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Response to Carrie Menkel-Meadow's "Correspondences and Contradictions in International and Domestic Conflict Resolution: Lessons from General Theory and Varied Contexts"

Wallace Warfield, Ph.D.*

I. INTRODUCTION

In her article, Carrie Menkel-Meadow poses a question that has been the subject of debate in conferences, classrooms, and other fora, but never sufficiently elaborated. ¹ That is: “Does the field of conflict resolution have any generalizable theories that ‘work’ across different domains of international and domestic conflict? Or, are contexts, participants, and resources so ‘domain’ specific and variable that only ‘thick descriptions’² of particular contexts will do?”

The subject is yet another one of those quiet (and sometimes not so quiet) debates that tiptoes across the field of conflict resolution from time to time.³ While Menkel-Meadow is careful when she speaks of domains, to compare international with international as well as international with so-called “domestic” (read American) conflicts, one is inclined to see the argument largely framed as the exportation of Western-generated theories abroad. As such, it raises intriguing and provocative questions about the complementarities of so-called Western styles⁴ of conflict resolution with those that occur in the more exotic international realm.

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² CLIFFORD GEERTZ, THE INTERPRETATION OF CULTURES: SELECTED ESSAYS 7 (1973). By “thick descriptions” Geertz means the importance for the observer to go beyond the immediate (and apparent) interpretation of an event that is unfolding to look for deeper meanings or create “a stratified hierarchy of meaningful structures.” Id.


⁴ I find it curious that the term “Western,” is customarily applied to the United States, Canada, and select European nations in the geopolitical sense, but is implicitly Americanized when it comes to the field of conflict resolution, as if anything emanating from America a priori carries a hegemonic taint.
Or, as Menkel-Meadow states, "[O]ur field of conflict resolution has little in the way of generalizable propositions that work (explain, describe, predict, and prescribe) across all domains."  

In this article, I would like to first spend a little time clarifying (or perhaps muddying) what is meant by "domestic" and "international" when people talk about conflicts and how they are resolved. Geographical and content-defining terms tossed about cavalierly say more about competing hierarchies and elitism than functional geopolitical designations. Next, I will suggest that part of the problem is how we locate theory in this debate: What kinds of theories lend themselves to generalization and which ones do not? And does the problem lay with the theory or the theory interpreter?

II. WHAT IS MEANT BY "DOMESTIC" AND "INTERNATIONAL" CONFLICTS?

When Menkel-Meadow refers to domestic conflicts and their resolution, she links this body of occurrences and responses with "American." Indeed, in the lingua franca of conflict resolution discourse, the two designations of "American" and "domestic" have become virtually synonymous. As has "international" with any form of conflict and its revolutionary approaches applied outside of the United States. Indisputably, this is a handy way to distinguish between forms of conflict and conflict resolution approaches, particularly if there is an interest in conducting comparative research. However, if one pays close attention to the discourse that has accompanied the political growth of the field, what is really heard is a resolute determination by the international relations community to distance themselves from those who theorize and practice in the United States. A fleeing, if you will, from yet another hegemonic export of those "Americans."

Now of course, stories abound of American practitioners intervening in a so-called international setting, either directly in a conflicted situation or through the modality of training, and applying techniques denuded of the culture they were functioning in—the result ranging from an embarrassing oversight to a snafu that could have serious repercussions for the lives and safety of participants. Yet it has come to the point where hearing about the "American style" (of conflict resolution), triggers visions of a parade of horrors trailing closely behind.

Well, what is a domestic versus an international conflict? World War II, involving a number of countries on the Allied and Axis sides, was certainly an international conflict, as are both the Persian Gulf conflicts. The current Central African quagmire and the turmoil in the Middle East would certainly take up residence in this international domain as well. But what about the Brixton riots that took place in London in 1985? Or recent conflicts between sectarian groups in India? Are these examples of international conflicts or simply parochial conflagrations taking place in somebody else's backyard?

The point is not that the latter group of conflicts are not international (they are not in a strictly definitional sense), but rather that the nomenclature gets conflated when these terms are used by practitioners to locate themselves in the professional field. When a practitioner describes him or herself as an international conflict resolver, very few of these individuals are doing international conflict resolution

5. Menkel-Meadow, supra note 1, at 320.
in the strict definitional sense. Rather, many are conducting conflict resolution training with specific groups that may or may not be in conflict with one another or some other form of intervention, but at best tangentially related to international conflict resolution. In short, the term and application have become a kind of short hand for anyone who’s doing anything outside of the United States.\(^6\)

It would be interesting to ascertain if practitioners of conflict resolution from other countries are engaged in a similar facilenes when they do various forms of intervention outside of their home countries. For example, had a British practitioner sought to intervene in the gang conflict between Mexican American and recently arrived Mexican immigrants and Puerto Ricans that took place in Chicago’s west side in the mid-1990s, would that individual consider himself to have been doing international conflict resolution? Or is this a peculiarly American orientation?

This geographic ambiguity is related to the similarities and/or differences of domain comparison. If an external intervener analyzes a conflict in another country, where all the actors are local, and determines this to be a domestic conflict, then will this individual be looking for similarities with nativist conflicts that she or he is familiar with, or will differences be the guiding analytical frame? In other words, should the domain designation drive the analytical frame in one direction as opposed to another? Or, should we be looking at other variables that have the potential to provide richer descriptions and explanations? As Menkel-Meadow points out in her discussion of the New York City Police Department hostage negotiations,\(^7\) context does matter. But it is not so much a geographical context or even a case typology context, as it is a context of a situational dynamic that matters. What is the dynamic situation unfolding between conflicting parties that invites analytic comparison and becomes the basis for third party action?

For example, Menkel-Meadow is correct in suggesting that hostage negotiators are guided by contingency-driven hypotheses, and that there are contextual differences between that situation and a multi-party problem-solving workshop that explores deep-rooted causal factors.\(^8\) But there are also relevant similarities. For example, she indicates that hostage negotiators noted the importance “of keeping parties talking.”\(^9\) I would argue that in problem solving workshops there are contingent moments when it is important to keep parties talking as well. The point of comparison is not the typology or location, but the dynamic interaction that is taking place between parties in a conflict situation. The important context in this comparison is how you “keep parties talking” rather than what you do. And it is here where both obvious and subtle differences emerge. By the way, I am not so sure that our police hostage negotiators were not using theory. Periodically during the discussion, one or more of the academics would suggest a theory that the negotiators were using. Typically, they would respond with an example.\(^10\)

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6. I bear no small burden of responsibility in adding to the obfuscation, as I have been involved in a fair amount of “international” conflict resolution and have even caught myself fudging the definition.

7. Menkel-Meadow, supra note 1, at 327-29.

8. Id

9. Id.

10. See Jack Cambria et al., Negotiation Under Extreme Pressure: The “Mouth Marines” and the Hostage Takers, 18 NEGOTIATION J. 331 (2002).
This is an indication they were using theory heuristically if not articulating it in the academic sense.

One early work that looked at similarities and differences of conflict conditions and responses, compared the previously mentioned riots in Brixton and other surrounding districts of London with the riots (or community conflict) that occurred in Miami-Dade County, Florida in 1980 and 1982. Certainly there were differences between the two riots, but they existed symbiotically with similarities. I will mention just two of these similarities that were relevant to the understanding of conflict dynamics.

Although both countries are democracies, the political culture of Great Britain with its emphasis on value patterns of ascription and particularism, produce a kind of hierarchical tribalism based on class, region, and club affiliation. These behaviors are not conducive to a sense of inclusion, despite government policies designed to produce a view that "we are all British." In the United States, value patterns of universalism and achievement emphasize the worth of the individual and constitutionalize a belief that all are equal as Americans. There is no need for an exhaustive historical review of the civil rights struggle to erase this fiction. The irony of the Civil Rights struggle with respect to Miami-Dade, is that judicial and legislative victories produced outcomes that reinforced social and economic deprivation rather than eradicated it.

Both locales were the recipients of significant immigration flows in the 1960s and 1970s, and in both cases, newly arrived immigrants tended to settle in impoverished neighborhoods. However, there were demographic differences that influenced participation in the conflict and the ideology of the protest groups that participated. While African Americans had historically lived in Miami-Dade, the region experienced a significant influx of Cuban immigrants after the revolution that brought Castro to power. These two groups had existed in Miami-Dade, living in separate communities with little inter-mixing. The riot was essentially racial and anti-authoritarian, pitting mostly poor African Americans against a predominantly white police force representing establishment hegemony. Brixton and other London districts affected by those riots reflected a polyglot of ethnicities with Asians, African Caribbeans, and whites, often living in the same communities. Interestingly, these disturbances were not defined as race riots.

The similarities between the conflicts are also important for the work of a comparative conflict analyst. Both riots lend themselves to a theoretical perspective rather colloquially called "Two Tap Roots and a Triggering Incident." This concept was formulated by the U.S. Justice Department's Community Relations

13. For an interesting discussion of this, see Gary Younge, No Place Like Home: A Black Briton's Journey Through the American South (2002).
17. For the most recent publication of this concept, see U.S. Dep't of Justice Cmty. Relations Serv., Avoiding Racial Conflict: A Guide for Municipalities (1991) [hereinafter A Guide for Municipalities]. In it, the "tap roots" are referred to as "community dynamics." Id. at 3-4.
Service in the 1970s to help guide field conciliators and mediators to develop conflict responses ranging from crisis management to more reconciliatory interventions. At the meta-theory level, Tap Root (TR) 1 is a general perception by a low-power segment of society that the system, as constructed by the more powerful and dominant members of that society, is inherently oppressive and discriminatory. As such, TR 1 borrows liberally from Galtung's theory of structural violence. At the meso-level, TR 2, there is a lack of confidence by this same oppressed group in the interests and capabilities of public and private institutions to provide adequate redress for their grievances. Finally, at the micro level, there is invariably some triggering incident. In the Miami-Dade riot, the triggering incident was perceived to be excessive use of police force against an African American male. In Brixton, a triggering event was an attack on Asian residents by white skinheads. The latter causal element, or triggering incident, generalizes to Horowitz's work in his study of deadly ethnic riots in India.

III. A THEORY ABOUT THEORY GENERALIZATION IN CONFLICT RESOLUTION

If the reader is still with me, this person will have discerned that I am a cautious fan of generalizable theory. I see a danger of over complexifying the uniqueness of conflicts as well as the risk of over generalizing or seeking commonality. In either case, there is no need to throw out the proverbial baby with the bathwater. To help us wrestle our way out of this semantical tangle, I offer a conceptual model that I take to be generalizable to all conflicts and that aids in giving direction to circumstances where other theories can be generalized and where differences should be paid attention to.

In their fascinating study of gender and workplace disputes, Patricia Gwartney-Gibbs and Denise H. Lach note that all disputes and conflicts have three components: origins, processes, and outcomes. This can also be depicted as a causal path model:

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<th>Origins</th>
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<th>Outcomes</th>
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A. Origins

Origins speak to how a conflict begins. Anyone who has familiarity with different forms of conflicts, ranging from the simplest\textsuperscript{25} dyadic interpersonal dispute to enormously complex entanglements such as the Israeli-Palestinian conflict, knows that the interpretation of origins is a social construction depending upon where an affected party stands in relation to the issues. The important thing about the origins component of the model is that it both affects how parties respond to a conflict (think sectarian violence in Northern Ireland for example), as well as the choice of process modalities of the intervener, the third party at the metaphorical table.\textsuperscript{26}

B. Processes

Processes deal with how a conflict will be pursued. Such processes range from consensual settlement through negotiations by the parties themselves—various forms of third party-assisted modalities such as facilitation, mediation, and the proliferated variations that have evolved over the last decade or so\textsuperscript{27} to more formal and decisional roles played by arbitrators, judges, and institutional managers.

C. Outcomes

Outcomes relate to how a conflict “ends,” but the meaning of “outcome” can vary widely. Conflicts can “settle” in the sense that parties reach an agreement unassisted or otherwise, that reflects their interests or ones imposed upon them by a formal decision maker. Outcomes can produce escalation of the conflict, usually in response to a precipitating event. We saw this in the Palestinian-Israeli conflagration when Sharon went to the Temple Mount in September 2000, producing the second Intifada. Outcomes can also be manifested in a “power over” fashion when one party defeats his or her adversary. We saw this when Britain defeated Argentina in the war over ownership of the Falkland/Malvinas Islands. Curiously, one author thinks of this kind of outcome as conflict de-escalation.\textsuperscript{28}

Where the field of conflict resolution has gone astray, is in the creation of a professional dictum that conflates “agreement as outcome” with the “ending of the conflict.” I can remember the premature celebrations that took place after the Oslo agreement, which sought to determine the outcome of the Palestinian-Israeli conflict. Similarly, in the seemingly never-ending Liberian civil war, parties to that conflict signed fourteen peace agreements, and as of this writing, the conflict

\textsuperscript{25} I use this term advisedly, since experience has borne out there is no such thing as a “simple” conflict.

\textsuperscript{26} P. H. Gulliver, Disputes and Negotiations: A Cross-Cultural Perspective 209-31 (1979).


\textsuperscript{28} Louis Kriesberg, Constructive Conflicts: From Escalation to Resolution 190-233 (2d ed. 2003).
has not only not ended, but has actually re-escalated.29 Similarly, in studies of domestic relations disputes, these disputes were categorized as "resolved" when agreements were reached,30 ignoring the relational implications of outcomes. Indeed, Terrell Northrup argues that despite the conflict resolution field's claims that the focal point of practice is relationships, conflict resolution theory (and the practice it generates) is driven by identifying and resolving party self-interest.31

IV. LOCATING THEORY GENERALIZATION

With these brief definitions in mind, I suggest that generalization resides most comfortably in the realm of theories about origins. And while the arena of processes requires more careful attention to differences as opposed to similarities, it is possible to replicate from one conflict domain to another. Length restrictions constrain me from indulging in an exhaustive treatment of conflict origins theories, but I would offer at least one for discussion.

Basic Human Needs Theory

Menkel-Meadow is right in her observation that a major evolution in the field of conflict analysis and resolution was understanding the importance of getting beyond parties' positions to understand their interests as a way to broaden the possibilities for reaching agreements.32 Going further, Basic Human Needs theory, arguably first offered by Abraham Maslow in his hierarchy of needs,33 and elaborated on by a number of theorists (particularly John Burton for the conflict analysis and resolution field,)34 urges the observer as intervener to probe beneath interests for an even deeper understanding of the conflict. This is an explanatory construction that Kevin Avruch and Peter Black have likened to an archaeological dig.35 If we look closer at this evolutionary theory development, we see that the metaphor, and what it seeks to illuminate, comes close to Geertz's call for "thick descriptions."36

33. See ABRAHAM H. MASLOW, MOTIVATION AND PERSONALITY (1954).
34. See John W. Burton, Conflict Resolution as a Political Philosophy, in CONFLICT RESOLUTION THEORY AND PRACTICE: INTEGRATION AND APPLICATION 55 (Dennis J.D. Sandole & Hugo van der Merwe eds., 1993) [hereinafter CONFLICT RESOLUTION THEORY AND PRACTICE].
35. See Kevin Avruch & Peter W. Black, Conflict Resolution in Intercultural Settings: Problems and Prospects, in CONFLICT RESOLUTION THEORY AND PRACTICE, supra note 34, at 131; Wallace Warfield, Public-Policy Conflict Resolution: The Nexus Between Culture and Process, in CONFLICT RESOLUTION THEORY AND PRACTICE, supra note 34, at 176.
36. See supra note 2.
But is human needs theory generalizable across conflict domains? I think it is, up to a point. Returning to the London and Miami-Dade riots discussed earlier, it is possible to see similarities. In both settings, despite certain demographical differences, we see that the ontological needs of identity, recognition, and development (to use a trio associated with Burton) of low-power participants was frustrated. In Britain and the United States, the political culture institutionalized by the ruling regime never lived up to its promise of embracing participants into a national identity and all the associational rights that go along with it. Consequently, there was a sense of frustration felt by affected groups in not being able to fulfill their potential, creating a spiral of unmet needs which led to an explosive reaction.

Stretching further across domains we may find similarity within a framework of human need, if we compare interpersonal conflict with the youth gang conflict we have been analyzing. Writing about interpersonal conflict, Joyce Hocker and William Wilmot discuss the importance of parties establishing identity or face-saving goals to define who they are in relation to the other party and the interaction taking place. 38 A key question here would be: “How may my self-identity be protected or repaired in this particular conflict?” In street gangs, conflicts serve as identity-reinforcing mechanisms and expression of group values. Members want to “belong” and group conflict is one way of satisfying this ontological need. As Burton goes on to say, “Whether we are dealing with interpersonal, community, ethnic, or international relations, we are dealing with the same ontological needs of people, requiring the same analytical processes of conflict resolution.” 39

Now, while I find myself in consensus with the core of this observation, it also contains seeds for my departure. I agree with Burton we are dealing with the same ontological needs across conflict domains, but I disagree rather strongly that they require the same analytical processes. As Menkel-Meadow points out, context matters. 41 The context of identity manifestation in an interpersonal conflict is likely to look very different than in the context of a street gang where the implications of that manifestation ricochet across a landscape of complex interactions. In addition to context, culture matters. Imagine identity manifestation in a female street gang as opposed to a male street gang. In either case, a conflict intervener would be led astray if they attempted to use the same analytical process leading to an intervention design in all conflict settings. After all, there is more to a wink than meets the eye.

V. CONFLICT PROCESSES

Next I would like to say a word or two about process in the context of similarities or differences. The previous discussion about the application of similarities or differences in one organic theory naturally leads us to consider the intervention processes a given theory is designed to guide. In the case of third party

39. N.Y. City Youth Board, Prevention-Treatment-Control of Juvenile Delinquency Through Group Work Services (1959) (unpublished paper from the Annual Spring Conference In-Service Training Department) (on file with the author).
40. Burton, supra note 34, at 56 (emphasis added).
41. Menkel-Meadow, supra note 1, at 328.
roles, the causal path model suggests a normative relationship between conflict origins, processes, and outcomes. In a Burtonian sense, going beyond interests to plumb the depths of a conflict should produce a greater understanding of that conflict and the form of intervention (praxis) to be used. I share what I take to be Menkel-Meadow’s implicit concern about an inclination on the part of some of our colleagues to engage in a kind of “one size fits all” notion of conflict analysis and resolution—particularly with respect to mediation.

The standard forty-hour mediation training, with its emphasis on neutrality and impartiality and near-dogmatic approach to how the process should be conducted, invites little tolerance for variables of culture, conflict conditions, and other phenomena that abound in varied domains. Professional practice has enshrined and codified mediation so that process is divorced from its origins to produce a preferred set of outcomes. Mediation has become step-driven. If the mediator paints by the numbers, the picture should look like an agreement. We may remember John Paul Lederach’s wonderful self-reflection when he conducted conflict resolution training in Central America several years ago. In reflecting on his experience and the model he was about to introduce, he came away with a number of observations. For example, one was that the mediation process invites a structural formality. Going from party introductions, story telling, caucusing, and other procedural steps, the mediator is a bureaucrat, essentially ignoring the context and cultural common sense of the participants. Lederach described mediation as an essentially linear process, one that fails to take into consideration the reality that most people live their lives non-linearly. In a more recent iteration, a colleague who is the manager for internal work place disputes of a major international lending agency, shared with me the frustration of working with external contract mediators who were bent on using “the one best way” to mediate between parties who represented a wide variety of cultures. They were remarkably unsuccessful.

What this tells us is that differences matter and we had best take them into consideration when thinking about designing intervention approaches. But remember the admonition of throwing out the proverbial baby with the bath water? There are circumstances and situations in conflicts where contingent techniques can work across domains.

A few years ago, I was a member of an intervention team that conducted training in conflict resolution and leadership with a number of national non-governmental organization leaders in Rwanda, post the 1994 genocide. We were sensitive to the cultural implications of our work and took great care in seeking advice from participants and others that would inform our process. At a certain point in the process, we felt that participants could benefit from an interest-based negotiation skills session. We agonized well into the night if this was culturally appropriate. Was this too rational-actor driven for people recently emerged from a horrific civil war? Would it be seen as the imposition of a Western technique with all of its colonizing implications? In the end, we decided to conduct the training and found that the participants not only understood the principles, but


43. Id. at 23.
ardently engaged the role plays (drawn from their relevant experiences), and were able to critique their performances.

Evaluating the experience, our team reflected on why this particular skills session seemed successful, despite its “Western orientation.” We felt there were a number of factors that contributed to the session’s success. First, we made it clear at the outset that we were not parachuting in to provide a few days worth of training and then returning to the safe ivory-towers of academia. We intended this to be a multi-year commitment. Second, we offered the negotiation skills session on the third day of the workshop, after a level of trust was developed between the participants (Hutu and Tutsi ethnic group members) and between participants and trainers. Third, we offered ourselves not as experts, but individuals who had expertise. Participants were free to select or reject what they felt would be useful to them (which they did on more than one occasion). Fourth, this particular skills session was contextualized within a larger framework of reconciliation. Finally, we were working with mid-level leadership, many of whom were college educated. While participants reflected at various times the dominant ethnic, national, and traditionalist culture frames, they also had jobs and other responsibilities that contained the artifacts of middle class life. Many of the disputes and conflicts they were dealing with (in organizations and institutional policies) fit the contours of modern organizational life, wherever it occurs. On the other hand, I doubt this particular training would have worked if we had attempted it in an upcountry village.

VI. Conclusion

I worry that whether we are devotees of similarities or differences in conflict domains or typologies, reflect so-called Western resolution models as opposed to non Western models (What are they anyway?), favor elicitive versus prescriptive approaches, utilize problem solving, reconciliational, or transformational approaches, in the end, they say more about who we are than what we are trying to do. It seems to me, that as practitioners, we would be better served if we de-contextualized process from its various (and competing) iconoclastic moorings and re-contextualized approaches and techniques to the conflict setting, responding to participants' needs, rather than satisfying our professional niche. We should shed the mantle of “expert” and consider that we are, after all, apprentices with a willingness to learn and change standardized paradigms of conflict resolution theorizing and practice.