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INTERNATIONAL MEDIA AND CONFLICT RESOLUTION: MAKING THE CONNECTION

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I am delighted to introduce our dispute resolution symposium issue for the *Marquette Law Review* on International Media and Conflict Resolution. As we have done in the past, we have focused a symposium issue on a topic dealing with dispute resolution in an innovative manner, bringing national and international scholars to the law school. This year is no exception, and in fact, brings even more international and interdisciplinary scholarship to address this issue.

For conflict resolution scholars, the idea of focusing on the media is a logical one. After all, the media is the primary method through which the public and political leadership perceive and understand conflicts at home and abroad. If we are working to better handle these conflicts, the way that these conflicts are explained and understood is a crucial part of that process. Do the media have a responsibility to report all sides, even if one side is “wrong”? Do the media share in responsibility for escalation of a conflict if the reporting is incendiary? (The conviction of certain media figures involved in the Rwandan genocide and the use of “Tokyo Rose” during World War II are only two stark examples of how media can be directly involved in conflict.) And what of the responsibility of conflict specialists—are those of us in the conflict resolution field ignoring the media at our peril?

Many commentators on the media—from journalists to lawyers to conflict resolution scholars—have argued about the proper role of journalists and decried the common “if it bleeds, it leads” approach to reporting. Can journalists play a different role in informing the public, moderating the debate, creating understanding? In answering this question, we wanted to take a broader approach and bring a variety of disciplines and experiences to bear. So, we start this symposium with four different disciplinary looks at the linkage between media and conflict.

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We then spread across the world, with case studies from five different continents to illuminate the concepts while providing important insight into the actual functions performed by the media. The recent flare-up between the Obama Administration and Fox News demonstrates as clearly as ever the role that media can play—and is understood to play—in influencing policy. (One of our case studies, discussed below, on the Bush Administration and its use of media in the build-up to the Iraq War focuses on a similar point.) The case studies we include also raise interesting points on the types of media. As media have evolved from newspapers to three primary television stations to cable news to the Internet, we also need to understand how that evolution has impacted the reporting on conflict.

Our first article is from Marquette University Provost John Pauly, a communications scholar. In his article, *Is Journalism Interested in Resolution, or Only in Conflict?*, Pauly gives us a historical overview of the battle in framing the role of the journalist.¹ Traditionally, journalists viewed themselves as disinterested witnesses or observers to conflict, present only to report on the facts. More recently, the public journalism model has advocated that journalists take a more active role in educating and helping the public craft solutions to the problems of the day. This self-conception, Pauly argues, is key to understanding how the media itself determines the impact of media on conflict.

Susan Hackley, the managing director of the Program on Negotiation at Harvard University, as well as a writer and communications specialist, broadens Pauly's argument in her article, *In the Global Village, Can War Survive?*² She first compares the fields of journalism and conflict management and then notes how each profession should be making more use of the other. Conflict management experts need to “tell their story” to the media so that the stories of successful conflict management actually reach the public. But, equally important, she notes, the media often miss the crucial nuances of conflict because such details are not as compelling. For example, the international media ignored the role of a group of Liberian women in promoting peace³ because it wasn't action-oriented. Finally, Hackley writes that the emerging role of citizens as eyewitnesses and reporters of conflict through new media might provide new avenues of conflict communication.

Our third article is from law and journalism professor Richard Reuben.⁴

1. John J. Pauly, *Is Journalism Interested in Resolution, or Only in Conflict?*, 93 MARQ. L. REV. 7 (2009).

2. Susan G. Hackley, *In the Global Village, Can War Survive?*, 93 MARQ. L. REV. 25 (2009).

3. Told beautifully in the film PRAY THE DEVIL BACK TO HELL (Fork Films 2008).

4. Richard C. Reuben, *The Impact of News Coverage on Conflict: Toward Greater Understanding*, 93 MARQ. L. REV. 45 (2009).

In *The Impact of News Coverage on Conflict: Toward Greater Understanding*, Reuben starts off by defining the character of conflict—the destructive and constructive elements of conflict—and then explaining how the media often escalates conflict by polarizing the parties, formulating conflict as zero-sum, and delegitimizing parties on one side or the other. The media could play a role in the constructive escalation and de-escalation of conflict, but Reuben also notes that the very controversial “peace journalism” movement faced a strong backlash when it encouraged journalists to report more on people and solutions to conflicts.

Our final theoretical piece, *Media and Conflict Resolution: A Framework for Analysis*, is from communications scholar Eytan Gilboa, who provides us a framework for organizing our case studies.⁵ Professor Gilboa is uniquely situated to provide this framework for us, having recently authored a book about the role of media in conflict resolution. By bringing this perspective to a legal audience, we hope to introduce and then apply some of the best concepts in communication to a problem often only viewed through a legal or dispute resolution lens. Rather than just look at the role of media before, during, and after conflict, Professor Gilboa has adapted a more nuanced set of phases and roles. The media can be involved in conflict prevention, management, resolution, and reconciliation. Gilboa then examines the functions and dysfunctions of media—news, interpretation, cultural transmission, entertainment, mobilization—in light of these stages. Finally, he also layers into his analysis additional factors, including the level of media (from local to global), type of media, type of conflict, and level of conflict intensity.

The case studies are a rich array of conflicts from around the world that involve the media in different ways, and demonstrate the different roles the media has played in terms of escalating, moderating, or balancing conflict. They also showcase a great variety of media functions, media types, conflict types, and conflict intensity.

Communications professor Doug McLeod starts off our case studies with a clear indictment of the media leading up to the Iraq War in *Derelict of Duty: The American News Media, Terrorism, and the War in Iraq*, arguing that the media was used to launder misleading information which was often accepted with very little questioning.⁶ McLeod discusses the ideal role of media as conflicts emerge—in investigating, questioning, and providing varying versions of the government’s official story—and then looks forward to what

5. Eytan Gilboa, *Media and Conflict Resolution: A Framework for Analysis*, 93 MARQ. L. REV. 87 (2009).

6. Douglas M. McLeod, *Derelict of Duty: The American News Media, Terrorism, and the War in Iraq*, 93 MARQ. L. REV. 113 (2009).

the media should be doing in the United States to avoid a similar situation years from now.

In a very different type of case study of an escalating conflict, in *Negative and Positive Roles of Media in the Belgian Conflict: A Model for De-escalation*, psychology professor Martin Euwema and law professor Alain Verbeke write about the shocking role that the media played in bringing the Flemish-Walloon conflict in Belgium to the surface.⁷ Noting that Belgium, with its two different languages and groups, already has completely different French- and Flemish-language newspapers and television broadcasts, Euwema and Verbeke tell the story of how a joke news report—much like the well-known “War of the Worlds” hoax in the U.S. in 1938—started a firestorm. The news report announced that Flanders had withdrawn from Belgium to create its own state. The fact that the media portrayed many Belgians’ worst fears, and arguably caused the constitutional crisis, is a fascinating story of a deep-seated bloodless conflict.

While the conflict has remained peaceful in Belgium, law professor Phyllis Bernard examines the role of the media in the United States, and elsewhere, in sanctioning violence against the “other.”⁸ Starting with the history of lynchings in the U.S., and its celebration by the local media, in *Eliminationist Discourse in a Conflicted Society: Lessons for America from Africa?* Bernard shows that “eliminationist” rhetoric—used in Hitler’s Germany and by Hutus in Rwanda—can directly lead to violence. She concludes with an examination of current right-wing eliminationist rhetoric and suggests how conflict resolution methods used in African conflicts might work here.

As we move to the management of conflict, Andrew Lee brings us the story of the Chinese media in dealing with the Tibetan conflict.⁹ In *Tibet and the Media: Perspectives from Beijing*, Lee analyzes the English- and Chinese-language media to demonstrate the similarities and differences in terms of how the media covers the Tibetan crisis. Key differences include framing the issue, the relevant history of Tibet, the view of political power and religious freedom, as well as how Tibetans themselves view the conflict. The article concludes with several suggestions for how the Chinese government can better position itself with the media vis-à-vis Tibet.

In *Political Violence and the Media*, Robert Meadow, as a pollster and

7. Martin Euwema & Alain Verbeke, *Negative and Positive Roles of Media in the Belgian Conflict: A Model for De-escalation*, 93 MARQ. L. REV. 139 (2009).

8. Phyllis E. Bernard, *Eliminationist Discourse in a Conflicted Society: Lessons for America from Africa?*, 93 MARQ. L. REV. 173 (2009).

9. Andrew Wei-Min Lee, *Tibet and the Media: Perspectives from Beijing*, 93 MARQ. L. REV. 209 (2009).

political consultant, brings his real-world experience in covering elections to examine elections around the world and the ability of media to encourage and discourage voting, conflict, or de-escalation.¹⁰ He also outlines potential subjects for further research in figuring out the causes and trajectories of election violence.

Finally, we look to post-conflict resolution and reconciliation. Lynn Malley provides a wonderful glimpse into the use of media after the end of the Bosnian civil war, as seen during her year in Belgrade.¹¹ Through several different incidents in *Observations from an American Conflict Resolution Professional in Serbia on the Effects of the Accessibility of International Media*, she demonstrates how the media both helps and hurts in perpetuating a view of the “other.” In particular, when viewing Serbian media during the Kosovo riots in 2004 and the 2005 commemoration of the Srebrenica massacre, it was clear to Malley that the global and local media viewed the same events rather differently.

Lisa Laplante and Kelly Phenicie write in *Mediating Post-Conflict Dialogue: The Media’s Role in Transitional Justice Processes* about a wonderfully innovative tool—a trial reporting blog—in which the role of this media was specifically to provide a counterbalance to the pro-Fujimori press.¹² The blog reported throughout President Fujimori’s trial about testimony, witnesses, and the outcome, providing a crucial service to human rights activists both in and out of Peru.

We also are delighted to kick off the *Law Review*’s new Conferences web page with two of the conference presentations.¹³ These presentations were perfectly situated to launch the web site. One is provided by Frediano Finucci, an Italian journalist, who presented the difference in how Slovenia and Serbia handled the media at the outbreak of the Yugoslav civil war. The video clips better show than any article the difference in media strategies and help explain why Slovenia was quite successful in quickly garnering European support for its declaration of independence. The second is also well suited to the web site as it discusses the frightening use of the Internet by terrorist groups. Terrorism expert Gabriel Weimann writes about the different examples of web usage by terrorist groups, showing how this new media can be easily misused in creating and adding to conflict.

10. Robert G. Meadow, *Political Violence and the Media*, 93 MARQ. L. REV. 231 (2009).

11. Lynn M. Malley, *Observations from an American Conflict Resolution Professional in Serbia on the Effects of the Accessibility of International Media*, 93 MARQ. L. REV. 241 (2009).

12. Lisa J. Laplante & Kelly Phenicie, *Mediating Post-Conflict Dialogue: The Media’s Role in Transitional Justice Processes*, 93 MARQ. L. REV. 251 (2009).

13. Marquette Law Review, Conferences, <http://law.marquette.edu/lawreview> (last visited Dec. 17, 2009) (click on “Conferences,” then click on “International Media and Conflict Resolution”).

And, on a final note, as the *Law Review* itself is a form of media, we can only hope that the time and attention paid to the role of media in international conflict is a positive one, leading us toward an understanding of how these important areas of media and conflict resolution overlap and can work together to inform the public, enable better decisions, and improve the world in which they both operate.