POLARIZATION: THE ROLE OF EMOTIONS IN RECONCILIATION EFFORTS

MEGHAN CLARKE*

The following is a reflection on Susan Bandes' article, *Victims, "Closure," and the Sociology of Emotion*.[1] This paper will touch on two different topics: narrative as a powerful tool for depolarization, and the importance of engaging even those participants we do not necessarily want to include in a reconciliation process.

Most of us are conflict averse, meaning that we do not like to deal with the issues and emotions caused by the tense and uncomfortable disagreements or interactions of or with others. Polarization due to such unengaged conflicts is something we have all witnessed, something that we have all experienced firsthand. In the mind's eye, polarization conjures up images of intense anger, hurt, pain, frustration, intransigent conflict, right, wrong. Conflict-resolution practitioners and scholars, however, aspire to the antithesis of polarization, that is, forbearance, cooperation, and healing. Those of us who study and practice conflict resolution examine the effects of polarization, design collaborative interventions, and create opportunities for shifts in attitudes and perceptions of the "other."

The following is a reflection based on experiences with over a dozen reconciliation projects in nine different states.

In *Victims, "Closure," and the Sociology of Emotion*, Professor Bandes hypothesizes that the introduction of "closure" has changed the very purpose of capital punishment. She suggests that victim impact testimony as a means to create "closure" for the family and honor the victim can easily translate to support for the death penalty. The desire to offer "healing" to the survivors may be misconstrued as a plea for a death sentence. Bandes believes that the "closure" offered by victim impact statements illustrates the inadequacies and

---

Copyright © 2009 by Meghan Clarke.

This Comment is also available at http://www.law.duke.edu/journals/lcp.

* Meghan Clarke is a Principle of Creative Resolutions in Cincinnati, Ohio, where she specializes in Facilitation, Strategic Visioning, Dialogue, Transition Management, and Mediation. In addition to working on various community-reconciliation projects, she assists small- and large-scale organizations to navigate through change, system (re)design, and conflict collaboratively. She has designed, facilitated, and partnered on over a dozen small- and large-scale initiatives ranging from a dozen to hundreds of participants. Ms. Clarke received a Master's Degree in Peace and Conflict Resolution at the School of International Service at American University.

1. Susan Bandes, *Victims, "Closure," and the Sociology of Emotion*, 72 LAW & CONTEMP. PROBS. 1 (Spring 2009).

distortions of the private, dyadic model for understanding the emotions of a capital trial.[2]

Experience has shown that large- and small-scale community reconciliation efforts also highlight these inadequacies in the theoretical knowledge of individual, dyadic conflicts in the larger context of understanding the emotions around group conflict. A capital trial, with all of its different participants, "camps or groups," and power dynamics, can be seen as a microcosm of a community. In individual, dyadic conflicts, apologies usually precede forgiveness, and apologies are typically preceded by a new understanding of the circumstances of the past. Is it possible to create this scenario on a large scale, such as that of a community involved in a capital trial, or for a civic community? And if so, how?

One of the collaborative-visioning models conflict-resolutionists in the ARIA Group[3] use is called the Collaborative Change Approach.[4] This framework, an analytical, holistic approach, is designed to address identity conflicts by encouraging disputants to work together to find a solution that will satisfy the needs of both sides. We pull together the different identity or stakeholding groups (separately at first) to either build consensus or engage conflicts. Before negotiating begins, we ask all the participants to share their stories: Why do you care passionately about your community? About your school? About the future of police–community relations? Why do you care passionately about access to quality water in your community? Why here? Why now? Why you? Dialogue initiated in this way "fosters a rich articulation and recognition of the roots of a conflict. Through a guided discussion about what adversaries care about most deeply and why, disputants may begin to speak so their opponents can listen, and listen so their opponents can speak."[5] This process of interactive introspection invites the participants—together with those whom they may have fought and hated—to articulate their respective identities, needs, and values.

In one particular initiative, The Fleet Visioning Project, we used the Collaborative Change Approach to facilitate a process whereby recreational and commercial fisherman, environmentalists, researchers, government officials, and anyone else affected by the Northeast Groundfishery were brought together to develop a vision for the future of the Groundfishery. This vision was articulated via more than 250 completed surveys and one hundred

2. *Id.*

3. The ARIA Group, Inc., is an organization of professionals experienced in conflict resolution who are dedicated to engaging communities in collaborative problem solving. *See* The ARIA Group, http://www.ariagroup.com/vision.html (last visited Nov. 23, 2008).

4. Introduction to the Collaborative Change Approach, http://www.transitionandsocialchange.org /pdf/Introduction_to_CCA.pdf (last visited Nov. 23, 2008).

5. JAY ROTHMAN, RESOLVING IDENTITY-BASED CONFLICT IN NATIONS, COMMUNITIES, AND ORGANIZATIONS 9 (1997).

participants in ten different feedback sessions from the tip of Long Island, New York, to Winter Harbor, Maine.

At one feedback session in Portsmouth, New Hampshire, a good mix of fishermen, one environmentalist, and a few community members were seated in a circle, with an entire class from a local university there to observe the process. We asked the group to share *why* each cared passionately about the future of the groundfishing fleet. We set the ground rules: "This is not a time to challenge each other; instead, it is a time to understand and be understood. If you have a clarifying question, please ask it." Rarely, if ever, was this simple ground rule broken because it is difficult to make a personal story wrong: "it is his story, it is her story." And it was always amazing to see the shifts within each individual as people began to share from their hearts.

As we were completing the introduction, a tall man walked into the room and took a seat in the circle. The whites of his eyes were red, and his body posture told us he was angry. As facilitators, we immediately thought to ourselves, "Oh, no." This gentleman, who was both a fisherman and a member of the New England Fisheries Management Council, began by saying, "Frustration." As the facilitators, we encouraged him to think about why he was passionate and to reframe his word positively. He quickly and firmly told us to "reframe it" ourselves. He began to share his story, telling the group about how two nights earlier, his son had come to him and said, "Dad, I can't do it. As much as I love fishing, I can't be a part of it; I can't join the industry." The fisherman was obviously heartbroken by his son's decision and the outlook of the industry in general. He proceeded by sharing what fishing meant to him, why he had dedicated his life to feeding the people and to supporting the economy of his community, and why he felt an affinity to its cultural heritage. As he concluded his story he said, "My passion is *participation*—I want everyone who wants to participate in the fishing industry to be welcome."

During this narrative, many others in the circle were shaking their heads because something about his story resonated with their own stories. This fisherman had been able to connect with everyone in the room—conservationists, researchers, as well as other fishermen—while reconnecting with his own passion. This was a shift, however subtle, from desperation to possibility, from "frustration" to "participation." The weight on his shoulders lightened, his face softened, and he joined the rest of his group as they negotiated the vision for the future of the groundfishing fleet in Portsmouth.

We have heard hundreds of stories like this one, and each one represents a step toward depolarization and a small window to healing. "Only when people are clear about their own values and motivations can they truly say what they mean. And only when they can fully articulate what they mean can they act upon their ideas."[6] The ultimate goal of the ARIA Group's framework is to give individuals and groups the opportunity to clarify their needs and wants; through

6. *Id.* at 18.

this full and honest expression of the motivations underlying the conflict, harmony is possible.[7]

These stories are shared within a larger social context, much like victim impact statements' being shared during capital cases in a courtroom. How can these "shifts"—this catharsis for victims—be sustained and continued? How can we use the expression of emotion to create a paradigm of restorative justice and not retributive justice? Is such a paradigm possible without harming the defendant or the family members who may not get the closure they were promised? How do we as practitioners and scholars help set the guideposts and be the support victims need so they can let go of their one way of being or interacting and transition to an experience based on shared relations and coexistence? How can we help victims acknowledge and rewrite their own histories so that a history of unresolved pain is not writing the future?

The last point is that it remains important to engage those individuals whose participation we resent, whether because these individuals represent those with all the power or a dysfunctional government structure, or because they themselves are the perpetrators. Our resentment typically stems from the concern that allowing these parties—whether entities or individuals—to participate legitimizes them. Experience has shown time and again that engaging them in the project nonetheless creates the greatest possibility for healing and transformation. But how do we do it?

One of the key questions we ask ourselves during the planning phase of any community-reconciliation project is, "Who stands to lose the most as a result of this process?" In community contexts, the response to this question may be surprising. In an environmental conflict, for example, one may quickly think of the representatives of the major industries—coal, timber, or natural resources—and of the National Park Service. The less-obvious (and maybe most important) community representatives include the local, nonprofit advocacy group whose very identity is based on continuing the conflict. How do we engage these parties in a collaborative process? Another example is the Greensboro Truth and Reconciliation Commission, which sat down with Klansman and Neo-Nazis.[8] Or how about a project designed in Santa Barbara, California, to bring the community together to alleviate the Latino achievement gap?[9] It was the first time anyone inside or outside the school district had asked students what they wanted for their school, their hopes and dreams for an equal bite at the apple. Student involvement in discussing the issues and goals for alleviating the

7. *See* The Aria Group, http://www.ariagroup.com/conflict.html (last visited Nov. 23, 2008).

8. *See* GREENSBORO TRUTH AND RECONCILIATION COMMISSION REPORT: EXECUTIVE SUMMARY 2–7 (2006), *available at* http://www.greensborotrc.org/exec_summary.pdf; Jill E. Williams, *Legitimacy and Effectiveness of a Grassroots Truth and Reconciliation Commission*, 72 LAW & CONTEMP. PROBS. 143 (Spring 2009).

9. *See* Just Communities Central Coast, Programs & Services, http://www.justcommunitiescc.org/schools.html (last visited Nov. 23, 2008) (discussing Just Communities' Institute for Equity in Education).

achievement gap seems so essential, does it not? What work must be done so that these individuals or groups are legitimate and empowered to stand against the system in which they exist?

This idea of inclusion may seem obvious, but it is crucial that we as scholars and practitioners continue to question our own comfort zones and biases and to acknowledge the inadequacies and distortions of the private, dyadic model in understanding emotions in both the capital-punishment system as well as in our community-reconciliation efforts. Our ability to participate and express our emotions are two essential aspects of being human; so if the models that we have in place for these are inadequate, then how do we create space for expression of emotion, expression of self, and a space in which apology and forgiveness are possible?