The Historic Dimension Series

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Space for All: Conflict Resolution, Preservation, and the Power of Collaborating as Equals

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The preservationist and museum professionals at the Tenement Museum chose to see conflict as a form of community engagement and an opportunity for effective planning instead of seeing it as a roadblock. This choice indicates where the preservation field is moving and where it must continue to move.

Modern preservation is a balancing act. As we shift our focus towards a new system rooted in community and social service, we open up to unprecedented levels of equitable dialogue and input. This can be challenging as different needs collide, but the reward is worth the effort. When preservationists choose to see conflict as an opportunity to better understand and serve a community, great work happens.

Manhattan's Lower East Side is home to a brilliant piece of modern preservation work both in its design and genesis. The Tenement Museum was a collection of apartments occupied by immigrants in the late nineteenth and early twentieth centuries before closing in 1935. These were places of refuge for people thousands of miles from home - where families and communities could go to find a sense of place and familiarity. They were a welcome respite from the cold anonymity of daily life. In my mind, I imagine these places lit softly with candlelight and glowing brightly against the relentless grey and grinding backdrop of the newly industrialized city.

It should be no surprise then that the Tenement Museum was a lightning rod for conflict in the early days of preservation planning. All these stories bursting out of its walls - each one carrying the emotional and cultural weight of a hundred years of heritage. In their essay examining conflict resolution and heritage conservation, Chris Johnston and David Myers detail how preservationists struggled to decide which stories to tell and from what time period. The team set out to create a site that reflected the diversity of the original tenants, and they hoped to include as many stories indicative of as many different cultures, religions, and races as possible. They were shocked when activists from different communities with links to the site protested their push for diversity.

In the end, the team decided to engage with the community stakeholders, examine the reason for their upset, and modify their approach. This led to the creation of the Lower East Side Community Preservation Project. The group consisted of 12 community leaders, several museum professionals, and an architectural preservationist; they met as equals, once a month for two to three hours at a time — chunking their meetings in stages designed to generate trust, facilitate collaboration, and ultimately create a preservation plan that addressed the needs of the communities that saw themselves reflected in the museum's history.

Through this process, the team learned more about the conflict than the original competing claims over historic significance. There were additional issues of scarcity and need. Both of these communities felt that having their identities reflected in the lower east side's historical fabric would secure a spot for them there in the present. The conflict ran deeper than the museum itself, and by taking the time to work through it in its entirety, the team cleared the way to move forward in a manner that addressed the full needs of everyone involved.

Fig. 2: Tenement Houses in New York City

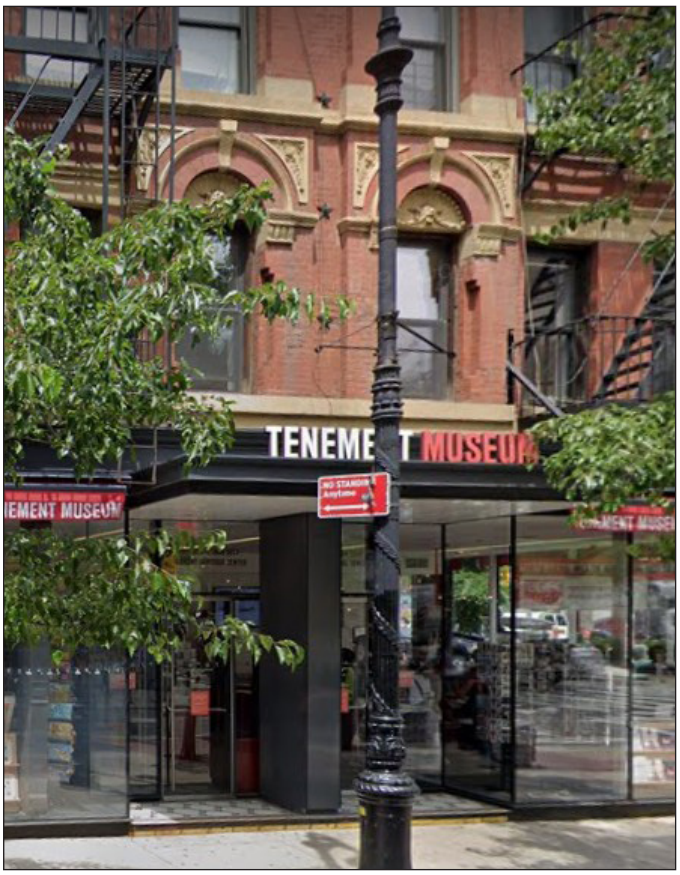

Fig. 3: Facade of the Tenement Museum in Manhattan

The preservationist and museum professionals at the Tenement Museum chose to see conflict as an opportunity for effective planning instead of seeing it as a roadblock. This choice indicates where the preservation field is moving and where it must continue to move — it is quickly (and rightfully) becoming more of a social service, focused on people as well as place and open to the input of a new and diverse group of community stakeholders.

This shift in focus necessitates a shift in practice to be done well. The preservationist's job has gotten much more complex. With the introduction of new responsibilities, opportunities for collaboration, and more community input, conflicting ideas and needs inevitably arise — all of which must be given due consideration if the preservation field wants to continue shedding its reputation for isolationist elitism and to operate in a way that is relevant, beneficial, and respectful. This will become overwhelming without adopting a more equitable, efficient, and effective method of managing these new expectations and the conversations that follow.

Conflict resolution is structurally designed to meet these needs. It can drastically transform the way preservationists engage with their communities when used correctly and in the appropriate situations. This brief will examine the universal values of conflict resolution, the importance of pairing conflict resolution with ethnographic methods of data collection, and the appropriate use of conflict resolution within the preservation field.

Conflict and Conflict Resolution

It will help first to establish definitions for conflict and conflict resolution. The Mediation Center, a nonprofit based out of Asheville, North Carolina, defines conflict as any situation in which two or more people's wishes differ. Stacie Nicole Smith is the managing director of the Consensus Building Institute (CBI), a nonprofit specializing in mediation, facilitation, and civic engagement regarding cultural and heritage disputes. She posits that conflict occurs when people perceive a threat to their values (deep and important truths), interests (a desire or need that must be met), identities (self-definition and group association), or rights (socially accepted standards of fairness). Conflict moves from opportunity to roadblock when people get stuck in their positions (their immovable desired outcomes) The likelihood of this happening increases in a parallel manner to the intensity of the perceived threat. In this way, people in conflict are engaged in self-protection and identity conservation. Conflict is therefore defined as any situation in which two or more people's wishes differ to the extent that their value systems, interests, identities, and rights feel threatened, causing them to become stuck in opposing positions.

This brief will focus primarily on two methods of conflict resolution: mediation and facilitation. These two styles are similar: they involve a third-party specialist

Fig. 4: Cabbagetown, Storefront church, Gaskill Street

(the mediator or the facilitator), two or more parties, and some form of structured discussion. There are sub-styles of both mediation and facilitation — variations generally involve the third-party specialist's role, the length of meeting time, the presence or absence of ground rules, and the level of prior contact between participants and the trained specialist. John Curtis, a practiced litigator, states that, in general, facilitation is used to address a specific problem or to complete a specific project, and mediation is used to address interpersonal conflict. Another way to examine the difference between the two is to refer back to our definition of conflict. In this context, mediation is generally well-suited to address conflicting values, identities, and perceived rights, whereas facilitation is generally best at balancing interests.

Different styles are appropriate for different situations. Carolina Harmon-Drew, Lorig Charkoudian, Tracee Ford, Michelle Ennis, and Erricka Bridgeford are the original designers of the Inclusive model, a widely applicable form of mediation focused on party self-determination. This is the style practiced at Asheville's Mediation Center. This model has its roots in community justice, meaning its creators believe that conflict is a personal endeavor and belongs to the people involved. Consequently, it should be managed by the parties and not by an impersonal state, which often manifests as law enforcement and judicial procedure. In this way, the Inclusive model is extremely well suited to equitable community engagement because it invites parties to take ownership of their own conflict.

Furthermore, this model is built on the idea that cooperative conflict is actually a protective factor against community deterioration, meaning communities can manage their own conflicts and increase their social cohesion by doing so. The Inclusive model also involves *radical inclusion*. This means full consideration of all forms of expression and all ideas and an intentional absence of ground

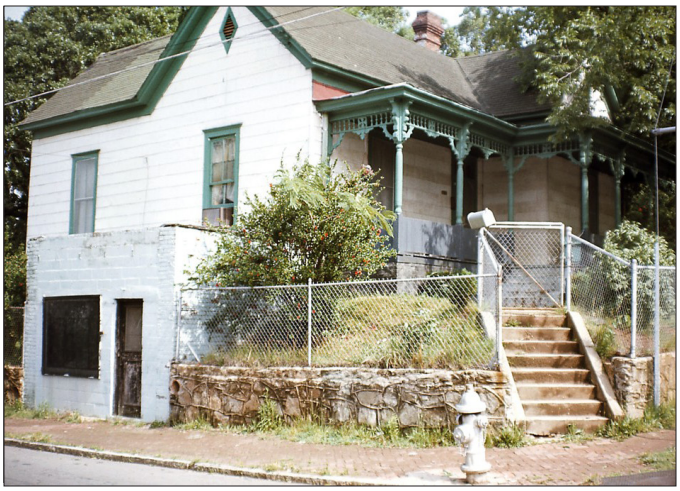

Fig. 5: Cabbagetown storefront with a residence on the upper level

rules regarding communication. This allows parties to engage authentically, thereby increasing the likelihood of authentic representation in the agreement.

Looking at the Inclusive model's general process provides some insight about conflict resolution as a whole. This particular style usually begins with individual intakes with each party. If everyone agrees to mediate, then the process proceeds. Mediation sessions occur in two-hour chunks, and there is no limit on the number of sessions available. The process consists of five steps: explaining mediation, listening (also known as information sharing), listing topics, developing solutions, and agreement writing. Procession through these steps is generally linear, but the model is designed with enough flexibility to allow for backward movement if something comes up later in the process. These five steps usually appear in some form or another in most conflict resolution models.

The Consensus Building Institute does not follow one, set model for conflict resolution - Instead, they offer a variety of mediation and facilitation services. Additionally, their specialists are specifically trained to manage heritage and cultural disputes and are well informed on the nature of the conflict before their involvement begins. This is so they can tailor their approach to the specific needs of their clients. Alternatively, mediators practicing the Inclusive model are generalists. They are given minimal information regarding the conflict beforehand in order to protect their neutrality. There are positives and negatives to both approaches, and each has their place depending on the nature of the conflict.

While CBI's conflict resolution style is subject to change, its fundamental values are not; here, there is significant overlap with the Inclusive model. CBI specialists, regardless of whatever style they select for a specific conflict, are trained to be impartial at all times and to interact with their community stakeholders in a man-

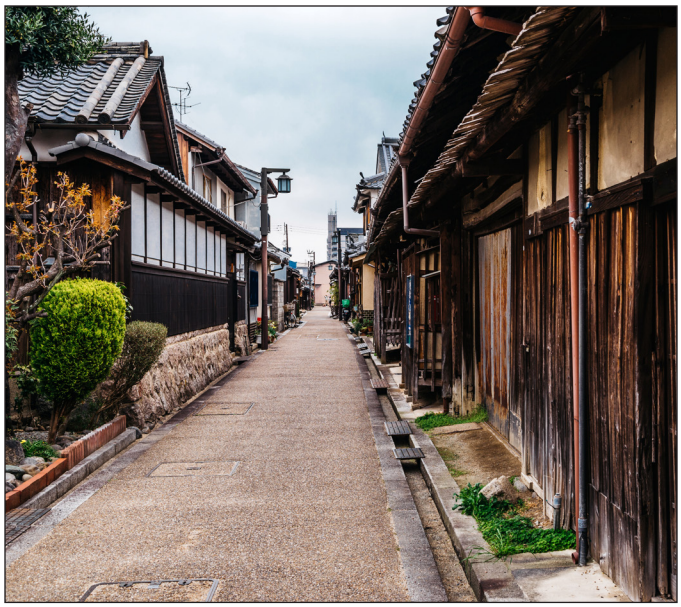

Fig. 6: Storefronts in Imaicho, Japan

ner that fosters trust between the parties — this is so they can continue collaborating effectively after CBI's involvement ends. The impartiality piece supports the same level of self-determination as the Inclusive model's focus on conflict as a personal endeavor. Similarly, CBI's emphasis on building trust fulfills the same need as the Inclusive model's focus on equitable consideration of party members' needs.

Additionally, most models have some iteration of the Inclusive style's "listening" step, meaning they all provide an opportunity for parties to communicate their feelings, values, and needs and to have their words reflected clearly and accurately by the third party specialist. This does two things. First, it increases the likelihood that the other parties will hear and fully comprehend what the other person is saying. Second, it helps parties trust that the mediator or facilitator has heard their concerns, and that their needs will ultimately be considered. With this validation and assurance, parties can release some of their emotional intensity and confidently move on to the planning stages.

This combination of equitable consideration, respect for self-determination, and emotional release is a hallmark of most conflict resolution models. It can enable preservationists to engage with community partners as equals, capable of effective communication and self-representation. There are variations in style, but all are designed to impartially build a trusting environment where parties can work through deeper-rooted traumas and emotions in order to reveal the true interests lurking beneath their positions. Furthermore, the structured process ensures that parties do not get stuck in a back and forth, but rather that they move through a series of steps towards a resolution of their own design. Regardless of the model preservationists choose to use, the universal values of conflict resolution are uniquely poised to transform

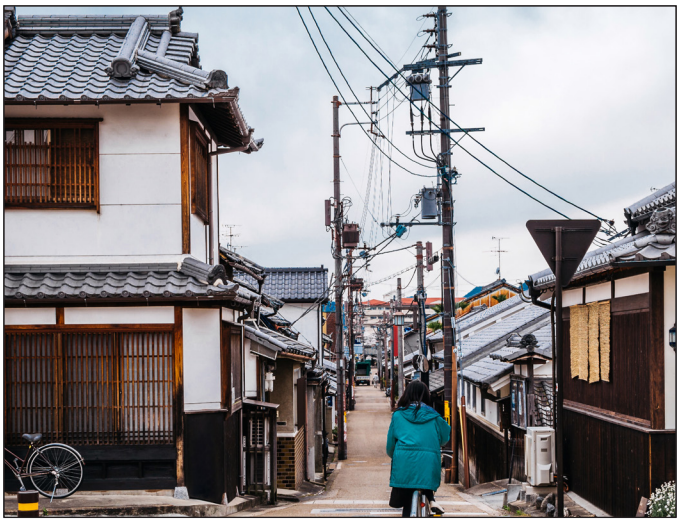

Fig. 7: Street in Imaicho, Japan

preservation-based conflict from a roadblock to an opportunity for community engagement and effective planning.

Conflict Resolution and Ethnography

Conflict resolution should be combined with other ethnographic methods of data collection to ensure that it is utilized effectively within a specific community. The National Park Service lists the following methods of ethnography: cultural mapping, surveys, life-history interviews, and focus groups — all of which have the ability to pinpoint important information and provide guidance regarding the next steps. Ethnographic data can guide preservationists towards the appropriate mediation model for their specific project.

In his piece "Reconceiving Historic Preservation in the Modern City: Conflict and Consensus Building in Atlanta," Michael Elliott Smith highlights the use of preemptive conflict assessment surveys during Atlanta's preservation crisis. In the 1980s, the city experienced a massive economic boom, resulting in major commercial development. By the end of the decade, office inventory in the city's center increased by 50%, and development spilled into the surrounding neighborhoods. This generated conflict among developers, city officials, and residents of older, low-income neighborhoods. This included Cabbagetown (See Figures 4 and 5), an old mill worker's settlement dating back to the 19th century. The mill was no longer in operation by the 1980s, but its social and economic impact remained. Cabbagetown was at least 100 years old and solidly composed of lower-middle-class working families who felt threatened by the city's expanding commercial development.

The city initiated a nine-month mediation process, beginning with conflict assessment surveys which were administered to 40 community leaders. In this instance, third party professionals initiated contact with participants before mediation. This was to obtain community input regarding the appropriate mediation style and,

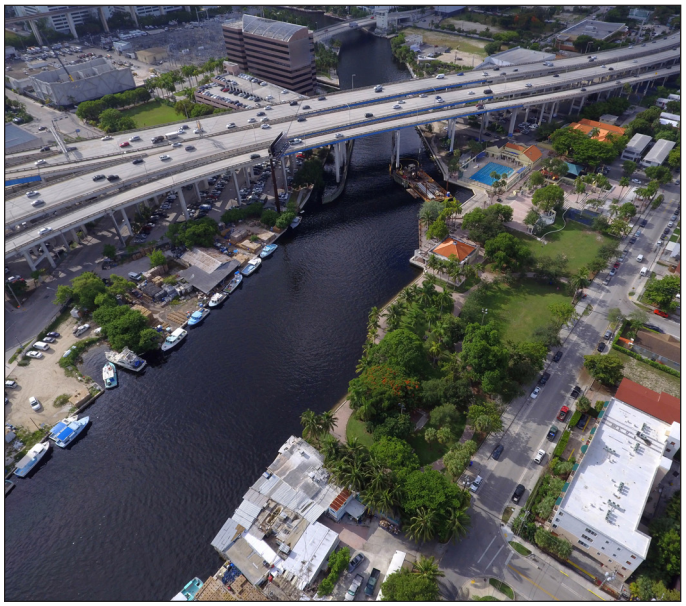

Fig. 8: Miami Riverfront, site of Tequesta dig

subsequently, to increase feelings of community ownership over the process. In the end, the parties were able to reach an agreement that contained several resolutions intended to preserve historic structures and maintain economic development. Notable facets of this agreement included new incentives supporting historic preservation and a set of recommendations for the preservation and use of 91 historic buildings in the city's business district. At the start of mediation, Mayor Andrew Young did not support historic preservation. In the end, he was the first to sign the agreement. Mediation facilitated the continued preservation of older neighborhoods like Cabbagetown and cemented preservation as a legitimate part of Atlanta's city planning process.

Preliminary research can also illuminate who the parties are — this is where life history interviews are especially effective. Lawana Holland Moore, Associate Program Officer of the African American Cultural Action Fund, believes that preservationists cannot simply enter a community and build an action plan based on the imposition of their own standards of significance. She argues that effective community engagement involves equitable dialogue with knowledge holders. From an ethnographic standpoint, preservationists can identify these knowledge holders through the use of life-history interviews. This can also be achieved by hosting a specific form of focus group known as consensus building groups. These were used during the preservation planning in Imaicho, Japan, one of the nation's largest and most commercially successful historic districts and the direct result of community mediation (Figures 6 and 7). These gatherings are used to identify which specific groups within a community are in conflict with each other. Once the preservationist understands the community, they can select the appropriate mediation style and engage the appropriate stakeholders.

Fig. 9: The Tequesta dig site— this area will either be encased in glass as a separate site from the hotel or protected by a glass floor.

Resolution in the Field: Traumatic Histories

Conflict resolution can be used in disputes where there is any level of generational or community trauma resulting from embedded social or economic disenfranchisement and/or from violent, difficult, or otherwise traumatic historical events. Mediation is especially effective in these settings because it provides the space for parties to engage with their feelings around the trauma source, communicate them to the other stakeholders, and have their feelings reflected by the mediator, thereby providing a sense of validation and catharsis. This happens during the listening stage. Confronting these emotions within a productive conversation preserves community relationships, at least to a functional degree. It can even facilitate forgiveness and healing, ultimately bolstering long-term social cohesion.

In a report for *National Geographic*, Glenn Hodges detailed a particular case in which mediation worked for this exact reason. In 2014, the MDM Development Group was embroiled in a conflict with archaeologists and indigenous representatives regarding the preservation of an ancient Tequesta Village in Miami.The Tequesta were a small Native American tribe. They resided primarily in southeastern Florida and had many settlements along the Miami River (See Figure 8). Exploring Florida, a digital collection of resources for Social Studies teachers, posits that the Tequesta numbered around 800 at their peak. In his piece on the mediation, *National Geographic* journalist Glenn Hodges posits that the Tequesta were one of the few tribes that managed to survive for an extended period of time after Europeans arrived on the continent; however, by the 1800's, there were only a few tribe members left. Given how small the tribe was to begin with and the massive loss of their built environment, community stakeholders were desperate to preserve what remained.

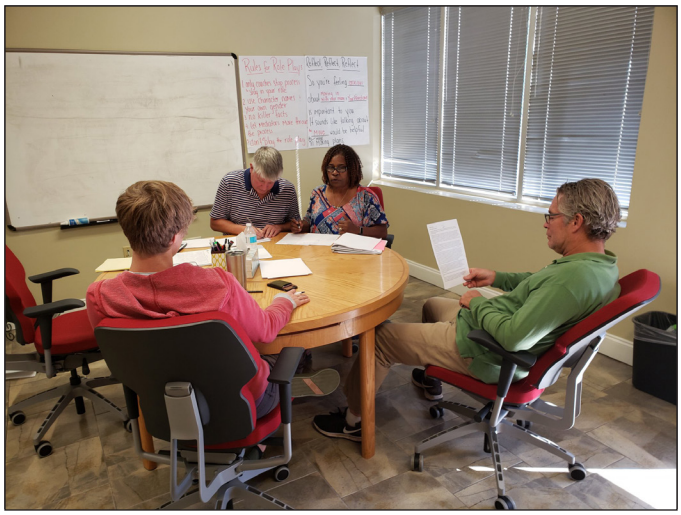

Fig. 10: Mediation in practice. Parties are seated around a table with the mediators.

The site was discovered during routine canvassing prior to construction of a new hotel. The different parties came to mediation, and decisions were made only after they were given time to vent. This was especially cathartic for archaeologists representing the indigenous population who had experienced a traumatic amount of cultural loss during colonialist development. The resulting agreement met the needs of all the community stakeholders despite their initial opposition. MDM will build one part of their hotel with a glass floor over the Tequesta ruins and manage that space as a public museum - the ruins next to the hotel will be encased in glass and interpreted for hotel guests (See Figure 9).

In cases where there is some level of generational or historical trauma, it can be important to select a style that utilizes ground rules. This ensures that parties feel comfortable communicating honestly and listening openly in a manner that might otherwise feel impossible in the context of their trauma. Stacie Smith points out that mediation can often be a place where previously hostile groups can practice engaging with each other respectfully. This is yet another way in which conflict resolution may support long term, successful community cohesion even after the mediators have ended their involvement.

Resolution in the Field: Disenfranchised Communities

Conflict resolution can also be used in historically underrepresented communities that may feel disenfranchised by traditional preservation practices and are therefore distrustful of preservationists' intentions. This is because mediation is especially designed to put all parties on an equal footing regardless of expertise, class, gender, etc. in a way that traditional public engagement methods cannot usually accomplish. As Joshua Abrams points out in his piece on mediating zoning disputes, public forums, a common form of engagement, require community members to speak their piece within a limited time frame. They are not permitted to engage in a dialogue with the committee. Even the physical setup underpins

Fig. 11: Family members of people who died on September 11th present to the memorial jury members at the Tribeca Performing Arts Center.

a power imbalance — committee members are usually seated while community members are made to stand. Most conflict resolution models involve a seated discussion in which the participants face each other or are placed next to each other at the same table, thereby creating an equitable environment (See Figure 10).

Additionally, inviting community members to enter into a binding agreement regarding a preservation project ensures a follow-through that is otherwise not guaranteed when preservation committees make decisions in isolation. Agreement writing in mediation engages preservationists in genuine collaboration and follow-through, thereby repairing the trust between themselves and the community. A 2013 article released by Cell Press examined the use of mediation in ecological conservation and urban planning and found that distrust was the main barrier to effective collaboration. Furthermore, outcomes were less durable when conservationists prioritized their interests over their community stakeholders.

Resolution in the Field: Multiple Stakeholders

Lastly, conflict resolution is an appropriate avenue when preservationists find themselves working with multiple community stakeholders, all with different needs and perspectives that must be heard equally and merged to form a realistic and workable plan of action. Facilitation and mediation are both structured to get to a workable solution efficiently; there are scaffolded steps in both intended to guide parties forward rather than let them get stuck in entrenched, oppositional positions. This is especially important in situations where there are more than two parties and multiple issues up for dispute.

Stakeholders, for example, may have drastically different understandings of significance and heritage. This is a conflict of values, and Johnston and Myers argue that the idea of universally understood values is changing in historic preservation — making way for a more polyphonic understanding of cultural significance and heritage. Lawanna Holland-Moore explains the reason for this expansion, arguing that significance is rooted in

time and place, both of which are subject to interpretation in different cultures. As more cultures engage in heritage conservation, different values regarding significance come to light. Failing to account for these diverse belief systems results in the loss of sites that may be important to a specific community. As modern preservationists work to confront this truth, conflict can occur as these different understandings about a site's heritage butt up against each other. Mediation is well-suited to these types of conflicts. This is because mediators are trained to listen for the values behind these differences of opinion. Focusing on values instead of positions opens parties up to a wider variety of suitable solutions. Many solutions can fulfill a value, but a position only leaves space for one.

Alternatively, stakeholders may come to a project with similar values but different interests or ideas. In this instance, facilitation may be best. This is because the primary conflict involves managing many ideas and interests rather than a disagreement over belief systems. Parties agree on the project's purpose, but they disagree over its execution. Here, facilitators can assist in the efficient formation of a cohesive plan where parties might otherwise get stuck in a back and forth debate.

Project planners utilized facilitation to plan the preservation and memorialization at Ground Zero. In *The Stages of Memory,* James Young details the process at great length. In 2003, The Lower Manhattan Development chose 13 jury members to select the memorial's design. They then released a statement to the general public requesting proposals. As the jury narrowed down the applications, they held a series of facilitated meetings with victims' family members (the other stakeholders) to discuss their ideas and concerns (See Fig. 11). In this instance, the conflict was not about whether to memorialize, but rather how to memorialize. There were different ideas about how to utilize the debris, how to address the people who jumped from the towers (a controversial subject at the time), and how much of the remaining site to preserve. Given the extremely high victim count, the jury needed to ensure that the memorial satisfied a great number of stakeholders. Facilitators ensured that that they were heard and assisted in the creation of a cohesive set of guidelines for the jury to consider as they made their final selection, thereby protecting their interests.

Conclusion

Conflict does not have to be a roadblock to efficient and effective preservation planning. It can be used to help shape the most effective generation of preservationists yet. Each new era brings new understandings of previously held ideas like significance and heritage. They are examined deeply, broken down, and opened up to make space for an ever wider cultural understanding of what is important. Modern preservation must account for this and engage with these new voices. Conflict resolution is uniquely designed to efficiently manage these differences of opinion and mold them into opportunities for culturally relevant, socially-minded, and creative preservation projects.

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