new disputes. As a basic proposition though, we have seen that the character of the outcome tends to follow the character of the escalation; constructive escalation will tend to lead to more constructive outcomes, and destructive escalation will tend to lead to more destructive outcomes.[155] While destructive escalation can lead to more constructive outcomes, as we saw in the second Thanksgiving scenario above,[156] it does require a fundamental shift by the parties: a recognition that the contentious tactics they are using to engage the conflict will not be effective and a choice to use more collaborative tactics to resolve the dispute. This shift, often referred to as stalemate,[157] is itself a process that ultimately moves the parties toward constructive conflict resolution.[158] In the final analysis, therefore, the conditions leading to constructiveness or destructiveness are the same, regardless of whether those conditions arise sooner in the form of constructive or destructive escalation, or later in terms of conflict outcomes.

For this reason, these benchmarks provide measures for the constructiveness or destructiveness of both conflict escalation and conflict outcomes, or, when viewed together, the constructiveness or destructiveness of conflict. As such, the news media's impact on these dimensions provides a

155. *See supra* notes 43–45 and accompanying text. This may be seen as application of Morton Deutsch's "Crude Law of Social Relations," which generally holds "that the characteristic processes and effect elicited by a given type of social relationship also tend to elicit that type of relationship." Morton Deutsch, *Context, Yes! And Theory, Yes!*, 2003 J. DISP. RESOL. 367, 373.

156. *See supra* notes 43–45 and accompanying text.

157. *See, e.g.*, PRUITT & KIM, *supra* note 3, at 172–77.

158. For a discussion of the requirements for the readiness of parties to engage in peacemaking processes, see I. William Zartman, *The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments*, *in* CONTEMPORARY PEACEMAKING: CONFLICT, VIOLENCE AND PEACE PROCESSES 19, 19–20, 24, 26 (John Darby & Roger Mac Ginty eds., 2003).

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measure for assessing the constructiveness or destructiveness of conflict coverage.

Before proceeding to a discussion of these benchmarks, it is appropriate to mention a few caveats. Initially, as with any prognostication, predicting the future path of conflict is a hazardous enterprise, and one that should be undertaken with a measure of skepticism. Thus, my aim in suggesting these benchmarks is to provide some indicative considerations that could be used to develop what might be considered an educated guess as to the likely impact of news coverage of a particular conflict or dispute. Moreover, these considerations should not be confused with variables that can affect the constructiveness or destructiveness of conflict. When one factors in the impacts of predisposition, personality, situation, and other factors that can influence the path of conflict, the list of possible variables is potentially enormous and is worth independent consideration. Indeed, these considerations may help identify and organize such variables. I also do not suggest that these factors are ranked in terms of their importance or priority, nor do I suggest that any particular combination of them will tip the constructiveness balance one way or another. When applied to a particular conflict or dispute, some of these considerations may point toward constructiveness while others may point to destructiveness. Similarly, I also do not mean to suggest that these considerations are independent. To the contrary, my sense is that they are interrelated and mutually reinforcing. Finally, I do not suggest that these considerations are exclusive. One may certainly conceive of other dimensions of conflict that would provide insight into whether news coverage is likely to contribute to an outcome that is more constructive or destructive. I focus on these, however, in part because they are particularly salient, based on the conflict theory literature.

The communications between the parties.[159] This benchmark questions whether the news media's coverage of conflict fosters or inhibits the ability of the parties to communicate effectively about the conflict or dispute. Effective communication is a prerequisite to integrative dispute resolution and requires

159. *See* DEUTSCH, *supra* note 3, at 353 (noting the destructive effect of a lack of communication); Robert M. Krauss & Ezequiel Morsella, *Communication and Conflict*, *in* HANDBOOK OF CONFLICT RESOLUTION, *supra* note 144, at 131, 143 ("Good communication cannot guarantee that conflict is ameliorated or resolved, but poor communication greatly increases the likelihood that conflict continues or is made' worse."). One measure of the importance of communication to constructive dispute resolution is the degree to which the law promotes it. For example, the law generally provides that evidence of settlement discussions may not be introduced in subsequent proceedings. *See, e.g.*, FED. R. EVID. 408(a). Similarly, all states provide at least some protection for the confidentiality of mediation communications. *See* UNIF. MEDIATION ACT prefatory note (amended 2003).

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the parties to be able to reach beyond the mere positions they are articulating in the dispute to get at the underlying interests, needs, and concerns that must be addressed in order to achieve a constructive outcome.[160]

There are many ways that news coverage of conflict could affect party communications, both constructively and destructively. Coverage that polarizes the parties, as we saw above,[161] for example, is likely to contribute to or reinforce autistic hostility, or distance, between the parties. Conflict theory would also suggest that it would be particularly interesting to observe the degree to which conflict coverage provides information about the parties' interests, needs, and concerns, as well as about the context in which the dispute is set, such as its causes and consequences.[162] To the extent that it does provide this type of information, the coverage's capacity to provide for a constructive outcome would seem to be greater because the parties would have more information and perspective upon which to predicate such a result. On the other hand, the reporting of mere positions or coverage without context would seem to undermine party communications by depriving the parties of information and perspective that is necessary for integrative conflict resolution, thus making a destructive outcome more likely.[163]

The tactics of the parties.[164] This dimension tests whether the news media's coverage of the dispute would likely lead the parties to use more cooperative, stabilizing tactics or more contentious, escalating tactics in pursuing the dispute. The choice of tactics is important to the news media's impact on conflict outcomes because it is more difficult to bring parties to integrative resolution after there has been destructive escalation based on the use of contentious tactics.[165] In such cases, the parties must somehow come to believe that their contentious tactics will not succeed in order to be willing to change to more collaborative tactics, a process that can be both time-consuming and costly.[166]

Conflict theory tells us that party choice of tactics is a function of many

160. *See* DEUTSCH, *supra* note 3, at 363.

161. *See supra* notes 99–132 and accompanying text.

162. To be sure, reporting on interests, needs, and concerns may be particularly challenging for the media given the reluctance of parties in conflict to disclose sensitive information.

163. *See* Jake Lynch & Annabel McGoldrick, *War and Peace Journalism in the Holy Land*, 24 SOC. ALTERNATIVES 11, 12 (2005) (noting that reporting of facts without context sustains public ignorance of conflict).

164. *See* KRIESBERG, *supra* note 3, at 21. For a discussion of contentious tactics in conflict, see PRUITT & KIM, *supra* note 3, at 63–84. For a discussion of collaborative tactics, see generally FISHER, URY & PATTON, *supra* note 154.

165. PRUITT & KIM, *supra* note 3, at 172–76.

166. *See* Zartman, *supra* note 158.

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factors,[167] including the way in which the dispute is presented and understood. In this regard, a problem-oriented news frame is more likely to induce more collaborative tactics while an adversarial frame is more likely to prompt more contentious tactics.[168] This suggests that news coverage that emphasizes the substantive conflict itself, such as through an issue orientation, would be more conducive to the use of constructive tactics, and ultimately constructive outcomes, while coverage that is framed in more adversarial, zero-sum terms—such as through the use of the issue dualism model described above[169]—is more likely to incline audiences toward more contentious tactics, and ultimately destructive outcomes.

The outlook of the parties.[170] This benchmark looks at how the coverage will affect the attitude of the parties toward each other and toward the dispute. A constructive outlook would be characterized by a general sense of positivity—for example, friendliness toward the other party and helpfulness and hopefulness with respect to the resolution of the dispute. A destructive outlook would be characterized by a general sense of negativity—such as hostility or enmity toward the other party and unhelpfulness or obstructionism with respect to the resolution of the dispute. Naturally, news coverage that inclines audiences toward a constructive outlook, such as the Northern Ireland coverage discussed above,[171] would seem to make it more likely for the parties to reach a constructive outcome. On the other hand, news coverage that orients audiences toward a destructive outlook—such as the zero-sum orientation likely fostered by the issue dualism model described earlier[172]—would seem to make a destructive outcome more likely.[173]

The social bond between the parties.[174] This dimension focuses on the extent to which the media's coverage of the conflict is likely to promote or weaken the social bond between the parties. The social bond is an important

167. *See* PRUITT & KIM, *supra* note 3, at 39–55 (discussing tactical choice and the perceived feasibility of using problem-solving and contending strategies).

168. *See* KRIESBERG, *supra* note 3, at 161.

169. *See supra* notes 88–93 and accompanying text.

170. *See* DEUTSCH, *supra* note 3, at 30.

171. *See supra* notes 71–76 and accompanying text.

172. *See supra* notes 88–93 and accompanying text.

173. *See* Gadi Wolfsfeld, *Promoting Peace Through the News Media: Some Initial Lessons from the Oslo Peace Process*, 2 HARV. INT'L J. PRESS/POL. 52, 52–55 (1997) (using the Rabin government's attempt to sell the Oslo peace process to the Israeli public to demonstrate how journalism routines and practices can impede peace processes by focusing on events rather than processes, by focusing on the unusual and dramatic aspects of the process, and by making it difficult to conduct successful negotiations).

174. *See* PRUITT & KIM, *supra* note 3, at 134–36 (citing studies on social bonds in conflict).

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moderator of conflict: When it is strong, conflict is likely to stabilize; when it is weak, conflict is likely to escalate.[175] The news media can influence this quality of social connection in many ways, such as by emphasizing either the differences or similarities between parties in conflict or by highly dramatizing the coverage in a way that heightens audience emotions with respect to the conflict or dispute. Conflict theory would suggest that coverage that reinforces, or even creates, the social bonds between the parties is more likely to lead to more constructive outcomes, while coverage that publicly erodes these bonds, such as the polarizing coverage we saw above,[176] is more likely to lead to more destructive outcomes.

Power disparities between the parties.[177] This final benchmark addresses how the news media is likely to influence the power relationships between disputing parties. In conflict situations, there is often a power disparity between the parties that can make it more difficult to achieve a constructive outcome, as those with higher power tend to want to maintain the status quo while those with lower power tend to have negative attitudes that can limit their capacity for constructive conflict resolution.[178]

News media coverage of a conflict or dispute in which a power disparity is present can either enhance or help ameliorate this imbalance.[179] Where coverage heightens the power imbalance, such as by taking the side of the more powerful party (even unwittingly), or remains neutral as to power issues, thus reinforcing the imbalance, conflict theory would suggest that a more destructive outcome is more likely. As we saw above with the denigration of minority voices through the protest paradigm,[180] this dynamic is particularly problematic with respect to coverage of societal conflict, where there is considerable evidence indicating that the news media tends to favor the existing power structure—the status quo—and tends to repel threats to it.[181]

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175. *Id.*

176. *See supra* notes 99–132 and accompanying text.

177. *See* Peter T. Coleman, *Power and Conflict*, *in* HANDBOOK OF CONFLICT RESOLUTION, *supra* note 144, at 108–09.

178. *Id.* at 122–26.

179. It is both interesting and important to note that power imbalances present a difficult dilemma for the news media: media efforts to rectify the power imbalance can be viewed as compromising the media's neutrality, while failing to do so allows for the further exploitation of the power imbalance. In this way, the media's challenge with respect to power resembles that of mediators who deal with power disparities in the resolution of family, employment, and other disputes. *See, e.g.*, Cheryl Dolder, *The Contribution of Mediation to Workplace Justice*, 33 INDUS. L.J. 320, 335–36 (2004).

180. *See supra* notes 133–142 and accompanying text.

181. *See* McLeod & Detenber, *supra* note 138, at 4–5 (1999) (citing references).

By contrast, where reporting equalizes the power disparity, such as by quoting highly respected authorities and providing other information that is supportive of the low power party, a more constructive outcome is more likely to obtain because the high power party has greater incentive to engage in integrative bargaining.[182]

C. *Synthesis and a Path of Inquiry*

The foregoing discussion drew on conflict theory to identify some benchmarks to consider in assessing whether news media coverage of conflict or a dispute is likely to lead to a more constructive or more destructive escalation and outcomes: the communications between the parties, the tactics used by the parties, the outlook of the parties, the social bond between the parties, and the power differential between the parties.

To summarize, conflict coverage is likely to lead to more destructive outcomes when it impedes communication between the parties, making it more difficult for them to engage in reasonable and candid dialogue about their needs, interests, and concerns—the prerequisites for integrated conflict resolution. News media reporting is also likely to produce more destructive outcomes when it encourages the parties to use harsher tactics to try to win the dispute. It may also lead to more destructive outcomes when coverage casts a negative pall on one or both of the parties' outlook toward the dispute, making the dispute seem hopeless or intractable. More destructive outcomes are also more likely when coverage exacerbates power disparities between the parties and publicly severs the social bond between them, such as by emphasizing their differences rather than their similarities.

On the other hand, coverage of conflict is more likely to lead to more constructive outcomes when it facilitates greater communications between the parties and greater capacity of the parties to use problem-solving tactics in the resolution of the dispute by providing more information and perspective. Coverage is more likely to lead to more constructive outcomes when it leads the parties toward a constructive outlook toward each other and toward the dispute, such as by providing a sense of hope that the conflict can be resolved. Finally, coverage can be more constructive when it levels the power

182. For an example of the ability of the media to balance power relations in the international context, see Andrew Wei-Min Lee, *Tibet and the Media: Perspectives from Beijing*, 93 MARQ. L. REV. 209 (2009) (decrying pro-Tibet bias of world media in the Tibetan conflict with China). *See also* Gadi Wolfsfeld, *The News Media and the Second Intifada: Some Initial Lessons*, 6 HARV. J. INT'L PRESS/POL. 113, 113 (2001) ("The most powerful role the news media can play in such conflicts is when they become equalizers by allowing the weaker party to enlist the support of third parties.").

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disparities between the parties or at least does not further the exploitation of power imbalances.

What are some of the means by which the news media's coverage of conflict pushes the parties toward these destructive and constructive ends? This is ultimately an empirical question, but our discussion thus far provides some of the etchings of a blueprint for research. To this end, we have already mentioned several issues to explore with respect to their influence on conflict outcomes: the reporting of positions versus interests, narrow versus contextual approaches to reporting, problem-oriented versus adversarial frames, zero-sum versus positive-sum outlooks toward the conflict or dispute, similarities versus differences, and the denigration of less powerful parties. From the perspective of conflict outcomes, the general question these issues raise is: How do these reporting practices affect the willingness and ability of the parties to settle the dispute in an integrative way? To the extent that they motivate the parties toward integrative settlement, the outcome is more likely to be more constructive. To the extent that they do not, the outcome is more likely to be more destructive.

This is by no means an exhaustive list of factors worthy of further research. Indeed, two other sometimes-related issues are particularly promising areas of inquiry: news frames and language choice, and their impact on willingness and ability to settle. For example, as discussed above, the news media commonly uses an issue dualism frame for stories about conflict or disputes, theoretically contributing to a zero-sum orientation toward the conflict by the audience.[183] To the extent that it does, does this model influence the parties' willingness to resolve the dispute or conflict integratively? Similarly, we discussed how the protest paradigm is in part characterized by the use of derogatory frames that make the protesters look bad, thus delegitimizing them in the eyes of the public.[184] What is the impact of such a depiction on the readiness of the protesters or their supporters to resolve the conflict in an interest-based way?

One set of frames that I did not discuss that is relevant here is the set of episodic and thematic frames. Episodic news frames focus more on individuals and specific situations, while thematic news frames focus more on patterns and the placing of public issues in a more general context.[185] For

183. *See supra* notes 87–93 and accompanying text.

184. *See supra* notes 133–142 and accompanying text. For a discussion of the attribution of causation and responsibility, see Silvia Knobloch-Westerwick & Laramie D. Taylor, *The Blame Game: Elements of Causal Attribution and Its Impact on Siding with Agents in the News*, 35 COMM. RES. 723, 725–26 (2008).

185. SHANTO IYENGAR, IS ANYONE RESPONSIBLE? HOW TELEVISION FRAMES POLITICAL

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example, an episodic frame on terrorism might focus on the victim, while a thematic frame might discuss terrorism in religious or historical terms. Researchers have found that episodic framing tends to be more emotionally engaging for audiences[186] and tends to lead audiences to attribute blame and responsibility for problems to individuals and groups, while thematic framing tends to lead audiences to assign blame and responsibility for problems to societal factors.[187] To the extent that social problems can be equated with conflict—societal conflict, after all, arises in part from disagreement over whether something is a problem and how it should be resolved—episodic and thematic framing has important, yet unexplored, implications for the impact of news coverage on conflict outcomes.

With respect to the assignment of blame and responsibility, the research on episodic and thematic framing has generally looked at whether the individual (or group) or the government should bear the blame or responsibility.[188] Of course, this is significant when the conflict or dispute is between the individual (or group) and the government, raising the question for our purposes of whether the assignment of such blame or responsibility affects the parties' (or their supporters') disposition toward resolving the dispute constructively. But it also raises the questions of whether, when, and how these frames operate to allocate blame and responsibility in conflict and disputes between private parties, and the impact of those assessments on party willingness and capacity to engage in integrative dispute resolution.

In addition to news frames, researchers should also look at the impact of language choice on party willingness and ability to settle. We discussed above the common use of battle metaphors in the coverage of conflict and the possibility that they could contribute to a zero-sum mindset on the part of

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ISSUES 14 (1991).

186. *See* Kimberly Gross, *Framing Persuasive Appeals: Episodic and Thematic Framing, Emotional Response, and Policy Opinion*, 29 POL. PSYCHOL. 169, 169, 177–83 (2008) (also finding a relationship between elicited emotions and policy option preferences).

187. Kellie E. Carlyle, Michael D. Slater & Jennifer L. Chakroff, *Newspaper Coverage of Intimate Partner Violence: Skewing Representations of Risk*, 58 J. COMM. 168, 180–81 (2008) (finding newspaper framing of intimate partner violence is heavily episodic, making victims more likely to feel blamed for their own victimization); Shanto Iyengar & Adam Simon, *News Coverage of the Gulf Crisis and Public Opinion: A Study of Agenda-Setting, Priming, and Framing*, 20 COMM. RES. 365, 379 (1993).

188. *See, e.g.*, Iyengar, *supra* note 83, at 26–27; William F. Siemer, Daniel J. Decker & James Shanahan, *Media Frames for Black Bear Management Stories During Issue Emergence in New York*, 12 HUM. DIMENSIONS OF WILDLIFE 89, 97 (2007) (finding news stories about problems with black bears in New York tended to use an episodic frame and to attribute responsibility for solving problems to individuals rather than the government).

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news audiences with respect to the conflict or dispute.[189] For purposes of assessing likely constructiveness of conflict outcomes, the question becomes: How does the use of battle metaphors influence willingness to settle? Also, in our consideration of ethnocentric reporting, we saw that conflict coverage can use intensely emotive language to make the story, and the conflict, more salient to audiences. This raises the question of whether supercharged audience emotions make it more or less likely for parties to be willing to settle the conflict or dispute integratively.[190] Similarly, we saw that demonization is an integral part of the protest paradigm. But it can also arise in the context of the coverage of other types of conflict and disputes, as quoted sources often demonize the other side to gain advantage in the court of public opinion.[191] One would suspect such demonization to negatively influence party willingness and ability to settle, but as with these other questions, the hypothesis needs to be empirically tested.

V. CONCLUSION

Conflict and disputes are pervasive features of news coverage. Reporting about conflict and disputes will inevitably have an impact on those processes as the news media shapes individual and collective public understanding about them. Conflict theory suggests that such coverage can push the conflict or dispute in a direction that is either more destructive or more constructive, and in this Article I have attempted to go beyond intuition to provide some initial thinking in terms of what this means, as well as its implications for future empirical research. I used conflict theory to define the constructive and destructive propensities of conflict and to identify the dimensions along which conflict expands when it escalates. I further analyzed the mass media

189. *See supra* notes 94–98 and accompanying text.

190. For suggestions that inflammatory rhetoric in the news media can have a destructive effect, see, e.g., Linda Drucker, *Nicaragua vs. Honduras: Border-War Journalism*, COL. JOURNALISM REV., Sept.–Oct. 1983, at 19, 19 (finding that inflammatory coverage by both sides could contribute to the outbreak of war); Reed Irvine & Joe Goulden, *Did the Media Cause the L.A. Riots?*, 17 SOLDIER OF FORTUNE 28, 28–29 (1992) (arguing that inflammatory media coverage of the Rodney King incident and the subsequent trial of police officers involved contributed to the L.A. riots); Renal'd Khikarovich Simonyan, *The Baltic Mass Media: The Dynamics of the Last Decade*, 30 SOTSIOLOGICHESKIE ISSLEDOVANIIA 98 (2004) (Russ.) (arguing that inflammatory rhetoric of the Baltic media does not contribute to the normalization of international relationships with the Russian state) (author's trans.).

191. *See* Bonnie Brennen & Margaret Duffy, *"If a Problem Cannot Be Solved, Enlarge It": An Ideological Critique of the "Other" in Pearl Harbor and September 11* New York Times *Coverage*, 4 J. STUD. 3, 3, 13 (2003) (arguing that framing ethnic groups as the "other" encourages the emergence of a specific ideological vision in news coverage that cultivates a climate of fear among U.S. citizens).

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empirical research from a conflict theory perspective and found evidence of journalistic practices that are more likely to lead to more constructive or more destructive escalation. Finally, I proposed an initial list of benchmarks that can be considered in assessing the likely impact of news coverage on conflict escalation and outcomes when viewed from a particular perspective and at a particular point in time.

From a normative perspective, the ultimate aim of this inquiry is to better understand the impact of news reporting on conflict so that journalists can do a better job in their coverage, and so that those involved in conflict and disputes will be able to better manage the media dynamics that affect their situations. Because it is axiomatic to suggest that society is better served by conflict coverage that is constructive rather than destructive, that contributes to society rather than undermines it, such an understanding would further counsel the development of a formal model of constructive conflict coverage. That is not the goal of this Article, however. Such modeling can most effectively be accomplished after research has achieved a better understanding of the impact of news coverage on conflict.

Even then, recent history points out the challenge of changing journalistic practices with respect to conflict coverage.[192] In the 1980s, Norwegian peace scholar Johan Galtung published both an analysis of the traditional news coverage of war, which he termed "war journalism," as well as a prescription for better coverage, which he called "peace journalism."[193] War journalism is oriented toward violence, propaganda, elites (especially government officials), and victory.[194] Peace journalism, on the other hand, is an advocacy approach to war coverage that is oriented toward truth, people, and solutions.[195] While the aim of war journalism is simple coverage of the facts of war, the goal of peace journalism is to promote conflict resolution, peace initiatives, and the

192. *See* Renita Coleman & Esther Thorson, *The Effects of News Stories that Put Crime and Violence into Context: Testing the Public Health Model of Reporting*, 7 J. HEALTH COMM. 401, 404–05 (2002) (noting the difficulty in changing journalistic coverage of crime from a more episodic frame to the more thematic frame envisioned by public health journalism).

193. Johan Galtung, *On the Role of the Media for World-wide Security and Peace*, *in* PEACE AND COMMUNICATION 249, 252–62 (Tapio Varis ed., 1986); Johan Galtung, Peace Journalism: What, Why, Who, How, When, Where (Sept. 3–6, 1988) (unpublished paper presented at the TRANSCEND Taplow Court workshop, "What are Journalists For?"), *cited in* Lee et al., *supra* note 94, at 505.

194. *See* Jake Lynch & Annabel McGoldrick, *Peace Journalism: A Global Dialog for Democracy and Democratic Media*, *in* DEMOCRATIZING GLOBAL MEDIA 269, 271–72 (Robert A. Hackett & Yuezhi Zhao eds., 2005).

195. *Id.* at 271.

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reconstruction of war-torn societies.[196]

Despite its ostensibly constructive qualities, peace journalism has been controversial, in large part because it challenges the powerful professional norm of objectivity in reporting. Peace journalism is advocacy journalism, reporting with a purpose. Yet especially in the West, many journalists view such a proactive role as inappropriate. Under this view, the news media is simply a mirror to the world, reporting on what it sees without embellishment, regardless of the consequences.[197] Journalism scholars have long come to recognize that purely objective journalism is impossible because news journalists inevitably bring their life experience, mores, and beliefs to the judgments they make about the news.[198] More commonly today, at least among scholars, objectivity is thought of more as an aspiration,[199] or as a method by which a reporter renders a thorough, fair, and accurate account of the news,[200] than as an output in and of itself. Still, for practitioners who do not engage in advocacy journalism, objectivity remains an article of faith[201] and an impediment to the acceptance of peace journalism.

Peace journalism thus offers a cautionary tale for any effort to establish a formal model of constructive conflict coverage.[202] It is a reminder that the

196. For a study of the media's role in post-conflict transformation, see Lisa J. LaPlante & Kelly Phenicie, *Mediating Post-Conflict Dialogue: The Media's Role in Transitional Justice Processes*, 93 MARQ. L. REV. 251 (2009).

197. For a clear statement of the inviolability of objectivity in reporting, see Robert Karl Manoff, *Role Plays: Potential Media Roles in Conflict Prevention and Management*, 7 TRACK TWO, Dec. 1998, at 11, 11–15. *See also* Tim Weaver, *The End of War: Can Television Help Stop It?*, TRACK TWO, Dec. 1998, at 21, 21–23.

198. *See* CLIFFORD G. CHRISTIANS ET AL., GOOD NEWS: SOCIAL ETHICS AND THE PRESS 118–19 (1993). For a stronger view, see Nayda Terkildsen, Frauke I. Schnell & Cristina Ling, *Interest Groups, the Media, and Policy Debate Formation: An Analysis of Message Structure, Rhetoric, and Source Cues*, 15 POL. COMM. 45, 59 (1998) ("[T]he media are more than a mirror on which public policy players illuminate their messages; rather, the media are the uncredited directors of policy dramas.").

199. *See* George Kennedy & Glen Cameron, *Americans and Journalism: We Value but Criticize It*, *in* WHAT GOOD IS JOURNALISM: HOW REPORTERS AND EDITORS ARE SAVING AMERICA'S WAY OF LIFE 5, 8–17 (George Kennedy & Daryl Moen eds., 2007).

200. *See, e.g.*, BILL KOVACH & TOM ROSENSTIEL, THE ELEMENTS OF JOURNALISM: WHAT NEWSPEOPLE SHOULD KNOW AND THE PUBLIC SHOULD EXPECT 81 (updated & rev. ed. 2007).

201. *See* Wolfgang Donsbach & Bettina Klett, *Subjective Objectivity: How Journalists in Four Countries Define a Key Term of Their Profession*, 51 INT'L COMM. GAZETTE 53, 74 (1993).

202. Civic, or public, journalism is another solution-oriented model of journalism that has been similarly criticized. *See* TANNI HAAS, THE PURSUIT OF PUBLIC JOURNALISM: THEORY, PRACTICE, AND CRITICISM (2007); Michael McDevitt, *In Defense of Autonomy: A Critique of the Public Journalism Critique*, 53 J. COMM. 155, 155–56 (2003) (noting that public journalism fails to recognize the "complexity of professional autonomy and the occupational benefits it affords" practitioners); John J. Pauly, *Is Journalism Interested in Resolution, or Only in Conflict?*, 93 MARQ.

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coverage of conflict and disputes takes place in a real world of deadlines and organizational, professional, societal, and other pressures on news reporting—forces that must be respected by any formal model of constructive conflict coverage. Despite any concerns over the potential for news coverage to lead to destructive escalation and outcomes, news stories about conflict and disputes still have to be compelling and engaging in order to attract and retain audiences, and any formal model of constructive conflict coverage must take account of this fact of news media life. This tension between professional requirements and normative societal needs poses a challenge for the modeling of constructive conflict coverage, but one that I believe can be met. For example, issue dualism may be a matter of practical necessity given the exigent needs of journalists and audiences. However, mindful understanding of the destructive potential of issue dualism can lead to a more skillful execution of the technique, one that takes greater care to consider the issues and parties that need to be included within a story to make it accurate and helpful, and to avoid fostering a destructive zero-sum mindset with respect to the conflict or dispute.

Any formal modeling of constructive conflict coverage must also take into account the proper role of the news media with respect to conflict and disputes. Peace journalism and its commitment to finding solutions to conflict may be laudable for its noble humanitarian spirit, but its efficacy as a viable model of coverage is compromised not only by its frustration of deeply held objectivity norms,[203] but also because it casts the news media in the role of policy maker rather than reporter.[204] In so doing, peace journalism also fails to recognize that the conflict or dispute is not the news media's to resolve. Rather, as many in the dispute resolution field have come to recognize, a dispute belongs to the parties themselves, regardless of whether the parties are newsworthy private parties, groups competing over societal disputes, or nations in conflict.[205] While society at large may have an interest in the

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L. REV. 7 (2009).

203. *But see* Lee et al., *supra* note 94, at 511 (finding a slight peace journalism framing in the overall coverage of the Iraq War by newspapers in five Asian countries).

204. *See* Julia Grundmann, *Friedensjournalismus und Kriegsjournalismus*, ANTIMILITARISMUS INFORMATION [A.M.I.] (F.R.G.), Aug.–Sept. 2000, at 86, 94, *cited in* Hanitzsch, *supra* note 6, at 485. As Thomas Patterson observed in the context of societal conflict: "In carrying out this function [of news] properly, the press contributes to informed public opinion. However, politics is more a question of values than of information. To act on their interests, citizens must arrive at an understanding of the relationship between their values and those at stake in public policy. Political institutions are designed to help citizens make this connection. The press is not." Thomas E. Patterson, *The News Media: An Effective Political Actor?*, 14 POL. COMM. 445, 445 (1997).

205. *See* Carrie Menkel-Meadow, *Whose Dispute Is It Anyway? A Philosophical and*

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dispute being resolved, it is the parties themselves who ultimately must resolve their dispute, based on their respective interests, needs, and concerns, if there is to be constructive conflict resolution. In dispute resolution terms, such an insight counsels a facilitative role for the news media rather than an evaluative role with respect to the coverage of a conflict or dispute,[206] one that ultimately empowers the parties to engage in constructive problem-solving rather than destructive adversarial conflict resolution.

The question of the media's role with respect to conflict and disputes brings us full circle, back to our initial question: How does news media coverage affect conflict? As we have seen, this is a complex inquiry calling for substantial empirical research and theory building before even considering the delicate task of bringing theory into practice through formal modeling. While the challenges are daunting, the benefits for society are just as great.

Democratic Defense of Settlement (in Some Cases), 83 GEO. L.J. 2663, 2693 (1995) ("[I]n its most idealized forms, settlement can be defended as being participatory, democratic, empowering, educative, and transformative for the parties."). For a contrary view, see David Luban, *Settlements and the Erosion of the Public Realm*, 83 GEO. L.J. 2619, 2647–50 (1995) (arguing that settlement erodes the public realm) and Owen M. Fiss, *Against Settlement*, 93 YALE L.J. 1073, 1085 (1984) (same).

206. *See* Leonard L. Riskin, *Understanding Mediators' Orientations, Strategies, and Techniques: A Grid for the Perplexed*, 1 HARV. NEGOT. L. REV. 7, 23–25 (1996) (distinguishing between facilitative and evaluative approaches to dispute resolution by mediators, and recognizing them as lying at opposite ends of a spectrum of mediator orientations). "At the extreme of this evaluative end of the continuum fall behaviors intended to direct some or all of the outcomes of the mediation. At the other end of the continuum are beliefs and behaviors that facilitate the parties' negotiation. At the extreme of this facilitative end is conduct intended simply to allow the parties to communicate with and understand one another." *Id.* at 23–24 (emphasis omitted). Riskin later revised his descriptions of these continuum ends to be "elicitive" (replacing facilitative) and "directive" (replacing evaluative). Leonard L. Riskin, *Decisionmaking in Mediation: The New Old Grid and the New New Grid System*, 79 NOTRE DAME L. REV. 1, 30–34 (2003). For a discussion of the similarities and differences between the media and conflict resolvers, see Johannes Botes, *Journalism and Conflict Resolution*, MEDIA DEV., Winter 1996, at 6, 7–8.

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