

Transforming Communities through Conflict Resolution Practices

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Abstract: Multi-cultural societies are fraught with problems relating to racism, discrimination and inequity. Most of these problems are directly linked to cultural differences or analysed on the basis of cultural difference. Mismanaged cultural difference produce protracted, almost intractable social conflicts undermining community values - the connectedness and positive inter-relationship between different cultural groups. Promoting shared values through conflict resolution practices could assist in building bridges, reconstructing connectedness and inter-relationship between different groups.

Keywords: Community, Values, Diversity, Conflict, Conflict Resolution, International Covenants

COMMUNITY VALUES ARE transformable through conflict resolution practices. This form of transformation is possible because communities are not static but constantly changing (Maier, 2002 in Bailey and Smithka, 2002). Societal norms and practices developed on the basis of community values are also, capable of transforming those values, so that conflict resolution practices will, for example, directly impact on community values – either by strengthening, transforming, abolishing or introducing new values into the community (Chase, 2005). The ability of conflict practices to achieve any of these depends on the nature of the values promoted by those practices and on whether those values are desirable as shared values.

The consensual nature of international covenants make the underlying values – justice, peace, equality and freedom – desirable values which may form the basis of cross-cultural conflict resolution even with the challenge of cultural relativism.

The paper is a constellation of theories of community, conflict resolution and international law. It makes a connection between these theories in presenting an argument for conflict practices as a means of transforming communities.

The Community, Difference and Diversity

Community could be conceived as an abstraction to be defined subjectively (Mason, 2000). It may be used to distinguish between different groups of people, for example, a local community as opposed to an international community and so on. If boundedness, solidarity and moral obligation make communities desirable, are there ways of reinforcing those values in pluralistic communities through conflict resolution practices to promote interconnectedness and interdependency which can result in peaceful co-existence?

The concept of community as an abstraction resonates with the concept of culture as abstract and dynamic, changing with time (Cornwell and Stoddard, 2001). This abstraction raises definitional difficulties - particularly relating to the identification of communities (Sartwell, 2002 in Alperson, 2002, Rouner, 1991, Mason, 2000, Keller, 2003). How can a group of people become a community? Community and culture are intertwined since, arguably, one criterion for attaining ‘community’ is the presence of shared ways of life and shared values (Mason, 2000). Keller identifies shared values, culture, laws, beliefs, practices, and prescribed rules of membership as conditions for the existence of community (Keller, 2003). These shared factors constitute a link between community and culture, painting a picture of community as homogenised; devoid of difference or diversity. The homogeneity argument is further strengthened by the prescription of conditions which must be satisfied prior to membership (Keller, 2003).

Community, however, cannot be presented exclusively as a homogenous group. For instance, Mason presents two concepts of community: the ‘ordinary concept’ and the ‘moralized concept’ (Mason, 2000, p. 4). The ordinary concept of community conceives community as bounded by shared values, practices and beliefs. However, since group allegiance changes with time and situation, a true community may be non-existent (Mason, 2000).

The ‘moralized’ concept, on the other hand, views member solidarity, that is, mutual concern, a lack of ‘systematic exploitation’ and justice as important aspects of community (Mason, 2000, p. 28). The moralised concept presupposes heterogeneity in community formation: it presents mutual concern and lack of exploitation on ground of difference, howsoever conceived, as conditions for the existence of community and not shared ways of life. However, both concepts are relevant, particularly in pluralistic



societies. The ordinary concept of community is important for classification and evaluative purposes. Such purposes relate to an understanding of 'behaviour and general orientation' which is important for cross-cultural conflict analysis. The moralised concept is important for critical purposes in that it is used 'in order to condemn social and political arrangements or praise them' (Mason, 2000, pp. 33-34); this is also important for cross-cultural conflict analysis.

Where a community is bounded by shared values, beliefs and practices, it should also be critiqued on the basis of the moralised concept - lack of exploitation and mutual concern. The absence of entirely shared culture, beliefs and practices does not prevent the existence of community, but there must be some shared values which will promote mutual concern and lack of exploitation.

The forces of globalisation preclude a view of community as homogenised and static. It forces a conception of community consisting of diverse groups of people, where real or imagined difference may foreclose a conception of similarity, sameness or shared values. However, if there is anything to be desired in community, then, the optimistic notion that shared values may be realised in the face of difference is desired.

Community Values

Without entering into the debate between collectivists and individualists on the value of social phenomena (See Mason, 2000, pp. 42 – 63), it is asserted that community possesses certain values; firstly community offers support to its members regardless of difference. As Rouner puts it, community 'means some sort of common identity in which we can maintain our personal freedom even while feeling at home with one another' (Rouner, 1991, p. 1). This definition acknowledges difference and a sense of personal freedom in the face of shared goals, decisions and actions. Community, viewed in this manner, makes peaceful co-existence a possibility – that, it is argued, is diversity.

Second, community promotes group cohesion by valuing interdependence. The interdependence of the individual and community is echoed in Schwartz's analysis of the Chinese culture. Schwartz concludes that 'the flourishing of the community depends on the moral quality of its constitutive members' (Schwartz, 1991 in Rouner, 1991, p. 128). To Schwartz, the individual has a crucial role to play in community peace, and the collective effort of individual members is what transforms communities.

Third, an acknowledgement of diversity within communities is not opposed to the view that basic human needs are universal. This universality presents a starting point for finding shared values. Each soci-

ety or community seeks to satisfy basic universal needs in a manner most conducive to their environment, circumstances and resources (Okun, Fried and Okun, 1999). Practices and procedure put in place are not universal. The pulling together of different ways-of-doing, is the essence of diversity (Dyke and Dyke, 2002, in Alperson, 2002, Cooper, 2004).

Community and Conflict

The realisation of the values of community may be difficult in a diverse society where the spirit of community is absent. Social interaction is an inevitable part of human life, either in individualist or collectivist cultures. Social interaction is inevitable and should be desired, but such interaction is not without problems. The social constructionist approach to conflict analysis and resolution suggest that human interaction creates a situation of potential conflict (Pruitt and Kim, 2004, Kriesberg, 1982). Conflict arises when there is a 'perceived [and unperceived] divergence of interests' (Pruitt and Kim, 2004, pp. 7-8) or an 'incompatibility of goals' (Kriesberg, 1982, p. 17). Difference has a potential for conflict and may revolve round the issues of gender, age and culture (Le Baron, 2003).

Where members of a diverse community do not consciously seek to maintain positive relationships, difference would stand out, become entrenched and generate conflict. As Maier (2002 in Bailey and Smithka, 2002) suggests:

The problem of community is especially vexing in a pluralistic society since the various ethnic, cultural, and gender interests are simultaneously a cause for celebration and a source of conflict (p. 23).

Community based conflicts revolve around 'deep divisions and controversies concerning race, class, gender, sexual, ethnic, religious, and national identities' (Alperson, 2002). In diverse societies, the benefits of community may be marred firstly, by conflict regarding membership criteria and secondly, by the nature and level of interaction between members so called. If, as Alperson suggests, community 'refers to relations between things' (Alperson, 2002, p.2) and in the sense of this paper, positive human relations; the focus of any community should be on improving relations between members. Community values will assist in promoting positive relationship and in resolving and preventing community conflicts.

Furthermore, though diversity could be viewed as positive in that it presents various choices, it also challenges the status quo (Cooper, 2004). The materialisation of diversity confronts existing structures, norms, beliefs and practices. Diversity challenges the 'way things are done around here'.

The challenge to existing practices, beliefs and norms does not, however, suggest that there are no shared values. In analysing the divide between conservatives and their critics about the erosion of common values within the American society, Alexander and Smelser (1999) argue that the 'discourse of cultural discontent' between these two factions is grounded in the inability of parties to distinguish a conflict over values from a conflict over norms. Alexander and Smelser (1999) argue that

[v]alues are general statements of desirable social conditions or states of affairs. Norms "realize" values in the sense that they specify situations and contexts. This realization is always problematic, however, because there is always an element of ambiguity, or slippage, or interested disagreement about the links between values and norms. Is a rule or norm a legitimate interpretation of the values in the name of which it is implemented? (p.11)

The legitimisation of interpretation given to a rule or norm is subjectively determined; it is cultural. However, values which underlie such practices may be universal. The way to finding shared values is to 'lift the veil' over norms, practices and beliefs to identify the values they interpret. Lifting the veil would assist in doing away with negative stereotypes which are misleading (Avruch, 1998, Le Baron, 2003) and assist in building bridges across difference (Le Baron, 2003).

Preventing conflict therefore rests in the capacity of the holder, controller or believer in existing structures, beliefs and practices to accept other ways of knowing as valid, thereby refraining from ethnocentrism and cultural or social superiority. Pluralistic societies and problems associated with them, for example, racism, discrimination and inequality – and the manner in which these problems are linked with difference, present a complicated problem. The management of difference is very crucial to prevention and resolution of cross-cultural conflicts. Such management must include promotion of positive inter-relationship by encouraging community values in attempts to resolve social conflicts.

Conflict Resolution Practice as a means of Transforming Communities

Conflict processes are a derivative of societal values and also possess the power to transform those values. Chase (2005) argues that

Dispute processes are in large part a reflection of the culture in which they are embedded; they are not an autonomous system that is predominantly the product of insulated specialists and

experts. More, they are institutions through which social and cultural life is maintained, challenged and altered, or as the same idea has been expressed, "constituted" or "constructed." (p.2)

Conflict resolution practices promote values which are transmitted into the wider community, compelling behaviour reflective of those values. For example, if conflict practices in a given community only reflect competitive approaches, competition would be prevalent and valued within that community.

Chase (2005) lists eight ways in which conflict resolution practices influence culture:

- (1) the importance of dispute resolution to the life of a society and its members insures close attention to it;
- (2) its methods and results are usually public - in many societies the airing of a major dispute is an occasion of widespread public interest;
- (3) it requires personal participation - the physical and mental acting out of one's part;
- (4) narratives are at the heart of dispute, as each contestant will tell a different story, and the resolution process becomes a story of its own;
- (5) the persons presiding over the process usually bring an authority [to the process];
- (6) it ritually calls attention to its operation and authority;
- (7) its processes are repeated over and over before many audiences;
- (8) its outcomes are validated through action. (p. 131)

To elucidate, the community is interested in conflict processes because conflicts interfere with peaceful human interaction and must, therefore be resolved or managed. Even where conflict is between two private parties, the outcome is relevant to other members of the community as a sample of what might occur should they become engaged in similar conflict. Furthermore, parties in conflict must participate in the resolution process; the process either validates their story, that of the other party or finds a middle ground; the outcome, however, affects both parties - in terms of continuing relationship or the resource which becomes available or unavailable to them thereafter. Compliance with the outcome of the process is, to an extent, dependent on the opinion of the parties about the process itself. Parties in conflict processes are required to think through various options and make a choice. In engaging in that process of thought, the values underlying different options present themselves for consideration. Once a choice is made, the process of enforcement or compliance legitimises or validates underlying values.

Conflict Resolution Practices and Values

Values underlie conflict resolution processes. Frequent exposure to a method of conflict resolution shapes the attitude and beliefs of persons so exposed. Those attitudes and beliefs are in turn, validated by conflict resolution practices. Thus, conflict processes

are well suited to reinforce beliefs and arrangements that underlie them and are expressed in them in part because they are acted upon ... [T]he change in social relations that follows tend to solidify belief not only in the method but also in the values that underlie it (Chase, 2005 p. 129).

For the purpose of citing practical examples, Chase compares the litigious/adversarial culture of the American society with the non-adversarial culture of the Japanese society and argues that both cultures reflect the nature of conflict processes validated by those in authority and the values held. (Chase, 2005 pp 133 -135).

Researchers have analysed underlying values of conflict processes. Generally, the development of conflict resolution has been linked to 'a social revolution' which 'has changed the way we deal with social and familial interaction, disputes and conflicts' (Sourdin, 2005, p. 3). The 'social revolution' was also signified by a preference for non-adversarial conflict resolution over adjudication. Alternatives to adjudication have been referred to as the 'harmony models' of conflict resolution (Nader, 1991 in Avruch, Black and Scimecca, 1991, p. 42). The term 'harmony models' suggest the use of conflict resolution processes that encourage relationships with a focus on the role of society in individual development and the role of the individual in maintaining harmony within the society. For example, mediation is said to promote 'reconciliation, social harmony, community, interconnection, [and] relationship ...' (Baruch Bush, 1989-90, p.6). The use of collaborative problem-solving approaches and the increased role of third parties in conflict resolution are hallmarks of this revolution (Sourdin, 2005, p. 4).

Furthermore, during the 1980's an increased recognition of the need to resolve conflicts in ways that would promote co-operation and peaceful co-existence arose. Many conflicts revolving around ethnicity, culture and diversity (Kriesberg, 2001 in Crocker, Hampson and Aall, 2001) evolved and were labelled 'protracted social conflicts' (Azar), 'intractable conflicts' (Kriesberg), and 'deep-rooted conflicts' (Burton) because of their complexity. Conflict resolution practitioners agreed on the need to restructure complex conflicts in an inclusive manner, that is, as a concern for others who are not directly involved in the conflict (Kriesberg, 2001, in Crocker,

Hampson and Aall, 2001, Ramsbotham, Woodhouse and Miall, 2005). The inclusion of women, children and all cultural groups was recognised as very crucial to resolution; the promotion of equality and prevention of injustice. In particular, in international decision-making, 'a civic culture ... receptive to the voices of people who were not part of the traditional discourses of nation-state politics' (Ramsbotham, Woodhouse and Miall, 2005, p. 53) became crucial.

The values of conflict resolution practices discussed above are necessary for constructive management and resolution of conflicts which arise on the basis of diversity. As the line between domestic and international conflict blurs (Ramsbotham, Woodhouse and Miall, 2005, p. 48), the need for these values on a global level becomes more important.

The nature of these conflicts requires a dispensation of justice. As Kriesberg suggests:

Conflicts ... can be waged and resolved constructively, so that all ... parties achieve some measure of justice. (Kriesberg, online paper accessed April, 2007).

Such sense of justice must be felt at the conclusion of the resolution process, but that is not enough; the transformation of relations between the parties is also pertinent. Kriesberg suggests:

one measure of social justice is the extent to which the members of any social system recognize each other as fully human. Another measure is the scale of the social system within which justice is being assessed, whether a family, community, country or the world. The more extensive the social system whose members accord each [sic] that recognition, the more extensive is social justice ... In addition, social justice is fostered by shared norms of tolerance toward other people. (Kriesberg, online paper accessed April, 2007).

This must be acknowledged by conflict resolution practitioners so that the debate would not be centred on what the better process is, but on whether the process is effective in achieving a lasting outcome which deals with the multi-dimensionality of issues in conflict.

An integration of conflict resolution values – justice, peace, harmony and relationship – is necessary when issues relating to diversity form the basis of conflict. The integration requires a multifaceted approach. Ramsbotham et al (2005), and Kriesberg (2001), in almost the same terms, agree that a concerted effort by third party conflict intermediaries is required to realise this challenge. Kriesberg (2001 in Crocker, Hampson and Aall, 2001) argues:

[t]oo many uncoordinated efforts can undermine one another as they convey different messages to the adversaries about what different intermediaries have in mind regarding the future course of conflict. (p.419).

Conflict resolution efforts should seek to develop a 'global peace culture' one that refuses to endorse 'unjust and oppressive systems', but seeks out 'political and social change' (Ramsbotham, Woodhouse and Miall, 2005, p. 54).

The Role of International Covenants in Promoting Shared Values

International covenants play a critical role in promoting shared values. First, conflicts which arise on the basis of diversity defy national boundaries either because of the influx of refugees fleeing from the ferocity of such conflicts or international attention attracted by issues involved. Such issues include the right to self-determination, the rights of indigenous peoples and the protection of minority cultures (Churchill, 2002, in Bailey and Smithka, 2002, p. 277). Second, globalisation compels multiculturalism. Many nations have become multicultural and international engagement is on the increase. There is an increased demand in international regulation of movement of peoples, international trade law, international humanitarian law, and international migration laws relating to the protection of rights. So also, international conflict resolution has become more relevant than ever.

The birth of the United Nations after the World Wars highlights the importance of fostering unity in the face of diversity and promoting world peace. The Preamble to the Charter of the United Nations states that member nations would unite to 'maintain international peace and security', 'practice tolerance and live together in peace with one another as good neighbours', 'maintain international peace and security' and that 'armed force shall not be used, save in the common interest' (United Nations Charter, 1945). To achieve these aims, Article 33 of the Charter provides:

parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

The Preamble to the Universal Declaration of Human Rights promotes a world culture of peace. It reinforces the importance of protection of rights as an instrument for world peace. It also stresses the im-

portance of promoting friendly relations among nations regardless of diverse cultures and ideology. In the same manner, the International Covenant on Economic, Social and Cultural Rights which came into force in 1976 recognises that 'the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world' (Preambles to the International Covenant on Economic, Social and Cultural rights and the international Covenant on Civil and Political Right, 1966).

Churchill argues, 'if respect for human rights was adopted as the foundational principle for international society, then important consequences would follow' (Churchill, 2002 in Bailey and Smithka, 2002, p. 275). Although Churchill makes this argument as a challenge to the present international order, the substance of the argument also works for the success of the present order and for all multicultural communities in that order. Embracing the values which underlie the United Nations Charter and Conventions is a way to foster peace in diversity and promote community values.

In addition, Article 25 (1) of the Universal Declaration of Human Rights states:

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

This article guarantees the right to the provision of basic human needs such as food, clothing, housing and medical care. Lee (2002, in Bailey and Smithka, 2002) in his thesis on how to achieve domestic and international peace compares the international legal order with the national legal order. Lee argues that mechanisms for achieving international peace are now required to achieve peace in multicultural societies because the diversity of multicultural societies is comparable to the diversity of the international community. If protection of rights is a means of achieving international peace, then protection of rights would also achieve the same purpose in multicultural societies experiencing conflict on the basis of difference.

Denial of rights suggests a situation of power imbalance and inequality between the parties. Ronald Fisher (1997) in analysing the work of Edward Azar on the resolution of protracted social conflict suggests that

...social, political and economic inequalities are expressed in the domination by one group

over another or others. Inequality is therefore linked to ethnic discrimination and victimization, and group identities and PSCs are thereby inextricably connected. (p. 83).

This suggests that where there are deprivation of rights through oppression and victimization of 'other' groups by one group, they are explained in terms of ethnicity or cultural differences leading to intractability. The effect of former violations remains part of the group's social construct and impact on conflict construction. The means of countering the effects of violation is the continuous protection of rights.

It is acknowledged that there are debates on cultural relativism of rights, but universal rights do not detract from the respect and recognition given to different cultural groups; rather, they aid protection and should be promoted and adhered to.

The debates on cultural relativism of rights are used, in some instances, as a political weapon to cover up atrocities committed by regimes. Martin argues that relativism 'permeates our modern world and makes the prospect of world peace illusory' (Martin, 2002 in Bailey and Smithka, 2002, p. 309). With particular reference to conflict resolution, Avruch and Black (1999) argue that relativism is necessary to prevent ethnocentrism and lack of recognition of the existence of cultural norms different from dominant culture norms, but that relativism should not prevent choice-making 'between competing culturally constituted versions of reality ... because it is both self-falsifying and self-defeating' (par.26).

A challenge to rights protection as means of resolving diversity conflicts and fostering peaceful-coexistence on the basis of relativism should be rejected. So also is a challenge to rights protection on the basis that it is a product of liberalism. The important consideration is whether or not the protection of rights would work. Whilst liberalism might have its own ills, the recognition of rights should be praised for its role in curbing discrimination, abuse, power imbalance and rights violation internationally. At least, with rights protection, 'liberalism can provide a framework in which differences are kept from becoming violent' (Lee, 2002, in Bailey and Smithka, 2002, p. 305). The challenge for conflict resolution practitioners is to inculcate these values into the conflict resolution practice, so that they may be transmitted into the wider society. Efforts could be directed at integrating rights issues with problem solving approaches to conflict resolution. The integration could occur through dialogue as a means to enhance peaceful co-existence.

Such dialogue is promoted by another organisation of the United Nations: the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

The Preamble to the Constitution of UNESCO states that:

the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern;

That a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind. For these reasons, the States Parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

Conclusion

This paper has presented an analysis of community and its values, it argues that communities remain in flux. Conflict prevention and resolution within diverse communities require the promotion of the values of community – mutual concern and the eradication of exploitation and social injustice.

Values promoted through conflict practices are transmittable into the wider society because the involvement of parties in the resolution process; the validation of conflict practices by authoritative figures and the frequency of such practices. The values of community evidenced in international covenants are desirable and as such, should be promoted.

Conflict resolution practices are becoming more important in a diverse world signeted by conflicts based on diversity issues; such conflicts relate to discrimination, inequality, inequity, rights violation and the like. The conflicts require a multifaceted approach to resolution which would promote community values in spite of difference.

This would be an all encompassing process transcending beyond the immediate conflict, comprising of education (on the importance of recognising shared values), provision of basic needs, emphasis on the need for respect and recognition of minority groups and a societal or governmental structure which promotes inclusiveness. This is the challenge for conflict resolution.

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