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## Conflict Resolution and Distributive Justice: Reflections on the Burton-Laue Debate

### Abstract

#### Excerpt

From its inception, the field of conflict resolution has appealed strongly to practitioners, researchers, and theorists interested in social betterment. Most conflict resolvers would probably agree that their efforts are motivated, at least in part, by the conception of a Good (or at least a Better) Society considerably less violent and contentious, more peaceful and cooperative, than the existing social order. Many would also affirm that in order to reach this goal, the sources of violence and contention, which include cultural norms sanctioning or glorifying violence, invidious and discriminatory "isms" (racism, sexism, etc.), gross socioeconomic and political inequities, and over-reliance on formal, adversarial decision-making procedures need to be eliminated or, at least, mitigated. And many would assert, in addition, that the methods of making these changes should be consistent, so far as possible, with the aims sought to be achieved: that is, they should rely on nonviolent conflict resolution.<sup>2</sup>

**Keywords:** *conflict resolution, Distributive Justice, Jim Laue, John Burton, social justice, U.S. Institute of Peace*

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# CONFLICT RESOLUTION AND DISTRIBUTIVE JUSTICE: REFLECTIONS ON THE BURTON-LAUE DEBATE

**Richard E. Rubenstein<sup>1</sup>**

From its inception, the field of conflict resolution has appealed strongly to practitioners, researchers, and theorists interested in social betterment. Most conflict resolvers would probably agree that their efforts are motivated, at least in part, by the conception of a Good (or at least a Better) Society considerably less violent and contentious, more peaceful and cooperative, than the existing social order. Many would also affirm that in order to reach this goal, the sources of violence and contention, which include cultural norms sanctioning or glorifying violence, invidious and discriminatory "isms" (racism, sexism, etc.), gross socioeconomic and political inequities, and over-reliance on formal, adversarial decision-making procedures need to be eliminated or, at least, mitigated. And many would assert, in addition, that the methods of making these changes should be consistent, so far as possible, with the aims sought to be achieved: that is, they should rely on nonviolent conflict resolution.<sup>2</sup>

This conception of social justice is blurry, but not altogether incoherent. It comports with the thinking of a good many European social democrats and American liberals. Yet its vagueness and essential negativity ("the Good Society is *not* violent, prejudiced, grossly unequal, etc.") leave crucial questions unanswered. What *positive* principles define a socially just community? How might these principles be embodied in human institutions and practices? And how, practically speaking, do we get there from here? If Laura Nader's critique of dispute resolution as embodying an unconscious and contestable "social harmony model"<sup>3</sup> still has some bite, this is because many in the field continue to link violence with contention and peace with cooperation without prioritizing these values. Nor do they make it clear whether the Good Society is primarily a social end-state that may be reached by a variety of means, or whether the relationship between cooperation and peace is causal, i.e., one of means to ends.

That these issues are seldom discussed and disputed openly by conflict resolution specialists may be attributable to the field's practical bent, the desire to maintain a "common front" against skeptical devotees of power politics, a general distaste for contention, or other factors.<sup>4</sup> But our own teachings tell us that serious differences of opinion, if unexamined, are likely to disrupt the façade of unity at some later date. For this reason, it seems worthwhile to recall a series of respectful but contentious "conversations" on the subject - a debate, in fact - between two important early leaders in the field of conflict studies: John W. Burton and James H. Laue. I will describe their exchange of views in some detail before commenting on its implications for conceptions of social justice.

## **The Interlocutors: John Burton and Jim Laue**

The year was 1988. John Burton had arrived at George Mason University's Institute for Conflict Analysis and Resolution (ICAR) two years earlier, after a long career that included a stormy but memorable period of service following World War II as Australia's youngest-ever Head of the Foreign Office. Burton had played a role in the early organization of the United Nations, had participated in an official capacity in helping to decolonize the British Empire, and had founded the first European conflict resolution center at the University of London. A pioneer in the theory and practice of analytical conflict resolution, he had at length come to America to work with Edward Azar at the University of Maryland's Center for Conflict Management and International Development. In 1987, one year after accepting a position at George Mason University, he and his new colleagues invited James H. Laue to take up the first endowed chair in the field, the Lynch Professorship of Conflict Resolution.

Jim Laue, although considerably younger than John Burton, was another pioneer of the new field. In the 1960s, Laue went from graduate study at Harvard into the Community Relations Service of the U.S. Department of Justice, an agency reflecting the government's "tilt" towards the civil rights movement, as well as its interest in social peace. Working under director Roger Wilkins, he worked with such leaders as Dr. Martin Luther King, Jr., and was with King when he was assassinated in Memphis, Tennessee. Later, he would play an important role in

efforts which led to the establishment of the U.S. Institute of Peace, and would found one of the first university-based conflict resolution practice centers in the United States: the Conflict Clinic, Inc. Laue's particular specialty as an academic writer was the social ethics of third-party intervention, a subject that never ceased to concern him.<sup>5</sup> His death in 1993 at the age of 56 deprived the field of a gifted, much-admired practitioner and thinker.

In some ways, the older Australian and the younger Midwesterner had much in common. Both were idealistic white men with origins in the rural middle class, and family upbringings strongly influenced by Protestantism of the "Social Gospel" type. Both were high achievers as university students, and both emerged determined to put their intellectual skills to work for the practical betterment of society. Burton and Laue had both gone to work as public servants for "progressive" political regimes, and had later created academic institutions and NGOs in order to develop, generalize, and apply the lessons (positive and negative) learned in public service. Although John's forte was theory and Jim's practice, both recognized the interdependence of these two areas of endeavor and combined teaching and writing with practice as facilitators or mediators.

At the same time, however, differences of background, experience, and philosophy strongly influenced each man's thinking. John Burton had written important books in international relations and communications theory as well as in conflict resolution, and was a specialized practitioner, focusing his efforts on the use of analytical workshops to deal with violent ethno-nationalist conflicts.<sup>6</sup> Jim's first love was practice, and the scope of his practice was very wide, ranging from organizational disputes and conflicts over land and water use to religious quarrels and ethnic struggles. Jim's religious motivation and affiliations grew, if anything, more intense with age. By contrast, although John's father was a leading Methodist minister, his general attitude towards organized religion was that it was mostly organized nonsense. John had held high political office and left it with a lifelong abhorrence of political "Realism" and large-scale

power politics. For him, creative problem solving was something that generally took place in the *absence* of power and power-based bargaining. Jim, on the other hand, had worked for government when it seemed to be the sole support of the powerless. The problem, for him, was bad men misusing power, not power per se.

The contrast between the two conflict specialists was complex. Laue combined a strong conviction that means determine ends<sup>7</sup> with a view of political "reality" as omnipresent and inescapable. Thus, while consistently favoring nonviolent approaches to conflict, he denied that one could draw a clear line between problem solving and power bargaining. Burton, by contrast, combined a certain realism with regard to means-ends relationships (he was not a thoroughgoing pacifist, for example) with a belief that the destiny of conflict resolution was to *replace* power-based methods of making political and social decisions.<sup>8</sup> John tended to see serious social conflict as the product of systemic contradictions; only resolution of these contradictions (and reconstruction of failing systems) could resolve deep-rooted conflicts. Jim tended to envision conflict as the product of broken relationships that could be repaired by sensitive mediation and healed by a combination of amity and institutional reform.

These philosophical differences connected in surprising ways with other differences of style and personality. Jim's softness of manner, his tact, "people skills," and natural tendency to mediate disputes hid a steely inner determination and, sometimes, a hidden political agenda. He was a skilled and tenacious persuader and networker who used his influence behind the scenes to advance the causes and people he believed in. John's blunt combativeness had been cultivated in the rough and tumble of Cold War politics, and in the intellectual wars that accompanied his creation of conflict studies as an academic field out of "Realist"-dominated International Relations.

Although his bark was frequently worse than his bite, some found his directness unsympathetic, intimidating, or even insulting. In part, this was because he cared so passionately about ideas, believing that effective practice could be based only on sound theory. John particularly detested what he called the "Nice Guy Syndrome": the highly personalized, micro-political compromises that often turn principled organizations into unconscious promoters of the status quo. By contrast, Jim Laue had a typically American distrust of systematic doctrine. "It works in practice," he used to joke, "but will it work in theory?"

## The Burton-Laue "Conversations"

The Burton-Laue "Conversations" (not, heaven forbid, "Debates") began, as I recall, when both men recognized that the relatively minor disagreements they had been airing in faculty meetings and private discussions were multiplying - and that they were not really so minor. Four three-hour sessions took place before assembled groups of students and faculty before the enterprise petered out. I think that John Burton, the senior member with a dozen important books to his credit, was surprised by how tigerish his younger colleague turned out to be in debate. The discussions were heated, but both men appeared to enjoy them greatly. The students who attended these sessions were quite divided in their sympathies; it was impossible (except, of course, to oneself) to declare a "winner."

An early item of disagreement, interesting for what it implied and foreshadowed, was a dispute about "caucusing" - a technique in which the mediator or facilitator discusses the case privately and individually with each party in order to advance the progress of the negotiation. Jim maintained that caucusing was (not invariably, but ordinarily) an essential tool of the mediator, while John insisted quite adamantly that individual caucusing was "not a technique of conflict resolution but of dispute settlement." In a problem solving workshop designed to resolve a violent social conflict, he explained, the parties will not trust a facilitator who disappears behind closed doors with the "enemy." Furthermore, while private discussions with the parties may help bring interest-based negotiations to a successful conclusion, caucusing is contraindicated where the conflict is generated by unsatisfied basic needs. In such cases, John asserted, the parties must discover what the underlying problems are and how to solve them by a process that is entirely open and analytical.

As the discussion proceeded, it became clear that Jim's view of the third party role differed in crucial respects from John's, and that these variations reflected subtle but important differences of emphasis in defining the enterprise of conflict resolution. Jim agreed that the decision to caucus or not must always be influenced by the parties' sensibilities, but he emphasized that by talking individually with hostile parties, the mediator is better able to understand them, "represent" them to each other, and facilitate their progress toward an agreement. Jim gave the goal of reaching agreement a higher priority than John did, an attitude that reflected both his intense distaste for violent contention and his liberal optimism. Even a temporary settlement that did not identify the root causes of the dispute might prove a step on the long road to long-term resolution. For John, on the other hand, the primary purpose of the conflict resolution effort was to assist the parties to discover and deal with the hidden sources of their conflict. Mere settlement (e.g., the international agreements arrived at by conventional diplomacy) was as often a step toward war as toward peace. The common assumption that such agreements generate "momentum" toward peace left him cold.

Each man's perspective implicated a different set of "third party" roles. In Jim Laue's view, the mediator or facilitator should function as an active intervenor, a middleman whose role included translating each party to the other, buffering their antagonism, helping to create a common framework for communication, suggesting crucial terms of agreement, and assisting the disputants to reach formal consensus. In a sense, Jim operated as if he were a lawyer with *both* sides as his clients. John's view of third-party facilitation was also activist, but his technique was closer to that of the therapist who distances himself from the client in order to focus attention on the analysis of underlying systemic problems. According to John, the facilitator ought not become too friendly with the parties or spend much energy helping them to like each other better. Least of all should he let his or her own sense of justice or fairness influence the proceedings. Since the goal of conflict resolution is to expose and eliminate the conflict's basic causes, the only definition of "social justice" relevant to this effort is that of the parties themselves.

Here Jim Laue strongly disagreed. Since elements of power-based bargaining are present even in the most analytical process, he insisted, the mediator's sense of justice is always brought into play. This sense operates subtly when he or she presents options for resolving the conflict, or less subtly when she helps to "empower" weaker parties to negotiate an agreement that is (also) in

their interest. As a facilitator, John Burton might claim to be acting in an entirely impartial manner, but his own moral and political commitments would inevitably influence his conduct in subtle ways. In any case, Jim insisted, the ethics of intervention demand that the facilitator avoid promoting or sanctioning procedurally unfair or socially unjust agreements.

With the mention of "empowerment," Burton would lean forward with a pained smile. "But Jim," he would inquire, "if you really intend to 'empower' the weaker party, why should the stronger party stay at the table for one moment? And what do you mean by 'justice'? When the parties discover a solution to their problem that satisfies their basic needs, they recognize that access to the satisfier is power, and that the satisfaction of basic human needs is justice." Other forms of apparent power are illusory, John maintained, like the alleged superiority of American military might in the Vietnam War. And other forms of justice are entirely subjective, like the victim's "right" in some cultures to revenge himself on the perpetrator. It isn't the parties' trust in the mediator or in each other that makes for conflict resolution, John insisted; what matters is their trust in the *solution*. And if they have arrived at a solution as the result of a genuinely analytical process, the facilitator's view of its justice or injustice is utterly irrelevant.

"But, John," Laue would reply, "why do you think the solutions produced by conflict resolution workshops often go unimplemented? Isn't it because the parties can't sustain collaborative relationships after the workshop ends? Aren't you underestimating the importance of trust?" Power counts, too, he argued, since an agreement that accentuates inequalities of power will almost certainly be abandoned in time by the weaker party. For this reason, the justice of the agreement is an equally important determinant of its durability. The conflicting parties cannot be expected to make long-term efforts to implement agreements unless they conform to some generally accepted, objective standard of justice.

Underlying such exchanges were different appreciations of the effectiveness of mediation in different social contexts. John denied that one could take methods of mediation used to settle disputes among parties sharing basic legal or moral norms, and apply them to resolve conflicts in which there was little, if any, "constitutional" consensus. The framers of the U.S. Constitution, for example, were able to formulate a new political consensus, in part, because men like Thomas Jefferson and Alexander Hamilton *distrusted* each other enough to bring their latent conflicts to the surface and deal with them. But to the extent that the Philadelphia consensus sidestepped divisive economic and social issues like the issue of chattel slavery, it laid the groundwork for later violent struggle. To resolve deep-rooted conflicts, John Burton insisted, the facilitator must help bring this sort of repressed material to the surface, even at the risk of jeopardizing the prospects for an agreement.

Jim Laue, on the other hand, tended to emphasize the similarities between types of human conflict, focusing in particular on their emotive (he would have said "human") dimensions. Even "consensual," interest-based conflicts, he contended, frequently have deep personal and systemic roots. However one categorizes conflict, moreover, the parties will not come to the table unless they trust both the mediator and the process. With regard to the U.S. Constitutional Convention, for example, Jim would no doubt have pointed out that Jeffersonians and Hamiltonians *trusted* the forum enough to make their dispute safe and productive. In general, conflicting parties will not speak frankly with each other unless they have developed amicable personal relationships,

nor will they implement agreements arrived at unless their collaboration continues outside the conflict resolution forum.

And so it went. Jim's consistent tendency was to see negotiated settlements, even if incomplete, as steps toward peaceful conflict resolution, while to John, limited settlement was often a prelude to conflict renewal and escalated violence. John insisted that effective analytical processes must remain strictly private, while Jim was committed to developing "Public Dispute Resolution" as a necessary supplement to public administration. Laue's instinct was almost always to soften or pacify hostile relationships, while Burton's was to let conflicts escalate to the point that one could diagnose system failures. And while Jim saw little fault and much virtue in the sort of "muscle mediation" practiced by powerful intervenors like Jimmy Carter at Camp David, John deeply distrusted any facilitator with a peace plan in his pocket and the power to reward or punish recalcitrant parties.

These differences were never resolved; John remained committed above all to analytical problem solving and Jim to enlightened negotiation. As in many other cases of differences of opinion between the leaders of a new field, the stakes seemed high, and there were strong feelings on both sides. Eventually, recognizing that neither man was going to "convert" or vanquish the other, both declared a sort of truce.

### **Conflict Resolution and Social Justice:**

#### Morton Deutsch's Analytical Map

To understand some of the implications of the Burton-Laue debate for the analysis of social justice, it is worth recalling the categories adumbrated by Morton Deutsch in his seminal essay, "Three Types of Social Justice."<sup>2</sup> According to Deutsch, three concepts of distributive justice are available to those seeking to create a Good Society based on principles of cooperation: Equity, Equality, and Need. *Equity* refers to a distribution of goods, services, and intangible values that is proportional to the individual merits of the society's members, however merit may be defined. *Equality* denotes a distribution in which each person is assumed to have a right to the same quantity or quality of values regardless of his or her merit. And *Need* indicates a distribution in which values are proportioned to the needs (neither merits nor mere wants) of each individual.

Deutsch's ingenious conceptual map presents these types as alternative "pure types," which may appear in the real world in various combinations. Examples of each type come readily to mind. *Equity* is probably the most commonly accepted principle, particularly in a capitalist society accustomed to accept as just material rewards proportioned to an individual's commercial "merits," for example, his or her diligence at work, capacity for self-denial, willingness to take risks, creativity in business matters, and so forth. The principle of Equity justifies inequality, that is to say, by reference to an initial unequal distribution of merit. But this concept of justice is even more pervasive than strictly bourgeois norms would suggest. The religious notion that good people will inherit eternal life while evildoers deserve damnation is another illustration, as is the idea that earthly punishments should be proportioned to the heinousness of the crime.



Although the principle of *Equality* is less pervasive, it evokes deep and widespread commitment in certain areas of human activity, particularly those in which a right or entitlement to values is considered a human right. Few people would think of conditioning basic rights like freedom from arbitrary state coercion, for example, or the right to receive emergency medical treatment, on an individual's merit. His or her humanity alone validates the claim. Equality becomes a controversial concept, however, when it is not clear whether the principle of Equality or Equity should govern. Those committed to welfare state concepts, for example, generally assume that people have *equal* rights to a certain minimum standard of living (what Franklin D. Roosevelt called "freedom from want"), although their degree of prosperity above that minimum tends to be justified by *equitable* considerations. The concept of "equality of opportunity," so influential in the United States, suggests that the principle of Equality should govern people's starting points in economic competition (i.e., no initial disadvantage on account of race, religion, gender, etc.), but that the outcome of the struggle to succeed should depend upon individual "merit."

There are difficulties, of course, with this commonly accepted attempt to combine the principles of Equity and Equality. The first is that, given the intractability of social inequality, the notion of equal starting points remains a fictitious ideal. While some sources of inequality like racism and sexism are now at least legally taboo, others - in particular, "classism" - have not been outlawed or morally condemned in capitalist society and remain virtually invisible. A second problem is that even if one were to assume an equality of starting points, "merit" has become an opaque concept under Late Capitalism and has little relationship to the classical bourgeois virtues. Supposing that equality of opportunity were achieved, however, one would still be compelled to confront the third basic concept of social justice: the principle of Need.

Morton Deutsch is quite right to picture Need as an independent ground on which to establish the concept of social justice. Imagine that A and B enjoy complete legal and social equality to begin with, and that they are indistinguishable on the ground of individual merit. But suppose further that A is the child of abusive and neglectful parents, while B was raised by a loving family, or that A is a member of an ethnic minority with nationalist aspirations, while B is a member of the dominant majority. If, as a result of these experiential or historical differences, A's basic needs for security, identity, self-esteem, and human bonding remain unsatisfied, while the same needs in B are fulfilled, a society that treats both individuals according to the principle of Equality will not do them justice. Nor can one adapt the principle of Equity to cover the case, since the distribution of values here cannot be governed by merit, unless one redefines "merit" to mean "need."

Need is already recognized as a third basis on which to conceive of social justice, since most people today accept the justice of providing special facilities or remedies for disadvantaged individuals and groups. But for four related reasons, it is probably the most controversial category. First, despite a growing interest in the concept, the existence of definable, imperative, and universal human needs is still not generally accepted.<sup>10</sup> Second, if one accepts the existence of such needs and sees most antisocial or self-destructive behavior as the product of a failure to satisfy them, it soon becomes evident that very large numbers of people in modern as well as developing societies must be considered "disadvantaged." Third, for this reason, it is equally clear that accepting need-satisfaction as a social norm will require a massive overhaul of many

social institutions. And fourth, if one assumes a *limited* quantity of values, satisfying one person's needs may deprive another person of equity, equality, or need-satisfaction.<sup>11</sup>

As a result, if one were to rank Morton Deutsch's three types of social justice in terms of their current influence, Equity would top the hierarchy, followed by Equality, and, last, by Need. Deutsch avoids ranking them, apparently assuming that these are coordinate and combinable concepts. But notice that it is also possible to think of them as ranked in an order that reverses their current influence and that represents three stages of social development. Traditional society, and capitalist society at its most conservative, is governed by the principle of Equity, which dates back to Aristotle. Democratic society, from the American and French revolutions onward, has added to Equity (and, to some extent, challenged or replaced it) the principle of human Equality. And the Good Society of the future, while maintaining both Equity and Equality in their proper spheres, will recognize as its highest value the imperative of satisfying basic human Needs.

## Conclusion: Some Implications of the Burton-Laue Conversations

Placing the Burton-Laue discussions in the context of Deutsch's analysis reveals underlying differences between the two ICAR colleagues' approach to the issue of social justice. Jim Laue's approach seems similar to that of Morton Deutsch himself. That is, it reflected the belief that Equity, Equality, and Need represent alternative concepts of social justice, each of which is supreme in its appropriate sphere, and none of which can be said to enjoy any general priority over the others. In Laue's view, these concepts were both combinable, as in the notion of "equality of opportunity," and capable of being negotiated as legal rights are, by "balancing" them against other people's needs and other criteria of social justice. Jim was serious about social justice and the need for social reform, but he was neither a radical egalitarian, proposing the abolition of all social distinctions, nor a radical "necessitarian," viewing need-satisfaction as the highest form of social justice.

Philosophically, Jim's views were perhaps closest to those of John Rawls, who defined Equality as the essence of justice, but who located that value in the realm of the ideal: a Good to be approached incrementally and progressively, but perhaps never fully realized.<sup>12</sup> In Rawls's view, one crucial test of the justice of a social action is whether it *tends* over the long run to lessen the gap between the strongest and weakest members of society. This seems quite close to what Jim Laue, also a liberal pragmatist, meant by "empowerment." In fact, Jim did not make a hard distinction between the "interests" vindicated by the Equity perspective, the "rights" of the Equality perspective, and the "human needs" of the Needs perspective. Conflict resolution, in his view, was part of a broader program of incremental, nonviolent reform leading to the gradual transformation of the social system in the direction of social justice.

In one respect, however, neither Deutsch's nor Rawls's views subsume Laue's perspective. Jim believed strongly that peaceful, incremental social transformation could take place only if motivated by a combination of social affection (Christian love or *agape*, as he might have put it) and enlightened self-interest. This is one reason he parted company with John Burton, since in

Burton's view, nothing can substitute for the satisfaction of basic human needs. Reason and affection have their roles; the former helps one discover unsatisfied needs and devise collaborative methods of satisfying them, and the latter can help satisfy specific needs like those for self-esteem and human bonding. But human needs themselves, John insisted are not amenable to negotiation; they are not "for trading." And love, although a pearl of great price, is a specific, not a universal satisfier.

At bottom, John Burton's approach rejects the assumption that Equity, Equality, and Need are coordinate, combinable, or "balanceable" concepts of social justice. Rather, somewhat like the early Marx,<sup>13</sup> but with conflict resolution rather than justice itself in focus, Burton tends to place them on a hierarchy topped by Need. Since John has not addressed these issues directly, I am forced to speculate somewhat, but I believe that he would consider Equity, with its meritocratic justification for an unequal distribution of values, a more limited form of justice, since definitions of "merit" in existing society are closely tied to the system of elite power and privilege that he has consistently defined as the chief obstacle to genuine conflict resolution.<sup>14</sup> Equality he might well consider a step up from Equity, but not so much in the legalistic sense suggested by the concept of human rights as in the socio-psychological sense imported by human needs. Human equality, in Burton's view, is not based on our Adamic inheritance or on legal fiat, nor is it (a la Jefferson and Franklin) "self-evident." It is the result of needs for identity, recognition, security, and human development that are universal and ontological, although how they are expressed and satisfied will vary with the individual and his or her culture.<sup>15</sup>

In Burton's view, the satisfaction of basic human needs is the highest form of social justice, or, perhaps I should say, the most *relevant* form of justice when it comes to resolving deep-rooted, destructive social conflicts. John's disagreement with Jim Laue was based, above all, on Jim's unwillingness to join him in drawing a relatively clear line between consensual, "interest-based" conflicts negotiable by applying criteria based on equitable or egalitarian principles, and violent, "needs-based" conflicts that do *not* yield to conventional bargaining *or* democratic political solutions, but that can be resolved only by identifying and satisfying the relevant basic needs. While these differences of approach were - and are - arguable, it may also be worth noting that they also reflect differences in modes of thought. Jim Laue remained not only a pragmatist but a relativist whose natural tendency was to locate competing ideas along the lines of some single continuum. John Burton, more philosophically inclined, was attracted to the harder, brighter, more subversive distinctions of the either/or.

Who had the better of the debate? One answer, accurate enough in its way, is to declare the affair a draw, since the field of conflict analysis and resolution has incorporated the thought of both Jim Laue and John Burton in its theory and practice. If one examines the recent peacemaking initiative between Palestinians and Israelis, for example, one finds strong Burtonian elements (analytical problem-solving, especially under Norwegian auspices; a focus on identifying and satisfying the parties' relevant identity and security needs; "Track Two" discussions leading to "Track One" diplomacy), as well as marked Lauean features (the importance of personal relationships and trust-building; utilization of third-party techniques like caucusing; "muscle mediation" at crucial junctures by the United States). The contradiction between Burton's and Laue's perspectives has not been resolved, but the field has "managed" it (in a sense that would have appealed more to Jim than to John) by embracing the inconsistency.

Perhaps, in the end, one decides which position makes the most sense on the basis of one's own intellectual preferences and judgment as to the primary needs of the field. My own predilection, I must confess, is for the either/or - and for a form of conflict resolution that defines itself, above all, as the art and science of helping parties in conflict to identify and satisfy their basic needs. I am less sanguine than either Jim Laue or John Burton about the possibility of "converting" the administrators of the *pax Americana-Europa* to the norms of peaceful conflict resolution, but I agree that we must try. At the same time, a conception of social justice that sees human development culminating in a worldwide drive to satisfy basic human needs seems to me a potent catalyst for desperately needed social change.

Thus, more than five years after Jim's untimely death and more than a decade after he and John Burton conducted their impromptu "conversations," the important discussion that they began continues. All those currently theorizing and practicing in the fields of peace studies and conflict resolution are its beneficiaries.

## Notes

[1](#) The author is Professor of Conflict Resolution and Public Affairs at the Institute for Conflict Analysis and Resolution, George Mason University. Permission of the *ICAR Newsletter* to reprint a portion of his article, "Jim Laue, John Burton, and the Burton-Laue 'Conversations'" (Vol. 5, No. 6, Fall 1993) is gratefully acknowledged.

[2](#) For works illustrating these principles, see, e.g., J.V. Montville, ed., *Conflict and Peacemaking in Multiethnic Societies* (Lexington, Mass. and Toronto: Lexington Books, 1990); R.A.B. Bush and J.P. Folger, *The Promise of Mediation* (San Francisco: Jossey Bass, 1994); R.J. Fisher, *Interactive Conflict Resolution* (Syracuse, N.Y.: Syracuse U. Press, 1996).

[3](#) Laura Nader, "Harmony Models and the Construction of Law," in Avruch, Black, and Scimecca, eds., *Conflict Resolution: Cross Cultural Perspectives* (New York: Greenwood Press, 1991, 41-59).

[4](#) Among conflict resolvers, there is a jocular understanding that many in the field are "conflict averse" in the same way that many psychologists avoid dealing with their own neuroses, lawyers often cut legal corners, etc. In all these cases, the joke may have some point.

[5](#) See, e.g., James Laue and Gerald Cormick, "The Ethics of Intervention in Community Disputes," in Bermant and Kelman, eds., *The Ethics of Social Intervention* (New York: 1978).

[6](#) Burton's important books include *Peace Theory: Preconditions of Disarmament* (New York: Knopf, 1962); *Conflict and Communication: The Use of Controlled Communication in International Relations* (London: Macmillan, 1969); *Global Conflict* (Brighton, U.K.:

Wheatsheaf Books, 1984); and *World Society* (Lanham, Md.: University Press of America, 1987).

[7](#) See the editors' discussion of Koestler's "Yogi" and "Commissar" models in the Introduction, *supra*.

[8](#) Burton made this point particularly clear in the essay, "Conflict Resolution As A Political System," ICAR Working Paper No. 1, George Mason University (1987).

[9](#) Morton Deutsch, "Equity, Equality, and Need: What determines which value will be used as the basis for distributive justice?", *Journal of Social Issues*, 31, 137-149 (1975).

[10](#) See the valuable discussions in John Burton, ed., *Conflict: Basic Human Needs* (New York: St. Martin's Press, 1990).

[11](#) This is why Marx made "From each according to his ability, to each according to his needs" the defining principle of the communist stage of development, after an abundance of values has been achieved. The defining principle of pre-communist socialism is the more conservative (and Equity-oriented) "From each according to his ability, to each according to his work." *Critique of the Gotha Programme*, in David McLellan, ed., *Karl Marx: Selected Writings* (Oxford: Oxford U. Press, 1977, 569).

[12](#) See John Rawls, *A Theory of Justice* (Cambridge Mass: Belknap Press, 1971).

[13](#) See especially the *Economic and Philosophical Manuscripts*, in McLellan, ed., *op. cit.*, 91 ff.

[14](#) See especially his *Deviance, Terrorism, and War* (New York: St. Martin's press, 1979).

[15](#) See the extended treatment of this subject and its implications for conflict resolution in Burton's *Conflict: Resolution and Provention* (New York: St. Martin's Press, 1990), and see the critique of his view of culture in Avruch and Black,