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## Book review

## Thinking about conflict resolution 'beyond the square box'

*Nadja M Alexander*

***Conflict Resolved? A Critical Assessment of Conflict Resolution* by Alan C Tidwell, Pinter, London, 1998.**

In his monograph, *Conflict Resolved? A Critical Assessment of Conflict Resolution*, Alan Tidwell provides the reader with an insight into the breadth and depth of the literature in the multi-disciplinary field of conflict resolution. The author draws on literature from a wide range of social sciences and, in doing so, displays a command of the diverse theoretical bases of conflict resolution seldom found in earlier works.

Conflict resolution is rapidly emerging as an academic discipline in its own right, yet the majority of academics and practitioners in the field possess an educational and/or professional background in a traditional discipline such as psychology, government, anthropology, sociology or law. Accordingly, one would expect that conflict resolution scholars and practitioners draw heavily on their past experiences and education as the basis for their approach to the study and practice of resolving conflict. Let us take the example of legal practitioners.

Alternative dispute resolution (ADR) is a term used primarily by lawyers to refer to conflict handling processes, which provide an alternative to the court system. For many in the ADR school, ADR is synonymous with conflict resolution. According to Tidwell, however, 'ADR operates within the legalistic model, while at the same time recognising the shortcomings of the legal system'.<sup>1</sup> Conflict resolution, on the other hand, covers a much broader field than ADR.

As a legal member of the ADR school, I found Tidwell's text both theoretically enlightening and a great practical resource. If, however, you are expecting

an answer to the question, 'Conflict resolved?' then you will be disappointed, as Tidwell poses more questions than he attempts to answer. Yet in doing so he does not compromise the level of scholarly investigation and debate. Tidwell's concise analysis coupled with direct questions are thought-provoking and challenge the reader to self reflection both professionally and personally.

For example, in discussing the positive functional role of conflict in society, Tidwell asks whether some conflicts should be resolved at all. If the answer to this question is no, then the next issue is how to handle such conflicts.

Within the context of ADR, scholars speak about 'fitting the forum to the fuss'; in other words, selecting a conflict handling process to suit a particular conflict scenario. In general, ADR practitioners view conflict from a party perspective and ask themselves the question, 'How will we resolve the conflict?' Tidwell's question, on the other hand, does not assume that we want to resolve the conflict. Rather he takes one big step backwards and asks, 'What function does the conflict play in society?' If, from a societal perspective, the role is constructive, then the issue becomes whether the conflict should be encouraged rather than resolved. Referring to the work of Coser, Tidwell suggests that a great deal of technological development has resulted from the conflict activity of trade unions lobbying to increase wage levels and improve work practices. In other words, to resolve industrial conflict may be to allow inequities and improper work practices to continue.

Some ADR practitioners may consider that it is not their role to consider conflict in the broader, societal context but rather within a legalistic definition of dispute. ➤



➤ After all, many of the conflicts before them have already been defined according to legal concepts. While at first glance this may appear a logical and therefore legitimate response, it fails to meet the real challenge of ADR. ADR is about moving beyond strict legal thinking; it is about embracing ideas and knowledge from other disciplines, and looking beyond the square box. While ADR can claim to have made significant inroads into the ways lawyers think about dispute handling, there is still a long way to go.

Tidwell's book offers the ADR scholar and practitioner a bird's eye view of western conflict resolution well beyond the square box. He offers a road map, which not only shows the reader where each road leads but which also highlights the interconnections and interdependencies between both streets and suburbs. By bringing together the major theories and theorists from various disciplines, Tidwell has placed conflict resolution in a truly multi-disciplinary context which demonstrates both the commonalities between disciplines and the sometimes striking differences in approach. As such it is a book which should appeal to all those interested in developing their knowledge and understanding of the topic.

*Conflict Resolved?* is divided into nine chapters — beginning with the origins of the conflict resolution movement(s) and ending with speculations about the future.

In his first chapter Tidwell provides the reader with a well-structured outline of the history of western conflict resolution, indicating how the field has developed in various disciplines and suggesting where it might be headed.

Chapter two is entitled 'Popular Conceptions of Handling Conflict'. It considers conflict-handling processes such as coercion, mediation, conciliation and arbitration. Tidwell goes on to examine critically, albeit briefly, a number of prescriptive popular texts, including 'Getting to Yes' by Fisher et al. Tidwell is not the first to criticise Roger Fisher and his co-authors for promoting a

'naïve and two-dimensional approach' to resolving disputes.<sup>2</sup> He suggests that language used by popular authors such as Fisher and de Bono trivialise conflict and are unrealistic. Further, he questions the universal application of each of the four principles of principled negotiation — people, interests, options and criteria. In conclusion, Tidwell asserts that

the win-win discourse is not one of genuine conflict resolution but rather a mechanism for persuading others that they have what they want, without really giving anything away. It is clever, but not very productive towards the long-term resolution of conflict.<sup>3</sup>

While the earlier specific criticism of Fisher and the others is constructive, the all-encompassing, wide-sweeping conclusion detracts from the precise and hard-hitting argumentation that precedes it. But then again, Tidwell clearly states in the preface that he sets out to provoke readers into critically assessing their own beliefs, values and assumptions.

In chapter three, Tidwell investigates how scholars have perceived and defined conflict and how this affects the manner in which one approaches the resolution of conflict. For followers of the ADR school, this may be a leap into the unknown. For example, does one focus on individual perceptions and define conflict subjectively, or does one adopt a broad objectivist perspective and grapple with its application to real life? Should one define conflict according to its cause, purpose and environment, or the nature of its manifestation? Here Tidwell deals with the nature of conflict without directly linking it to resolution. It is in the next chapter that this link is made.

Chapter four focuses on theorists and theories that have attempted to link the theory to the practice of its resolution. Tidwell makes the crucial point that the study of conflict resolution cannot rely on traditional ways of explaining human behaviour, which are based in traditional discipline-based schools of thought such as anthropology, sociology, biology, psychology and game theory. Rather, an integrated and holistic ➤

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➤ approach is required. He turns to the Australian academic Burton as one of the few theorists who has attempted to create a generic theory of conflict resolution.

In chapters five and six the author considers conflict resolution from two further perspectives: communication theory and history — both personal and political history. Chapter seven is intriguingly devoted to the study of enemies.

Chapter eight deals with resolution processes, a topic familiar to ADR scholars and practitioners, yet the scope and the manner of the critique is clearly that of a non-lawyer and therefore of particular interest.

In his ninth and final chapter, Tidwell brings together his thoughts on how the sufficient conditions for conflict resolution, namely capacity, opportunity and volition, may be impacted. In conclusion, he cautions against the use of simplistic models of human behaviour to design conflict resolution interventions and argues for a clear articulation of the value bases upon which conflict resolution scholars and practitioners build their work.

In *Conflict Resolved?* Tidwell has embarked upon a critical assessment of conflict resolution from various theoretical perspectives, encompassing history, peace research, management theory, psychology and communication theory. As a practitioner, you may question the importance and relevance of theory to your work. Yet theory prompts us to ask new and different questions and to identify our assumptions. Action researcher Kurt Lewin believed that the effective practitioner of conflict resolution must also be a theorist. Further, Tidwell notes that the current focus of conflict resolution studies is on linking conflict theory to

resolution practice. In the context of ADR, however, the current focus is still on a practice desperately in need of a theory.

*Conflict Resolved?* does not present a coherent theoretical basis for conflict resolution. As pointed out earlier, the book will not answer your questions; rather it will stimulate more questions. It does provide an intelligent and critical appraisal of conflict and conflict resolution theories in the western world — an essential starting point for ADR students, scholars and practitioners. ●

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### Endnotes

1. A Tidwell, 1998, p 16.
2. See for example, J Westbrook, *Dispute Res* 1992, 443; Menkel-Meadow, 31 *UCLA L Rev* 1984, 758; and White, 34 *J Legal Educ* 1984, 115.
3. A Tidwell, 1998, p 26.

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